

1. Agenda

Documents:

[2023.08.02 COUNCIL AGENDA.PDF](#)

2. Minutes

Documents:

[2023.07.19 COUNCIL MINUTES.PDF](#)

3. Police Report

Documents:

[COUNCIL MEETING AUGUST 02, 2023.PDF](#)

4. Administrator's Report

Documents:

[ADMINISTRATORS REPORT 08022023.PDF](#)
[ZONING REPORT JULY 2023.PDF](#)
[DEVELOPMENT IMPACT FEE REPORT.PDF](#)

5. Ordinance 2023.01.01

Documents:

[2023.01.1 FIRST AMENDED APPROPRIATIONS.PDF](#)

6. ORDINANCE 2023.16 Accepting Rogers Annexation

Documents:

[ORD NO 2023.16 ACCEPTING ROGERS ANNEXATION.PDF](#)

7. 2023.17 Accepting AEP Annexation

Documents:

[ORD NO 2023.17 ACCEPTING AEP ANNEXATION.PDF](#)

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
August 2, 2023 at 7:30 P.M.**

SILENT PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL: Mr. Joseph St. John, Mr. Timothy Gose, Mr. Damin Cappel, Mrs. Cindi Cooper, Mr. John Grumney, Mr. David Martin, and Mr. Murray Neff.

MINUTES:

July 19, 2023

VISITORS

COMMITTEE REPORTS

POLICE REPORT

ADMINISTRATOR'S REPORT

Sunbury Community Video

2023 Impact Fee Report

ENGINEER'S REPORT

RESOLUTIONS

Third Readings

Second Readings

First Readings

ORDINANCES

Third Readings

ORDINANCE NO. 2023.01.01 First Amended

AN ORDINANCE AMENDING THE 2023 ANNUAL APPROPRIATIONS

ORDINANCE NO. 2023.16

A ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 84.97 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP, DELAWARE COUNTY AND OWNED BY WILLIAM R. ROGERS II, LORIE LYNN LOTZGESELLE, RICH ROGERS, TRUSTEE REPLACING WILLIAM ROGERS AND PATRICIA ROGERS, BOTH DECEASED AND FORMER TRUSTEES OF THE WILLIAM ROGERS AND PATRICIA ROGERS FAMILY TRUST AGREEMENT UTA 7-3-06, MARY

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
August 2, 2023 at 7:30 P.M.**

**ROGERS TRUSLER, TRUSTEE U/A DATED THE 14TH DAY OF AUGUST 2009, AND
JOHN A. ROGERS AND DECLARING AN EMERGENCY**

ORDINANCE NO. 2023.17

**AN ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY
CONSISTING OF 84.932 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP,
DELAWARE COUNTY AND OWNED BY AEP OHIO TRANSMISSION COMPANY, INC.
AND DECLARING AN EMERGENCY**

Second Readings

First Readings

NEW / UNFINISHED BUSINESS

Sunbury Ordinances – Recodification

2023 Sunbury Sizzle and Sounds – Street Closures

Sunbury Square Streetscape Working Group

ADJOURNMENT

City of Sunbury Regular Council
Minutes
July 19, 2023

Mayor Joseph St. John opened the Sunbury City Council meeting at 7:30 p.m., July 19, 2023, with a moment of silent prayer and the Pledge of Allegiance.

ROLL CALL

Those answering roll call: Cindi Cooper, Joseph St. John, Damin Cappel, Murray Neff, and John Grumney. Tim Gose and David Martin were absent. Other staff in attendance were City Administrator Daryl Hennessy, Director of Law David Brehm, and City Engineer Dan Whited.

MINUTES

Motion by **Cooper** and seconded by **Cappel** to approve the July 5, 2023, meeting minutes. Upon roll, 5 yeas. Minutes passed.

VISITORS

There were no visitors that wished to speak to Council.

COMMITTEE REPORTS

Mr. Grumney thanked Director of Finance Dana Steffan for her presentation at the finance committee meeting earlier in the evening. In particular, he appreciated her efforts to update projected revenues and expenditures for the balance of the fiscal year.

POLICE REPORT

In the police chief's absence, Mayor St. John provided brief updates on drone training and the status of outfitting new police trucks. Mr. Grumney asked Deputy Chief Wade if it was possible to add mental health awareness to the list of calls reported to Council, which Mr. Wade agreed to provide.

ADMINISTRATOR'S REPORT

Mr. Hennessy informed Council that an advertisement for bids for the facilities renovation project was released on July 15 and that a new bid opening has been scheduled for August 18. He also briefly reviewed two public meetings on the Sunbury Parkway District Level Plan where feedback was received on proposed uses and design standards. He concluded by announcing two upcoming public meetings to receive feedback from residents of Sunbury Estates Subdivision on options for replacing maple street trees to minimize future damage to public infrastructure. The meetings are scheduled for July 25 and August 3.

