

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on September 4, 2012, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mrs. Daugherty called the session to order at 7:00 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Hodson called the roll with Board Members Nadine Daugherty, Scott Bryant and Mike Pittman being present. In addition to Mr. Tiffany, Township Administrator, others present who signed in were Donna Hellman, Jim Martin, Jim Tharpe, Stephanie Vukovich, Megan Trickler and Donald Rouff.
4. **Community Activities**
5. **Reports**
 - A. Administration
The report prepared by Mr. Tiffany will be appended to the permanent record. Mrs. Daugherty asked Mr. Tiffany about the Eagle Scout project in his report. Mr. Tiffany said he couldn't do the previous planned pond but is doing a bench instead.
 - B. Fiscal Office
Mr. Hodson provided a brief explanation for the Resolution Accepting the Amounts and Rates on tonight's agenda. He said after the County accepted our proposed budget numbers they were asking us to accept their proposed levy amounts and rates.
 - C. Fire
The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said he received a one thousand dollar grant from Wal-mart.
 - D. Police
The report prepared by the Police Department will be appended to the permanent record. Chief Deaton said Officer Colon received the Top Cop Award for the most D.U.I. arrests. Mr. Bryant suggested the Board give her a congratulatory letter. Mrs. Daugherty and Mr. Pittman agreed. Mr. Bryant asked about the Caprice Police vehicle inspection and testing. Chief Deaton said since Ford is getting out of the picture they were going to look at Chevrolet. He said he thought the Dodge Charger was too small to accommodate their needs.
 - E. Roads and Services
The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said Tony did a great job in getting a \$4,500.00 grant from the County Engineer's Office. The money will be used for curb repair at Brown's Run. Mrs. Daugherty said she would like to thank Tony and Dale for coming to the High School football game to help pass out literature about the Road Levy.
 - F. Zoning
The report prepared by Cara Tilford, Director of Planning and Zoning will be appended to the permanent record. Cara said the Board of Zoning Commission has three hearings scheduled for their September 11th meeting.
 - G. Trustees
Mr. Pittman said he attended the Greene County Regional Planning Commission meeting.
6. **Old Business**

Website - Mrs. Daugherty said Chris Zappanti provided the Board with an update on the progress of the new Website at tonight's work session and everything is on schedule.

Communications (radios) – Mrs. Daugherty said discussions are continuing. She said the main issues are costs and control. Chief Pavlak said transitional change plans also.

7. **New Business**

Fiscal Office

A. Approval of Minutes

Mrs. Daugherty moved to approve the minutes for the Work Session and the Regular Session. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

B. Payment on Bills

Mr. Pittman moved to accept the Payment of Bills as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

C. Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor

Resolution # 2012.09.04.01

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten (10) mill limitation (see Schedule A, attached),

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sugarcreek Township, Greene County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

BE IT FURTHER RESOLVED, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten (10) mill limitation as attached in Schedule A.

BE IT FURTHER RESOLVED, by the Board of Trustees of Sugarcreek Township, Greene County, Ohio, in accordance with provisions of law as previously adopted by a Tax Budget for the next succeeding fiscal year commencing January 1, 2013.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Mrs. Daugherty asked if there were any discussion. Mr. Bryant, after reading again, thought there needed to be some clarification of the language since it was difficult to follow. Mr. Tiffany said he could reword it. Mr. Bryant withdrew his motion. Mrs. Daugherty moved to table the Resolution until the next meeting. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

Roll was called again for the original motion with an affirmative for all responses.

