

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on May 18, 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 Barbara Burson and Jim Martin.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. **Public Hearing continued from May 4, 2015** – Zoning Commission Initiated Text Amendment to modify menu board standards for pre-menu boards.

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

Mr. Tiffany asked Cara if we had previously finished with the public portion. Cara said she thought we left off at the deliberation portion.

Deliberation and decision.

Cara said Mr. Bryant had asked if there were any industry standards which she said she would research for this meeting. Cara said there were no established standards to compare with what the BZC has proposed. She said, however, that she reviewed previous pre-menu boards approved and that all were within the proposed specifications by the BZC. Mr. Bryant said he did not think the proposed changes presented any hardships. Mr. Pittman and Mrs. Daugherty said they had no problem with the changes.

Mr. Tiffany said he did not see any reference in the previous minutes recording the public input so he suggested we see if anyone had any comments.

Mrs. Daugherty asked if anyone wished to speak in favor. Mr. Martin said he was not here at the last meeting. Cara gave Mr. Martin a brief history of the proposed text amendment. Mr. Martin said he had no comments.

No one spoke in favor.

Mrs. Daugherty asked if there were any comments against. There were none.

Mrs. Daugherty asked if there were any neutral comments. There were none.

Resolution #2015.05.18.08

WHEREAS, on February 10, 2015, the Sugarcreek Township Board of Zoning Commission made a motion to initiate text amendments to the Zoning Resolution; and,

WHEREAS, the proposed text amendments included the modification of menu board standards and the establishment of standards for pre-menu boards; and,

WHEREAS, the Board of Zoning Commission held a public hearing on April 14, 2015, for the purpose of considering and deliberating on the proposed text amendments as well as considered the Greene County Regional Planning and Coordinating Commission's recommendation with respect to the proposed text amendments; and,

WHEREAS, after deliberating on the above mentioned text amendments, the Board of Zoning Commission recommended approval of the proposed text amendments to the Sugarcreek Township Board of Trustees subject to the condition that external illumination be clearly prohibited; and,

WHEREAS, the Sugarcreek Township Board of Trustees held a public hearing on May 4, 2015, that was continued on May 18, 2015, and deliberated on the application,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby approve the above-mentioned text amendments subject to the condition that external illumination be clearly prohibited as recommended by the Board of Zoning Commission.

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

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

5. Community Activities

Cara said as of last Friday, the Farmer's Market is up and running. Mrs. Daugherty asked Cara if she thought the Fresh Thyme Market will make a difference. Cara said she didn't think it would. Chief Pavlak said the River Cleaner's annual event will be June 6th.

6. Reports

A. Administration

Mr. Tiffany's report will be appended to the permanent record. Mr. Tiffany said the Township meeting at the Middle School is tomorrow night at 7:00 pm. He said Karen put a notification on hyper-reach. Mr. Tiffany said anyone who didn't get notified should sign up. He said he did an interview with Channel Two today about the meeting.

B. Fiscal Office

Mr. Hodson said there were two transfers on the agenda this evening. He said one was for payment on the Public Safety Building and the other was the final payment on the Clio Road loan by the Service Department.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said some Boy Scouts have volunteered to help scrape and paint Fire Hydrants and so far the hydrant annual maintenance program is going very well.

D. Police

The report prepared by the Police Department will be appended to the permanent record. Chief Brown said the Click It or Ticket campaign will be from May 18th to the 31st.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said there was a large water main break on State House Court the other day. He said the road buckled and needs repaired. Mr. Tiffany said the water main itself was on Bellbrook's side and they will handle it. He said we have an invitation to participate in ODOT's winter use salt contract. He said, however, you are committed for whatever you put in for. Mr. Tiffany said he thinks the State will have a better salt supply and suggested we buy about half of our salt supply through them. Mr. Bryant asked about the 'Beet Heat'. Mr. Tiffany said it did a good job. He said, however, with the mounting system on our current trucks it is a bit cumbersome with all the weight in the rear of the truck. He said when we purchase new trucks they will have storage tanks that will better distribute the weight.

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 to add. Mr. Bryant suggested we move the Map Amendment Resolution to the discussion agenda items. Mrs. Daugherty and Mr. Pittman agreed. Mrs. Daugherty said someone asked her if the Goat Farm had been sold. Car5a said that it had.

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. Pittman said he attended the Greene County Trustee Association meeting and the guest speaker, from Care Flight, gave an informative presentation.

7. **Public Comments – Agenda Items**

Mr. Martin asked that when selling salt, if we are estimating the amount or weighing it. Mr. Tiffany said we are estimating it by the front loader bucket capacity, but on the first load recipient has it weighed to see that we are close. Mr. Martin said he didn't understand

why people couldn't get salt last winter. Mr. Tiffany said all the reserves had been sold off because of the problems in the North East.

