

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on January 5, 2015 at 7:00 pm, at 2090 Ferry Road, Sugarcreek Township, Ohio 45305.

1. Mr. Bryant 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 Greg Smith, Donna Hellman, Danielle Coots, Ben Southerland, Kevin Weaver, Mike Clark and Falguni Thakove.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. Appointment of Volunteer Firefighter Benjamin Southerland

Resolution #2015.05.04.01

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

WHEREAS, vacancies exist within the classification of Volunteer Firefighter; and,

WHEREAS, Benjamin Southerland has the necessary qualifications to serve in the capacity of Volunteer Firefighter for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Pavlak, in his April 14, 2015, correspondence to the Township Administrator, has recommended the appointment of this candidate; and,

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

NOW THEREFORE, BE IT RESOLVED, that Benjamin Southerland shall be appointed to the position of Volunteer Firefighter within the Sugarcreek Township Fire Department effective April 20, 2015.

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

Mr. Pittman thanked Mr. Southerland for joining our department. Mr. Bryant said volunteer personnel are the crux of our department. He told Mr. Southerland that it is commendable you take time out of your day to help us. Mrs. Daugherty said she would like to say the same and that you have picked a great place to work.

Mr. Southerland came forward and had his picture taken with the Board, Chief Pavlak and with his wife and two children. The same picture was retaken to include one with those Fire personnel present.

5. Resignation of Fire Marshal Terry Trepanier

Resolution #2015.05.04.02

WHEREAS, Fire Marshal Terry Trepanier has submitted his letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Trepanier has been a member of the Sugarcreek Township Fire Department since April 18, 2005; and,

WHEREAS, Chief Pavlak acknowledged in his April 22, 2015, correspondence that Mr. Trepanier has been an outstanding employee and he will be missed; and,

WHEREAS, Chief Pavlak recommends we accept the resignation of Terry Trepanier,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Terry Trepanier effective April 30, 2015, and wishes him well in his retirement.

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

Mrs. Daugherty said Fire Marshal Trepanier has been with us a long time and we wish him the best of luck. Mr. Pittman said we have appreciated what you have done over the years. He said I also appreciate the kind words you had to say in your resignation. Mr. Bryant said what you have done for the Township is commendable. He told Terry he was a great people person and that he knew what he was doing. He wished him luck and told him that we would miss him. Mrs. Daugherty said it was nice to have someone who was also so positive and that she hoped he enjoyed his retirement. Chief Pavlak said he has served with Terry for about thirty five years. He presented Terry with a plaque after reading the inscription. He said he appreciated what he has done, which has been everything that was asked of him.

Mr. Trepanier said he started working with a Fire Department in 1973 after he graduated High School He said he had no intentions, at the time, of becoming a firefighter. He said he has had a lot of opportunities to do a lot of things within a fire department. Terry said he has known the Chief for a long time, He said most of all, and it's the people that I've worked with that was the most important.

- 6. Public Hearing** – Oberer Land Developers LTD is requesting a Final Development Plan Approval for Woodland Ridge for Parcel L32000100020001200 located between 5425 Little Sugarcreek Road and 5475 Little Sugarcreek Road, approximately 17450' north of the intersection of Little Sugarcreek and Feedwire Roads.

Public Hearing is formally Opened-

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

Mr. Pittman – Yes

Mr. Bryant - Yes

Mrs. Daugherty - Yes

Staff Report on the final development plan-

Cara Tilford provided a slide presentation depicting plot layout, sewer and water lines, retention ponds etc. Her staff report recapped existing zoning, property location, adjacent zoning and existing condition of the property. She provided a list of conditions, for the final approval, which included a woodland preserve easement, mounding along Little Sugarcreek Road and landscaping and restrictions against outbuildings.

Mr. Smith, Oberer's Land Developers, explained the phasing of the development. He said they would like to phase in the landscaping. Mr. Smith said they would like to leave the southern end open space so they could farm it. He said the landscaping would be added with phase two. Mr. Bryant said he wasn't fond of that idea since it defeated the purpose of screening and growth along the front would not be consistent. Mr. Smith said the idea was to allow us to farm. Mr. Smith said they also would like people to be able to build a shed if wanted. Cara said the BZC was concerned about the look from the road with outbuildings. She said they thought they would look scattered and not aesthetically pleasing. Mr. Bryant said they could regulate a set back from the reserve. Cara said the BZC was more concerned about abutting to the mounding. Mrs. Daugherty said she also thought it would make it look cluttered. Mr. Bryant said he agreed but at the same time he would want a provision to store stuff.

