

**The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on May 02, 2016, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.**

1. Mr. Pittman called the session to order at 7:00 pm.
2. Mr. Hodson called the roll with Board Members Mike Pittman, Nadine Daugherty and Carolyn Destefani being present. Others present who signed in were Chris Ewing, Arnold and Sandra Kiefer, Cynthia and Kenneth Heil, Denise Moore, Mike Bettencourt, Barbara Burson, Dave and Barb Laurash and Jim Martin.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. **Appointment of Administrative Assistant Sara Contreras**

**Resolution #2016.05.02.01**

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

WHEREAS, vacancies exist within the classification of full-time Administrative Assistant; and,

WHEREAS, Sara Contreras has the necessary qualifications to serve in the capacity of full-time Administrative Assistant for the Sugarcreek Township Administration Office; and,

WHEREAS, Barry Tiffany, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Administration's 2016 Operating Budget.

NOW THEREFORE, BE IT RESOLVED, that Sara Contreras shall be appointed to the position of full-time Administrative Assistant within the Sugarcreek Township Administration at the pay rate of \$16.07 per hour effective May 16, 2016, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending May 16, 2017.

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

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

Mrs. Contreras was not present and her appointment will be effective May 16, 2016.

5. **Reassignment of PALS Member Greg Andrew**

**Resolution #2016.05.02.02**

WHEREAS, Greg Andrew has indicated his desire to be reassigned from the Sugarcreek Township Fire Department PALS Program to the Volunteer Program; and,

WHEREAS, Mr. Andrew became a member of the Sugarcreek Township Fire Department as a PALS Member on July 15, 2013; and,

WHEREAS, Chief Jeff Leaming recommends we accept the reassignment of Greg Andrew.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the reassignment of Greg Andrew effective April 27, 2016.

Chief Leaming said Mr. Andrews is a volunteer who will be helping Sugarcreek and Spring Valley, primarily with traffic control.

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

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

6. **Public Hearing** – The Sugarcreek Township Zoning Commission initiated , by passage of a motion at the February 9, 2016 meeting, modifications to the Sugarcreek Township Long Range Land Use Plan. The modifications proposed impact the Planning Area Recommendations in Planning Areas 3 – 8.

Public Hearing is formally opened -

Mr. Pittman moved to open the Public Hearing. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

Staff report on the text amendments-

Cara said briefly these amendments will change 3-8 from describing plan usage as gross density to minimum lot size. Cara went on to describe reasons for changes in detail.

Those wishing to speak in favor -  
None.

Those wishing to speak against -  
None.

Neutral parties wishing to speak -  
None.

Public Hearing is closed.

Mr. Pittman moved to close the Public Hearing. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

Deliberation and decision -

Mrs. Daugherty commended the BZC for getting the language consolidated and in place.

Mrs. Destefani said our logo says open space so the five acres should be specific.

Mr. Pittman said the changes are minor but should be helpful in the future.

The Board members were all in agreement to accept the changes.

Board members Daugherty, Destefani and Pittman all approved the modifications proposed by the BZC.

Mr. Pittman said Chris Ewing, Executive Director for the Bellbrook/Sugarcreek Chamber of Commerce, was present and would like to give her an opportunity to speak.

Mrs. Ewing said she had new maps for distribution. She said it was nice to have all the new roads and business's

on the map. Chris said the National Day of Prayer meeting will be at 9:00 am at the BellHop cafe. She also said there will be a community garage sale on May 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>. Chris said on June 18<sup>th</sup> there will be an Old Fashioned Community Picnic at at Sackett Wright. She said there will be food trucks, catering or bring your own picnic lunch. Chris said there will be a lot of activities and an Old Time Baseball Game ( 1800's rules, no gloves, 4 outfielders etc.). Chris said the Chamber Supports the Safe Routes to Schools walkways being built in the Community. She thinks it adds value to property and it will be great to be able to go all around the community by walking or biking.

Mr. Pittman said the open meeting we had with ODOT, for their presentation of the safe routes to Schools program, was not a scheduled or an official Township meeting as some thought. As such, anyone present who wishes to speak and be a part of the meeting record, may feel free to do so.

Mr. Arnold Kiefer, 3682 E. Salinas Circle, thanked the Board for giving him the opportunity to speak to them publicly about the proposed bike path. He said he does not think the Board is maintaining control of this project and has not substantially debated owner property rights. He said he urges the Board to be critical of every facet of the project, not just with safety.

