

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on March 18, 2019, at 7:00 PM, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mrs. Destefani called the session to order at 7:02 pm.
2. Mr. Tiffany called the roll with Board Members Mrs. Daugherty, Mrs. Destefani and Mr. Pittman being present. Also in attendance, Cara Tilford and 38 others who signed in.
3. All in attendance stood for the Pledge of Allegiance.
4. Lions Club presentation – Gregg Sparks and John Dorn
 - Mr. Sparks stated that the dates for the Lions Festival have been changed to the last weekend in August.
 - Mr. Sparks introduced John Dorn.
 - Mr. Dorn spoke about the baseball/softball program. He mentioned the fields were the biggest problem.
 - Mr. Dorn discussed possible new field orientation at Sacket Wright Park.
 - Mr. Sparks asked that the Township supports the project which will be funded through grants.
 - The Trustees will provide a letter of support.

5. Public Hearing

Deliberation and decision

Mrs. Destefani re opened the Public hearing for the Zoning Case reminding attendees that the public hearing is officially closed and this portion will be only Trustee deliberation and vote.

ZC Case 06-2018: Oberer Land Developers, LTD is requesting a map amendment to the Sugarcreek Township Zoning Resolution to rezone 83.226 acres located at 2745 Wilmington Dayton Road (and two adjacent parcels with no addresses of record) from E (Rural Estate Residential) District to R-PUCD (Residential Planned Unit Conservation Development) District. The subject parcels contain a total of 107.383 acres (of which 83.226 acres are proposed to be rezoned), can be further identified by parcel numbers [L32000100050014200](#), [L32000100050002800](#) and [L32000100050002700](#) and are owned by Peter Rammel. Oberer Land Developers, LTD is also requesting preliminary development plan approval under Article 6 of the Sugarcreek Township Zoning Resolution for a proposed subdivision containing 98 lots. – 2019.02.04.05

Mrs. Destefani asked Mrs. Daugherty to read the resolution and noted that the resolution being written in the affirmative has no bearing on the actual vote.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2019.02.04.05**

IN RE: ZC Case 06-2018: Request for Map Amendment to the Sugarcreek Township Zoning Resolution under Section 3.06 and Request for Preliminary Development Plan Approval under Article 5 of the Sugarcreek Township Zoning Resolution

WHEREAS, Oberer Land Developers, LTD. is requesting a Map Amendment to the Sugarcreek Township Zoning Resolution to rezone 2745 Wilmington Dayton Road (and two adjacent parcels with no addresses of record) from E (Rural Estate Residential) District to R-PUCD (Residential Planned Unit Conservation Development) District; and

WHEREAS, The subject parcels contain a total of 107.383 acres (of which 83.226 acres are proposed to be rezoned), can be further identified by parcel numbers L32000100050014200, L32000100050002800 and L32000100050002700 (part of) and are owned by Peter Rammel; and

WHEREAS, Oberer Land Developers, LTD is also requesting preliminary development plan approval under Article 6 of the Sugarcreek Township Zoning Resolution for approval of the preliminary plan for a proposed subdivision containing 98 lots; and

WHEREAS, the Greene County Regional Planning Commission has reviewed the applicant's submission and has recommended approval; and

WHEREAS, the Zoning Commission held a public hearing on December, 4, 2018, deliberated and passed a motion to recommend denial to the Sugarcreek Township Board of Trustees; and

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on February 4, 2019, and deliberated.; and

