

Violet Township Board of Trustees

June 5, 2013

Regular Meeting

Mr. Dunlap called the meeting to order at 7:30 p.m.

Mr. Smith was absent so Mr. Yaple called the roll: Mr. Dunlap, Mr. Weltlich and Mr. Myers were present. Others present were: Director of Operations, Bill Yaple; Engineer, Greg Butcher and Fire Chief, John Eisel.

Mr. Dunlap asked everyone in attendance to join him in the Pledge of Allegiance followed by a moment of silence honoring those who protect us around the world.

Mr. Weltlich moved to approve, without public reading, the minutes of the Regular meeting of May 15, 2013 to include the Public Hearing of 5-15-2013 (Pursuant to Violet Township Zoning Resolution Section 3V3-01(F), a request for approval of the condominium unit arrangement for Terrace Ridge at Winding Creek Unit numbers 28 and 29) as submitted by the Fiscal Officer. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich yes; Mr. Myers yes; and Mr. Dunlap, yes. The minutes of the Regular meeting of May 15, 2013 and Public Hearing of May 15, 2013 are approved 3-0.

Recognition of Guests:

Sarah Jackson of 11545 Milnor Road, Pickerington, Ohio 43147 was present representing the group for the Dog Park. Mrs. Jackson's concern was the maintenance of the Dog Park. She feels the volunteers have gone out of their way to help in April put dirt around trees that were planted, mulch, fertilized and put down seed. She doesn't feel the Township has kept their side up. She wanted to see a regular maintenance schedule for the Township.

Mr. Dunlap asked Mrs. Jackson what happened with the 'Adopt a Tree' program. As Mr. Dunlap understood it when they planted the trees there would be a person adopt a tree, mulch a tree and water the tree. Mrs. Jackson said that was just started this year and she was speaking of the two years the park has been open and they are thinking about taking that back because the township had agreed to do the maintenance and they don't feel the Township is keeping up with their part of the bargain.

Mr. Weltlich recalled that the Board of Trustees wanted to delay the opening of the Dog Park and the group said absolutely not. The Trustees wanted to delay it so the grass could get started and the trees could root. Mr. Weltlich recommends Mrs. Jackson take a look at the grass at the soccer field on Milnor Road. They were not allowed to be on the grass for a year. The difference is a stark contrast. We are saying that the grass cannot be expected to do what it wasn't given a chance to do. The same thing goes for the trees. It is a waste of time to plant trees until the fall now.

Mrs. Jackson said no one in the Township watered any of the trees last year. They have tried to water them themselves.

Mr. Butcher, Township Engineer spoke and explained the following:

- 1) Mr. Butcher stated there was a mowing schedule. Furthermore he stated there was a priority given to cemeteries, Harmon Road Park and Township facilities, however, the Dog Park has not been ignored.
- 2) Mr. Butcher stated significant time and expense was spent watering the trees in 2012.

Mr. Dunlap brought up the fact that one of the agreements we had was (and the Trustees concern was) the dog feces not being controlled and picked up and Mrs. Jackson and some of the other people assured the Trustees that they would monitor this and make sure there wasn't dog feces laying around everywhere. Mrs. Jackson attested to the fact that she and four others picked up poop every time they were there. Mr. Dunlap said when he was there at noon today there were over fifteen (15) piles that were not picked up.

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Mr. Weltlich commented that he is at the Dog Park all the time and it is a fact that Mr. Butcher and his crew have done due diligence to keep that park in a condition that it is and against all odds. We should have never opened it.

Mr. Dunlap commented we have taken the advice of professional grounds maintenance people, not to cut the grass any shorter than 4 inches when we cut to give it a better opportunity to grow because of the high concentration of dogs in there.

Jan Anderson of 236 Parkway Avenue was also present. Mrs. Anderson said some of the trees were planted in early 2010 and most of those survived. Last year was a really hot year and they requested water bags. They got a few and they lost more trees. Mr. Yaple said that as he understood it he did not think Mr. Donley wanted to plant trees right now. Mr. Dunlap added Mr. Donley would plant but wanted to wait until fall because of survivability. Mrs. Anderson said six (6) of the nine (9) trees that need replacement are not Donley trees. Mr. Butcher added that he mows the Dog Park every second time and sometimes every third time because when we try to make it 'golf course' short we get complaints. Mrs. Anderson suggested not using any weed killer and Mr. Yaple said he did not think we had last year and this year.

