

## Violet Township Board of Trustees

April 17, 2019

Public Hearing – Case Number 01-ZC-2019

**Mr. Dunlap made a motion to go into the scheduled Public Hearing for Case No. 01-ZC-2019 an application for re-zoning. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.**

Ms. Sarko read the application **Case Number 01-ZC-2019**: an application for rezoning filed by the Violet Township Board of Trustees, 12970 Rustic Drive, Pickerington. This application proposes to amend the Violet Township Zoning Resolution by amending the Violet Township Zoning Map to rezone property owned by the Violet Township Board of Trustees, located at 10190 Blacklick-Eastern Road, Pickerington from the R-1, Single Family Residential District to the C-2, Limited Commercial District in order to accommodate Township Administrative Offices, event center, parkland as well as office and commercial uses compatible with the surrounding area

Mrs. Mattei explained the parcel is approximately 63 acres and is abutted by S.R. 204 on the south, Taylor Road on the east, and I-70 on the north. It was a private retreat of the Wolfe family, the former owners of the Columbus Dispatch and the current owner of WBNS 10TV. She reported the Township was approached in early 2018 by Capitol Square, the development arm of the Wolfe Family, about developing this property with single-family homes and apartments on the north side of the property. At the time, we felt this should be something that should be preserved for the Township so we approached the Trustees about talking with Capital Square about moving forward with the purchase of the property for community enrichment purposes as well as possible commercial development along I-70. The Township closed on the property on July 16, 2018.

Mrs. Mattei reported the property includes the original Lodge, built in 1929, which is being converted into the Township offices. The property also contains an event center which comfortably seats 400 with tables and chairs. The event center will be rented out for weddings, corporate and community events. There is a 303 seat theater where the Township could partner with Pickerington Community Theater. The theater could also be rented for other small venues events. The property contains 26 acres of woods on the south side of the property which abuts S.R. 204 and it is the intent to keep those woods intact. The northern area which abuts I-70 is vacant and flat and is an area to be split off for Economic Development purposes. It would be transferred to the Port Authority for so they can market it for future Economic Development purposes which would help township's tax base. The property is currently zoned R-1 and the property surrounding it to the west is S-1, Professional and Commercial Services - Echo Manor Nursing Home; There is an R-1 district on the east side and the south is R-2. The north side of the property is Interstate 70.

The site is currently served by water and sewer services. Access to the property is from S.R. 204 (one way in) and the exit will be through southern access drive on Taylor Road. There ODOT Freeway Study plans for a full interchange at Taylor Road and conversations continue with ODOT.

The Fairfield Regional Planning Commission reviewed this application in March and recommended approval of the rezoning. It is important to note that because this was operated as a retreat center by the Wolfe family prior to adoption of the Zoning Code that it is an existing non-conforming use and we have been operating under an existing non-conforming status. The C-2 zoning will bring us into compliance moving forward and help with future endeavors with the property.

Mr. Dunlap added the property to the east is the Blacklick-Eastern Road Taylor Road off ramp, which separates residents to the east and SR 204 is on the south side, which separates the residents to the south. Residents to the west are buffered by Echo Manor.

Norm Hopkins, 11300 Milnor Road asked what the term "Park Land" in the legal notice referred to and asked what that meant. Mr. Eisel said the 26 acres of woods at the front of the site. He explained the Township has had discussion with Fairfield County Parks and we will be partnering with them to create a park on that acreage. The Township at this point is in formal discussions but we have a vision of creating walking trails, and possibly a nature center and a shelter house.

Mr. Hopkins said the reason he asks this question is because at the beginning of the Community Center everyone was talking Community Center but it turned into be "park and recreation" and now we look at this and say what happens if this parks and recreation levy goes through. Will money be able to be taken out of what the people are voting for parks and recreation when this did not exist.

Mr. Dunlap said someone needed to explain to the audience how it got to be a parks and recreation levy versus Community Center levy. Mr. Dunlap said when this was taken to the Board of Elections they set the wording and that is an issue that has confused people.

Mr. Hopkins asked if any of the Parks and Levy money would be used for the parks at the Wigwam, if this levy goes through. If it goes though, he thinks the public should know that, if it is going to be used as a fallback position when we get extra funds for the Community Center because it could be used for any parks. If this is considered a park he would rather see it taken off what they are passing tonight. Mr. Eisel said we are not passing anything tonight. This is the wording that deals with the public hearing and it says parkland because we have had discussions with Fairfield County Parks in regards to partnering with them on those 26 acres. The land would be leased to them.

