

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on December 3, 2012, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

- a. Mr. Pittman called the session to order at 7:00 pm.
- b. All rose and recited the Pledge of Allegiance to the Flag.
- c. Mr. Hodson called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. In addition to Mr. Tiffany, Township Administrator, others present were Donna Hellman, Bill Schieman and Dave Schleich.
- d. Community Activities
Chief Pavlak said 'Christmas in the Park' will be this coming Saturday between 5:00 and 7:00 pm. He said there also is a 'Cantata' upcoming at the Emmanuel Baptist Church.
5. Public Hearing – Regarding Text Amendments to the Zoning Resolution
 - a. Public hearing is formally opened - Mrs. Daugherty moved to open the Public Hearing. Mr. Pittman seconded. Roll was called with the vote being as follows:
 - Mr. Bryant – Yes
 - Mr. Pittman – Yes
 - Mrs. Daugherty – Yes
 - b. Staff report on the text amendment – Cara Tilford gave a synopsis of the proposed text amendments. Her report will be appended to the permanent record.
 - c. Those wishing to speak in favor – Mrs. Daugherty asked if anyone would like to speak in favor of the proposed changes. There were no comments.
 - d. Those wishing to speak against – Mrs. Daugherty asked if anyone wished to speak against the proposed amendments. There were no comments.
 - e. Neutral parties wishing to speak – Mrs. Daugherty asked if anyone wished to speak as a neutral party. There were no comments.
 - f. Public Hearing is closed - Mrs. Daugherty moved to close the Public Hearing. Mr. Bryant seconded. Roll was called with the vote being as follows:
 - Mr. Bryant – Yes
 - Mr. Pittman – Yes
 - Mrs. Daugherty – Yes
 - g. Deliberation and decision – Mr. Bryant said it was a very through review and liked the changes. He said the terms PUD was used in some places and MUPUD used in others. Cara said they could be made consistent. Mr. Bryant said, as a possible recommendation, in 507 section 5 referring to maximum permitted density could be clarified. Other than that Mr. Bryant said he was pretty happy with it. Mr. Pittman said he agreed. He said, as usual, the BZC has put in a lot of work on this and done it well. Mr. Pittman said this will give us flexibility and give the developer flexibility. He said, with our current BZC, I think this will be used in a very positive manner. He said he thought it was something we needed.

Mr. Bryant said in comment number four he liked the use of the word 'may' instead of 'shall' and was glad the Board did that because of the flexibility. Mrs. Daugherty said she also liked the word 'may'. She said she is a big proponent of Open Space and likes that we are clear about how we define our Open Space. Mrs. Daugherty asked Mr. Schieman if he had any comments to make. Mr. Schieman said he wants to underline that this is a multi-use planned development. He said, by their nature, MUPUD's are fairly customized. He said he thinks we have done a good job here and it has been made much more clear and provides us with flexibility. Mr. Bryant thanked Mr. Schieman for all their hard work and dedication. Mr. Schieman said Cara deserves most of the credit.

Mrs. Daugherty moved to accept the Resolution as it is written. Mr. Pittman seconded. Mrs. Daugherty asked if there were any discussion. Mr. Bryant said he was okay but would like the MUPUD and PUD to

be consistent .Mr. Bryant also mentioned the 'underlying density' which led to an unresolved discussion. Mr. Bryant said he would withdraw the latter and just go with the MUPUD/PUD changes. Mr. Hodson called the roll with the vote being as follows:

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

Mrs. Daugherty said she wished to jump to the appointment of BZC alternate member Dave Schleich before going to the staff reports. Mrs. Daugherty asked Mr. Schleich to introduce himself. Mr. Schleich said he has lived in the Township for nine years. He said he saw a piece in the news about the position and contacted Cara. He said he has been concerned about the Dille property and that is why he wanted to get involved. Mr. Pittman thanked him for volunteering. Mrs. Daugherty thanked him also and said she values the Zoning Commission. Mr. Bryant said he obviously agrees with them and said he sometimes thought being the alternate was a little harder position.

E. Appointment of Board of Zoning Commission Alternate Member Dave Schleich.

Resolution #2012.12.03.03

WHEREAS, the Board of Zoning Commission plays a pivotal role in the land-use decisions for Sugarcreek Township; and,

WHEREAS, an open alternate position exists and it is imperative that all positions on the Zoning Commission be filled with Citizens who will make decisions in the best interest of Sugarcreek Township; and,

WHEREAS, Mr. Schleich has expressed a genuine interest in serving on the Board of Zoning Commission; and,

WHEREAS, Mr. Schleich was interviewed by Chairperson William Schieman and Board Member Charles Schwegman and found to have the necessary qualifications to serve as an alternate member on the Board of Zoning Commission; and,

NOW THEREFORE, BE IT RESOLVED, that Dave Schleich is hereby appointed to the position of Alternate Member on the Board of Zoning Commission for a five-year term beginning December 3, 2012, and expiring on December 2, 2017. (Said appointment made pursuant to Ohio Revised Code Section 519.04.)

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

6. Reports

A. Administrator

The report for the Administrator's Office will be appended to the permanent record. Mr. Tiffany said he had nothing to add to his report.

B. Fire

The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said we were not at fault in the accident involving our Medic. He said the other driver was cited and that there was about \$3500.00 in damages to our medic. Mr. Bryant asked if there was a MARCS meeting in January. Chief Pavlak said there will be an update December 12th. Chief Pavlak said January would be a good time for a meeting. Mrs. Daugherty asked if the employee interview was for full time. Chief Pavlak responded that it was for part time.

