

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on September 8, 2015 at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mrs. Daugherty called the session to order at 7:00 pm.
2. Mr. Hodson called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. In addition to Mr. Tiffany, Township Administrator, others, who signed in, were Todd Fousy, Barbara Burson, Denise Moore, Sheila Titer, Mark Stuart, Dave Liette, Charlie Rulick, Paul Metzger, Tom and Karen Kathmann, Carolyn DeStefani and Michael Ruff.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. Appointment of Fire Department Personnel Ryan Parker, Grant Wirth and Cody Smith

Resolution #2015.09.08.01

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, vacancies exist within the part-time classifications of Firefighter/EMT, Firefighter/Paramedic and within the classification of volunteer; and,

WHEREAS, Ryan Parker has the necessary qualifications to serve in the capacity of part-time Firefighter I/EMT-Basic for the Sugarcreek Township Fire Department; and,

WHEREAS, Grant Wirth has the necessary qualifications to serve in the capacity of part-time Firefighter I/Paramedic for the Sugarcreek Township Fire Department; and,

WHEREAS, Cody Smith has the necessary qualifications to serve in the capacity of volunteer for the Sugarcreek Township Fire Department; and,

WHEREAS, Assistant Chief Zimmerman is recommending the appointment of these candidates; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2015 Operating Budget.

NOW THEREFORE, BE IT RESOLVED, that Ryan Parker shall be appointed to the position of part-time Firefighter I/EMT-Basic at the pay rate of \$8.85 per hour, Grant Wirth shall be appointed to the position of part-time Firefighter I/Paramedic at the pay rate of \$10.45 per hour and Cody Smith shall be appointed to the position of volunteer.

FURTHER BE IT RESOLVED, the above-mentioned appointments will have an effective date of September 8, 2015, with a one (1) year probationary period ending on September 8, 2016.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Mr. Grant Wirth was present at the meeting and came forward to be personally welcomed by the Board and Staff.

5. **Public Hearing**

Miller Valentine is requesting approval of a map amendment to the Zoning Resolution to rezone Parcel L32000120002000070 and L32000100020006500 located at 4700 and 4704 Feedwire Road from R-PUCD (Residential Planned Unit Conservation Development District) to PUD-R (Residential Planned Unit Development District). Miller Valentine is also requesting a preliminary development plan approval under Article 5 of the Zoning Resolution for approval of the preliminary plan for Waterford at Sugarcreek, a multi-family development.

Public Hearing Opened –

Mr. Bryant moved to open the public hearing. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Staff Report on the text amendments - Cara presented slides showing the property and the proposed development which depicted the topography and the lot layout for the proposed development. The slides showed the proposed entrances and the modification for Feedwire Road to accommodate them. Cara said they will also provide a 10 foot bike path along Feedwire with a connection across the Little Sugarcreek to connect to the existing River Ridge development and to Little Sugarcreek Road. Mr. Bryant asked Cara to back up a couple of slides and asked her about the adjoining parcel west of the proposed development. Cara said it was owned by the Ramke family and they had no plans to do anything in the near future. Mrs. Daugherty asked to see the map with the creek again and asked how far the buildings were from it. Cara said they were separated by three hundred feet. Mr. Bryant asked what the property was originally approved for. Cara said it was approved for single family development. Cara said there would be two hundred and thirty one units in eighteen buildings. She also said there would be fifty six percent open space and an eighty five foot setback from Feedwire Road. Cara said there would be ninety-two one bedroom units, one

hundred and nine two bedroom units and thirty three bedroom units. Many with attached garages. Cara said a bridge for the bike path will connect the development to River Ridge and the existing six foot bike path in River Ridge will be replaced with a ten foot wide bike path connecting to Little Sugarcreek Creek Road. Cara also said the second bridge across the creek, originally proposed, will not be built.