ENGINEER'S REPORT

Mr. Whited provided the engineer's report and briefly touched on a pre-construction conference with Strawser Paving and DLZ about the 2023 street improvements program. Mr. Whited also provided updates on various projects including the Fallen Heroes trail, Walnut Street stabilization, and Reservoir Park draw down. Mr. Whited concluded his comments with an update on the status of several private developments.

**City of Sunbury Regular Council
Minutes
July 19, 2023**

ORDINANCES

Third Readings

ORDINANCE NO. 2023.15

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,000,000 FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING VARIOUS CITY FACILITIES BY RENOVATING AND EQUIPPING THE SUNBURY MUNICIPAL BUILDING AND OTHER BUILDINGS, INCLUDING SITE IMPROVEMENTS, ANY NECESSARY UTILITY IMPROVEMENTS AND CONSTRUCTING RELATED PARKING FACILITIES, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO.

Motion was made by **Grumney** and seconded by **Cappel** on the Ordinance, passed 5-0.

Second Readings

ORDINANCE NO. 2023.01.01 First Amended

AN ORDINANCE AMENDING THE 2023 ANNUAL APPROPRIATIONS (second reading only)

ORDINANCE NO. 2023.16

A ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 84.97 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP, DELAWARE COUNTY AND OWNED BY WILLIAM R. ROGERS II, LORIE LYNN LOTZGESELLE, RICH ROGERS, TRUSTEE REPLACING WILLIAM ROGERS AND PATRICIA ROGERS, BOTH DECEASED AND FORMER TRUSTEES OF THE WILLIAM ROGERS AND PATRICIA ROGERS FAMILY TRUST AGREEMENT UTA 7-3-06, MARY ROGERS TRUSLER, TRUSTEE U/A DATED THE 14TH DAY OF AUGUST 2009, AND JOHN A. ROGERS AND DECLARING AN EMERGENCY (second reading only)

ORDINANCE NO. 2023.17

AN ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 84.932 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP, DELAWARE COUNTY AND OWNED BY AEP OHIO TRANSMISSION COMPANY, INC. AND DECLARING AN EMERGENCY (second reading only)

NEW / UNFINISHED BUSINESS

Motion to approve the Wastewater Treatment Plant – Purchase Order for Electric made **by St. John** and seconded by **Cooper**. Passed 5-0

Mayor St. John asked Mr. Brehm for clarification on the Sunbury Ordinances – recodifications. Mayor St. John asked if zoning ordinances would be included, Mr. Brehm advised he has reached out for clarification and will let Council know his findings. No action was taken on this item pending additional information regarding the zoning ordinance.

City of Sunbury Regular Council
Minutes
July 19, 2023

Mayor St. John touched on the facts and fiction about property revaluation and taxes with the Council and advised that information from the County Auditor's office was included in their packets tonight.

Mrs. Cooper updated the Council about the new Ohio-to-Erie trail bridge located off Walnut Street that was built by Preservation Parks and designed by CT Consultants. She advised that it is worth viewing if others hadn't seen it yet. She also highlighted the upcoming fishing derby at Reservoir Park.

Mr. Grumney went over some concerns from the July 4th parade that he received from residents, including parking on the Square during the parade. Mr. Hennessy advised that the City and event organizers will be working together to help find a better solution.

Economic Development Executive Session pursuant to ORC 121.22(G)(8): To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance. The executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Motion was made by **St. John** to enter Executive Session pursuant to ORC 121.22(G)(8) and seconded by **Neff**. Passed 5-0.

Motion was made by **St. John** to exit Executive Session pursuant to ORC 121.22(G)(8) and seconded by **Cooper**. Passed 5-0.

ADJOURNMENT

Motion to adjourn by **St. John** and seconded by **Cooper**. Upon roll all yeas.

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

Police Report Council Meeting August 02, 2023

01: Drone: As of August 1st, Officer Ramirez is roughly 75% through his online portion for the 107 and the other 3 Officers are at 50% to 60% complete. All 4 are on target to be completed with their 107 licenses within the time they were given.

02: Silverado Upfitting: Spoke with Shannon from PARR Tuesday morning and about half of our equipment is in. They are expecting the rest of the equipment this week and we will take one of the Silverado's up to Bucyrus as early as next week to begin upfitting.