Those wishing to speak in favor-

None.

Those wishing to speak against-

Mr. Mike Clark, 1072 Little Sugarcreek Road, said he has come to the realization this is going to happen. He said he wanted to commend the BZC for their explanation of what is going on and what is at stake. He said Mr. Schieman and Mrs. Hellman did an excellent job. Mr. Clark said his main concern was the traffic. He said, on week days between 4:30 and 6:00pm, he counted about 7 cars a minute at 55 mph. He said no one is comfortable getting their mail. Mr. Clark said this was all open space and a scenic drive. He said that will change and he is not happy about it.

Mr. Kevin Weaver, 1032 Little Sugarcreek, said he would like to echo Mike. He said he is not happy about it. He said if the lots were larger there would be room for outbuildings.

Mr. Weaver said, when he was mowing last Sunday, he counted about 100 cars in an hour and fifteen minutes. He asked if there was anything in the works for the traffic situation in the future. Mr. Weaver also wanted to know if there will be minimal damage to the tree canopy when the turn lane is added. He also asked if the mailboxes could be moved to the other side of the road. Cara reassured Mr. Weaver that the mail box issue will be pursued. Mr. Bryant said the question is whether or not it is acceptable to the Post Office. Mr. Pittman said we had the same thing on Wilmington Pike and it was changed by the Post Office. Mr. Tiffany said a good supporting argument will be that once the turn lane is added, some people will have three lanes to cross.

Mr. Weaver said, regarding the landscaping, he is in agreement with Mr. Bryant. He said it will look much better with the whole front being done at once. Mr. Tiffany said, with the turn lane, if they were to widen both sides of the road, there will be less of a disruptive jog in the road. He said we are still talking to the County about this. Mr. Weaver asked how the costs with the road is handled. Mr. Tiffany said the costs are handled by the developer.

Mrs. Falguni Thakove, 1062 Little Sugarcreek, said the current traffic studies will be different once the developments are completed. She also thought the outbuildings should not be allowed since the lots are small and will become crowded. She said she was also concerned about the mailboxes.

Neutral parties wishing to speak-
None

Public Hearing is closed-

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

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

Deliberation and discussion-

Mr. Tiffany asked Mr. Smith if he had ever encountered a situation with mailboxes like this. Mr. Smith said he had not but thinks the complaint is warranted. Mr. Tiffany asked if the developer would consider the cost of moving the mailboxes since he didn't think this should fall on the residents. Mr. Smith said, without knowing how many are involved I couldn't make a commitment, but I can say we will be willing to work with the residents on this. Mr. Pittman said we have to have approval from the Post Office first. Mr. Smith said if it did not exceed three thousand dollars we could take care of it.

Mr. Bryant told Mr. Smith that they have done a great job. He said he has always had some sort of shed but he could go either way. He said he thought that the mounding should be completed with Phase I so the screening can get started. Mrs. Daugherty said she wants it to be as visually pleasing as possible and does not want outbuildings. Mr. Bryant said once the screening is up the only people seeing sheds would be those living there.

Mr. Pittman said he was concerned about run off. Mr. Smith said we have it set up so there would be no more and will probably be less than currently. He said we have a dispersal method for outflow constructed of compacted stone. Mr. Smith said it should mitigate some of the existing erosion.

Mr. Bryant said we have three issues. He said Mr. Smith would like sheds, if they move mail boxes a three thousand dollar cap and mounding along front to lot 25 with middle landscaping proceeding as constructed. Mrs. Daugherty said she doesn't want sheds. Mr. Bryant said, as a home owner, if I need a shed I want that capability. Mr. Pittman said he feels like Mr. Bryant. He said he doesn't think many will be built anyway. Mr. Pittman said he thinks people have property rights. Mr. Tiffany asked about other buildings such as gazebos, pergolas etc. A discussion ensued about applying for a variance with the BZA and inclusion of restriction in the Home Owners Association covenants and restrictions. Mr. Bryant asked if we could vote on the sheds separately. Cara said we could not since we were voting on preliminary as proposed. The shed restriction remained intact.

