

## **Violet Township Board of Trustees**

**July 15, 2009**

### **Regular Meeting**

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

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

Mr. Myers asked the audience to join with him in the Pledge of Allegiance and to remain standing for a moment of silence.

**There were no minutes to approve.**

#### **Public Comment:**

William Clark of 8538 Chateau Drive, Pickerington was present. Mr. Clark reported that on June 2, 2009 the Trustees requested by letter that the Zoning Commission consider moving automotive maintenance repair and retail automotive sales from C-3 classification to C-2 use classification. He asked the chairman what action the Trustees will take to officially close out their request to the Zoning Commission before their 7-21-09 meeting. Mr. Myers stated the three Trustees had not had a chance to discuss this yet.

Rocco Sabatino of 8918 Chevington Chase, Pickerington was present. Mr. Sabatino said that after speaking with several residents in the subdivisions, many of those residents did not have a problem with the two uses on the one acre but a number of folks had some apprehensions if it was Township-wide because there are larger tracts and other owners that they do not know. He said that the residents felt that the better way for him to go would be to apply for a C-3 rezoning on that property and strike out all uses of C-3 except for those two retail uses. Mr. Sabatino stated he was withdrawing his request for a Township-wide proposal and he may come back with a single property proposal in the future. He had a copy of the email sent to Ms. Sarko about going that route. Mr. Sabatino showed the Trustees a copy of Ms. Sarko's email and Mr. Sabatino said that Ms. Sarko said this was fine to go that route. Mr. Sabatino passed out the letter from Ms. Sarko stating that the Trustees would suspend or table the request. He said as it currently stands, there is no request from any citizen requesting to proceed.

**PLEASE NOTE:** For clarification of the statement above please refer to attached Exhibit A and B.

Mr. Weltlich asked if it was possible to cancel the Zoning Commission hearing on this subject. Mr. Yapple stated that you can send them a request to stop pursuing this. The Commission would have to open the hearing, have the hearing and close the hearing because it has already been scheduled. Mr. Dunlap suggested the citizens take their comments to the Zoning Commission. He does not want to set precedence. Mr. Weltlich just wanted to tell them the resident wants to withdraw the request.

Rocco Sabatino of 8918 Chevington Chase, Pickerington stated the point was a moot point and the Commission could open the meeting and explain that they have withdrawn the request.

Mr. Myers felts the Trustees should send a letter to the Commission that the resident is withdrawing the request and for them to proceed with their advertised meeting. Mr. Sabatino thanked the Trustees.

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Mr. Weltlich asked if Mr. Sabatino was prepared to submit an application to the Zoning Office. Mr. Sabatino stated he would submit an application that would go through the normal channels.

Roger Stinson of 8212 Night Heron Lane asked if they could rule on its validity or justification. In other words, would they be able to make a statement of opinion.

Bill Clark thought there should be a way, through our attorney to draft a letter to the Zoning Commission that would say they recommend this hearing be discontinued at this point without precedence.

Mr. Sabatino said they were simply asking the Trustees to tell the Zoning Commission that there is no longer a need for consideration.

Mr. Weltlich recommended the Trustees inform the Zoning Commission that the citizen's initiative has been withdrawn and the Trustees no longer have any reason to have this investigated and whatever they do should be done without prejudice and precedent.

**Mr. Weltlich made a motion to have Mr. Yapple have our attorney draft a letter to the Zoning Commission that said the group of people that was behind this have withdrawn all interest. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Motion B2009-0715 passes 3-0.**

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

Greg Bachman, the new Engineer for the City of Pickerington was present.

Tom Sutton of 8540 N. Spring Court was present. He had been checking into different natural gas suppliers. He stated he had spoken to a supplier who is now supplying to the City of Pickerington. They said they had presented a package to the Trustees and it was rejected. Mr. Sutton wanted to know why it was rejected as he sees a considerable savings as a resident. They will save 10% of what Columbia Gas. Mr. Yapple stated the board discussed it and the issue is it is an opt-out program (not an opt-in program). It forces every resident to take it if we take it on. That is why we chose not to proceed any further with it. Violet Township has about three or four gas companies and it would be very confusing to the residents to have an opt-out program. National out of Newark, Energy Corporation, Northeast Ohio and Columbia Gas all serve Township residents.