03: OVI Checkpoint with OSP: The OVI checkpoint went well this past Friday night July 28th from 9pm to 12am. Sunbury had 6 Officers assigned to assist OSP with the checkpoint located on Rt3 near the front of the UDF. The final numbers were 4 Citations within the 3 hours the checkpoint was operating. **(There was a total of 218 vehicles checked at the checkpoint)**

Calls for service (July)

Civil complaints = 03

Burglary/Thefts = 05

Domestics = 05

Alarms = 12

Assist other Agency = 03

Follow up Investigation = 13

Traffic Stops = 78

House/Business Checks = 47

Drugs/Alcohol = 05

Well Being Checks = 07

Suspicious Vehicle/Person = 36

Reckless driver complaints = 05

Juvenile Calls = 05

Auto Accident/non injury = 12

Threats/Harassment = 03

Vehicle Lockout = 03

Assaults = 00

Miscellaneous Calls = 56

Total Calls for Service in June = 298

Mental Health calls year to date by month 2023:

January = 2 February = 0 March = 1 April = 2 May = 1 June = 1

July = 4

Pelotonia bike ride this Sunday the 6th starts at 0800 (Expecting 350 riders throughout the day) We have 4 Officers working this event along with OSP

Questions?

Chief Howard

MEMORANDUM TO THE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: Daryl Hennessy
SUBJECT: City Administrator's Report
DATE: August 2, 2023

ADMINISTRATION

Facilities Renovation Project. A pre-bid walk through session was held for contractors interested in bidding on the city's facilities renovation project. Approximately 15 general contractors and subcontractors participated in this meeting. This is a substantial improvement over the one general contractor who participated in the first walk through. Bids for the project will be opened on August 18.

PLANNING AND DEVELOPMENT

Zoning and Impact Fee Reports. Sunbury's codified ordinances require the zoning officer to prepare an annual development impact fee report for City Council. Attached is the report prepared by Alex Nelisse-Blankenship. The bulk of the collections are related to detached, residential structures. The report is for the fiscal period ending May 30, 2023 and does not include any direct expenditure of funds for capacity improvement projects. Also attached to the administrator's report is the July 2023 zoning report showing the total number of new construction building permits reaching 106. With the exception of last year when the total number of building permits for the year reached a record 129, the July 2023 totals exceed the end of year totals for each of the last five years. July was a particularly busy month for issuing new construction building permits with 21 specifically related to the multi-family project at the Ravines at Meadow Ridge.

SERVICES AND UTILITIES

Community Beautification Projects. In recent weeks two volunteer church organizations have assisted the city with community beautification projects. The first project included clean-up in the cemetery, including wiping down old headstones, and painting no parking curbs around the Square was completed by the volunteers at Grace Church of Sunbury. The second project included clean-up of overgrown vegetation at the Old Church Parking Lot Park and other municipal property around the Square by City North Church. Both projects have made a significant difference in beautifying our community and we appreciate the efforts of the volunteers.

Sunbury Estates Trees. The first of two community meetings with residents of Sunbury Estates Subdivision was held last week. Approximately 15-20 people attended the in-person meeting to discuss options for replacing street trees in the subdivision that are causing damage to public infrastructure. A second meeting, this one virtual, will be held the evening of August 3.

Sunbury Memorial Park. June and July have been particularly busy months for burials at the Sunbury cemetery. In just the last six weeks, the Service Department has assisted with 13 burials.

59 S. Columbus Demolition. The demolition of 59 S. Columbus Street is tentatively planned for the week of August 7. The demolition of this building will complete the removal of three buildings at the corner of Granville and Columbus Streets and making way for additional parking near the Square. A more thorough plan for renovating the space will be developed for future Council consideration.

Attachments (2)

**CITY OF
SUNBURY**



ZONING REPORT

June 24th, 2023 - July 21st, 2023

SMALL TOWN. BIG IDEAS. PERFECT BALANCE.

General Update

- Alyssa Graziano was hired as the new City Planner of Sunbury
- Phases 1 + 2 of the Ravines on Meadow Ridge have received zoning certificates
- Increase in reports of grass/weed issues through the website's "report a concern" function
- Working with the service department to reroute the Ohio Erie Trail path and signs to lead to the newly built pedestrian bridge over Big Walnut Creek
- Sunbury Parkway District Plan conducted 2 community meetings and a community survey
- Clearing signs from the City right of way
 - Increase in political signs
- General Phone Inquiries
 - Neighborhood Conditions
 - Moving to Sunbury, questions on location and parcels
 - Sunbury Parkway
- Created a spreadsheet to track permits and construction costs of projects
 - Version without construction costs made available to public upon request
- Drove around neighborhoods to observe conditions/grass

Violation and Enforcement Activity

- 2 businesses received new violation warnings
- 4 residents received a grass/weed notice

Permits Issued Report

Zoning Certificates (39)

