

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting December 09, 19

HELD AT: Berlin Township House, 3271 Cheshire Rd., Delaware, OH

CALL TO ORDER: Ken O'Brien, Trustee Chairman

PLEDGE OF ALLEGIANCE: Ken O'Brien led the Pledge of Allegiance

ROLL CALL: Ken O'Brien, Tom D'Amico, Ron Bullard and Theresa Taylor, Assistant Fiscal Officer

ATTENDANCE: Rick Gemienhardt, Christine Littleton, Megan Rahill, Dustin Kent and Herb Kaiser

PUBLIC COMMENT: O'Brien asked if there were any public comments. Christina Littleton spoke about the delayed submission of the Berlin Business Park proposal to the trustees by the zoning commission. She asked that since their 30-day window has expired, that the trustees send both proposals back to zoning, unchanged for reapproval. She feels that by doing this it will help the process to keep its integrity, that things will be done by the book, and all the efforts put forth by the residents and trustees are not tripped up by a technicality.

Rick Gemienhardt read the following:
Points of clarity-2,000 acre "cloud" district
By
Rick A. Gemienhardt 881 Africa Road Galena, OH 43021
12.09.19

without

1. Trustee Bullard indicated at 11.25.19 Trustee meeting it— a roads tax the township was not in position to pay for the Piatt Road project. Per review of 5 year capital plan township continues to estimate \$1 for this work. November YTD cash balances show \$2,800,000 in general fund and \$ 125,000 in various roads funds. How is the money expected to be spent? How long has this Piatt Road improvement been on the township books? Is there not matching funds grants being applied for?
2. To date, The Comprehensive Land Use Plan and its underlying principles and support have been ignored as an alternative/compromise. This Plan addresses revenue concerns by showing reasonable Planned Industrial and Planned Commercial districts, it addresses transitional residential housing districts that mirror current housing stock and protects the borders against annexation. It also would prohibit 14 unit per acre, 3 story apartments and 6 unit per acre common walled condominiums.
3. How does township plan on notifying abutting property owners of the date for the Trustee Industrial Park rezoning case?

Herb Kaiser asked the trustees to completely reject what the zoning commission has put forth in regards to the Route 36/37 proposal. He feels the Delaware County Economic Counsel is wanting to have such a high dollar tax district so that it would give them job security for the next 4-5 years. He stated "what's good for the county of Delaware is not necessarily what's good for Berlin Township." He asked that the trustees consider the Route 36/37 corridor proposal that was presented in 2011.

Bullard stated that a document was sent to him and the other trustees and although there is a lot of good information, it was sent anonymously so there is nothing that can be used or considered from it. O'Brien agreed. Bullard commented to Gemienhardt in regards to the Piatt Rd project that there is no updated official estimate but there are a few revenue mechanisms that are in the works to help with it. There is a broad-brush estimate from a couple years ago that is about 1.6/1.7 million dollars. There is an OPWC grant that will be applied for in hopes of getting approximately \$400,000. There is also the possibility of applying for a long-term loan but will have to paid back within 10-20 years. Bullard stated that the religious building on Piatt Rd. is bonded to give the township money to put in a turn lane. The county has also changed its participation in projects to where they will match up to \$150,000. Gemienhardt asked that the record/projected figures be up to date. Bullard stated as we get closer to doing the road projects the numbers will become more real.

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O'Brien stated to Christina Littleton that he is not concerned about the zoning commission's 30-day window having expired in regards to developers finding a technicality but wants to get clarification and will ask for a written opinion from the prosecutor just to be positive and to make sure we are in compliance. O'Brien agreed that sending notification letters to abutting property owners of the date for the Trustee Industrial Park rezoning case by regular mail is a good idea. There will also be newspaper articles, which will be considered an official notice. Bullard stated that by the next trustee meeting we should be getting the two applications for the cloud along with one from the Ross property on Piatt Rd and Peachblow.

Approval of Minutes-

RESOLUTION 19-12-01 APPROVE THE 11/25/19 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING

Motion: Bullard
Second: D'Amico
Vote: O'Brien yes, D'Amico yes and Bullard yes

Old Business – Fairview Cemetery – Nothing new.

The Cloud – Bullard asked the attending residents if they knew or can find out who sent the anonymous document to each trustee and to let the sender know they would like to look into some of the information but it would need to be presented at the hearing by the sender themselves. O'Brien agreed.

Permissive Tax – O'Brien stated he did find out the permissive tax does have to be noticed before it can be passed. O'Brien will talk with Smith to start the process of notification.