Josh Horacek, Law Director, explained because it would be a county park under the Fairfield County Park District, the Township could not use any Levy money to support the park because it is not a township park and there is no discussion about establishing a township park. Mr. Hopkins said if the County says no I am not interested then it would be a Violet Township Park. Mr. Eisel said then we would have to plan to have discussions with Metro Parks. Mrs. Wilde said she spoke to Todd Younkin and they are ready to go and are waiting on us to develop the plan.

Daniel Beard, 11783 Covington Court, Pickerington, Ohio was present. Mr. Beard said he wanted to clarify what he would be voting for on May 7<sup>th</sup>. Mr. Eisel said he would be voting for or against a Parks and Recreation Levy which will construct and operate a Community Center. Mrs. Mattei said it would be on the south side of Refugee Road. Mr. Dunlap said this has nothing to do with the Wigwam.

Dara Sabatino, 8918 Chevington Chase Drive, Pickerington, Ohio was present. Mrs. Sabatino questioned what Mr. Dunlap had said. He said you could not get it on the ballot unless the language is parks and recs. Mr. Dunlap said we wanted to say Community Center but that was not what the Board of Elections, Secretary of State wanted. The Law Director, Mr. Horacek said there is a sub section about 45 different reasons that a political subdivision can put it on a Levy. It had to be one of those reasons and recreation center isn't one of those reasons. Parks and Recreations Levy is one of those reasons. That is the subsection that the Township moved under. That money may be used for the Rec Center but that is a subsection of the code that allows the levy. Mrs. Sabatino asked if you get that money and then for some reason the rec center is not built could the money be used for something else under that banner. Mr. Horacek said the money has to be used in the course of whatever the language of the Levy says.

Rocco Sabatino of 8918 Chevington Chase Drive, Pickerington. He said if the Levy passes and for any reason you can't make an agreement for the deal the money can be used for any parks and recreational purpose. Mr. Eisel said we would have an

extremely difficult time spending that amount of money on something we didn't want. Mr. Eisel said the County Auditor can take that back at any time. Mr. Sabatino said as he understands they have a Memo of Understanding. Mr. Sabatino said that MOU is not binding. He asked if the money can be used for something else that is parks related if the Levy does not pass. Mrs. Wilde said it would be very unwise for us to use that money for anything other than the Community Center, Mr. Horacek said the plan is to build the Rec Center with the issuance of bonds and once the bonds are issued the money is locked in for the use of whatever those bonds are issued. The money comes in from the Levy to basically pay the debt. But if the Levy passes and tomorrow the Board of Trustees decide the Rec Center is a bad idea, the money is theoretically they are to be used for something else but that is when you vote out the Trustees and get a new board to uphold the agreement that was made. Mr. Horacek said the levy is not permanent and it can be zeroed out by the Budget Commission,. Mr. Sabatino said the truth and the facts are if the Levy passes and for whatever reason and because we don't have a finalized agreement nothing is binding. Mr. Sabatino said to levy \$132 million dollars over 25 years.

Mr. Sabatino said he has gone to some house meetings and such and the people are saying why didn't the Township get an agreement that is binding and it is a deal and if the Levy passes it goes into effect, rather than it is on somebody's best intentions. He said they are asking the citizens to pass the Levy on trust. Mr. Monhollen said he can assure you that if we are successful at the ballot and we are unable to build a Community Center then he would vote to return the funds as well as Mr. Dunlap and Mrs. Wilde. Mr. Monhollen explained he asked our bond council is it typical that you would have a Memorandum of Understanding and not have this be complete. He said that was pretty typical. Mr. Monhollen asked if there was anything else that was A typical in regards to the contract language that has been passed back and forth between our legal counsel and he said the only thing he felt was anomaly at all is that we have anyone at all in our community that was willing to make that type of generous donation. Mr. Sabatino said he could tell you that his family has donated land for this type of deal and there were not strings attached that are attached to this deal. Mr. Sabatino said he doesn't know what to tell these people who are asking questions. Mr. Monhollen said he can tell them that he and the other two Trustees are on the public record as saying that if we are not going to build a Community Center that we won't take the money because that is our intention. Our intention has never been to do anything else.