Mr. Myers commented that ticks are an issue everywhere this year.

Mr. Dunlap said the Trustees have heard the comments and they will take them under consideration.

Craig Vanderhort (resident of Jefferson Farms) was present to assist some landowner's neighbors to make sure Trustees hear another side of the story of a complaint lodged via a letter dated May 8, 2013 and was sent to the property owners at 8185 Pickerington Road. Tom Grainger who is resident of the property was also present as well as a number of the motorcyclists that are part of the complaint. He wanted to make sure the Trustees understand there are two sides of the story. Mr. Dunlap asked if the Township Code Enforcement Officer issued a letter in this matter to the property owner. Mr. Vanderhort referred to the letter dated May 8, 2013 from Kelly Sarko. Mr. Dunlap said that anything from that point forward on her decision and her ruling must go to the Board of Zoning Appeals. The Trustees have absolutely nothing to do with it and by law they cannot hear any comments about it so if they are not happy with her ruling then they can appeal it according to the ORC (Ohio Revised Code) to the Township Board of Zoning Appeals. Once a complaint has been made and once the Code Enforcement Officer has started some type of action they can only appeal her rulings or letters to the Board of Zoning Appeals. Mr. Dunlap explained further that the only thing that comes to the Trustees is from the Zoning Commission in terms of any type of zoning changes.

Trish Gerencer of 13073 Oakmere Drive in Pickerington, Ohio was present. Ms. Gerencer updated the Trustees on the Food Pantry for Animals in Pickerington run by Pickerington North High School National Honors Society kids. Ms. Gerencer said things were going well and they have about 1 to 2 people (families) a week since the opening. They have gone very small based on the Trustees recommendations. Ms. Gerencer said she would like to go bigger but wasn't sure how to go about doing that. Mr. Dunlap asked if she had provided any type of flyer to the regular Food Pantry people. Ms. Gerencer said she had. Mr. Myers asked if they had gotten their facility built for storage. Ms. Gerencer said the land was taken away. Someone from across the street had offered to build a shed on his property so she is going to follow through with him. Ms. Gerencer said she did not follow up with the school board.

Mr. Myers thought one of the Trustee officials contacted Kathy Oshefski from the Pickerington School Board and Mr. Myers thought he said that she said this would not be a problem. The next school board meeting is next Monday night at 7pm at Heritage School. The Trustees recommend she attend and speak. Ms. Gerencer said she had the papers to prove she was promised land. The Trustee encouraged Ms. Gerencer to approach the board.

Ms. Gerencer made a comment that she thought the Dog Park looked pretty good and wondered if access to water be available. Mr. Butcher explained it requires a key to get into the cover of the water fountain which is where our spicket is. Mr. Butcher explained it is a matter of getting access to the water and having some control. Mr. Dunlap said

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we cannot just leave the spicket there because the kids would come and turn it on and let the water run. It was Ms. Gerencer's opinion that the fountains are marginal and the water pressure appears adequate. Ms. Gerencer said if they had access to the spicket then they can use big bowls to use for the trees. She was asking for a day and a time to provide a hose. Mr. Myers asked if Mr. Butcher would consider a lockable hydrant somewhere in the line before the fountain. Mr. Butcher said physically it would be a lot of work to carry the water back and forth. Mr. Dunlap said if we provided the fountain they could bring the hoses. Mr. Myers felt that if we were to put a lockable hydrant in there and set up a schedule then Mr. Butcher would just have to take the lock off that day and that night he would put the lock back on when he goes home. Mr. Yapple added there is a water spicket in there that they could put a hose in there and unlock that the same way and lock it up in the evening.

Mr. Yapple commented that when he and Carolyn walked thru and they were both concerned about hydrants and creating a mud situation problem. Maybe the nozzles need to be adjusted. Mr. Butcher commented that the two things to look at are 1) how has the access achieved to the spicket and 2) who is the keeper of the hose. Mr. Dunlap said they would take a look at how they can get water access and how they can work at the people to see if they can bring hoses.

Public Comment:

None

County Authorities:

Departmental Reports

Fire Department

Chief Eisel had explained to the Trustees they were going to have a resolution for protective clothing but they received word today that they were extending the pricing. Chief hopes to have this resolution for the next Trustee meeting.