8. **Old Business**

Mr. Bryant asked about the Opengov program and suggested we add it to our Old Business agenda. Mr. Tiffany said we have not heard back from them yet. Mr. Bryant also suggested that since we have been discussing a memorial and possibly something for the pond area on Route 725 near Kroger's, we could also list it as Old Business on the agenda.

9. **New Business**

Consent Agenda Items

Mr. Bryant suggested we move the Map Amendments to the Agenda Items.

A. Approval of Minutes

B. Payment of Bills

C. Resignation of Part-time Fire-fighters Thomas Gilvin, David Walker, Joshua Pitts and Jeffery Gaylor.

Resolution #2015-05-18-01

WHEREAS, Firefighters Thomas Gilvin, David Walker, Joshua Pitts and Jeffrey Gaylor have submitted their letters of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Gilvin has been a member of the Sugarcreek Township Fire Department since May 7, 2012; and,

WHEREAS, Mr. Walker has been a member of the Sugarcreek Township Fire Department since September 3, 2013; and,

WHEREAS, Mr. Pitts has been a member of the Sugarcreek Township Fire Department since November 15, 2010; and,

WHEREAS, Mr. Gaylor has been a member of the Sugarcreek Township Fire Department since June 21, 2010; and,

WHEREAS, Chief Randall J. Pavlak recommends we accept the resignations of Thomas Gilvin, David Walker, Joshua Pitts and Jeffrey Gaylor,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of David Walker effective April 28, 2015, officially accepts the resignation of Thomas Gilvin effective May 6, 2015, officially accepts

the resignation of Jeffrey Gaylor effective May 15, 2015, and officially accepts the resignation of Joshua Pitts effective May 20, 2015.

D. Transfer of Appropriations Road Department

Resolution #2015.05.18.02

Debit		Credit		Amount to
Fund Number	Account Name	Fund Number	Account Name	Debit/Credit
2031-910-910	Transfer-Out	3101-810-810	Bond (Note) Principal	\$195,000.00
		3101-830-830	Bond (Note) Interest	<u>\$ 3,900.00</u>
			Total Transfer	\$198,900.00

Final payment of interest and principal to US Bank for Clyo Road Phase II

E. Transfer of Appropriations Road Department

Resolution #2015.05.18.03

Debit		Credit		Amount to
Fund Number	Account Name	Fund Number	Account Name	Debit/Credit
2081-910-910	Transfer-Out	3102-810-830	Bond Retirement	\$ 12,111.75
		3102-830-830	Bond Retirement	<u>\$ 16,725.75</u>
			Total Transfer	\$ 28,837.50

Payment of interest for the Public Safety Building bond for the first half of 2015.

Mr. Tiffany noted that we have had the bond for 10 years and are now permitted to pay down the loan ahead of the 2025 schedule if so desired.

G. Declaration of Excess Road Department Property

Resolution #2015.05.18.05

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

WHEREAS, Anthony Lamb, Service Supervisor, is requesting the Board of Trustees declare the 1992 Nuway Trailer, 1990 Hurst Tandem Trailer, a Sanborn Manufacturing Company air compressor Model 34A50-10, and the Larin foldable engine hoist Model EH-2FB as excess property and sold "as is"; and,

WHEREAS, the items mentioned 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”.

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

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

Discussion Agenda Items

F. Initiate Map Amendments to Rezone a Portion of Parcel ID L32000100030000800

Resolution #2015.05.18.04

WHEREAS, ORC 519.12 authorizes the Board of Trustees to initiate amendments to the Zoning Resolution by passage of a Resolution; and,

WHEREAS, the Board of Sugarcreek Township Trustees deem it in the best interest of the community to initiate a map amendment to rezone 58.3852 acres, a portion of an 89.8123 acre parcel of land, identified as Parcel ID L32000100030000800 and owned by Ramona Ann Spears and James P. Grodecki Co Trustee, from O-1/PUD B-2 to B-2; and,

WHEREAS, this parcel, currently zoned O-1/PUD B-2, will be rezoned to B-2 in conjunction with a property owner initiated rezoning of 31.2561 acres (which is part of the same parcel) to PUD-R; and,

WHEREAS, the purpose of said rezoning is to ensure that this portion of the property develops for uses permitted in the general business district; and,

WHEREAS, said owners’ concur that it is in the best interest of the township to clearly limit any additional residential development on the subject parcel,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby initiate the rezoning of the above mentioned parcel and instructs the Director of Zoning and Planning to certify this Resolution to the Board of Zoning Commission.

Cara said Redwood has reapplied for approval. Since they have reapplied, the Board needs to take action to re-initiate the original text amendment that went with the original submission to rezone the property. Cara provided the Board with a map showing Redwood's basic changes to the original proposal. She said this will also close the door on any additional residential development on the property.