NOW THEREFORE, BE IT RESOLVED, this Board of Township Trustees does hereby approve the applicant's request for a map amendment/preliminary development plan approval as requested subject to the following conditions as recommended by staff:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. The use of vinyl and aluminum siding shall be prohibited. Vinyl and/or aluminum may be used for gables and other decorative architectural features as approved by the Director of Planning and Zoning.
6. Home sizes, as proposed by the applicant, will be required to be included within the HOA Documents submitted for approval at the Final Development Plan stage. Final Development Plan approval will be conditioned upon these square footages, as proposed by the applicant, being met.
7. Detailed elevations will be presented and reviewed during the Final Development Plan stage.
8. Prior to approval of the Final Development Plan, the applicant and Sugarcreek Township and/or Greene County shall enter into a predevelopment agreement outlining the developer's responsibilities and Sugarcreek Township's and/or Greene County's responsibilities with respect to the realignment of Wilmington Dayton Road/modifications to the intersection of Centerville and Wilmington Dayton Roads.
9. Any widening necessary is to occur on the development side of the road (or within existing or proposed road right-of-way).
10. The applicant may provide street lighting outside of the public right-of-way pursuant to the township's requirements. A lighting plan shall be submitted for review and approval during the Final Development Plan stage. A lighting district will not be permitted.
11. The landscaping plan submitted for approval with the Final Development Plan shall be consistent with the requirements of Article 10.
12. Retention ponds must meet the requirements of Section 7.08.
13. The location of the left turn lane into the development shall be adjusted to avoid any conflict with Adrienne Kreighbaum's existing driveway.
14. The rear yard setback for lot 91 shall be adjusted to meet the 30' rear yard setback, as well as the 100' setback from Wilmington Dayton Road.
15. The 2.5 acre lot owned by Peter Rammel Trustee (on the north side of realigned Wilmington Dayton Road) and the adjacent triangle shaped parcel created as a byproduct of the proposed development shall be combined prior to recording the subdivision (this triangle parcel shall not constitute an independent building lot as it does not meet the E District standards).
16. Open space area 104 located at the southeast corner of the realigned Wilmington Dayton and Conference Roads shall be permitted to be deeded over to the Craig and Mary Moore (or their heirs or assigns) subject to combination with 2788 Wilmington Dayton Road and subject to their acceptance or it will otherwise be held by the HOA as open space.
17. Open space area 104 located at the northwest corner of the realigned Wilmington Dayton and Conference Roads shall be permitted to be deeded over to the All Saints Church subject to their acceptance. The 5 parcels owned by All Saints Church will be required to be combined creating one u-shaped parcel surrounding the Lion's Club. As part of this allowance, the developer must include a plan to address the condition of the existing All Saints parking area (specifically the hill side adjacent to Wilmington Dayton Road) as part of the review of the Final Development Plan.

Mrs. Destefani opened the Trustee deliberation.

Mrs. Daugherty stated that she has put a lot of heart into this decision. She stated that she has listened to the residents and the developers. Mrs. Daugherty stated that she heard traffic and safety concerns, roads and intersection concerns, loss of open space and there is no guarantee that the parks would even purchase the open space. Mrs. Daugherty heard the majority of residents were not against sensible development and neither is she.

Mrs. Daugherty stated that the development is not in concert with the area and she stated that this is a high density development.

Mr. Pittman stated the he also put a lot of thought and effort into this and in reviewing the Board of Zoning's decision on December 4, 2018. He noted that he shares a lot of the same concerns and he read some of them. Mr. Pittman stated that the Board of Zoning Commission recommended denial siting concerns with the proposed density and the timing of road improvements. A sense of community was not achieved with the proposed subdivision design. The Zoning Code highlights some of the articles to meet in a conservation development and point number one states preserving agricultural ground, woodlands, significant open space and naturally and environmentally sensitive areas including but not limited to sole source aquifers, unique geological features and unique vegetation. Point number two –providing for suitable recreational areas, open space and other common areas to the benefit of the public while preserving the existing landscape to the greatest extent possible.

Another point, obtaining creative and coordinated designs in harmony with surrounding areas. And another point discusses the potential traffic congestion. The last point is allowing for creative development that conforms to the goals, objectives and policies set forth in the Sugarcreek Township Comprehensive Development Plan.

Mr. Pittman stated that he did not think that this development meets several of these points. He also has issues with the ingress/egress for 98 homes with one entry/exit point. The development on Little Sugarcreek has 32 homes. No decisions made on the open space, will it be a conservation easement, parkland, parks, etc. He stated that there are issues with density. No mention of what is going to happen to the open space. He referred to Yankee Commons as a creative development. In conservation development we want to see something creative and something that lives with the environment. Lastly, he stated that Trustees have an obligation to hear their concerns and to vote according to what our citizens feel is right or wrong. Never has a development had this much input from citizens. Mr. Pittman added that he did not want to see this door shut.