Chief Eisel explained our current fleet maintenance lift will not accommodate unibody and smaller vehicles that are currently part of our fleet. We have the opportunity to purchase a lift that will allow for safe maintenance of our fleet at a cost of \$5,914.46 from CJM Maintenance. The current lift will be sold by this vendor on consignment on our behalf, with the proceeds of that sale returned to us, reducing our investment. Mr. Dunlap asked if we were trading it in. Chief said we were not. Mr. Dunlap asked how we would dispose of it as we are bound to go a certain way to dispose of property. We would need to declare it as surplus. We need to check with the prosecutor to see what the most efficient, cost effective way to do this is. Chief Eisel will send this to Jason Dolin. Mr. Yapple said we should also send it to Jeff Porter.

Mr. Myers made a motion to adopt Resolution 2013-0605-04 – Authorize Purchase of Lift for Maintenance Facility. Seconded by Mr. Weltlich. Roll call vote: Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, yes. Resolution 2013-0605-04 passes 3-0.

Mr. Myers mentioned the tornadoes in Oklahoma and how Safety Services did their part. He also mentioned Houston, Texas and Chief Eisel said (4) people were lost there. All that Chief Eisel knew on this was it was a hotel with a restaurant attached. The time of collapse was about 14 minutes after their arrival of the initial units. Chief Eisel said there was not a lot of information out yet on this tragedy.

Township Engineer

Mr. Butcher had a summary of Dog Park development maintenance costs for 2011 and 2012. The total comes to about \$30,000.00.

Mr. Butcher had (2) resolutions for consideration for Pavement Maintenance Bid Package 1 and Bid Package 2.

Mr. Butcher received a draft of the storm water utility feasibility study report. He will review it and get copies to the Trustees. Mr. Yapple added they had analyzed several appeals in different locations. Our annual report is done by the County, signed by the

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County with information from the other entities. We have to make the decision if we stay with the county. If we choose to establish this utility Mr. Butcher feels they would be in support of this with their existing drainage maintenance districts.

Mr. Butcher would like to get this document formalized and submitted and meet in a planning session to discuss with a consultant. Mr. Butcher said the time is close where there needs to be discussion with Fairfield County in general to let them know different routes that we can go. The Trustees felt we need to have conversation with the Fairfield County Engineer's office first.

Mr. Butcher reported the Dominion gas pipeline project is progressing. There are no issues Mr. Butcher is aware of. Mr. Yaple added it seemed to be a very safe operation and they are doing things the right way.

Mr. Butcher commented Lithopolis Winchester Road has a bridge project going on. Closure cannot begin until June 3, 2013. Mr. Butcher does not have a schedule. Mr. Dunlap asked Mr. Butcher to check with the Village office in Canal Winchester as they have dates and a map.

We were successful in obtaining a safety sign grant. He will provide more information. It was in excess of \$30,000.00 and is 100% reimbursable.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-01 – To Award Contract for 2013 Hot Mix Asphalt Pavement Maintenance to the Shelly Company. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2013-0605-01 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-02 – To Award Contract for 2013 Chip Seal Pavement Maintenance to the Shelly Company. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-0605-02 passes 3-0.

Mr. Weltlich asked if Mr. Butcher had gotten a hold of anyone at the county regarding Milnor sidewalk possibility of safe routes to school. Mr. Butcher said they were still having conversations on this. Mr. Butcher said the state is evaluating some new crosswalk devices. The traffic light is push button activated and is solar. Mr. Yaple feels there needs to be some sort of sign ahead saying 'pedestrians crossing.'

Mr. Dunlap asked if in conversation with the County have they worked out the street sign. Mr. Butcher said he had asked them to replace the sign but it was in opposition of their policy. We may have to put the posts back up.

Director of Operations:

Mr. Yaple reminded the Trustees of the Flag Retirement at the Service Center at 7:00pm on June 10th.

Mr. Yaple received a letter back from the Ohio Historical Society regarding the grant for Busey Road Park. They are suggesting we do an archeological study of the property. As part of ODNr Grant they requested pictures of the site and it has to go through the Historical Society. Mr. Yaple is waiting to hear back from them. Mr. Butcher said if we were approaching a deadline then we could ask for an extension.

We were invited to participate in a communitywide National Night out from Eastside Vineyard Church August 6th at 7pm at Victory Park. Chief Eisel said Pastor Babcock was the new Chair of the PCMA Pickerington Christian Ministerial Association. He wants to do what he can to strengthen neighborhoods.

