

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Special Session on May 8th, 2023, at 9:07 AM.

- 1) **Mrs. Destefani called the session to order.**
- 2) **Mr. Tiffany called the roll with Board Members**, Mrs. Destefani and Mr. Cramer were in attendance. Mr. Moeller would be late. Also in attendance were Mrs. Tilford and Mrs. Hellman.
- 3) **Executive session at 9:08 A.M.** Executive Session pursuant to ORC 122.2G.2. The purpose of this meeting is to consider the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Ohio Revised Code.

Mr. Cramer- Yes
Mrs. Destefani - Yes
- 4) **Returned from Executive session at 10:33 A.M.**
Mr. Moeller joined them while in Executive session.
- 5) **Consent Agenda Items**
 - A. To Rescind Resolution No. 2023-03-06-08

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2023.05.08.01**

IN RE: To Rescind Resolution No. 2023-03-06-08

WHEREAS, former Township Resident, Mr. James Martin, through his trust, directed that his property and contents located at 2465 Stewart Road, Sugarcreek Township, Greene County, Ohio be transferred to Sugarcreek Township; and,

WHEREAS, pursuant to R.C. 505.10(A), when the Township has property that the Board of Trustees finds is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, the Board may sell and convey that property or otherwise dispose of it in accordance with the parameters of the statute; and,

WHEREAS, pursuant to R.C. 505.10(A)(6), when the Township has title to real property and the Board of Township Trustees wishes to sell or otherwise transfer the property, the Board, upon a unanimous vote of its members and by resolution, may authorize the transfer and conveyance of that real property to any person upon whatever terms are agreed to between the Board and that person; and,

WHEREAS, on March 6, 2023, the Board of Trustees passed Resolution No. 2023-03-06-08 authorizing the Township Administrator to enter into an agreement for the purchase of real property; and,

WHEREAS, pursuant to Resolution No. 2023-03-06-08, the Board of Trustees decided to enter into a Purchase Agreement with Ms. Jodi Puterbaugh at an agreed upon price of \$401,000 cash,

to include all real estate identified on the Greene County Auditor's website as parcels L32000200270002600 and L32000200270001200, with all buildings and contents; and,

WHEREAS, the Board of Trustees now wishes to rescind Resolution No. 2023-03-06-08 and sell the aforementioned property under different terms.

NOW THEREFORE BE IT RESOLVED, that the Sugarcreek Township Board of Trustees hereby rescinds Resolution No. 2023-03-06-08.

Mrs. Destefani made a motion to accept approve Resolution 2023.05.08.01. Mr. Cramer seconded.

Mr. Cramer – yes
Mr. Moeller - yes
Mrs. Destefani-yes

B. Authorizing the Township Administrator to enter into a Purchase Agreement for the Sale of Township Real Property Pursuant to R.C. 505.10(A)(6)

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2023.05.08.02**

IN RE: Authorizing the Township Administrator to enter into a Purchase Agreement for the Sale of Township Real Property Pursuant to R.C. 505.10(A)(6)

WHEREAS, former Township Resident, Mr. James Martin, through his trust, directed that his property and contents located at 2465 Stewart Road, Sugarcreek Township, Greene County, Ohio be transferred to Sugarcreek Township; and,

WHEREAS, the property located at 2465 Stewart Road is identified on the Greene County Auditor's website as parcel numbers L32000200270002600 and L32000200270001200 totaling approximately 38.252 acres; and,

WHEREAS, pursuant to R.C. 505.10(A), when the Township has property that the Board of Trustees finds is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, the Board may sell and convey that property or otherwise dispose of it in accordance with the parameters of the statute; and,

WHEREAS, pursuant to R.C. 505.10(A)(6), when the Township has title to real property and the Board of Township Trustees wishes to sell or otherwise transfer the property, the Board, upon a unanimous vote of its members and by resolution, may authorize the transfer and conveyance of that real property to any person upon whatever terms are agreed to between the Board and that person; and,