**Mr. Dunlap made a motion to recess the regular Trustee meeting and go to the scheduled public hearing on 2010 Tax Budget. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, yes. Motion carried.**

**Mr. Dunlap made a motion to return to the recessed Trustee meeting at 8:10 pm. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, no. Motion carried 2-1.**

#### **County Authorities:**

None

#### **Departmental Reports:**

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#### Fire Department

Chief Eisel reported they have been working with Jess Howard Electric regarding the installation of the new Opticom at the new intersection created at Tollgate and Refugee Roads.

There was a good presence at the Fourth of July Parade. There were no injuries at the entire festival that they are aware of.

The bid openings for the refurbishing of Engine 593 were in. There were two bidders with a difference of about \$7,800.00 between the two. The first one was for \$85,546.00 and the second was for \$77,645.00. We are right where we thought we would be.

South Central Power and the County EMA will be installing the outdoor warning sirens for the Refugee Road Corridor area.

Chief Eisel reported they had their first accident of the year. During training one of the firefighters got injured. The injury was initially not reported.

**Mr. Dunlap made a motion to approve Resolution 2009-0715-03 – Reclassify Volunteer William Carr to Part Time Status. Second by Mr. Weltlich. Roll call vote: Mr. Dunlap, yes; Mr. Weltlich, yes; Mr. Myers, yes. Resolution 2009-0715-03 is adopted 3-0.**

#### Township Engineer

Mr. Butcher reported that the only thing left to do on the multi path project is grading and seeding.

The streets that we will be re-surfacing are identified on our website.

We have about a half dozen drainage improvement projects we will be working on.

Mr. Dunlap asked when Jefferson Woods culvert would be finished. Mr. Butcher stated late August or early September.

Mr. Weltlich asked if he had heard anything back about Taylor Road. Mr. Butcher had not.

Mr. Yapple stated Jefferson Farms is an OPWC project from last year. He asked if anything else was on the books for a fall submission to OWPC project. We have Busey Road culvert and the curb improvement on Stonecreek Drive. We have been working on Mingo estates infrastructure improvement and a consultant has been identified through the process. We have a proposal from them and it is being reviewed now.

#### Director of Operations

Mr. Yapple reported Mr. George Sicaras was present to ask for extension of time for the Eastern Lakes Sub Division. The Zoning Code allows for a five year plan and the developer has to ask for an extension of that plan because it will expire in November of this year. Mr. Sicaras was present and he asked for an extension because of the economic times.

Mr. Weltlich recalled that the sidewalks would be along Refugee Road and Mr. Sicaras assured him there would be sidewalks along Refugee Road when the development goes forward.

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**Mr. Weltlich made a motion to adopt Resolution 2009-0715-04 – Approve Extension of Time for Development Plan for Eastern Lakes. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, abstained. Resolution 2009-0715-04 is adopted 2-0.**

Mr. Yapple reported we had no single family permits for the month of June. We are still at 3 for the year. We had 7 other permits. We had 27 total other permits for the year. We had 0 commercial permits for the month. Through June of 2008, we had 13 single family permits.

We received recognition from Senator Schaffer for our participation in the July 4<sup>th</sup> celebration.

London City Schools has agreed to purchase the IH 1990 Plow Truck for \$14,000.00. We will close on this sometime the week of July 20<sup>th</sup>.

Work is scheduled to begin the week of July 20th for Busey Road Park. It will take about 4 to 5 days to complete the work.

The survey and legal description for the petition to vacate a portion of East Street in the Village of Waterloo has been approved by the Engineer's office that allows the Commissioners to accept the survey and vacate the area on the west side of the existing right of way. It should be complete within the next thirty days.

Mr. Yapple reported we received information from the Ohio Public Works Commission (District 17) to do with the natural resources section of District 17. They are asking for a member at large and one group 1 representative. They have two open slots for that position. This is the commission who decides where money goes for natural resources grant money. Mr. Dunlap has stated some interest. Mr. Yapple will pursue the nomination forms and so forth.

Mr. Weltlich asked about the snow plow sign for the Maintenance Building approval. Mr. Yapple stated he is working with the engineer on getting it located on site and get a property plan for them to approve.