Mr. Yaple reported there is no special election in August this year and the Board of Elections is asking to use our facility November 5th for the General Election.

The Canal Winchester Chamber is doing their membership directory again. We did the inside back cover the last time and the inside front cover is available at the same price.

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Mr. Weltlich made a motion to purchase an ad in the Canal Winchester Chamber Membership Directory for \$1615.00 (5% discount) for the inside front cover of the 5 x 8 booklet. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion A2013-0605 passes 3-0.

We have replaced heating and air conditioning at 4 E. Columbus Street. Last summer we did outside sealing (which prior to that we had moisture). Sergeant Duvall will bring some prisoners in to help scrape and clean in the near future and then they will paint. We can repair exit lights and fire extinguishers as well.

Mr. Weltlich made a motion to authorize Mr. Yapple to hire a consultant to inspect for hazardous materials and if hazardous materials are found to hire an abatement contractor to remove said materials for the Moving Ohio Forward Project for properties located at 7265 Amanda Northern Road, Canal Winchester, Ohio; 7220 Lockville Road, Carroll, Ohio and 9225 Carroll Northern Road, Pickerington, Ohio. Seconded by Mr. Myers. Discussion: The owner of the property on 9225 Carroll Northern Road was present. Mr. Yapple said the other two property owners have no problems with moving forward.

Christopher Delgrasso was present. His farm address is 9225 Carroll Northern Road and his residence 246 Franklin Street, Canal Winchester, Ohio. Mr. Delgrasso works for Franklin County Metro Parks. He said it was ironic because he has built 4 Dog Parks and ours was mild. He said letting the grass get established is major. They have partnered with the City of Hilliard and established a 'State of the Art' Dog Park at Heritage Trail. There is an interactive fountain like you might see in New York City. It is in Hilliard on the west side of Scioto Darby.

Mr. Delgrasso said he uses the building at 9225 Carroll Northern Road as a storage shed. He met with Mr. Yapple and Ms. Sarko and Ms. Sarko gave him a draft of the 'Consent to Agreement'. Mr. Delgrasso asked the Trustees if they would sign this agreement if it was their property. Mr. Weltlich asked what his intent was with his property. Mr. Delgrasso said he would love to have this house taken down but he needs to protect himself. Mr. Weltlich asked him what he would like the Trustees to do to help him get through the process and understand what his liabilities are, what his upside risks are and so forth. Mr. Delgrasso would like the Trustees to look at the draft and tell him what he is liable for because the way he reads it is that he is liable for everything. Mr. Delgrasso had asked Mr. Yapple if construction was going to be put up at the site. Mr. Yapple said of that was one of his requests then we would have to go through the process and see if this could be worked into the cost. This would be Fairfield County's discretion. He wanted to know who is going to control if there is no construction fence for anyone who walks on and off the property. Some other things in the draft such as he cannot go on his property during the removal phase and he has tractors on his property he needs to use. Mr. Dunlap asked if it would facilitate if we removed him from the motion at this time so he could work with Bill to try and work out some of his concerns or reject it and do it on his own. The document would have to go back to the Prosecuting Attorney's office. **Mr. Dunlap made a motion to amend the motion to remove 9225 Carroll Northern Road, Pickerington, Ohio and to proceed with the others at 7265 Amanda Northern Road, Carroll, Ohio and 7220 Lockville Road, Carroll, Ohio. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion B2013-0605 passes 3-0.**

Mr. Yapple called the roll on the motion as amended. Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion B2013-0605 as amended passes 3-0.

Mr. Yapple had several weed resolutions to be considered.

Mr. Yapple spoke to Jennifer about the bed tax issue and she is working on records requests that will go to the Clerk. They have heard nothing from the court system.

Mr. Yapple received a call about the 4th of July parade from the City of Pickerington. The fireworks costs are up \$2500 over last year's number. We were close to the \$12,500 that we agreed to last year. The city is saying the cost proposed is around \$30,000.00 for this year and they are asking we authorize \$15,000.00 for our half and we would

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need a motion to do that. **Mr. Weltlich made a motion to share the cost up to a maximum of \$15,000.00 with the City of Pickerington and participate in the 4th of July. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion C2013-0605 passes 3-0.**

Mr. Yaple said he would move forward with the lease for the Senior Center if the Trustees didn't have any problems with it. He has passed it on for the Senior Center to review.