WHEREAS, the Board of Trustees wishes to enter into a purchase agreement with Ms. Jodi Puterbaugh for the sale of approximately 14 acres of the aforementioned property with all

buildings and contents, to be more fully described by survey and subject to legal subdivision under Ohio law, at an agreed upon price of \$134,000 and contingent upon a successful bid and prior closing by an adjoining property owner for the remaining balance of the property, which must be combined with the successful bidders property; and,

WHEREAS, the Board of Trustees wishes to sell the remaining property (approximately 24.252 acres) by solicited sealed bid, to be more fully described by survey, to one of the adjoining properties which must be combined with their existing parcel within 60 days of the closing date of the sale of the property and signing of an affidavit confirming the property is to be combined, and,

WHEREAS, both new parcels are being sold as is with no warranties represented or implied.

NOW THEREFORE, BE IT RESOLVED, that the Trustees do hereby find that the property located at 2465 Stewart Road, Sugarcreek Township, Greene County, Ohio is not needed for public use.

BE IT FURTHER RESOLVED, that the Trustees do hereby authorize the Township Administrator to enter into a purchase agreement with Ms. Jodi Puterbaugh in compliance with the conditions listed above and to take all necessary steps to close on the sale of the property and convey the deed to Ms. Puterbaugh.

BE IT FURTHER RESOLVED, that the Trustees do hereby authorize the Township Administrator sell and convey the remaining property in compliance with the conditions listed above and in any manner authorized by law.

BE IT FURTHER RESOLVED, that the proceeds for the sale of the property shall be directed to the General Fund of Sugarcreek Township for the use of the Board of Trustees at their discretion within the limits of the law.

Mrs. Destefani Motioned to accept the resolution as written. Mr. Moeller seconded.

6) **Trustee and Staff Discussion**

Mr. Tiffany noted that the sale of the additional piece that is left to an adjoining property owner must be closed before the sale to Ms. Puterbaugh.

Mr. Moeller asked

Mrs. Destefani closed the public portion of the discussion.

A. Consider Speed Study – 2023.01.30.02

WHEREAS, Township Administrator, Barry Tiffany, is requesting a speed zone study be performed on Possum Run Road from Little Sugarcreek Road to Bellbrook City line; and,

WHEREAS, Township Administrator, Barry Tiffany, is requesting a speed zone study be performed on Little Sugarcreek Road from Feedwire Road to Swigert Road; 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, Greene County, Ohio is hereby requesting the County Engineer prepare a speed zone study on Possum Run Road and Little Sugarcreek Road.

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 roads, if warranted.

Mrs. Destefani made a motion to accept Resolution 2023.01.30.02. Mr. Moeller seconded.

Mrs. Destefani-yes

Mr. Cramer – yes

Mr. Moeller - yes

7) **Trustee and Staff Discussion**

Mrs. Destefani stated a speed study has not been done since additional developments have been put in on Little Sugarcreek. Mr. Tiffany stated the speed limit should not be 55 mph, so they need to get this speed study requested to get the proper road sign postage for a different speed. Likewise, past Feedwire there have been two additional larger developments put in. He stated that it may still come back as 55 mph, but they need to find out. Mr. Moeller asked if this cost anything. Mr. Tiffany stated no, only the speed signs.

Mrs. Destefani opened the discussion to public comments.

8) **Public Comments** – Limited to five minutes per person. Agenda related business only. (Time cannot be yielded to another person).

Mrs. Hellman stated this is so exciting. She asked if they thought that it would come back to lower the speed to 40 mph. Mr. Tiffany stated he doubts it. Mrs. Hellman stated she would like to see some consistency on the speed on Little Sugarcreek. But she is so glad to see that this is happening.

Mrs. Destefani closed the public portion of the discussion.

9. Adjourn

Mrs. Destefani made a motion to adjourn, which was seconded by Mr. Moeller. Upon call of the roll, the vote resulted in the following:

Mrs. Destefani-yes

Mr. Cramer – yes

Mr. Moeller - yes

Richard J Demko, Fiscal Officer