C. Police

The report for the Police Department will be appended to the permanent record. Chief Deaton said he had nothing to add to his report.

D. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said everything was going well. Mr. Bryant asked Mr. Tiffany why the Road Department was so far under Budget. Mr. Hodson said since the Cloyo Road water line issues had prevented getting construction underway this year we will be taking about \$295,000 dollars in construction work into 2013 and will also be looking at a \$200,000.00 loan payment due in June. Mr. Bryant said it would be nice if we had some type of notations on the reports to explain exceptions.

E. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Mrs. Daugherty thanked Cara for all her work on the Zoning Text Amendments.

Mr. Bryant asked about the house at 2300 Stewart and the lighting situation. Cara said the house has a lot of glass and there are flood lights on the roof. She said there have been complaints. Cara said they are not in compliance with lighting regulations. She said the occupants have been told to turn them off at night until the issue is resolved. She said she has not heard back from them and there have been no further complaints. Mrs. Daugherty asked about the firewood problem on Little Sugarcreek. Cara said the owner has been getting rid of it.

7. **Old Business**

Selling of land on Waynesville Road - Mr. Bryant said we have not had a discussion to come to any agreement on the property. Mrs. Daugherty said she wanted to hear what Randy had to say. Chief Pavlak said he needed two and a half to five acres for a Fire Department. He said he supposed there was excess that could be sold. Mr. Bryant said it may not be worth it. Mr. Hodson said the property was purchased by the General Fund and currently is an asset of the General Fund. He said the General Fund has an extremely tight budget with no foreseeable change in the near future. He said money from the sale of the property could be used as a cushion for unforeseen expenses that might be encountered that would cause undue hardship on the General Fund. Mr. Bryant asked what we had in the land. Mr. Hodson said 50 acres were originally bought and 40 were sold to the park district but he didn't know the original cost. Mr. Bryant said he would like to know what value we have in it so we can decide what to do with it. Mrs. Daugherty said she would like to know what we have in it also. Mr., Hodson said he could get the numbers.

8. **New Business**

Fiscal Office

A. Approval of Minutes

Mr. Bryant 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 - Abstain

B. Payment on Bills

Mrs. Daugherty moved to accept the Payment of Bills as presented. Mr. Pittman 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 for the Road and Bridge Fund and Authorizing the Necessary Tax Levies and Certifying them to the Greene County Auditor

Resolution #2012.12.03.01

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.

Mr. Hodson explained that this Acceptance of Rates was for the road levy passed last month. Since the road levy was not in existence when the budget was presented to the County last August and the rates were accepted for the other levies, a separate Resolution is needed for the new levy.

Mr. Bryant 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

Fire Department

D. Resignation of Part-time Safer Firefighter Daniel M. Logan

Resolution #2012.12.03.02

WHEREAS, Safer Firefighter/EMT Daniel M. Logan has submitted his letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Logan has been a member of the Sugarcreek Township Fire Department since April 4, 2011, and,

WHEREAS, Chief Randall J. Pavlak recommends we accept his resignation,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of Daniel M. Logan effective November 19, 2012.

Mr. Pittman 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

Administration Department

F. Re-Appointment of Board of Zoning Appeals Alternate Member Fred J. Cramer

Resolution #2012.12.03.04

WHEREAS, the term of Board of Zoning Appeals alternate member Fred J. Cramer is due to expire on December 31, 2012; and,

WHEREAS, Fred J. Cramer has served as a Board of Zoning Appeals alternate member since January 14, 2008; and,

WHEREAS, the Board of Zoning Appeals plays a pivotal role in the land-use decisions for Sugarcreek Township; and,

WHEREAS, it is imperative that all positions on the Board of Zoning Appeals be filled with citizens who

will make decisions that are always in the best interest of Sugarcreek Township; and,

NOW THEREFORE, BE IT RESOLVED, that Fred J. Cramer is hereby re-appointed to the Board of Zoning Appeals as an alternate member for a five-year term beginning January 1, 2013, and expiring on December 31, 2017. (Said appointment made pursuant to the Ohio Revised Code, Section 519.13.)

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

9. Trustee/Staff Discussion

Mr. Bryant asked if any progress had been made with finding a new Road Director. Mr. Pittman said he was fine with the process starting now and for Mr. Tiffany to advertise. Mrs. Daugherty said she was only in favor of looking at resumes. Mr. Pittman said from a fiscal status he would like to hold off but with the projects coming up we could use a director. Mrs. Daugherty said she would like more analysis on what we need and can afford. Mr. Bryant said we don't have to hire someone just because we advertise the job. Mrs. Daugherty asked how much money we were going to pay. Mr. Bryant said Mr. Hodson has estimated \$60,000.00 so why not start there. He said we have to think strategically over the next four or five years and we will need a Road Director. He said a good Road Director might even save us money. Mr. Tiffany said he would put together a strategy for advertising. Mr. Bryant said he wants to make sure we get the right person and the candidates should talk to our road guys.

Mr. Bryant said he would like to discuss the Zoning Fees. He said the current schedule may be fine but he noticed the last update was 2008.

There were no public comments and Mrs. Daugherty moved to adjourn the meeting. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

The meeting adjourned at 8:05 pm.

Theodore L. Hodson, Fiscal Officer