

Violet Township Board of Trustees

November 20, 2013

Regular Meeting

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

Ms. Menningen, Fiscal Assistant called the role as Fiscal Officer, Chris Smith was absent: Mr. Myers, Mr. Weltlich and Mr. Dunlap were present. Others present were: Director of Operations, Bill Yaple; Engineer, Greg Butcher; Fire Chief, John Eisel.

Mr. Myers 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. Dunlap moved to approve, without public reading, the minutes of the Regular meeting of November 6, 2013 as submitted by the Fiscal Officer. Seconded by Mr. Weltlich. Roll Call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 3-0.

Mr. Weltlich moved to approve, without public reading, the minutes of the Public Hearing of 11-6-2013 for Case No. Public Hearing: Case Number 01-ZC-2013: Amendments to the Violet Township Zoning Code Section 3D – Planned 33 Corridor Overlay District (PCOD). Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, abstained. Motion passes 2-0.

Recognition of Guests:

None

Public Comment:

None

County Authorities:

None

Departmental Reports

Fire Department

Chief Eisel had handouts on Thanksgiving safety, winter safety tips and the Toy Drive Press Release that kicks off November 22nd. They will have another drive-thru toy drop and the Girl Scouts will be helping out again this year with the Toy Drive.

The Fire Department will be presenting a 'Certification of Appreciation' to Marcus Theater for their assistance in relocating the recent 'Street Smart' Drug Education class that was hosted by the Fire Department. Marcus Cinema went out of their way to help us make this most important class happen, and we wanted to show our appreciation.

Chief Eisel had one resolution to present for the purchase of a recirculation ice therapy system. The Fitness Committee has recommended purchasing a recirculating ice therapy machine and related accessories through the Fitness Fund established by Section 39.1 of the current Bargaining Unit Contract. This equipment will become part of a preventative and treatment therapy system for acute and chronic injuries, with a targeted goal of further reducing time lost from work, BWC claims, and the need to seek outside medical treatment. This will be purchased from Patterson Medical at a cost not to exceed \$4,000.00. **Mr. Myers made a motion to adopt Resolution 2013-1120-01 – Purchase a Recirculating Ice Therapy System. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion passes 3-0.**

Chief Eisel gave 'kudos' to Mike Marr from BWC who reviewed the contract for us.

Mr. Dunlap inquired about the fire truck. Chief Eisel said the OTARMA adjustor had been in and we are currently using a rescue from the City of Columbus. The downfall of this is if they call us back and say they need the truck back it goes back. Doc has been busy trying to get our Rescue back in service. There was discussion today about taking the truck back to Pierce to have it evaluated and that is the OTARMA adjustor's opinion as well. Mr. Dunlap asked if one of their guys should come here. Chief Eisel said no the

Regular Meeting Minutes 11-20-2013

adjustor from OTARMA said it was well within his authority to authorize that. They seem to think it is repairable as long there is no damage to the tank or pump. They recommended we have the ground ladders tested.

Township Engineer:

Mr. Butcher had several updates. Mr. Butcher reported it will be sometime next year before we do New England Acres or Sturbridge Meadows. Mr. Butcher has some good baseline data on this that he shared with the Trustees as well as some pictures.

Posts from the sign grant arrived today. Mr. Butcher had photos.

Mr. Butcher reported the Diley Road turnaround is staked. The neighbor has been notified and this should be wrapped up within the next few weeks.

Mr. Butcher reported a proposal was received from Soil and Water for some additional mapping in curb and gutter (no maintenance subdivisions). The cost is \$8,000.00 for all the non drainage maintenance district curb and gutter storm sewers within the Township. Mr. Butcher will present as a resolution at the next meeting.

Culvert reimbursement will be sent to County Engineers Office by the end of November. The County has been notified.

MORPC has asked us to submit a nominee to the Transportation Advisory Council. Mr. Butcher and Mr. Yapple have spoken and Mr. Butcher will be submitted.

