

## **Violet Township Board of Trustees**

**December 3, 2008**

### **Regular Meeting**

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

Mr. Smith called the roll and Mr. Dunlap, Mr. Myers and Mr. Weltlich were present. Other Township employees present were: Greg Butcher, Township Engineer; William Yapple, Director of Operations; Kenn Taylor, Fire Chief and Assistant Fire Chief Eisel.

Mr. Dunlap asked the audience to join with him in the Pledge of Allegiance and to remain standing for a moment of silence in honor of those that safeguard our freedoms around the world and our public safety officers here at home.

**Mr. Myers moved to adopt the minutes of the Public Hearing of October 23, 2008 without public reading. Seconded by Mr. Weltlich. Roll call vote: Mr. Myers, yes; Mr. Weltlich, abstained; Mr. Dunlap, yes. Minutes approved.**

**Mr. Dunlap moved to adopt the minutes of the Public Hearing of October 30, 2008 without public reading. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, abstained. Minutes approved.**

**Mr. Weltlich moved to adopt the minutes of the Regular Trustee Meeting of November 19, 2008 without public reading. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Minutes approved.**

#### **Recognition of Guests:**

Christie Hammond who resides at 540 Oaktree Avenue, Pickerington was present. Ms. Hammond was present as the honorary Chairman of the first Pickerington Food Pantry 'first ever' fundraiser. Ms. Hammond stated that Mr. Weltlich represents the Township and Mr. Sabatino represents the City of Pickerington. The Food Pantry now serves 80 families, which is about 350 – 400 people a month. The committee has come up with 'Plaza of Lights' as their fundraiser. This is located right next to the Historical Society. The goal is to have all the trees blazing with lights and will last through the end of the year. They are asking people to purchase a light for \$5 which would go to the Food Pantry. Mr. Weltlich mentioned that the new Director does not take any type of compensation.

#### **Public Comment:**

Norm Hopkins who resides at 11300 Milnor Road, Pickerington was present. Mr. Hopkins asked if the Township was going to contribute money towards the Food Pantry. Mr. Weltlich stated they have not discussed this yet.

Rocco Sabatino who resides at 8981 Chevington Chase, Pickerington was present regarding a zoning issue that was recently passed. Mr. Sabatino passed out copies of the current Zoning Code as well as what the Zoning Commission had recently passed regarding planned residential development.

Mr. Sabatino explained that the approval process for the development plan requires public hearings before the Zoning Commission and the board of Trustees. The approval process for the sub division plat requires a public hearing. The authority is with the Township Trustees. Mr. Sabatino stated that

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now the Zoning Commission wants to take away the public hearing process and this takes the citizens rights away in the process.

Mr. Sabatino stated on the current zoning code in item 2 the approval of the development plan shall be for 5 years. If the plat is not submitted and recorded within the 5 year time limit then if someone comes in with a plat they have five years and they must come to the trustees to ask for an extension after the five years. With the new zoning has made it that the approval or (for such other period as set forth in the development plan). This reduces our elected officials' authority. Mr. Sabatino stated the citizens don't want the control to go from the Trustees to the Zoning Commission, who are not elected officials.

The way it currently is if they don't apply they loose the zoning. The new change states that after the five year period they do not loose the zoning they obtained. Now the new zoning loss would only occur if the Board of Trustees or now the Zoning Commission initiates the rezoning. This undermines involvement of authority by the Trustees and gives more authority to the Zoning Commission. They do not want the Zoning Commission to increase their authority over the Trustees and residents. Mr. Weltlich referred to the pink copy of the document and stated the way he reads this section, it states that the Zoning Commission can initiate without regard to change the basic fundamental classification. So if a resident came in and there was an agreement of 3 houses per acre and 8 years passed this means they can change the density and the screening requirement etc. Mr. Sabatino feels this is wrong for the Zoning Commission to try and do this.

Mr. Weltlich asked if Mr. Sabatino attended the Zoning Commission meeting where this zoning change was passed. Mr. Sabatino stated he did not but the citizens do not attend the Zoning Commission meetings now because they were treated like 'dogs' and they will not tolerate this anymore as they feel they are being abused and feel this treatment is obscene.