Resolution #2015.05.04.06

WHEREAS, Oberer Land Developers, LTD has submitted an application for the approval of the Final Development Plan for the Woodland Ridge subdivision. The subject property contains 23.99 acres, identified as parcel L32000100020001200, and is located between 5425 Little Sugarcreek Road an 5475 Little Sugarcreek Road; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a Public Hearing on April 14, 2015, deliberated on the application, and has recommended approval of the Final Development Plan for the Woodland Ridge subdivision 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. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of the Sugarcreek Township Fire Department.
5. The use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum may be used for fascia and soffits, or similar minor architectural or structural elements as approved by the Zoning Compliance Officer.
6. The applicant shall be allowed to construct 22 of the 36 lots prior to the installation of the landscaping and mounding between lots 23 and 24 and Little Sugarcreek Road.
7. A bond shall be provided to the Sugarcreek Township Trustees for incomplete open space amenities and buffers (including landscaping) on a phase by phase basis prior to recording a subdivision section.
8. Street trees, constructed no closer than 8' from the right-of-way line, shall be the responsibility of the builder (with the exception of those depicted on open space Areas D and F which shall be the responsibility of the developer to install with the construction of

Phase 1) and shall be depicted on site plans for individual building lots submitted for approval.

9. The Construction Requirements of the Design Guidelines (Exhibit C) of the Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for shall become part of this approval. Any changes to the Construction Requirements of the Design Guidelines (Exhibit C) of the Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Woodland Ridge Owner's Association Inc. shall be subject to approval by the Zoning Commission.
10. No outbuildings will be permitted in the subdivision.

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on May 4, 2015, and deliberated on the application,

NOW THEREFORE BE IT RESOLVED, that this Board of Trustees does hereby approve the Final Development Plan for the Oak Brooke subdivision subject to the conditions recommended by the Board of Zoning Commission and the addition of the following two conditions:

11. The Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Woodland Ridge Owner's Association Inc. shall be updated to reflect that outbuildings are not permitted.
12. The landscaping plan approved with this application shall become a condition of approval for Woodland Ridge. Minor deviations (changes to specified tree type, etc.) from the approved landscaping plan shall be approved by the Director of Planning and Zoning. Major deviations (removal of trees, alterations to mounding, etc.) from the approved landscaping plan shall be approved by the Zoning Commission. Unapproved changes shall be deemed a Zoning Violation.

Mr. Bryant moved to accept the Resolution with changes in conditions to include mounding and landscaping to up to the midpoint of lots 25 and 35 prior to construction of ant homes, the developer agrees to pay up to \$3000.00 for moving mailboxes if approved by the Post Office and that Covenants and Restrictions will be updated to note that park hours and regulations shall be observed by homeowners. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

Mr. Tiffany said when the development is done we will continue with traffic studies every few months to see if speed limit changes are warranted. Mr. Bryant said it is good to have base line now that we can measure from.

7. **Public Hearing** – Zoning Commission Initiated Text Amendment to Modify Menu Board Standards and to Establish Standards for Pre-menu Boards

Mr. Pittman asked Cara why this was necessary. Cara said the BZC wanted to distinguish differences between menu and pre-menu boards and thought external lighting was more offensive.

Mr. Bryant asked what the sizes are and if there is an industry standard. Cara said she wasn't aware that there was a standard. She said this is not a big rush and if the Board would like she could research menu board standards. The Board agreed to do so.

Mr. Bryant moved to table the Public Hearing until the next meeting. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes

Mr. Bryant - Yes

Mrs. Daugherty - Yes

Mr. Bryant asked if any reports needed to be discussed. No one responded to the affirmative so the Board decided to move on.

8. **Reports**

A. Administration

Mr. Tiffany's report will be appended to the permanent record.

B. Fiscal Office

Mr. Hodson had no report.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record.

D. Police

The report prepared by the Police Department will be appended to the permanent record.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record.

G. Information Technology

The report prepared by Mr. Zappanti, Director of Information Technology, will be appended to the permanent record.

H. Trustees

None.

8. **Public Comments – Agenda Items**

None.

9. **Old Business**

10. **New Business**

Consent Agenda Items

A. Approval of Minutes

Mr. Pittman moved to accept the Minutes of the previous meeting. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes

Mr. Bryant - Yes

Mrs. Daugherty - Abstain

B. Payment of Bills

C. Recognizing National Police Week

Resolution #2015.05.04.03

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week of May 15 falls as National Police week; and,

WHEREAS, the members of the law enforcement agency of Sugarcreek Township play an essential role in safeguarding the rights and freedoms of Sugarcreek Township; and,

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and,

WHEREAS, the men and women of the law enforcement agency of Sugarcreek Township unceasingly provide a vital public service; and,

NOW, THEREFORE BE IT RESOLVED, this Board for Sugarcreek Township Trustees calls upon all citizens of Sugarcreek Township and upon all patriotic, civic and educational organizations to observe the week of May 10 – 16, 2015, as Police Week.