Applicant presentation - Charles Rulick, of Miller Valentine, introduced Mark Stuart, Dave Liette and Paul Metzger, other representatives of Miller Valentine, also present. Mr. Rulick talked a little about Miller Valentine and said they are currently managing about one thousand seven hundred and fifty residential units like they are proposing, which represents an investment value of two hundred and fifty million dollars. He said this type of development will provide a transitional land use between existing single family to the east and commercial uses to the west. He said this will be consistent with the intent of our long-range land use plan. He said the development will preserve the Little Sugarcreek corridor and will provide over fifty percent open space. Mr. Rulick said, based on current statistics from our other 'Big House' developments, we average about 0.25 student per unit. Mr. Bryant asked what the units looked like. Mr. Rulick said he will get to that in another slide or two. Mr. Rulick showed pictures of typical apartment interiors, the Club House, Pool, Cyber Cafe, dog park and other amenities. Other slides depicted elevations showing the mounding along Feedwire, landscaping and building elevations. Mr. Rulick showed pictures of the building depicted the elevations of the two story and elevations of the three story with walk out basement. Mr. Pittman asked if some units had fireplaces and if some didn't. Mr. Rulick said that is correct. Mrs. Daugherty asked if not all have garages. Mr. Rulick said that was also correct. Mr. Bryant asked how many unit were in a building. Mr. Rulick said eleven to fourteen. Mr. Bryant asked how many doors to a building. Mr. Rulick said eleven. Mr. Bryant asked how many garages. Mr. Rulick said, with type one, nine garages. Mr. Tiffany asked if you could enter direct from the garage. Mr. Rulick said yes with possibly a few exceptions. Mr. Pittman asked if there any of these buildings were near, so we could look at them. Mr. Rulick said that there were some in Springboro. Mrs. Daugherty asked if we could see them if we went there. Mr. Rulick said yes but they are older units. Mrs. Daugherty asked how many buildings. Mr. Rulick said eighteen. Mr. Pittman asked if the dog park was uncommon. Mr. Rulick said they are getting to be quite common. Mr. Pittman asked, if on the original development they would have paid for a bridge across Little Sugarcreek. Mr. Tiffany they would have. Cara noted that it was a six foot path but now will be ten foot. Mr. Tiffany said this is not a Safe Routes to School grant but an Issue II grant and will probably not be funded until about August of 2018. The question was posed about public access. Mr. Tiffany said these are private streets and we don't want public access. He said we don't have to maintain private streets. Regarding the statement that Feedwire Road may soon be four lane, Mr. Tiffany said Miller Valentine has given us the right-of-way to do so but Greene County has nothing planned for widening the bridge for another seven to ten years.

Mr. Pittman said we value the stream and have concerns that the water quality in the stream may be affected. Mr. Rulick said we are working with various options to prevent such from occurring. He said Mark might better address that issues.

Mr. Stuart we are currently looking at the bed rock for retention ponds and at other options to maintain water quality. Mr. Tiffany said we have talked to them about filtering ponds etc. and they are okay with doing what is needed. Mr. Stuart said we are required to do what is needed to that end by State law. Mr. Tiffany noted that in their presentation there were no markings for retention ponds but for storm water management systems.

Those wishing to speak in favor – None

Those wishing to speak against - Mr. Tom Kathmann, 3064 Marshfield Road, said he was concerned with traffic. He said we may be looking at adding five hundred cars on Feedwire. He said it will add to traffic considerably. Mr. Kathmann also asked what will happen if the development changes hands. Mr. Tiffany said Miller Valentine retains their assets and we look at them as being long time partners.

Sheila Titer, 4037 Sugar Ridge Blvd., said the family is disappointed with going to multi-family. She said when they purchased their property it was going to be a single family development next to them. She said she did appreciate Miller Valentine including their neighborhood for their input. She said she would like a little more distance between houses in the original development and the new apartments. She said the separating trees are sparse in some areas. Ms. Titer said she is also concerned about the traffic and the water system in the area.

Mr. Tom Kathmann spoke again and mentioned the development across from the cemetery. He said this will also add traffic to Feedwire, Mr. Tiffany said Feedwire is a County Road and they will monitor it and make changes as needed. Mr. Tiffany also said there is a Resolution on tonight's agenda regarding a traffic study on Feedwire. Mr. Tiffany said there is a lot of pressure from annexation and several strategic parcels being developed can prevent this. Mr. Kathmann asked about future development. Mr. Tiffany said most of Clyo will be commercial development. He said the sixty acres next to the middle school will not be developed because it does not have the capability to support a sewer system.