Mr. Kiefer asked the board to maintain open and honest communication about their intentions . He said the Feb. 10<sup>th</sup> meeting did not accomplish this. He said those who attended were told they could only listen and the Board would only accept written comments. He said open comments in a public forum was not allowed. Mr. Kiefer said he thought this set an adversarial tone rather than a cooperative one. He said there were no minutes and their written comments were to be complied and published. He said Trustee Destefani told him the comments were given to ODOT and no public record exists.

Mr. Kiefer said this made him wary of the Board's intentions. He said to promote better communication, he has opened his own website for information about the bike path. Mr. Kiefer said the Township is constructing a path that requires private property and is inviting opposition instead of cooperation. He said they now are considering a continuous path to Cloy Road and must reconsider in how it works with property owners in order to achieve a cooperative solution. Mr. Kiefer said, after discussions with Mrs. Destefani, he doesn't think there is any intention to significantly change their current plans. He said he would like to see facts showing substantial benefits to the community and property owners. He said having funding is not justification for building it. Mr. Kiefer urged the Board to be critical of every aspect of the project, otherwise, he thinks they will encounter opposition every step of the way.

Mr. Steve Wilkerson, 3672 E. Salinas, expressed his disappointment in the February 10<sup>th</sup> meeting. He said the ODOT website says the purpose of the Safe Routes to Schools program is to encourage kids to walk or ride their bikes to school. He said all the information coming to him is about the benefit for the community and has not heard anything about the students. He said he was taken aback by a comment he received to one his submitted concerns about safety along Feedwire with the increase in traffic due to the Cornerstone facility. He said the quote was that a pedestrian hit by a car doing 20 mph only has a 5% chance of dying. He said he bought his property because of the way it looked and has great concerns for the changes that may be made. He said he also has concerns for the options of screening or fencing. He said the Township has the responsibility for maintaining the path to the extent of the easement or right-of-way. Mr. Wilkerson said he didn't know what that meant and doesn't have a clue what the real impact on his property might be.. He said that makes it impossible for me to decide which option is best. He said by having option 1 and 2 instead of A and B it implies that option 1 is preferred. He said any discussion with him with regards to option 1 was in defense of not going to option 2. Mr. Wilkerson said that instead of a great opportunity for the community, he thought it was for the schools. He said the fencing and landscaping is an option but if I don't agree, you have the right to take it. Mr. Wilkerson said one of the arguments against option two is that there are grave sits on the other side of the road. He said there is only one headstone and after probing, my information was that there may not be much of anything in the area of concern. Mr. Wilkerson said liabilities for property owners will increase with option 1. He said he pointed these out in the comments he submitted, so he won't go into them.

Mr. Pittman notified Mr. Wilkerson he has used his allotted time and to finish with his remarks. Mr. Wilkerson said his last opinion was that the engineers drawings do not provide enough information to property owners to make a decision.

Mrs. Cynthia Heil, 3686 E. Salinas Circle, said when she moved here the Middle School wasn't there. She said a path on the south side of Feedwire will cause a substantial loss of property for owners and is not sure how it would be addressed. She said she is aware of the existing walkway and knows it extends quite a way off the road. She has heard arguments that the walkway would enhance their property but she is not sure she agrees with that. She said we already have sidewalks on two side of ourr property and prefers not to have another one on another side. Mrs. Heil said she is concerned about the safety issues but since she does not know how it will impact her property, would prefer to have it on the north side.

Mrs. Sandra Kiefer, 3682 E. Salinas Circle, said she has privacy concerns. She said she doesn't want people walking across her back yard. She said her children play there and she doesn't trust people walking through. She said there has been an accident in her yard and doesn't think it is safe for a walkway.

Mrs. Jenness Sigman, Principal of Bellbrook/Sugarcreek Middle School, said she is for the program and we have already had a huge increase in kids who walk home from school. She said it is great for those staying after school for basketball and other after school activities. She said we have the crosswalk in front of the school and have a safety person out there to help with the crossing.

Mrs. Jennifer Dear, 7724 Salinas, said she would be grateful for the opportunity for her daughter to walk to school. She said, as a mother, it would be a great opportunity to give kids some independence. She said her property would be greatly effected by the pathway but she is for it.

Mrs. Eileen Heilbach, 3730 W. Salinas , said she has trouble getting her son home from school since she and her husband both work. She said she thought this would great for her son and said she would also use it herself.