1089 Par Court (New Build)
1008 Mill Stone Drive (New Build)
1211 Clover Street (New Build)
2132 Common Bent Drive (Deck)
872 Mill Stone Drive (New Build)
903 Mill Stone Drive (New Build)
909 Mill Stone Drive (New Build)
1002 Ping Lane (New Build)
399 Village Lane (New Build)
1272 Portrush Drive (New Build)
1153 Clover Street (New Build)
1191 Clover Street (New Build)
95 Arbor Drive (Shed)
708 Viola Drive (Alteration)
1178 Clover Street (New Build)
1235 Portrush Drive (Solar)
151 Otis Street (Addition)
664 Mill Stone Drive (New Build)
1206 Clover Street (New Build)

Ravines at Meadow Ridge

13x Buildings (New Build)
7x Garages (New Build)
1x Clubhouse (New Build)

Occupancy Permits (15)

1301 Clover Street
1087 Cape Brenton Lane
1327 Clover Street
361 Miller's Cove Court
353 Miller's Cove Court
407 Village Lane
377 Miller's Cove Court
38 E Cherry Street
1144 Portrush Drive
1490 Linseed Court
122 E Granville Street
1418 Clover Street
742 Peacock Drive
697 Mill Stone Drive
701 Titleist Drive

Other Permits (7)

1260 Clover Street (Fence)
1392 Clover Street (Fence)
1406 Clover Street (Fence)
734 Mill Drive (Fence)
726 Mill Drive (Fence)
14 E Cherry Street (Sign)
681 Windmill Court (Fence)
351 E Cherry Street (Fence)
240 Greenbriar Road (Fence)

Rolling Hills - 6 New Zoning Certificates, 5 New Occupancy Permits

Price Ponds - 7 New Zoning Certificates, 2 New Occupancy Permits

Miller's Cove- 1 New Zoning Certificate, 4 New Occupancy Permits

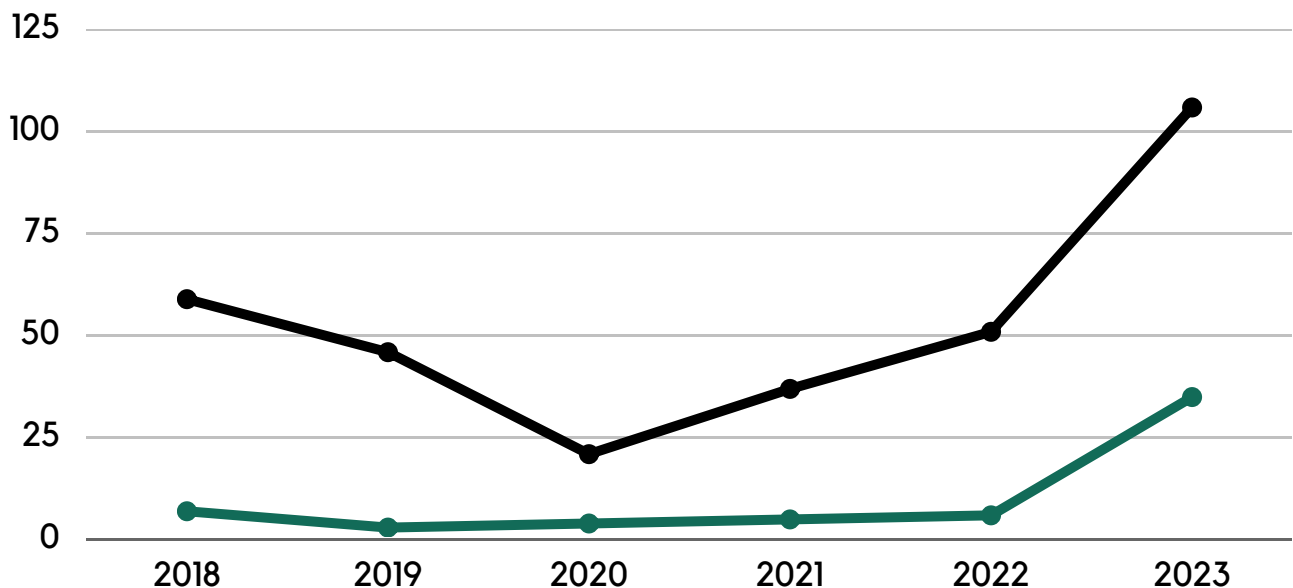
Sunbury Meadows - 2 New Occupancy Permits