Neutral Parties wishing to speak - None

Public Hearing is closed- Mr. Bryant moved to close the Public Hearing. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Deliberation and Discussion - Mrs. Daugherty said she was concerned with the traffic. She said her other concern was maintaining water quality in the Little Sugarcreek stream. Mr. Bryant asked again about the water concerns. Mr. Liette said we are currently looking at bedrock and next would be swales etc. and then modifying soil for percolation. Mr. Bryant asked if they could create a situation that would keep the water clean. Mr. Liette said yes.

Mrs. Daugherty said then you are looking for the right mechanism. Mr. Liette said we will do what is needed trying to maintain as much natural space as we can. Mr. Rulick said have already moved back twenty feet from the original phase II approved plan.

Mr. Tiffany asked the Board if they knew Ken Middleton with Greene County Soil and Water. None responded that they did. Mr. Tiffany said Mr. Middleton will make certain the proper plan is in place before the development is done and will monitor the development to insure it is done properly.

Mr. Pittman said he had no additional comments.

Mr. Bryant said he thought the design was nice and their plan would hide the development from Feedwire. He said a few months ago, Redwood apartments were approved and they were in a better location and without three bedroom units. . He also said they were all two bedroom and all had garages. Mr. Bryant said he was worried about annexation and that's the issue he struggles with. .He said Feedwire will suffer on traffic and it needs to be addressed. Mrs. Daugherty said she agrees and would like to have seen the original Phase II but also does not want annexation.

Mr. Pittman said he liked the original but thinks this is a good product. He said he is not an apartment guy but said Centerville will go right through the park and take this development. He said he thinks we are growing faster than our infrastructure but thinks we can handle it. He said he is glad Miller Valentine is doing the project. Mr. Pittman said we are held hostage by cities because of pressure. He said it is what it is and you have a great product. Mrs. Daugherty said she agreed with Mr. Pittman that is a great product.

Resolution #2015.09.08.06

WHEREAS, Miller Valentine has submitted an application for a map amendment to the Sugarcreek Township Zoning Resolution to rezone 24.525 acres located at 4700 and 4704 Feedwire Road from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) District; and,

WHEREAS, the Greene County regional Planning and Coordinating Commission has reviewed the applicant's request for a map amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) District and has recommended that it be considered for approval; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a public hearing on June 9, 2015, and has recommended approval of the requested map amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) District; and,

WHEREAS, the Sugarcreek Township Board of Trustees held a public hearing on September 8, 2015, and deliberated on the application.

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby approve the applicant's request for a map amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) District for 24.525 acres identifiable by parcel ID's L32000100020000700 and L32000100020006500 located at 4700 and 4704 Feedwire Road.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Resolution #2015.09.08.07

WHEREAS, Miller Valentine has submitted an application for the approval of the Preliminary Development Plan for Waterford at Sugarcreek, a multi-family development. The subject property contains 24.525 total acres, identified as parcels L32000100020000700 and L32000100020006500, located at 4700 and 4704 Feedwire Road; and,

WHEREAS, the Greene County Regional Planning and Coordinating Commission has reviewed the applicant's request and has recommended that it be considered for approval; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a Public Hearing on June 9, 2015, deliberated on the application, and has recommended approval of the Preliminary Development Plan for Waterford at Sugarcreek, a multi-family development, subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. Final design shall be subject to approval of the City of Bellbrook Water Department.
4. The development shall comply with the recommendations of the Soil and Water Conservation District.
5. Final design shall be subject to approval of Sugarcreek Township Fire Department.
6. The use of vinyl and/or aluminum siding shall be prohibited.
7. The percentages of stone and/or brick may vary throughout the site depending upon the exposure of the elevation to the public, but will average 30% +/- across the community's combined elevation area. Elevations will be presented and reviewed during the Final Development Plan stage.