Mrs. Barb Laurash, 1402 Steinbeck Way, said at first she thought the north side made sense, but after she talked to Mr. Tiffany and thinking about the north side, thought there would be more room there for widening the road when it was needed. Mr. Pittman said there was more room for easements and more likely to widen on the north. He said it will be two lanes but may be a long time before it happens so chances are they will widen on the north.

Ms. Shannon Driskell, 1371 Timshell, said we should be looking down the road. She asked why we would put money into a bike path to have it ripped out for the road. Mr. Pittman said this project is federally funded and will not be taken out. Ms. Driskell said its hard to slow down to turn left at East of Eden and we need a turn lane. She asked if we a re taking away from road needs for a bike path. Mr. Tiffany said the County engineers are always looking ahead. He said in 2007 they thought they would need an additional two lanes by 2012 but the economic slow down changed all that. He said we are in recovery but projections aren't within five years yet. He said if the project goes in on the south, it will be less intrusive than the road widening on the south. He also said that being federally funded the pathway will not be torn out. If it is on the north the widening will be south and viceversa.

Mrs. Barb Laurash, 1402 Steinbeck Way, asked what is planned across the way(north side). Mr. Tiffany said he doesn't know but there is no sewer. He said it can't be developed without a sewer and they have to go a long way to get the sewer there.

Mr. Kiefer said there was a rumor there would be a park on the north side. Anyway, throwing it out as an idea. Its something I think would enhance the community. Mr. Tiffany said when the City and Township split, the Park District was created as its own district. He said he agreed there were not a lot of playground facilities and suggested Mr. Kiefer contact the Park District.

Mr. Ron Dear, 7724 Salinas, asked about the speed limit being lowered on Feedwire. Mr. Tiffany explained how speed limits are determined by what is warranted. He said he can't guarantee the speed limit will be reduced with the bike path but ,with usage of more people, it probably would be.

Mr. Jim Martin said the current park on Feedwire is two hundred plus acres. The Bellbrook/Sugarcreek Park District said they don't have the money to develop it. He said it has been taken off the tax duplicate for conservation. He said if people want a park on Feedwire across from the bike/path area, they need to form a 501C3 organization and buy it. He said government was never set up for recreation.

Mr. Mike Bettencourt, 3818 Fernwood Court, asked how they decided where to put the bike paths. Mr. Pittman said by eyeball. He said we looked at which way would connect the most residents to the schools. Mrs. Destefani said the information sent to ODOT will be published. Mr. Pittman said what we have was not suggested by us but by ODOT. He said they have laid out plans for segments to be added to the bike way.

Mr. Bettencourt said he was glad he came tonight. He said he loves the idea of the path but didn't understand the problems with the north side.

Mr. Pittman said his biggest concern is government taking away someone's land they don't want to give up. He said the Board does not have a lot of time to make a decision. He said he asked ODOT if anyone ever turned down the money and they said "no".

Ms. Shannon Driskell, 1371 Timshell, said a third lane is inevitable and wanted to know, when they go there, which side will they be taking more land from. Mr. Tiffany said it was already considered three lane and the next step for the County would be to go to the addition of two lanes.

Mrs. Destefani said she appreciated everyone's comments and thanked them for coming.

Mr. Pittman said the meeting on the 10<sup>th</sup> was not a Township meeting. He said it was for ODOT to talk to people and to answer questions.

Mrs. Daugherty said she was disappointed that the meeting on the 10<sup>th</sup> couldn't have been a public forum. She said she was grateful for everyone who came tonight and it will help her with her decisions.

Mrs. Destefani said tonight's meeting is the great part of local government and what she signed up for.

Mr. Pittman said we will take a short recess before continuing with the meet.

At approximately 8:40 pm Mr. Pittman called the meeting back to order.

## 7. **Reports**

### A. Administration

Mr. Tiffany's report will be appended to the permanent record. Mr. Tiffany said he had nothing additional to report. Mrs. Destefani said she was excited about the Fireworks for the Lion's Festival this year. Mr. Tiffany said they were to be set off at the Sackett Wright park. He said the last fireworks were set off at the driving range but there was too much viewing interference from the tree line between the Festival area and the driving range.

### B. Fiscal Office

Mr. Hodson said he had nothing to report.

### C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Mrs. Destefani said she attended the extrication re-enactments performed by the Fire Department which Chief Leaming narrated. She said it was very informative.