Mr. Sabatino said the main reason he is here tonight and it was not to do with that. He said he has received many calls and people asking questions. There has been concern about businesses in Violet Township and the City of Pickerington that can be harmed by the government starting to engage in that particular business. Mr. Eisel stated Mr. Sabatino was off the topic. This is a public hearing dealing with a rezoning. Mr. Sabatino said this was leading up to that. At the Wigwam there are some similarities in terms of the Township getting involved in private business against its citizen's (in other words as a competitor with its own citizen's). He said people are skeptic about the Township getting into private business against its citizens. Mr. Sabatino asked if they had ever thought about why you are getting into business with your own citizenry. Mr. Eisel said we have never been in the business to be in business against our own citizenry. Mr. Sabatino said when you have a banquet center you are. Mr. Eisel said no we are making it available to our residents as well as a performing arts center. Mr. Eisel said these are two amenities that were also identified in the survey that got us to the parks and rec thing that were wants of the community. Mr. Eisel said anyone that is a licensed and insured caterer is welcomed to do business there and we encourage that.

Mr. Sabatino said this all started with the Levy and now it is come to this. Mr. Eisel added there are many communities including Townships across the state of Ohio that have event centers and performing arts centers. Mr. Sabatino asked if we have even considered talking to people about should we get engaged in private business. He says the question is should Violet Township government get involved with private business. Mr. Dunlap said he would take it under consideration. Mr. Monhollen stated he said his comments and Mrs. Wilde said she is glad we have a place where our kids can be here for prom night and not have to travel to other communities. Mr. Sabatino our Economic Development Director can go out and help bring in someone to open a privately owned

center. Mr. Sabatino said when the government gets involved with private business there are lines being crossed and making people nervous.

Mr. Monhollen asked Mr. Sabatino what he would suggest---- maybe buy it as a private enterprise. Mr. Monhollen said he was not sure what research he has done with Berwick Manor but his understanding was we updated Berwick Manor and they certainly had the opportunity to come out here and build and they chose not to. He said let's not forget that this was slated to be homes and apartments. We feel this is a great thing that we have purchased the Wigwam. Mrs. Mattei added we have the 10 acres that will promote economic development with additional businesses that don't exist today. Mr. Sabatino said there is other commercial ground available out here. Mrs. Mattei said that is not on I-70 and I-70 is prime land. He said it will compete with Mr. Ricketts land and other commercial sites. He said he will now be in competition with his Township,

Mr. Eisel said we have no intent compete with private businesses as it relates to the Wigwam. He said Fairfield County owns facilities that they rent. The City of Lancaster has several venues that are rented out. City of Pickerington rents facilities. Violet Township has rented facilities for years. Mr. Sabatino asked what the City rents. Mr. Eisel said the shelter houses, parks. The Senior Center has been doing rentals for years. We did what we felt was the best way to preserve, make available to the public because it was always be private by invitation only owned by the Wolfe family. Through this acquisition and the future to create a new 26 acre county park to become a destination for our community not a detriment.

Mr. Sabatino said to be quite frank we have not done a very good sales job and when people don't know it can be scary for them.

Mr. Dunlap added this is a big enough facility that only big groups that have no other place in the Township to go can go. We are not competing against Hickory Lakes or any other place. He said we are not competing against any other facilities that have meeting room space in this township that is available for big events that is not offered here in this township. We are not competing against the businesses that are currently offering meeting room space.

Dan Beard, 11783 Covington Court, Pickerington said he didn't feel the Community Center was not advertised very well. He did a lot of research. He said 31% of the population in Violet Township is seniors. They will pay the property tax come May 7 but he thinks that is unfair. He said what he looked at it did not jive with the prices and then the Senior Citizens that cannot use it. He said not all the students are Violet Township residents but he asked will they pay the \$75 fee or what. Mr. Dunlap said if they are not a resident they pay the nonresident fee. He thinks it is a great idea but he thinks it will fail.

Norm Hopkins, 11300 Milnor Road, Pickerington asked if there has ever been a Levy by a Township that was called a Rec Center Levy. He said when he read the ORC he never read any stipulation about calling it a parks and recreation levy. It seems to him like it was written for a parks and recreation Levy so people could double dip and when he is told that you can't do it a certain way he will look it up and find out. In this particular case he did not see it anywhere in the Ohio Revised Code that it said that. Mr. Horacek said the language is copied word for word from the Ohio Revised Code and he said he would pull it up for Mr. Hopkins.

**Mr. Dunlap made a motion to close the Public Hearing at 9:02 p.m. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0**

**Mr. Dunlap made a motion to come out of the Public Hearing and return to the Regular meeting. Seconded by Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries.**

Respectfully submitted,

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Brian Sauer, Fiscal Officer

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Joniann Goldberg,  
Administrative Assistant

Approved by:

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Terry J. Dunlap, Sr., Trustee

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Darrin Monhollen, Trustee

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Melissa Wilde., Trustee

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