Cemetery Mowing Contract- D'Amico said the contract was received and feels it was good and the trustees should move forward with it. O'Brien stated he would like to read it. O'Brien, Bullard and D'Amico agreed that the mowing day should be Wednesday. O'Brien suggested to not have it fertilized until after Memorial Day to help with the amount of times it will need mowed.

Fiscal Officer Items- November Bank Statement and Electronic Payments- Trustees signed them.

Cemetery- D'Amico stated he noticed some dead shrubbery in the cemetery and will look into their warranty.

Fire Department – O'Brien stated that collective bargaining is moving forward but the votes still need to be counted. Bullard said he saw on the news that the foam some fire departments use is causing cancel and questioned what type of foam our fire department uses. O'Brien will follow up.

Road Department- Acceptance of Roads-

RESOLUTION 19-12-02 APPROVE PIATT RD EXTENSION AS PROJECT #DEL-TR-99 WITH THE LENGTH BEING .90 MILES AS DEFINED BY THE COUNTY ENGINEER

Motion: Bullard
Second: D'Amico
Vote: O'Brien yes, D'Amico yes and Bullard yes

D'Amico stated that Irwin and Evans want to go to the OTA conference. O'Brien suggested that they find out if there are topics that pertained to them and if so yes. D'Amico stated he contacted some consultants for the Piatt Rd acquisition and has heard back from two but would like to have at least three bids. O'Brien agreed that getting a bid up front would be better than hiring on qualifications because then a price would have to be negotiated afterwards. D'Amico will check with prosecutor on how to handle this situation. D'Amico suggested that we advertise for another snowplow driver.

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RESOLUTION 19-12-03 AUTHORIZE TRUSTEE D’AMICO TO ADVERTISE FOR PART-TIME CDL SNOW PLOW DRIVERS AND PROVIDE UP TO \$1,000 FOR ADVERTISING COSTS

Motion: Bullard
Second: O’Brien
Vote: D’Amico yes, Bullard yes and O’Brien yes

Trustee Items- Bullard stated that the price of salt for the roads is now \$81 per ton.

Zoning Department- Monthly Zoning Report- Bullard stated there are 108 new homes through the month of November 2019.

D’Amico questioned the cumulative hours for the zoning inspector. Bullard said he would confirm with Smith. O’Brien asked Bullard if we are keeping his hours so that he stays as a part-time employee. Bullard said yes and that the zoning inspector understood that.

Future Meetings -

12/23/19 End of Year Trustee Meeting @ 4:30 & 2020 Organizational Meeting
01/13/20 Trustee Meeting

Late Items – D’Amico questioned who will be presenting the Route 36/37 proposal to the trustees/township. D’Amico also asked if they have a situation where the trustees want something to be changed, do they send it back to the zoning commission for them to review again. Bullard said that is an option but the trustees can make changes without sending anything back to the zoning commission. O’Brien stated he would prefer RPC be involved for their input. Although RPC is not required to give information to the township he feels if we pay them, they would help us. D’Amico suggested asking a few questions to RPC to see if they would be able to help. D’Amico will talk with Scott Sanders for his opinion and what the cost might be.

Dustin Kent from the Delaware County Health Department gave each trustee and fiscal officer a survey to fill out.

Capt. Brown Step Increase-

RESOLUTION 19-12-04 RECESS TO EXECUTIVE SESSION FOR THE PURPOSE OF THE PROMOTION, DEMOTION, COMPENSATION AND POSSIBLE DISCIPLINE OF A PUBLIC EMPLOYEE-THREE TRUSTEES, ASSISTANT FISCAL OFFICER AND BY PHONE DAVE RIEPENHOFF TO ATTEND- 8:17 PM

Motion: O’Brien
Second: D’Amico
Vote: D’Amico yes, Bullard yes & O’Brien yes

RESOLUTION 19-12-05 MOTION TO RETURN TO REGULAR SESSION 9:19 PM

Motion: O’Brien
Second: Bullard
Vote: Bullard yes, O’Brien yes and D’Amico yes

O’Brien “We met in executive session and no decisions were made and no actions were taken”.

RESOLUTION 19-12-06 MOTION TO ADJOURN

Motion: Bullard
Second: D’Amico
Vote: Bullard yes, O’Brien yes and D’Amico yes

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Meeting adjourned by Chairman O'Brien at 9:20 P.M.

Ken O'Brien, Trustee

ATTEST:

Tom D'Amico, Trustee

Theresa Taylor, Assistant Fiscal Officer

Ron Bullard, Trustee