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

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

- H. Authorize the Township Administrator to File on Behalf of the Board of Trustees to Participate in the ODOT Winter-Use Salt Contract (018-16)

Resolution #2015.05.18.06

WHEREAS, over the past few years the supply of salt has decreased and the need for salt within jurisdictions has increased significantly; and,

WHEREAS, to be competitive in the purchase of materials, the Ohio Department of Transportation (ODOT) has a Winter-Use Salt Contract (018-16) that is valid from November 1, 2015 through May 31, 2016; and,

WHEREAS, Barry Tiffany, the Township Administrator, believes it may be beneficial to participate in the ODOT Winter-Use Salt Contract (018-16); and,

WHEREAS, the Winter-Use Contract will be put out to bid approximately May 19th and bids will open around June 16th; and,

WHEREAS, by participating in the Winter-Use Salt Contract the Township will commit to purchase at least 90%, but no more than 110%, of the salt quantities requested on the participation form,

NOW THEREFORE BE IT RESOLVED that this Board of Trustees does hereby authorize the Township Administrator to file, on behalf of the Board of Trustees, to participate in the ODOT Winter-Use Salt Contract (018-16).

Mr. Bryant said that since the salt issue was already discussed with the Road Department report he would move 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

- I. Reduction in Speed Limit on Little Sugarcreek Road between Feedwire and Swigart Roads.

Resolution #2015.05.18.07

WHEREAS, there is a desire by the Board of Trustees to reduce the speed limit on Little Sugarcreek Road between Feedwire and Swigart Roads; and,

WHEREAS, the present speed limit on Little Sugarcreek Road is 55 miles per hour; and,

WHEREAS, the Greene County Engineer's office has submitted their recommendation to the Board of Trustees to reduce the speed limit from 55 mph to 45 mph; and,

WHEREAS, this Board of Trustees recognizes that reducing the speed limit on this road would be in the best interest of the health, safety and welfare of the residents who live on this section of roadway,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees requests that the Ohio Department of Transportation (ODOT) and the Greene County Engineer's Office reduce the speed limit on Little Sugarcreek Road between Feedwire and Swigart Roads to 45 mph.

Mr. Bryant said he is surprised by the Resolution. Mr. Tiffany said he was surprised also. He said Mr. Geyer said that after the traffic study the limit would not be reduced by ODOT. Mr. Tiffany said a lady on Little Sugarcreek called Mr. Geyer's office and asked about the speed limit. She said Mr. Geyer said he was waiting on a Resolution from the Township. Mr. Tiffany said there were two traffic studies on Little Sugarcreek in different locations and he thinks they were confused. He said he sent Mr. Geyer a copy of the e-mail Mr. Geyer sent to him saying it couldn't be reduced. Mr. Geyer told him to go ahead and do the Resolution and he will send it in anyway.

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

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

J. Probationary Demotion from Full-time Captain to Full-Time Lieutenant Christopher J. Keene

Resolution #2015.05.18.09

WHEREAS, Christopher J. Keene was promoted from full-time Lieutenant to full-time Captain of Suppression/Operations Shift Commander with the Sugarcreek Township Fire Department on October 13, 2014; and,

WHEREAS, it has been determined that during Mr. Keene's probationary period as Captain, he has fostered a hostile work environment, promoted inappropriate comments and actions toward fellow employees, and was dishonest during an investigative process; and,

WHEREAS, due to Mr. Keene's performance during the promotional probationary period Mr. Barry Tiffany, Township Administrator, is recommending Mr. Keene be returned to his

former classification of full-time Lieutenant in accordance with the collective bargaining agreement,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees does judge Mr. Keene's promotional probationary performance to be unsatisfactory and returns him to his former classification of full-time Lieutenant effective May 18, 2015, at the pay rate of \$20.45 per hour payable on a bi-weekly basis.

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

10 Public Comments

Mr. Jim Martin said road maintenance is becoming a big problem and there is talk of raising the gas tax. He said this money is being spent on other things. He said he does not think bike paths and pedestrian bridges, such as in Beavercreek, should have gas tax monies spent on them. The money should be for the use of the vehicles being taxed. He said if the State wants to spend money on bike paths they should put a license tax on bicycles. He said he is not against bike paths but they should not be financed through gasoline tax.

11. Trustee/Staff Discussion

Chief Pavlak said this is EMS week. He said he is also still pursuing a means of financing a tornado siren. Mr. Bryant said having siren is similar to the recent Amtrak incident. He said not having a potential safety device in place is easily put off until it is too late.

12. Executive Session

Mr. Tiffany said we needed an Executive Session to discuss personnel. Mrs. Daugherty move to adjourn to Executive session at 7:55 pm. The meeting was reconvened with no action taken and promptly adjourned.

Theodore L. Hodson, Fiscal Officer