8. Any changes to the plan recommended by the GCEO as a result of the Traffic Impact Study shall be reflected on the Final Development Plan submitted for approval. The developer shall be responsible for necessary road improvements including, but not limited to, improvements deemed necessary to Feedwire Road to accommodate the proposed development.
9. Details on the proposed internal pedestrian network shall be reflected on the Final Development Plan submitted for approval.
10. The developer shall remove the existing 6' path located along Feedwire Road in Sugar Ridge, Phase 1 and replace it with a 10' wide asphalt path adjacent to the right-of-way terminating at the eastern property line and where topography becomes severe adjacent to the Little Sugar Creek (this path will mirror the path shown on the submitted preliminary plan). The path shall be constructed to township specifications.
11. The developer shall provide right-of-way to the township to allow for the construction of a 10' bridge crossing adjacent to Feedwire Road to connect to the two path sections. Details will be finalized with legal counsel.
12. The developer shall provide easements to the township covering all constructed 10' path to allow for public access, use and maintenance (including the Sugar Ridge, Phase 1 relocated path). Details will be finalized with legal counsel.
13. Only fixtures certified by the International Dark Sky Association as dark sky friendly shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.

Mr. Pittman moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes

Mr. Bryant – No. He said the traffic is an issue and even though this is a good product the parcel is in the wrong location as is.

Mrs. Daugherty - No She said she would like more space between Sugar Ridge and the new development.

Mr. Kathmann said he was confused about what just happened. He said we approved the rezoning but not the development project. Mr. Bryant said we approved the zoning but I am not sold on the current project design. Mr. Tiffany suggested that since we approved the zoning we could table this motion to permit Miller Valentine an opportunity to resubmit without restarting the whole process over. After consideration, Mr. Bryant moved to rescind the last vote and to table it instead. Mrs. Daugherty seconded.

Roll was called with the vote being as follows:

Mr. Pittman – Yes

Mr. Bryant - Yes

Mrs. Daugherty – Yes

6. Community Activities

None

7. Reports

A. Administration

Mr. Tiffany's report will be appended to the permanent record. Mr. Tiffany said the auditor's left today and we have an excellent audit.

B. Fiscal Office

Mr. Hodson thanked Mr. Tiffany for his comments.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Assistant Chief Zimmerman said she had nothing additional to add..

D. Police

The report prepared by the Police Department will be appended to the permanent record. Chief Brown said he had nothing additional .

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said he had nothing to add other then we will be buying salt soon.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Cara said she had nothing else to add.

G. Information Technology

The report prepared by Mr. Zappanti, Director of Information Technology, will be appended to the permanent record. Mr. Zappanti said he had nothing to add.

H. Trustees

Mr. Bryant said we met with Centerville again and he thinks we have moved forward again a little. He said we have another meeting in a few weeks. Mrs. Daugherty said it was a good meeting but we still have items to discuss.

8. Public Comments – Agenda Items

None.

9. Old Business

Schedule next Fire/EMS Public Input meeting.

Schedule meeting with the City of Bellbrook

10. New Business

Consent Agenda Items

- A. Approval of Minutes
- B. Payment of Bills
- C. Reappointment of Board of Zoning Appeals Member (BZA) Cindy Vantrease

Resolution #2015.09.08.02

WHEREAS, the term of the Board of Zoning Appeals Member Cindy Vantrease is up for renewal; and,

WHEREAS, the Board of Zoning Appeals (BZA) plays a pivotal role in the land-use decisions for Sugarcreek Township; and,

WHEREAS, it is imperative that all positions on the Board of Zoning Appeals be filled with Citizens who will make decisions that are in the best interest of Sugarcreek Township; and

WHEREAS, Cindy Vantrease has proven her dedication and commitment to the requirements of the position of Board of Zoning Appeals member.

NOW THEREFORE, BE IT RESOLVED, that Cindy Vantrease is hereby re-appointed to the Board of Zoning Appeals for a five-year term beginning August 1, 2015 and expiring on July 31, 2020. (Said appointment made pursuant to the Ohio Revised Code Section 519.13).