Mrs. Destefani stated that this is the most important decision she has had to make. She noted that as a township we have to comply with a statute in the Ohio Revised Code. That is always a top priority. Second, as elected officials, Mrs. Destefani stated that they care very much about being the representative of the residents and there were over 130 people at the meeting at the middle school voicing their concern about this development. We need to ensure to comply with the Township Long Range Use Plan and the Townships Zoning Resolutions. Oberer is the first developer to attempt to do a conservation easement. Mrs. Destefani interprets the conservation easement to be hills and space between homes not all at one side with the homes congested next to each other. Mrs. Destefani stated that the last thing that for her was that the Zoning Commission unanimously voted against the zoning amendment related to traffic congestion and density. Mrs. Destefani stated that the issue with the 90 degree on the road needs to be addressed sooner rather than later. The long range use plan talks about developments keeping with the character of the community and Mrs. Destefani does not feel that this development does that.

Mr. Tiffany reminded the Trustees that the Resolution was written in the affirmative.

Roll was called with the vote being as follows:

Mrs. Destefani – No
Mr. Pittman –No
Mrs. Daugherty – No

Mrs. Destefani added that she sees no reason to overturn the Board of Zoning recommendation and also that she sees no reason why the township and developer cannot work further to possibly make this happen but this plan is a no.

Mr. Pittman agreed.

Mrs. Destefani closed the Public Hearing and called for a five minute recess.

Mr. Tiffany stated that in the interest of time, reports will be bypassed.

6. Reports

A. Administration

B. Fiscal Office

Mr. Hodson was not present.

C. Fire

Chief Leaming was not present.

D. Police

Chief Brown was not present.

E. Roads and Services

Mr. Harphant was not present.

F. Zoning

Mrs. Tilford had nothing to add.

G. Information Technology

Mr. Zappanti was not present.

H. Trustees

7. **Public Comments – Agenda Items**

8. **Old Business**

Bellbrook Sugarcreek Parks and Schools Meeting – TDB

9. **New Business**

Consent Agenda Items

A. Payment of Bills

B. Approval of Minutes

C. Year 2019 Permanent Appropriations – 2019.03.18.01

SUGARCREEK TOWNSHIP
RESOLUTION NO. 2019.03.18.01
IN RE: Year 2019 Permanent Appropriations

WHEREAS, the Board of Trustees has a duty under law to adopt and maintain a balanced budget; and,

WHEREAS, this Board, along with the Fiscal Officer and Township Administrator, have examined the estimate of revenues as presented by the Greene County Budget Commission; and,

WHEREAS, it is evident that the proposed 2019 Appropriations for each Fund do not exceed estimated revenues, which may include 2018 carryovers and additional income, as certified to the Greene County Auditor's Office by the Township Fiscal Officer,

NOW THEREFORE, BE IT RESOLVED, that the following permanent appropriations be placed into effect:

1000	General Fund		
	Personal Services (Salaries)	\$	335,200.00
	Employee Benefits	\$	168,100.00
	Purchased Services	\$	111,000.00
	Supplies & Materials	\$	11,000.00
	Other Dues and Fees	\$	2,000.00
	Health Districts	\$	30,000.00
	Total General Fund:	\$	657,300.00
2011	Motor Vehicle Tax	\$	50,000.00
2021	Gasoline Tax	\$	125,000.00
2031	Road and Bridge		
	Personal Services	\$	367,250.00
	Other	\$	536,700.00
	Total Road and Bridge:	\$	903,950.00
2081	Police District		
	Personal Services	\$	2,166,000.00
	Other	\$	473,700.00
	Total Police District:	\$	2,639,700.00
2112	Fire District		
	Personal Services	\$	2,035,450.00
	Other	\$	675,885.00
	Total Fire District:	\$	2,711,335.00
2231	Permissive Motor Vehicle License	\$	80,000.00
2281	Ambulance and Emergency Medical		
	Personal Services	\$	110,508.00
	Other	\$	124,750.00
	Total Ambulance and Emergency Medical:	\$	235,258.00
2904	Centerville Fire Ancillary	\$	80,000.00
2906	Police Trust Fund	\$	70,000.00
2907	Police Cell Tower Receipts	\$	124,000.00
2908	Fire Cell Tower Receipts	\$	215,961.00
3102	General Bond Retirement	\$	128,586.00
3901	Clyo Road TIF II	\$	159,913.32
4401	OPWC Brown Road	\$	1,197,324.00
4402	OPWC Center Point	\$	74,826.59
4901	Center Point Capital Project	\$	93,006.79
4902	Clyo Road TIF	\$	16,496.59
	Total Temporary Appropriations	\$	9,562,656.67

FURTHER BE IT RESOLVED, that the above aggregate amounts be appropriated based upon the attached submittals (hereby incorporated) and a copy shall be sent to the Greene County Auditor.