Ravines at Meadow Ridge - 21 New Zoning Certificates

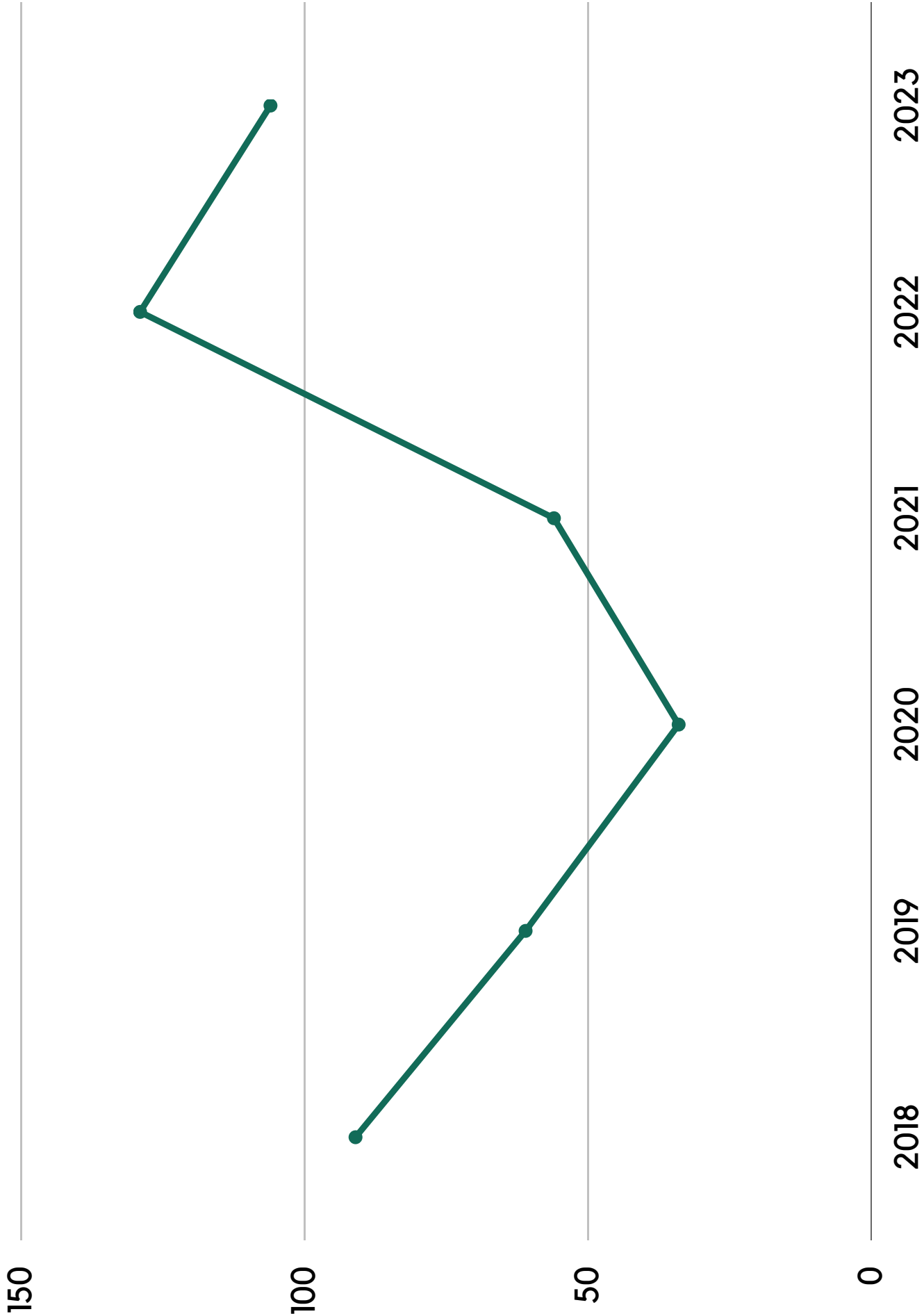
New Construction Historical Trends

MONTH	YEAR					
	2018	2019	2020	2021	2022	2023
JANUARY	4	3	4	5	5	6
FEBRUARY	11	10	0	7	8	15
MARCH	6	5	5	3	5	14
APRIL	13	9	5	2	3	15
MAY	11	9	3	8	12	10
JUNE	7	7	0	7	12	11
JULY	7	3	4	5	6	35
AUGUST	12	7	3	2	23	
SEPTEMBER	5	3	3	6	18	
OCTOBER	6	1	4	5	13	
NOVEMBER	6	2	1	4	15	
DECEMBER	3	2	2	2	9	
TO DATE	59	46	21	37	51	106
TOTAL	91	61	34	56	129	106