- D. Requesting a speed Zone Study on Feedwire Road between Little Sugarcreek

WHEREAS, the Township Administrator, Barry Tiffany, is requesting a speed zone study be performed on Feedwire Road between Little Sugarcreek Road and the I-675 bridge that is located within the boundaries of said Township; and,

WHEREAS, the Board of Trustees finds that such request is of sufficient importance to the public welfare and safety to order a speed zone study be performed on said roadway,

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Sugarcreek Township in Greene County, Ohio is hereby requesting the County Engineer prepare a speed zone study on Feedwire Road between Little Sugarcreek Road and the I-675 bridge.

BE IT FURTHER RESOLVED, that once complete, the speed zone study will be sent to the State of Ohio for evaluation for a change in the posted speed limit on said road.

- D. Requesting a Speed Zone Study on Feedwire Road between Little Sugarcreek Road and the I-673 Bridge

Resolution #2015.09.08.03

WHEREAS, the Township Administrator, Barry Tiffany, is requesting a speed zone study be performed on Feedwire Road between Little Sugarcreek Road and the I-675 bridge that is located within the boundaries of said Township; and,

WHEREAS, the Board of Trustees finds that such request is of sufficient importance to the public welfare and safety to order a speed zone study be performed on said roadway,

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of Sugarcreek Township in Greene County, Ohio is hereby requesting the County Engineer prepare a speed zone study on Feedwire Road between Little Sugarcreek Road and the I-675 bridge.

BE IT FURTHER RESOLVED, that once complete, the speed zone study will be sent to the State of Ohio for evaluation for a change in the posted speed limit on said road.

Mrs. Daugherty read the above Resolution for those people present from Sugar Ridge.

- E. Authorizing the Township Administrator to enter into an Agreement with MS Consultants Inc. Regarding Safe Routes to Schools Projects PID 93532:E120743 and PID 96356:E131364

Resolution #2015.09.08.04

WHEREAS, the uninterrupted operations of the Township are necessary for the preservation of health, safety and general welfare; and,

WHEREAS, the Board of Trustees recognizes the importance of safe pathways and bikeways for the public and the valuable community asset they represent in sustainable communities; and,

WHEREAS, the Township Planner requested and received several competitive bids for right-of-way services related to the construction of a 10' wide Safe Routes to School path, known as projects PID 96356:E131365 and PID 93532:E120743; and,

WHEREAS, upon reviewing said bids, the bid received from MS Consultants, Inc. was selected in the amount of Twenty-one Thousand Five Hundred dollars (\$21,500.00); and,

WHEREAS, all of the funds used to pay for these services will be reimbursed to the Township by the Ohio Department of Transportation (ODOT).

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorize the Township Administrator to enter into an Agreement with MS Consultants, Inc. (see

attached) regarding Safe Routes to School Projects PID 93532:E120743 and PID 96356:E131364.

Mrs. Daugherty said we should vote for the Approval of Minutes separately since she was absent the last meeting. Mr. Bryant moved to approve the minutes of the last meeting. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Abstain

Mr. Pittman moved to accept the remaining 'Consent Agenda' items as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Discussion Agenda Items

None

11. Public Comments

Mrs. Titer thanked the Board for giving her the opportunity to speak.

12. Trustee/Staff Discussion

None.

13. Executive Session

Mr. Tiffany said we need an Executive Session to discuss Part-time Fire Employees wages relevant to ORC 121.22.G1. Mr. Bryant moved to adjourn to Executive Session. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

12. Adjourn

The meeting reconvened at 9:05 pm with the following action taken.

Resolution #2015.09.08.05

WHEREAS, this Board of Trustees has decided it to be the best interest of the Organization to update the merit based wage scale for each of the departments covering the non-bargaining unit employees; and,

WHEREAS, this will be a continuing process of evaluation for each calendar year beginning January 1 and ending December 31.

NOW THEREFORE, BE IT RESOLVED, this Board of Trustees does hereby approve the wage scale modifications for Part-time Fire Department employees (attached hereto) to be effective September 14, 2015.

Mrs. Daugherty moved to accept the above Resolution. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

The hourly rates are now \$11.88 for Step 1 to \$16.91 for Step 10. The new rate review form will be appended to the permanent record.

Theodore L. Hodson, Fiscal Officer