Mr. Weltlich asked Mr. Yapple what had prompted this. Mr. Yapple stated that as he understood it Legal Counsel had some issues with the way the code was written that needed cleaned up. Technically this group has nothing to say about sub division plats. Mr. Weltlich asked for this in writing. Mr. Dunlap asked if it was straight development but a planned district don't we have some control there? Mr. Yapple stated that the development plan controls what you have. Mr. Yapple stated that there is a difference between a development plan and a plat. If the development does not carry through then it reverts back to what it was. The new one allows the Zoning Commission to seek other zoning for it. Mr. Weltlich asked for a legal, opinion from our Law Director. The question is that the current code specifies that the final plat comes before the Trustees and the public can come in. They want to continue to have the right to come in and talk to the Trustees about it.

Mr. Dunlap asked if Mr. Yapple to get something for him that may have gone to the Zoning Commission and would he get an opinion from our Legal Counsel to explain what they think is wrong and why they think it is wrong.

Arthur Koszalinski of 11953 Oystercatcher, Pickerington was present. He had the same concerns at Mr. Sabatino regarding the language issues. He is part of the group that tries to protect Violet Township citizens. He stated he was present at the October 30, 2008 meeting where the Trustees approved the minutes and he sat there and at no time in that meeting were these changes brought up. Prior to the October 30th meeting members, the committee met with Ms. Sarko, Mr.

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Biancamano and one or two members of the Zoning Commission and Mr. Weltlich facilitated the meeting. In their opinion Ms. Sarko, Mr. Biancamano and the entire Zoning Commission has no integrity and no honesty when they deal with the citizens of Violet Township. He felt that at that October 30<sup>th</sup> meeting if Mr. Brosius had a problem with the language then that would have been the time to say something. Mr. Koszalinski stated that the citizens of Violet Township are demanding change and demanding the removal of Ms. Sarko and Mr. Biancamano. Also during one of the meetings where they were dealing with Milnor and Springcreek Drive the citizens were told by the Trustees that the citizens should meet with the developers to iron out differences. Mr. Koszalinski felt that the Trustees were the ones that needed to meet with the developers and contractors. He felt that was totally inappropriate. Mr. Koszalinski stated that at the October 30<sup>th</sup> meeting it was his opinion that Mr. Brosius was getting paid to backup the Township and none of the working changes ever came up and feels the Township should look for another legal firm.

#### County Authorities:

None

#### **Departmental Reports:**

##### Fire Department

Assistant Chief Eisel reported the Holiday Toy drive was in full swing.

A good deal of time has been spent with the hiring and promotional process and Assistant Chief Eisel hopes to get this wrapped up this week.

Assistant Chief Eisel presented a resolution to replace the sign at Station 2.

**Mr. Myers moved to adopt Resolution 2008-1203-03 – Sign Replacement for Violet Township Fire Department Station 592. Seconded by Mr. Weltlich. Roll call vote: Mr. Myers, yes; Mr. Weltlich, yes; Mr. Dunlap, yes. Resolution 2008-1203-03 is adopted 3-0.**

Norm Hopkins of 11300 Milnor was confused on the Battalion chief position. He thought it was going to be one position. After speaking with Assistant Chief Eisel and Chief Taylor about it he understands and is pleased with the new positions.

Chief Taylor spoke about his trip to Israel and stated it was one of the true highlights of his life. Chief Taylor stated they met with the advisor to the president and homeland security. Chief Taylor kept a journal of his trip and took many pictures that he hopes to share with anyone who may be interested.

##### Township Engineer

Mr. Butcher reported he met with representatives from FEMA to finalize the reimbursement of the winter storm event. We will be receiving a reimbursement of about \$39,800.00.

Mr. Butcher reported he attended an Issue 1 meeting regarding the Jefferson Drive culvert that should be funded.

Mr. Butcher stated he received a letter from a resident who lives in the Woodsfield Sub Division regarding drainage issues and he responded to it.

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Mr. Myers commented on the stop signs at Tollgate and SR 204 is excellent. Chief Taylor suggested writing a thank you letter from the Trustees to Brian Bosch at ODOT. Mr. Yaple and Mr. Butcher will draft a letter.