### D. Police

The report prepared by the Police Department will be appended to the permanent record. Mr. Pittman told Chief Brown he just wanted to mention that someone at the Maple Festival came up to him and said Sgt. Guerro was a great Officer. He said our Police Department does a good job.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said he had nothing additional to report.

F. Zoning

Cara Tilford said she had no prepared report but that the Township now has a fabulous News Letter. The Board enjoyed the comment and expressed their appreciation of Cara's efforts.

G. Information Technology

The report prepared by Mr. Zappanti will be appended to the permanent record. Mr. Zappanti said he had nothing additional to add.

H. Trustees

Mrs. Daugherty said she attended the Maple Festival..

Mrs. Destafani said she also attended the Maple Festival. She also said she attended the NATAT association leadership conference in Washing D.C. She said NATAT stood for the National Association of Towns and Townships. She said she had the opportunity to meet our legislative representative to discuss issues important to our area towns and townships. Mrs. Destefani talked briefly about several highlights of the issues covered.

Mr. Pittman said it sounded like it was a very nice trip .He said that he had nothing to report.

7. **Public Comments – Agenda Items**

None.

8. **Old Business**

Mr. Pittman said we have a meeting with Bellbrook on May 16<sup>th</sup> at 5:30 pm. Mr. Tiffany said it will be at our next scheduled work session.

9. **New Business**

**Consent Agenda Items**

A. Approval of Minutes

B. Payment of Bills

C. Declaration of Excess Fire Property

**Resolution #2016.05.02.03**

WHEREAS, the Sugarcreek Township Fire Department has identified equipment which is no longer needed for operations, and;

WHEREAS, Fire Chief Jeff Leaming is requesting a Devilbiss Generator & a Troy-Bilt Pressure Washer be declared as excess property and sold “as is”; and,

WHEREAS, the items listed have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, this Sugarcreek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of and/or place said property on GovDeals.com and sold “as is.”

D. Declaration of Excess Police Property

**Resolution #2016.05.02.04**

WHEREAS, the Sugarcreek Township Police Department has identified equipment which is no longer needed for operations, and;

WHEREAS, Police Chief Michael Brown, is requesting two Medtronic Lifepak Defibrillators be declared as excess property and sold "as is";

WHEREAS, the items listed have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, this Sugarcreek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of and/or place said property on GovDeals.com and sold "as is."

E. Resignation of Part time Firefighter Ryan Parker

**Resolution #2016.05.02.05**

WHEREAS, Firefighter/EMT B Ryan Parker has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Parker became a member of the Sugarcreek Township Fire Department as a part-time Firefighter/Paramedic on September 8, 2015; and,

WHEREAS, Chief Jeff Leaming recommends we accept the resignation of Ryan Parker.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Ryan Parker effective April 25, 2016.

F. Resignation of Part time firefighter Nicholas Johnson

**Resolution #2016.05.02.06**

WHEREAS, Firefighter/EMT Nicholas Johnson has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Johnson became a member of the Sugarcreek Township Fire Department as a part-time Firefighter/Paramedic on January 4, 2016; and,

WHEREAS, Chief Jeff Leaming recommends we accept the resignation of Nicholas Johnson.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Nicholas Johnson effective May 3, 2016.

G. Transfer of Police and Fire Appropriations

**Resolution #2016.05.02.07**

<b>Debit</b>		<b>Credit</b>		<b>Amount to</b>
<b>Fund Number</b>	<b>Account Name</b>	<b>Fund Number</b>	<b>Account Name</b>	<b>Debit/Credit</b>
2081-910-910	Transfers Out – Police	3102-830-830	Bond Retirement	\$11,397.75
2112-910-910	Transfers Out – Fire	3102-830-830	Bond Retirement	\$15,739.75

**Total Transfers:** \$27,137,50

**Explanation of Transfers** – Payment of interest on the Public Safety Building Bond(first half of 2016)

Mr. Pittman moved to accept the Consent Agenda Resolutions as presented. Mrs. Destefani seconded. Roll was called with the vote being as follows:

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

**11. Public Comments**

Denise Moore asked when the Work Sessions were open for attending. Mrs. Daugherty said they are always open. Mr. Tiffany said to call to make sure it won't be an executive session. He said the meeting with Bellbrook will be an open work session.

**12. Trustee/Staff Discussion**

None.

**13. Executive Session**

None.

**14. Adjourn**

Mr. Pittman moved to adjourn at approximately 9:00 pm. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

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Theodore L. Hodson, Fiscal Officer