■ New Building Permits in July
■ New Building Permits January - July

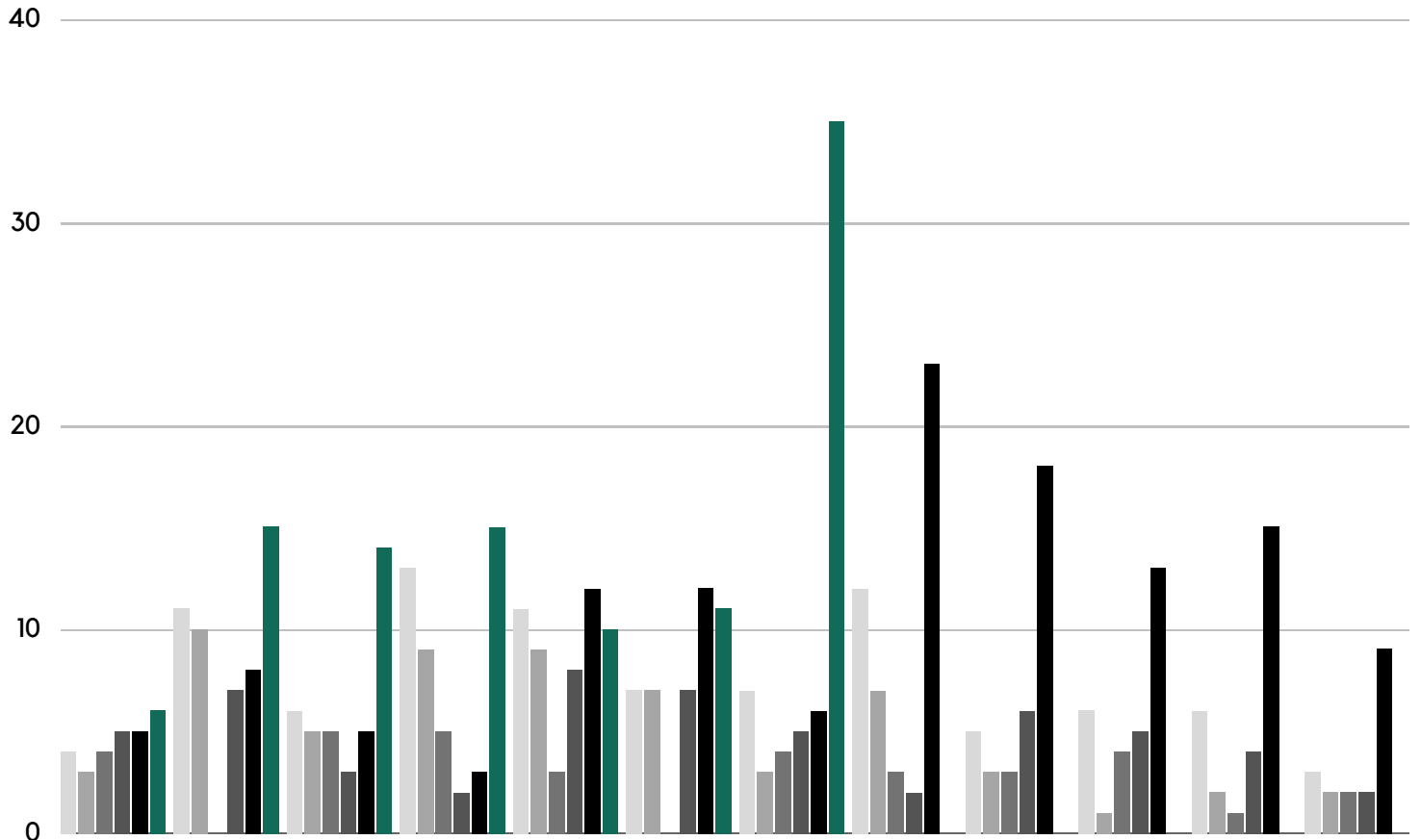


New Building Permits Annually.



Building Permits for New Residential Construction

2018 2019 2020 2021 2022 2023



	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
2018	4	11	6	13	11	7	7	12	5	6	6	3
2019	3	10	5	9	9	7	3	7	3	1	2	2
2020	4	0	5	5	3	0	4	3	3	4	1	2
2021	5	7	3	2	8	7	5	2	6	5	4	2
2022	5	8	5	3	12	12	6	23	18	13	15	9
2023	6	15	14	15	10	11	35	-	-	-	-	-



DEVELOPMENT IMPACT FEES

ANNUAL REPORT

June 1, 2022 - May 30, 2023

Codified Ordinance Chapter 963 prescribes an annual report of impact fees be submitted to Council. The legislation further prescribes the following information must be provided. The list of items required is referenced in 963.07.

1. NUMBER OF BUILDING PERMITS ISSUED BY TYPE

Residential Total - 162

Detached Dwelling - 162

Attached Dwelling - 0

Non-Residential Total - 1

Fund #	Type	Number of Permits	Gross Floor Area (SF)
OMNICO	Office/Warehouse	1	1,000

2. FEES COLLECTED BY PUBLIC FACILITY AND TYPE

Police Facility - \$29,241.64

Municipal Facility - \$78,790.47

Roads - \$27,060.00

Parks & Recreation - \$27,225.00

Detached Residential - \$160,411.11

Attached Residential - \$0.00

Total Residential - \$160,411.11

Office/Warehouse - \$1,906.00

Total Commercial - \$1,906.00

3. TOTAL EXPENDITURES FROM IMPACT FEE ACCOUNTS

Fund #	Title	Expenditures	Fund Balance
203	Police Facilities	\$0.00	\$117,693.69
204	Municipal Facilities	\$0.00	\$89,970.42
209	Roads	\$0.00	\$27,060.00
210	Parks & Recreation	\$0.00	\$27,225.00

4. PUBLIC FACILITIES DISCUSSION AND DESCRIPTION

There were no expenditures for this year's impact fees.