#### **Director of Operations**

Mr. Yaple referred to a thank you letter the Trustees received from Pickerington High School Central thanking us for donations they received towards the flagpole gazebo project.

Mr. Yaple reported there was information about the new Fairfield Medical Center naming. There is a contest going on for the naming of the center.

There will be a JEDD hearing on December 16<sup>th</sup> in Canal Winchester at 6:30 pm. There may be more than one Trustee in attendance.

On December 9th there will a meeting at the Township with Robinwood Acres/Terry Lane residents. Fairfield County Utilities and Fairfield County Health Department personnel will be there again to discuss issues with the residents.

**Mr. Weltlich made a motion to adopt Resolution 2008-1203-01 – Clothing Allowance (Administrative Offices). Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 1203-01 is adopted 3-0.**

**Mr. Weltlich made a motion to adopt Resolution 2008-1203-02 – Clothing Allowance (Road Department). Seconded by Mr. Myers. Discussion: Mr. Butcher commented that they did away with uniforms. There were some inconsistencies so they got rid of the uniforms and Mr. Butcher has identified what he felt was appropriate. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2008-1203-02 is adopted 3-0.**

**Mr. Weltlich made a motion to adopt Resolution 2008-1203-04 – Authorize Director of Operations to Contract with the Mauger Company for Repairs to Township Office. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes; Resolution 2008-1203-04 is adopted 3-0.**

Mr. Yaple mentioned there has been cold air in some of the offices and has found that there are wood trusses with aluminum foil stapled to the bottom of the trusses which is a solid sheet of insulation in the trusses. Some of the paper has come loose and down. He had hoped to put some more insulation in the attic but cannot do that. He would like to get someone in and open the ceiling and find the places and repair them. One company has come in and estimated about \$800. Mr. Yaple will get some more estimates.

#### **Home Rule Resolutions:**

None

#### **Motions to Be Considered:**

**Norm Hopkins of 11300 Milnor Road asked if it would be possible to give a donation to the Food Pantry before Christmas. Mr. Myers made a motion to donate \$500 to the Pickerington Food Pantry to kick off their light program. Seconded by Mr. Dunlap. Roll call vote: Mr. Myers, yes; Mr. Dunlap, yes; Mr. Weltlich, yes. Motion A20081203 is adopted 3-0.**

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#### **Fiscal Officer**

Mr. Smith reported we have our results from the audit and there were no significant findings.

We are getting audited by Bureau of Workers Compensation on December 16<sup>th</sup>. Mr. Smith asked the BWC to move it to January and they respectively declined.

Mr. Smith reported it is his intent to not have a third meeting in December and his goal is to process invoices up until December 17<sup>th</sup>.

Mr. Dunlap commended Mr. Smith for getting us through the audit.

#### **Trustee Reports**

Mr. Weltlich reported he attended a City Council meeting. It was short and brief.

#### **Trustees Out of Office Meetings**

Mr. Dunlap reported the Employee Luncheon would be Friday, December 12<sup>th</sup> at noon at Station 592.

The Trustees & Fiscal Officers Banquet is on Sunday, December 14<sup>th</sup> at 6pm at the Liberty Center.

There will potentially be two Trustees at the December 16<sup>th</sup> JEDD hearing.

We received an invitation from the Pickerington Magazine appreciation for Thursday, December 4<sup>th</sup> at Old Towne Hall in Pickerington from 5-7pm.

#### **Old Business**

None

#### **Tabled Business**

**Resolution 2008-1119-01 – Agreement between the Fairfield County Office of Emergency Management & Homeland Security & Violet Township. Mr. Yapple asked that this remain on the table as he has presented it to Legal Counsel.**

#### **New Business**

None

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

**Mr. Weltlich made a motion to go into Executive Session to discuss contractual personnel issues per the ORC. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion carried. Meeting adjourned at 9:10 p.m.**

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Respectfully Submitted,

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Christopher H. Smith, Fiscal Officer

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Joniann Goldberg, Administrative Asst.

Approved By:

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Terry J. Dunlap, Sr., Chairman

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Harry W. Myers, Jr., Vice-Chairman

\_\_\_\_\_  
Gary P. Weltlich, Trustee

Date: \_\_\_\_\_