Mr. Yapple presented Resolution 2009-0715-01 – Authorization to Approve Modifications to JEDD Agreement. Mr. Yapple explained the history of the JEDD document. Since the Trustees adopted a resolution there have been 6 modifications and version number ten has been adopted by the City of Pickerington and the Village of Canal Winchester. There were two other communities that were invited and had been written in the document (Bloom and the City of Lancaster). They have both declined to become partners in the JEDD. The resolution re-adopts and authorizes signatures of the JEDD when we get a JEDD partner to file with the County. **Mr. Weltlich moved to adopt Resolution 2009-0715-01 – Authorization to Approve Modifications to JEDD Agreement. Seconded by Mr. Dunlap. Roll call vote: Mr. Weltlich, yes; Mr. Dunlap, yes; Mr. Myers, yes. Resolution 2009-0715-01 is adopted 3-0.**

Mr. Weltlich asked for a status on the Broadband where we authorized the consultants to start on the Broadband link. Mr. Yapple stated they were seeking other partners. To get money from the stimulus we may have to partner with Linking County or even Hocking County because they are looking for more rural areas census blocks and are still seeking partners at this point.

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Mr. Myers asked Chief Eisel about seeking stimulus money for the possibility of a new fire house being built in the southern part of the Township. Chief Eisel reported Assistant Chief Barr submitted this on July 8<sup>th</sup>. We are at their mercy. There was 250 million designated to the project. No single project can exceed 5 million. At some point they will release how many applications were received. There was no matching fund requirement in the application.

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

None

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

**A2009-0715 – To Approve 2010 Tax Budget**

#### **Fiscal Officer**

Mr. Smith presented a cash balance report that tells where we are halfway through the year.

Mr. Dunlap asked if everything was signed an in place in preparation for his vacation. Mr. Smith stated it was.

**Mr. Weltlich made a motion to adopt Resolution 2009-0715-02 – Transfer Funds & Supplemental Appropriations. Seconded by Mr. Myers. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes; Mr. Dunlap, yes. Resolution 2009-0715-02 is adopted 3-0.**

#### **Trustee Reports**

Mr. Dunlap reported he attended the County Trustees and Fiscal officers meeting on Saturday. Several of the Townships have had issues with the County Prosecutor that we don't have because we are a Home Rule Township.

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

Mr. Yaple stated the Trustees will be asked to be at the opening of the Violet Festival on July 22<sup>nd</sup>. There may be more than one Trustee at this function.

#### **Old Business**

None

#### **Tabled Business**

None

#### **New Business**

Mr. Yaple presented Lenni Male and Chuck Stein, CFO of The Publishing Group, LTD. who had the rights to the Pickerington Magazine. Ms. Male thanked the Trustees for their support. She presented Mr. Stein. They have done community magazines for 10 years. Ms. Male stated her idea for the Pickerington Magazine came from the Dublin Magazine. Ms. Male and the Publishing Group have been talking about their company taking over operations of the Pickerington Magazine. The Township buying in, the City of Pickerington buying in and Lenny agreeing to their proposal. The only change would be to mail more copies than what Pickerington Magazine usually does. They would like to bring out an October about the third week of September and publish every other month 6 times a year. Mr. Weltlich proposed to authorize Mr. Yaple to enter into negotiations and bring back a final agreement to the Trustees.

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**Pay Bills**

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

Mr. Yaple had one more issue to discuss with the Trustees. Mr. Yaple stated they have been having discussions with the Fairfield County Health Department about a property on Waterloo Eastern Ct. It is part of Hill Road where it was cut off when the new overheads were put in. It is between Hill Rd. and Babberts Lane that has been vacated. About a year ago there was a fire that destroyed the house on the property which was torn down and brought in a modular. Modular's now are not subject to our building inspection. It is through the State of Ohio. This has always been two dwelling units; the old schoolhouse and then one that was livable for many years. In the process, the Health Dept. came in and found only one septic system. They have been trying to get easements go get a drainage system to put in a septic tank. The new housing unit has not been used since it was set there. We met this week with the thought that they used the right of way for access to the ditch. The owner is willing to do the directional boring. They will take all the liability but there has to be some kind of agreement put in place. Mr. Yaple asked the Trustees if they were in agreement to do this. Mr. Yaple stated he and Mr. Butcher support this. The Trustees came to a verbal agreement that needs to be written as of this date.

**Executive Session**

**Mr. Dunlap made a motion at 9:01 pm to go into Executive Session to discuss personnel issues. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Weltlich, no. Motion carried 2-1.**

**Mr. Myers stated they would take a 10 minute recess prior to going into Executive Session. When they come out of Executive Session they will conduct no further business except to adjourn the meeting. The meeting adjourned at 9:09 pm**

Respectfully Submitted,

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Christopher H. Smith, Fiscal Officer

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Joniann Goldberg, Administrative Assistant

Approved By:

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Harry W. Myers, Jr., Chairman

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Terry J. Dunlap, Sr., Vice-Chairman

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

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