ORDINANCE NO. 2023.01.1 First Amended
AN ORDINANCE AMENDING THE 2023 ANNUAL APPROPRIATIONS

WHEREAS, Council for the City of Sunbury has previously enacted an Ordinance setting annual appropriations for the year 2023; and

WHEREAS, Council now wishes to amend and increase the appropriation to the Planning & Zoning Pass Through Agency Fund – Contract Services line \$100,000.00 for various pass-through zoning expenses that are higher than originally anticipated; and

WHEREAS, Council now wishes to amend and increase the appropriation to the Cemetery Fund – Notes Payable line \$8,000.00 for principal and interest payable on current debt; and

WHEREAS, Council now wishes to amend and increase the appropriation to the General Fund – Police Capital \$20,000 for increased cost of new cruisers; and

WHEREAS, Council now wishes to amend and increase the appropriation to the General Fund – Admin Contractual Services \$220,000 for increased cost of legal and engineering fees related to various matters; and

WHEREAS, Council now wishes to amend and increase the appropriation to the General Fund – County Services \$7,500 for increased property tax payments, some of which have been refunded to the City and receipted as revenue in 2023; and

WHEREAS, Council now wishes to amend and increase the appropriation to the General Fund – Street Department Contractual Services \$105,000 for increased engineering costs related to various matters, and general maintenance/repairs of city-owned equipment; and

WHEREAS, Council now wishes to amend and increase the appropriation to the General Fund – Street Vehicle repairs \$15,000 for increased cost of vehicle repairs; and

WHEREAS, Council now wishes to amend and increase the appropriation to the Sewer Fund – Other Reimbursements by \$235,000 for repayment to a Developer for expenses previously incurred on behalf of the city to oversize a piece of sewer infrastructure; and

WHEREAS, all funds balances are sufficient to cover these appropriations.

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Sunbury, Delaware County, Ohio as follows:

SECTION I. BE IT ORDAINED by the Council of the City of Sunbury, State of Ohio, hereby authorizes the following increases to appropriations for fiscal year 2023, as categorized below at the fund, function and object levels:

901 Pass-Through Agency Fund	
901.403.51010 P-Z Expenses	\$ 100,000.00
Fund 901 Total Appropriation Increase	\$ 100,000.00

301 Cemetery Fund

301.701.52601 Notes-Cemetery-Stemen Purchase	\$ 7,700.00
<u>301.701.52602 Note Interest-Cemetery Stemen</u>	<u>\$ 300.00</u>
Fund 301 Total Appropriation Increase	\$ 8,000.00

101 General Fund

101.101.52500 Capital-Police	\$ 20,000.00
101.601.52300 Contractual Services-Admin	\$ 220,000.00
101.607.52300 Auditors/Treasurers Fees	\$ 7,500.00
101.901.52300 Contractual Services-Street	\$ 105,000.00
<u>101.901.52600 Repairs and Maintenance</u>	<u>\$ 15,000.00</u>
Fund 101 Total Appropriation Increase	\$ 367,500.00

402 Sewer Fund

<u>402.514.52601 Other Reimbursements</u>	<u>\$ 235,000.00</u>
Fund 402 Total Appropriation Increase	\$ 235,000.00

SECTION II: It is found and determined that all formal actions of this council concerning and related to the adoption of the Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION III: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Sunbury, Ohio to allow the appropriation of said funds to be made without undue delay, thus allowing for the necessary expenditures at the earliest possible date.

This Ordinance shall take effect and be in force immediately after its passage.

VOTE ON ORDINANCE OF 2023.01.01

FIRST AMENDED

YEAS

NAYS

PASSED: _____, 2023

Joe St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

CERTIFICATION

I hereby certify on this ___ day of _____, 2023, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2023, of the City of Sunbury, County of Delaware, State of Ohio.