Fire Department

D. Declaration of Excess Property- Fire Department

Resolution # 2012.09.04.02

WHEREAS, the Sugarcreek Township Fire Department has identified equipment which is no longer needed for operations, and;

WHEREAS, the item listed on the attached correspondence has an individual value of \$2,500 or more,

WHEREAS, in accordance with Resolution No. 2012.07.30.02, said item will be placed on an on-line auction to be held for ten (10) days or more,

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby declares said property to be excess and directs the Township Administrator to place it on the on-line auction.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

Police Department

E. Declaration of Excess Property- Police Department

Resolution # 2012.09.04.03

WHEREAS, the Sugarcreek Township Police Department has identified equipment which is no longer needed for operations, and;

WHEREAS, the item listed on the attached correspondence has an individual value of \$2,500 or more,

WHEREAS, in accordance with Resolution No. 2012.07.30.02, said item will be placed on an on-line auction to be held for ten (10) days or more,

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby declares said property to be excess and directs the Township Administrator to place it on the on-line auction.

Mr. Pittman moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

Zoning Department

F. Declaring a Nuisance at 2837 Waynesville Road.

Resolution # 2012.09.04.04

WHEREAS, the Ohio Revised Code 505.87(C) provides for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township; and,

WHEREAS, the Township Planner/Zoning Official has inspected the property at 2837 Waynesville Road and has observed vegetation in excess of 12”; and,

WHEREAS, at least four (4) days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, the owner’s maintenance of which has been determined by the Board to be a nuisance; and,

WHEREAS, if such vegetation is not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within four (4) days, the Board shall provide for the abatement, control, or

removal, and any expenses incurred by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry,

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby determines that the vegetation at 2837 Waynesville Road does constitute a nuisance and orders the Township Planner/Zoning Official to proceed with the removal of such refuse, garbage and other debris in accordance with the provisions of ORC 505.87(C).

Mr. Tiffany projected pictures, provided by Cara Tilford, onto a screen to be reviewed by the Board, Staff and those in attendance. Mrs. Daugherty moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

G. Initiating Text Amendments to the Zoning Resolution

Resolution # 2012.09.04.05

WHEREAS, the Board of Sugarcreek Township Trustees recognizes the importance of zoning regulations in the preservation of property and quality of life; and,

WHEREAS, the Board of Sugarcreek Township Trustees also recognizes the necessity of continual review and updating of the Zoning Resolution to ensure compliance with current case law and enforcement ability; and,

NOW THEREFORE, BE IT RESOLVED, that the Board of Sugarcreek Township Trustees does hereby initiate text amendments to the Sugarcreek Township Zoning Resolution, Article 5: “PUD” Planned Unit Development District pursuant to Section 519.12 of the Ohio Revised Code.

Mr. Pittman moved to accept the Resolution as presented. Mr. Bryant seconded. Mr. Pittman said the Resolution was for updating the PUD Section of our Zoning Plan. Mr. Bryant asked if it was for Section 5.07 only. Cara said there were minor changes to other areas of Article 5 also included. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

8. **Trustee/Staff Discussion**

Mr. Tiffany said the student parking issue at Kable's Mill has come to life again. He said he had received a few E-mails regarding the issue. Mr. Tiffany said he drove through the area today and found several cars on Seton Hill just east of the restricted parking area. Mr. Bryant said there were a couple of residents present tonight who wished to discuss the issue. Mr. Tiffany showed a video, provided by a Kable's Mill resident, of the after school traffic. It showed several cars running through stop signs, some backing into intersections and one stopped in the street with students standing around talking. Mr. Tiffany said this was what they faced on a daily basis.

Stephanie Vukovich, 3417 Heritage Trace, said she has a small child who boards the bus there. She said, because of all the parked cars the bus cannot stop at its curbside pick up and her child has to cross out into the street to get on the bus. She said the students may also be breaking laws on the number of permitted passengers in cars. Mrs. Daugherty said they were getting no back up from the schools and asked if the situation was better than last year. Ms. Vukovich said she thought it was a little better but not an easy answer.

Megan Trickler, 3347 Seton Hill Dr., said she did not have a problem until the parking restrictions were put in place last year. She said now the students are just moving on down Seton Hill. She said there is a high density of traffic and she has children in the first and third grades that have to walk across the street to get on the bus. Mrs. Daugherty asked if she had any suggestions. Ms. Trickler said if the parking restrictions were moved to Cheatam, maybe at some point it would become too far to walk. She said the problem seems to be growing.