FURTHER BE IT RESOLVED that this Board of Trustees for Sugarcreek Township calls upon all citizens of Sugarcreek Township to observe May 15, 2015, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

The Board commented on their frustration with all the Police in the news recently and commended our Department for the job they have done.

D. Recognizing National Emergency Medical Services (EMS) Week

Resolution #2015.05.04.04

WHEREAS, the Ohio Department of Public Safety has declared May 17 – 23, 2015, as National Emergency Medical Services (EMS) week; and,

WHEREAS, National EMS week is an annual celebration honoring the dedication to those who respond to emergency calls, disasters, render life-saving assistance and provide the day-to-day lifesaving services of medicine’s “front line”; and,

WHEREAS, Emergency Medical Service personnel are essential to the abilities of the Sugarcreek Township Fire Department to continue delivery of quality service to Sugarcreek Township residents; and,

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby recognizes May 17 – 23, 2015, as “National EMS Week,” and expresses our sincerest thanks to all our emergency medical services personnel.

Mr. Pittman thanked the Chief for all they do.

E. Recognizing National Public Works Week

Resolution #2015.05.04.05

WHEREAS, this Board of Township Trustees has received the 2014 Township Highway System Mileage Certification from the Greene County Engineer; and,

WHEREAS, this Report indicates the 2014 Ohio Department of Transportation changes in road mileage,

NOW THEREFORE, BE IT RESOLVED, that this Report, as presented and reviewed, is accepted by this Board of Township Trustees.

FURTHER, BE IT RESOLVED that a signed copy will be returned to the Greene County Engineer.

Mrs. Daugherty moved to accept the 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

11. **Trustee/Staff Discussion**

Chief Pavlak said Medic 72 has blown an engine. He said it will cost ten to twelve thousand dollars to repair it. Chief Pavlak said he recommends not to repair it but to go ahead and replace it. He said he does have thirty thousand in the EMS Fund for a down payment. Mr. Bryant said his thoughts are just to put it out to pasture. Chief Pavlak said he can get three thousand five hundred dollars on trade in. Mr. Bryant said he wanted to put off buying anything until the Fire District issue is settled or see if we form a joint department with Bellbrook. Mrs. Daugherty asked to confirm if we had two other Medics. Chief Pavlak said we did. Mrs. Daugherty said she would also like to review maintenance to see how we get to the point of replacements. Chief Pavlak said we run medics a lot and doesn't think this should be put off. Mr. Pittman said he would not argue that we don't need it but that he thought we should wait. Mr. Bryant said he was not for repairing it but thinks it prudent to wait a few months until things are settled and we see what we need. Mr. Tiffany said if it can't be driven back from Interstate Ford we should make arrangements with Sandy's to have it towed back. Mr. Tiffany asked about the retired Medic. Chief Pavlak said it can't be used. Mrs. Daugherty said we can rely on mutual aid if necessary. Chief Pavlak said if we get down to one Medic I don't recommend it. He said, however, it's your decision.

Mr. Tiffany said the first public meeting regarding the Fire District will be two weeks from tomorrow at the Middle School. Chief Pavlak asked Mr. Tiffany about his Fire Gear request. Mr. Tiffany said he forgot about it but has it on his desk. Chief Pavlak said he had it with him. He said he needs to replace a fire hose and needed a new uniform for a new and large fireman. He said none of their uniforms will fit him. He said the gear will cost about fifteen thousand dollars. The Board said they were okay with it.

Chief Pavlak showed the Board a book that Mike Kirnec II put together on hydrant maintenance. He said he did an excellent job with it. Chief Pavlak said all the hydrants are being redone in conjunction with Greene County. Mr. Tiffany asked him what our cost would be. Chief Pavlak said about one thousand dollars.

Mr. Bryant asked about the tornado siren we discussed a while back. Chief Pavlak said no one else seems to have our level of interest. He said he would check to see if any grants were available.

12. **Executive Session**

Mr. Tiffany said we needed an Executive Session to discuss personnel.

14 **Public Comments**

None.

15. **Adjourn**

Mrs. Daugherty moved to adjourn to Executive Session at 9:13 pm. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

The meeting reconvened at 10:00 pm with no action taken. .

Mr. Pittman moved to adjourn and Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

Theodore L. Hodson, Fiscal Officer