Mr. Yaple spoke with Steve Eichorn who owns the property at Pickerington and 33 across from Schoff Door to see if he would agree (because it is commercial Property) take it down with the grant program and clean it up and put it back on his tax duplicate as we are for the property on Amanda Northern Road. He would sign a loan paper lien on the property if it is sold. It is commercially zoned and is in the JEDD area.

Mr. Weltlich asked if Mr. Yaple asked Ms. Davis about not pushing on with the fibers and wanted to know her response. Mr. Yaple said they have a meeting next week.

Mr. Weltlich wants to know when we will have an Economic Development Strategic Plan presented to us. Mr. Yaple will get back to Mr. Weltlich on this.

Mr. Dunlap asked about what was going on at Ohio University with Economic Development and the Chamber tomorrow. Mr. Yaple said it had to do with what the Chamber's role was in Economic Development. Mr. Yaple would be attending and our comments will be that for the small operations of retail stores they (the Chamber) should probably be involved and refer to them but, not for anything else because they can't deal with the information needed.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-03 – Adopt Revisions to the Violet Township Employee Policy Manual. Seconded by Mr. Myers. Discussion: Mr. Weltlich asked if staff was ok with it. Mr. Butcher said he had some concerns but there was dialog and everything was worked out. Sara was in the meeting they had at 592 and their request was updated and the one that was emailed to the Trustees had all that in it. Mr. Dunlap asked if they were happy with the definition of part time position. Everyone was good with it. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-0605-03 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-05 – A Resolution to proceed with the Removal of the Unsafe, Insecure and Structurally Defective Structure from the Property owned by Creekside Community Church and the Greater Ohio District of the Wesleyan Church, located at 9720 Blacklick Eastern Road in Violet Township, Fairfield County, Ohio. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-0605-05 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-06 – A Resolution Declaring the Property Owned by Diyanni Brothers Inc. Known as Winding Creek Section 3 Part 1, Lot 104 in Violet Township, Fairfield County, Ohio, a Nuisance. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2013-0605-06 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-07 – A Resolution Declaring the Property Owned by Diyanni Brothers Inc. Known as Winding Creek Section 3 Part 1, Lot 105 in Violet Township, Fairfield County, Ohio, a Nuisance. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2013-0605-07 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-08 – A Resolution Declaring the Property Owned by Diyanni Brothers Inc. Known as Winding Creek Section 5 Part 1, Lot 174 in Violet Township, Fairfield County, Ohio, a Nuisance. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-0605-08 passes 3-0.

Mr. Dunlap made a motion to adopt Resolution 2013-0605-09 – A Resolution Declaring the Property Owned by Diyanni Brothers Inc. Known as Winding Creek Section 5 Part 1, Lot 175 in Violet Township, Fairfield County, Ohio, a Nuisance.

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Seconded by Mr. Weltlich. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Resolution 2013-0605-09 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-10 – A Resolution Declaring the Property Owned by DBI Land Company LLC for 27.55 acres on the West Side of Milnor Road, Parcel Number 036092223 in Violet Township, Fairfield County, Ohio, a Nuisance. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2013-0605-10 passes 3-0.

Mr. Weltlich made a motion to adopt Resolution 2013-0605-11 – A Resolution Declaring the Property Owned by Ibrahim Aboomer known as Winding Creek Section 5 Part 1, Lot 189 in Violet Township, Fairfield County, Ohio, a Nuisance. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2013-0605-11 passes 3-0.

Fiscal Officer

Mr. Smith was out.

Trustee Reports:

None

Trustees out of Office Meetings Where More than one (1) Trustee present

Mr. Dunlap will be attending the June 10th Flag Retirement Ceremony at the Service Center at 7:00 pm.

Old Business

None

Tabled Business

None

New Business

The next regularly scheduled meeting of the Violet Township Board of Trustees will be held Wednesday, June 19, 2013 at 7:30 p.m. at the Township offices.

Pay Bills

Mr. Weltlich made a motion to pay the bills. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion passes 3-0.

Adjournment

Mr. Weltlich made a motion to adjourn the regular meeting at 9:30 p.m. Mr. Myers seconded the motion. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion passes 3-0. Meeting adjourned at 9:30 pm.

Respectfully Submitted,

Christopher H. Smith, Fiscal Officer

Joniann Goldberg, Administrative Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Harry W. Myers, Jr., Trustee

Gary P. Weltlich, Trustee

Date: _____