From now until December 30th, 2014 the Safe Routes to School Project will be in environmental clearance design. Beginning in 2015 the plans will be ready and there will be a bid and construction will happen in 2015. The sidewalk from Harmon Middle School to Stonecreek Drive through Woodfield. It is also north to in front of the park on the West side of Harmon Road Park next to Summerfield. Mr. Yapple asked if we were connecting to Eastchester with this. Mr. Butcher said we were not and he did not feel it was worth the effort. We are going across from Harmon Park on the west side.

Mr. Butcher said there was a safety concern as related to the Nelson Park soccer use. Mr. Butcher offered an option regarding walking on the street and they would not agree.

Mr. Butcher said he was asked by the City of Pickerington (Scott Tourville) and the City of Canal Winchester if we had any interest in collaborating on pavement maintenance for future years (specifically 2014). They will meet in a few weeks and have a conversation about it. Mr. Butcher's experience has shown that if you are bidding 20,000 tons of asphalt there is some volume economy in that. If you are bidding 2,000 tons of asphalt and normally we go to 3,000, there is not a whole lot of economy with that. We should certainly meet with them and discuss it. Mr. Butcher will keep the Trustees informed.

Mr. Butcher said we are mowing right-of-ways that we always mow at the end of the year. We are doing a lot of crack filling and small pot hole patches.

Mr. Weltlich asked how the profilometer pictures were quantified. Mr. Butcher said he did not know the detailed process. It is relatively new and this was a requirement for large scale ODOT projects. Mr. Butcher asked them to come in...and look at our paving from 15 years ago. Essentially what the test tells Mr. Butcher is that one could refute that it is rougher than it was before. It was not done on a 2014 spot that is asphalt. Mr. Weltlich said he is familiar with profilometer measurements with metal and that you do not look at the quantification of the data but you look at the visual standards and you say this is an a or b or c or d or whatever. So, when he looks at the numbers he does not know what this means. So it has to be quantum differences before it becomes significant. Mr. Butcher said this was correct. Mr. Butcher feels we need to do what we can and look back and review.

Mr. Dunlap said each year we are required to meet with our surrounding or adjacent entities that we share roads with. Mr. Dunlap thinks we need to do this the end of November or December so we can go into next year and as we have a shared road with Liberty and a few stretches with Bloom and a little of Busey in Canal and Stemen with Pickerington. We need to see if they are going to do anything with their portion of roads. Canal and Pickerington will be discussed on December 14. Mr. Butcher will reach out to Liberty and Bloom as he has done before and it has been a one way reach. When he

Regular Meeting Minutes 11-20-2013

talks to Bloom he asked him to talk about Amanda Northern and see if they will do anything to the north that we could share. Both of those roads are in pretty good shape.

Mr. Myers asked if we had plenty of salt. Mr. Butcher said the salt barn is full. Mr. Myers asked if we had more salt contracted and Mr. Butcher said we did.

Director of Operations:

Mr. Yaple had given the Trustees information he received from the County Commissioners that they have established a land bank by resolution. The largest township has a seat on that board. We need to decide within the next 30 days who that would be.

The hearing and vacation they have not made a decision however he received a call yesterday that the commissioners will consider the alley vacation to the north of the property. That 33 feet would all go to Mr. Craig not split between properties because it is part of a platted subdivision. He doesn't know what the vote will be but it will be the 26th and he will attend. He submitted the side to the east and to the north. They will not ask for a resubmittal but will only decide on that piece. He asked for both originally. They will not consider the one to the east of the stream but they will consider the alley. This will make his property pretty compliant to our zoning code if he gets that for the rear setback of 50 feet. They will probably ask what our stance is. Mr. Dunlap wants to make sure that to the east we do not take away access to 10 acres to make it a landlocked piece of property. Mr. Yaple will pass this on to the Commissioners. This is consistent with what the Trustees said before.