D. Final Resolution SRTS – 2019.03.18.02

SUGARCREEK TOWNSHIP
RESOLUTION NO. 2019.03.18.02

The following Final Resolution enacted by the Board of Township Trustees, Township of Sugarcreek, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on 22nd day of May, 2017, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of construct a shared use path along Feedwire Road from Eden Meadows Way to the Middle School drive east of Adam's Place. This section of path will also include the installation of a crosswalk at Adam's Place and on Feedwire Road at the Roger Scott/Eden Meadows Way intersection, lying within Sugarcreek Township.

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Township agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of Three Thousand Three Hundred Fifty Eight and - - - 93/100 Dollars, (\$3,358.93), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

PID No. **98576** - Final
Resolution

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of Three Thousand Three Hundred Fifty Eight and - - - 93/100 Dollars, (\$3,358.93), is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that Township Administrator be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the ___day of _____, 20_____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 20_____.

E. Appointment of Fire Department Staff – Antonio Pittman and Stephen Jensen– 2019.03.18.03

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2019.03.18.03
IN RE: Appointment of Fire Department Staff
Antonio Pittman and Stephen Jensen**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugar creek Township Fire Department; and,

WHEREAS, vacancies exist within the classification of part-time Firefighter II/EMT; and Firefighter II/Paramedic,

WHEREAS, Antonio Pittman has the necessary qualifications to serve in the capacity of part-time Firefighter II/EMT for the Sugar creek Township Fire Department; and,

WHEREAS, Stephen Jensen has the necessary qualifications to serve in the capacity of part-time Firefighter II/Paramedic for the Sugar creek Township Fire Department; and,

WHEREAS, funds are available for this purpose within the Fire Department’s 2019 Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, that Antonio Pittman shall be appointed to the position of part-time Firefighter II/EMT at the pay rate of \$13.11 per hour and Stephen Jensen shall be appointed to the position of part-time Firefighter II/Paramedic at the pay rate of \$14.17 per hour ; and,

FURTHER BE IT RESOLVED, the above-mentioned appointment for Antonio Pittman will have an effective date of February 8, 2019 with a one (1) year probationary period ending on February 8, 2020 and the above-mentioned appointment for Stephen Jensen will have an effective date of March 11, 2019 with a one (1) year probationary period ending on March 11, 2020.

F. Resignation of Fire Department Staff – Jason Cruea and Brandyn Norman – 2019.03.18.04

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2019.03.18.04**

IN RE: Resignation of Fire Department Staff Jason Cruea, Brandyn Norman and Jack Tatum

WHEREAS, Part-time Firefighter II/EMT Jason Cruea has indicated his desire to resign from the Sugar creek Township Fire Department; and,

WHEREAS, Mr. Cruea became a member of the Sugarcreek Township Fire Department as a Part-time Firefighter II/EMT on June 4, 2018; and,

WHEREAS, Part-time Firefighter II/Paramedic Brandyn Norman has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Norman became a member of the Sugarcreek Township Fire Department as a Part-time Firefighter II/Paramedic on August 20, 2018; and,

WHEREAS, Part-time EMS only Jack Tatum has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Tatum became a member of the Sugarcreek Township Fire Department as a Part-time EMS Only on December 18, 2016; and,

WHEREAS, Chief Jeffrey A. Leaming recommends we accept the resignations of Mr. Cruea, Mr. Norman and Mr. Tatum.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accept the resignations of Jason Cruea effective March 8, 2019 and Brandyn Norman effective February 13, 2019 and Jack Tatum effective March 15, 2019.

Mr. Pittman motioned to approve Consent agenda items. Mrs. Daugherty seconded.

Roll was called with the vote being as follows:

Mrs. Destefani – Yes
Mrs. Daugherty – Yes
Mr. Pittman –Yes

9. Discussion Agenda Items

10. Public Comments

11. Trustee/Staff Discussion

12. Adjourn

Mrs. Destefani moved to adjourn. Mrs. Daugherty seconded.

Roll was called with the vote being as follows:

Mrs. Destefani – Yes
Mrs. Daugherty – Yes
Mr. Pittman –Yes

Theodore L. Hodson, Fiscal Officer