Mr. Bryant asked Mr. Tiffany to share the process involved to extend the parking restrictions. Mr. Tiffany said he agreed with Ms. Trickler that it made sense to extend to Cheatham. He said an amended Resolution has to be passed and then five copies had to be posted in a conspicuous public place for thirty days. He said the Resolution also had to be advertised and that the process would take about forty-five days before it would be legally in effect. Mr. Pittman said a Resolution had already been prepared to extend the restrictions. Mrs. Daugherty said she would like restricted parking in all of Kable's Mill. Mr. Bryant said there were concerns that we couldn't do that. Chief Deaton said we have to address the safety issues. Restrictions can't be enforced because of inconvenience. We have to be sure of a safety issue.

Donna Hellman, 3981 Windy Bluff, said we sat through this last year. She said, as a citizen and a taxpayer, she believes the problem is a school issue and the school won't address it. She said it creates a problem for the buses. She said they are allowing a convenience for the older students that create a safety problem for the younger students.

Mr. Pittman said the residents should all write letters or all sign a petition and present it to the School Board. Donna said the school needs to take care of the problem. She said Alter had the same problem and the school addressed it and resolved it. She said they are creating safety issues for their own students. Mr. Bryant said to remember that School Board members are elected.

Mr. Jim Martin, 2465 Stewart Road, said this started twenty years ago when the School Board said no more parking at school. He said now we have Kable's Mill. He said we are the only school in Greene County that doesn't allow student parking on school grounds. He said buses stopping in streets and having problems turning is a safety issue and you have very little power as a Board of Trustees to do anything about it.

Mr. Bryant said all we can do is put a band-aid on it. He said we can't provide a permanent solution. Donna Hellman said the video was very effective. Mr. Bryant said we need a video of the school bus boarding problems. Mr. Bryant said his concern with extending is that it may go the next street and where do we draw the line. Ms. Vukovich said if we extend it we will get more people involved. Mr. Tiffany said there was an open School Board meeting on the 13th at the old Jr. High School. Mr. Pittman said he would call Darrin Fussner, Kable's Mill Home Owners Assoc., and inform him of the meeting.

9. Establishment of Parking Restrictions for Certain Streets in Kable's Mill Subdivision

Resolution # 2012.09.04.07

WHEREAS, the Board of Trustees recognizes the need to maintain safe and efficient travel ways in the Township; and,

WHEREAS, the Board of Trustees has received complaints on certain streets in the Kable's Mill subdivision regarding parked vehicles blocking driveways and mailboxes, limiting sight distance at intersections, and prohibiting the delivery of mail service to the residents in the subdivision on occasion; and,

WHEREAS, §505.17 of the Ohio Revised Code authorizes the Board of Trustees to make regulations and orders as necessary to control vehicle parking in the Township; and,

WHEREAS, previously adopted Resolution No. 2012.03.05.02 on March 5, 2012, established parking regulations for Katerina Ct., Avonley Ct., Rose Lake Dr., Heritage Trace Dr. West, and Heritage Trace Ct. in the Kable's Mill subdivision.

NOW, THEREFORE BE IT RESOLVED, this Board of Sugarcreek Township Trustees does hereby establish the following additional parking regulations for Seton Hill Drive between Rose Lake Dr. and Cheatham Way and for the entirety of Pewter Ct. in the Kable's Mill subdivision, located in the unincorporated portion of the Township, and pursuant to §505.17 of the Ohio Revised Code for the purposes of maintaining safe and efficient travel ways in the Township: "Parking in the public right-of way shall be restricted to "Authorized Parking Only" from 7 a.m. until 9 a.m., Monday through Friday, with an "Authorized Parking" placard predominantly displayed in the parked vehicle."