We received the maintenance plan from the Forester for Busey Road Park. Mr. Yaple put it in their boxes. Mr. Myers asked if he walked the property. Mr. Yaple said he had said he did. He was saying there are some ash trees that need to come down and some evasive stuff that should be destroyed in not only the woods but in other areas. This includes trees in the back where there used to be an old house. He has been over the whole piece of property. Mr. Weltlich said basically he is saying clean it up and maintain it. Mr. Myers said we would need to get the Forester in here. Mr. Dunlap thinks we need to get him up here and he can mark the trees that he spoke about and then he will try to find a buyer for us and try to get the best deal for the best buy. Mr. Dunlap would like to give our intent and move on it at the next meeting.

Mr. Yaple had information regarding license renewal for our MS4 agreement for website operation through Soil and Water for MS4 software. The license options are 1, 3 and 5 year license. They give a credit if you did a 5 year addition which was about 20% per year or about 1 year free was \$2400 for 1 year and \$2160 for a 3 year licensing per year and \$1920 for a 5 year agreement per year. Mr. Yaple recommends the 5 year licensing agreement as it gives you a free year.

Mr. Weltlich made a motion that we accept contract to sell timber as submitted by Tim James of Buckeye Forestry Services. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Motion A2013-1120 passes 3-0.

Mr. Yaple had a few Membership renewals for MODE and Fairfield 33. Mr. Yaple does not see any advantage joining MODE for next year at this point. 33 Alliance might be a good move. Mr. Yaple had the invoice for Fairfield 33 Alliance for 2014. **Mr. Weltlich made a motion to pay the \$2500.00 for membership for Fairfield 33 Developmental Alliance for 2014 yearly dues and review it next year. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion B2013-1120 passes 3-0.** Mr. Weltlich wanted to know about our membership on the board. Mr. Yaple said because we are a government agency we have a seat on the board. It is not on the Executive Board but it is on the board of all the members. **Mr. Dunlap made a motion to nominate Gary Weltlich to be on the Fairfield 33 Development Alliance Board. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, abstained. Motion C2013-1120 passes 2-0.**

Mr. Yaple reported the legal motions have been filed for the Bed Tax. There has been a counter motion filed. Mr. Weltlich said it was the same as before. The rules changed in 1981 and rules changed in 1982. There was no resolution to enact the tax. Mr. Myers said he read in the Gazette that the Judge was going to rule December 16th. Mr. Yaple said yes there is a hearing with the courts on the 15th or 16th about the pleadings he

Regular Meeting Minutes 11-20-2013

suspects. It could be nothing. Mr. Loveland added regarding the meeting on December 16th that the hearing was on the question of the escrow according to what he read in the Lancaster Eagle Gazette.

Mr. Yaple received information from EPA about bio solids being spread in the Township and it is an 'fy' to the Trustees. It is on all the Southard property operated by Johnson and two fields north of Basil Western Road. Mr. Dunlap is saying that is the Diley property. Mr. Weltlich asked what the point was. Mr. Dunlap said the two fields east of the trailer are Diley's and they touch Brandt's property. Mr. Yaple stated they are requiring it be injected or incorporated into the ground.

Mr. Yaple reported we received our annual liquor permit renewal notice. Mr. Yaple has requested information on any problems areas from the Sheriff's office. Mr. Dunlap mention Old Towne Tavern.

Mr. Yaple handed out information that 3-C Church purchased 20 acres just west of Busey Road Park ground and it attaches to the edge of our park. Mr. Dunlap said we need to make sure we stake it because our property goes west of that property line.

We need an appointment for a member of the CEDA Land Use Committee with Canal Winchester. Mr. Weltlich nominated Mr. Dunlap to be on the CEDA Land Use Committee. Mr. Dunlap agreed to be on the committee. NO MOTION WAS DONE.

Mr. Yaple passed out information on a zoning issue. Currently our code does not allow chickens. She has been told that if she wants the code they can do it. Hannah from Mr. Loveland's old firm has written a letter and Kelly has sent that on to her that if she wants to pay for the code change and the \$600 then we will go through that process, however, if they are successful in changing the code, someone in Violet Meadows could put the chickens in. Our code currently says not allowed in a platted sub-division. The recommendation is we think they should apply for a variance for their property only. That cost is \$500. This woman showed up at the Zoning Commission meeting last night and started the dialog. Mr. Yaple stated that Ms. Sarko referenced there was someone else in Huntington Hills that had chickens.