Amber Swain, Clerk of Council

ORDINANCE NO. 2023.16

A ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 84.97 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP, DELAWARE COUNTY AND OWNED BY WILLIAM R. ROGERS II, LORIE LYNN LOTZGESELLE, RICH ROGERS, TRUSTEE REPLACING WILLIAM ROGERS AND PATRICIA ROGERS, BOTH DECEASED AND FORMER TRUSTEES OF THE WILLIAM ROGERS AND PATRICIA ROGERS FAMILY TRUST AGREEMENT UTA 7-3-06, MARY ROGERS TRUSLER, TRUSTEE U/A DATED THE 14TH DAY OF AUGUST 2009, AND JOHN A. ROGERS AND DECLARING AN EMERGENCY

WHEREAS, David W. Fisher, as agent for William R. Rogers II, Lorie Lynn Lotzgeselle, Rich Rogers, Trustee Replacing William Rogers and Patricia Rogers, both deceased and former Trustees of the William Rogers and Patricia Rogers Family Trust Agreement UTA 7-3-06, Mary Rogers Trusler, Trustee U/A dated the 14th Day of August 2009, and John A. Rogers, the owners of certain real property, more specifically described in Exhibit “A”, attached hereto, filed a Petition for Annexation of 84.97 ± acres, more or less, to the City of Sunbury; and

WHEREAS, pursuant to Ohio Revised Code 709.04, the City of Sunbury now wishes to formally accept said petition for annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Sunbury, Delaware County, State of Ohio, that:

SECTION I: Pursuant to Ohio Revised Code 709.04 the City of Sunbury hereby accepts the petition for annexation of 84.97 ± acres, from Berkshire Township to the City of Sunbury pursuant to the petition filed by David W. Fisher, as agent for William R. Rogers II, Lorie Lynn Lotzgeselle, Rich Rogers, Trustee Replacing William Rogers and Patricia Rogers, both deceased and former Trustees of the William Rogers and Patricia Rogers Family Trust Agreement UTA 7-3-06, Mary Rogers Trusler, Trustee U/A dated the 14th Day of August 2009, and John A. Rogers.

SECTION II: It is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION III: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Sunbury, Ohio, to finalize the annexation of the subject property and thus facilitate participation with the City of Sunbury in thoroughfare and public infrastructure planning at the earliest possible date; to facilitate implementation and funding of adequate infrastructure financing mechanisms at the earliest possible date; to allow construction of the infrastructure improvements, including the first stage of the future interchange, at the earliest possible date, thus improving roadway infrastructure for City residents to begin at the earliest possible date; to facilitate housing opportunities for City residents in the interchange area at the

earliest possible date and to commence collection of associated income tax revenues at the earliest possible date.

WHEREFORE, this Ordinance shall take effect and be in force immediately from and after its passage.

VOTE ON SUSPENSION OF THE RULES	YEAS	NAYS
	_____	_____
VOTE ON EMERGENCY	YEAS	NAYS
	_____	_____
VOTE ON ORDINANCE 2023.16	YEAS	NAYS
	_____	_____

PASSED: _____, 2023

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

CERTIFICATION

I hereby certify on this _____ day of _____, 2023, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2023 of the City of Sunbury, County of Delaware, State of Ohio.

Amber Swain, Clerk of Council

ORDINANCE NO. 2023.17

**AN ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY
CONSISTING OF 84.932 +/- ACRES OF LAND LOCATED IN BERKSHIRE
TOWNSHIP, DELAWARE COUNTY AND OWNED BY AEP OHIO TRANSMISSION
COMPANY, INC. AND DECLARING AN EMERGENCY**

WHEREAS, Aaron L. Underhill, Esq., David Hodge, Esq., and Eric Zartman Esq., as agents for AEP Ohio Transmission Company, Inc., the owner of certain real property, more specifically described in Exhibit “A”, attached hereto, filed a Petition for Annexation of 84.932 ± acres, more or less, to the City of Sunbury; and

WHEREAS, pursuant to Ohio Revised Code 709.04, the City of Sunbury now wishes to formally accept said petition for annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Sunbury, Delaware County, State of Ohio, that:

SECTION I: Pursuant to Ohio Revised Code 709.04 the City of Sunbury hereby accepts the petition for annexation of 84.932 ± acres, from Berkshire Township to the City of Sunbury pursuant to the petition filed Aaron L. Underhill, Esq., David Hodge, Esq., and Eric Zartman Esq., as agents for AEP Ohio Transmission Company, Inc.

SECTION II: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION III: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Sunbury, Ohio, to finalize the annexation of the subject property without further delay; to facilitate future proceedings with the city which, upon completion will allow future development and associated economic development beneficial to the city to occur in a timely fashion; to facilitate taking advantage of current development opportunities; and to commence collection of associated city revenues at the earliest possible date.

WHEREFORE, this Ordinance shall take effect and be in force immediately from and after its passage.

VOTE ON SUSPENSION OF THE RULES

YEAS

NAYS

VOTE ON EMERGENCY

YEAS

NAYS

VOTE ON ORDINANCE 2023.17

YEAS

NAYS

PASSED: _____, 2023

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

CERTIFICATION

I hereby certify on this _____ day of _____, 2023, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2023 of the City of Sunbury, County of Delaware, State of Ohio.

Amber Swain, Clerk of Council