BE IT FURTHER RESOLVED, that the Township will create and provide “Authorized Parking” identification placards to the property owners along the streets incorporated and affected by this Resolution prior to its effective date, for use by the property owners, their family members and/or guests as required by this Resolution.

BE IT FURTHER RESOLVED, that in accordance with §505.17(E) of the ORC, whoever violates this Resolution shall be guilty of a minor misdemeanor and that fines levied and collected under this Resolution shall be paid into the General fund.

BE IT FURTHER RESOLVED, that this Board of Trustees does hereby direct the Township Fiscal Officer, in accordance with §505.17(B)(1) of the ORC, to post a copy of this resolution and regulations in five (5) conspicuous public places in the Township for thirty (30) days before becoming effective, and further to publish the resolution and regulations in a newspaper of general circulation for three consecutive weeks.

BE IT FURTHER RESOLVED, that this resolution and regulations contained herein shall become effective at 12:01 a.m. on October 22, 2012.

BE IT FURTHER RESOLVED, that this Board of Township Trustees hereby directs the Director of Roads and Services to acquire and prominently display traffic control devices, as necessary, in accordance with §4511.09 of the ORC.

Mrs. Daugherty moved to accept the Resolution to extend the restricted parking area on Seton Hill to Cheatam Way. Mr. Bryant seconded. Mr. Bryant asked Mr. Tiffany to put a map on the screen for all to view. After discussion, Mr. Bryant moved to amend the previous motion to include all of Kable's Mill Drive. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

A vote was then called for the original motion with the following results:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

Mr. Tiffany said they had a Resolution, not on the agenda, establishing the dates for Beggars Night and Halloween in the Park.

10. Halloween in the Park and Beggars Night Activities

Resolution # 2012.09.04.06

WHEREAS, Sugarcreek Township has a tradition of recognizing the annual Halloween in the Park and Beggar’s Night Activities; and,

WHEREAS, such events are for the purpose of enhancing the enjoyment of our community,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees endorses the Halloween in the Park activities on Saturday, October 20, 2012, from 2:30 pm – 6:30 pm,

BE IT FURTHER RESOLVED, that “Beggar’s Night” will take place on Tuesday, October 30, 2012, between the hours of 6:00 pm and 8:00 pm.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes

Mr. Pittman – Yes
Mrs. Daugherty – Yes

Mr. Bryant asked Mr. Tiffany for an update on Cornerstone and the Park Levy. Mr. Tiffany said there was very little he could discuss currently regarding negotiations with Cornerstone but Mr. Oberer has followed through with the filing of his petition. Mrs. Daugherty said she would like to meet with the Park Board. Mr. Bryant said we need to address our concerns about annexation and would like to talk to them about their plans. He said he would like to support them but cannot unless we have protection for the Township. Mr. Pittman said if they have not planned appropriately we will have to respond accordingly. Mr. Bryant asked Mr. Tiffany if he could schedule a meeting. Mr. Tiffany responded that he would.

8. Public Comments

Mr. Jim Martin said Mr. Bryant discussed open space in the Work Session with regard to our zoning and that he agreed with him. He said the Board is faced with the possibility of changing our political structure with the passing of Limited Home Rule. Mr. Martin said this will give the Board more regulatory power but he is for less. He said we have a Code of Ethics that all employees signed except Mrs. White and you said she didn't need to. When we had Bear Creek and the Dille property, you said you didn't want apartments and now you are going to embrace them. Mr. Martin said that is a big change in position. He said he had given Nadine a pass on her previous financial situation where she had been in court in Kentucky and Ohio. He said there are two more that just came in the county, and he feels that if a Public Official can't take care of their own finances they shouldn't be dealing with ours.

Mrs. Daugherty moved to adjourn to Executive Session for personnel reasons. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

The meeting resumed at approximately 9:45 pm with no action taken and promptly adjourned.

Theodore L. Hodson, Fiscal Officer