Mr. Yaple received information regarding WOW rate increases. Mr. Weltlich asked what percent of our Township WOW is serving. Mr. Yaple said Insight is our biggest cable supplier and WOW has gained ground on insight. Ms. Menningen said it was getting very close.

Last meeting we spoke about an indigent burial. The next day Mr. Yaple spoke with the funeral home and the lady said she would get the paper filled out. He did not hear anything. He called her back and asked where she was with his information. She said she called and told them it was not an indigent burial and she was responsible and the lady said ask if she would take a credit card and she said yes. Someone should document this issue so if we ever encounter this again we can say we have a precedent. Mr. Yaple has the form they have to fill out and if you go to the OTA website next year every year it is a percentage of the federal poverty level. Every year OTA updates this money for you on their website. Mr. Weltlich would like to have this documented in a file so we don't have to go through this again.

Mr. Weltlich made a motion to authorize Bill Yaple to sign proposal from Hina Environmental for Asbestos Certification for 7265 Amanda Northern Road. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion D2013-1120 passes 3-0.

Mr. Weltlich made a motion to authorize Bill Yaple to sign proposal from Working Partners to Update Drug Free Workplace Agreement. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion E2013-1120 passes 3-0.

Fiscal Officer:

Ms. Menningen, Fiscal Assistant to Fiscal Officer Chris Smith was present.

Mr. Myers asked if Ms. Menningen had any reports for the Trustees and Ms. Menningen said she did not have a report and she had no resolutions.

Regular Meeting Minutes 11-20-2013

Mr. Weltlich asked if Ms. Menningen knew where they were with reconciliation of the bank account is. Ms. Menningen said it was the same place it was at the last meeting.

Trustee Reports:

Mr. Weltlich attended Pickerington City Council meeting last night.

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

There will be a Special Meeting on Monday, November 25, 2013 at 6:00 p.m. at the Township Administrative Offices. All three (3) Trustees will be present. Joniann will do a press release on Friday, November 22, 2013.

Old Business

None

Tabled Business

None

New Business

The next regularly scheduled meeting of the Violet Township Board of Trustees will be held Wednesday, December 4, 2013, at 7:30 p.m. at the Violet Township Administrative offices.

Mr. Weltlich made a motion that the Trustees formerly oppose the annexation of Pickerington North High School, Lakeview Jr. High School, Krogers Shopping Center, the American Legion, Dr. Young's facility and South Central Power and also authorize Bill Yapple to retain the services of Al Schrader and Wanda Carter to assist us. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion F2013-1120 passes 3-0.

Pay Bills

Mr. Dunlap made a motion to pay the bills. Seconded by Mr. Weltlich. Discussion: Mr. Weltlich thanked the Fiscal Office for getting the Food Pantry their turkeys. Mr. Myers asked if the fuel account was in there this run. Ms. Menningen said there was only one this time for Ports Petroleum and they were in alphabetical order. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 3-0.

Mr. Myers made a motion to go into Executive Session to discuss personnel issues per the ORC Section 121.22(G)(1) and Section 121.22 (G)3 – Conferences with an Attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and Section 121.22 (G)(2) to consider the purchase of property for public purposes. Attendees will include the (3) Trustees, Mr. Yapple, Bill Loveland and Fire Chief John Eisel. Mr. Dunlap seconded the motion. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion passes. 3-0. The board recessed for 5 minutes and went into Executive Session at 8:55 p.m.

Mr. Weltlich made a motion to come out of Executive Session at 10:45 p.m. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Motion passes. 3-0.

Adjournment

Mr. Myers made a motion to adjourn the regular meeting at 10:46 p.m. Mr. Weltlich seconded the motion. Roll call vote: Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, yes. Motion passes 3-0. Meeting adjourned at 10:46 pm.

Regular Meeting Minutes 11-20-2013

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: _____