

1. Agenda - October 4, 2023

Documents:

[2023.10.04 COUNCIL AGENDA.PDF](#)

2. Minutes

Documents:

[2023.09.20 MINUTES.PDF](#)

3. Resolution 2023.23 2nd Amended Certificate 2023

Documents:

[RESOLUTION 2023.23 SECOND AMENDED CERTIFICATE OF EST RES
2023.PDF](#)
[RESOLUTION 2023.23 2ND AMENDED CERTIFICATE 2023.PDF](#)

4. Resolution 2023.25 Multi-Hazard Mitigation Plan

Documents:

[RES NO 2023.25 MULTI-HAZARD MITIGATION PLAN.PDF](#)

5. Independent Public Accountant

Documents:

[INDEPENDENT PUBLIC ACCOUNTANT.PDF](#)

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
October 4, 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:

September 20, 2023

VISITORS

Citizen Recognition Program

Jecy Weber, Emergency Management Specialist

COMMITTEE REPORTS

POLICE REPORT

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

RESOLUTIONS

Third Readings

RESOLUTION NO. 2023.23

A RESOLUTION ACCEPTING THE SECOND AMENDED CERTIFICATE OF ESTIMATED RESOURCES FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2023 AND CERTIFYING THEM TO THE COUNTY AUDITOR

Second Readings

First Readings

RESOLUTION NO. 2023.XX

A RESOLUTION APPROVING THE ADOPTION OF THE 2023 DELAWARE COUNTY MULTI-HAZARD MITIGATION PLAN

ORDINANCES

Third Readings

Second Readings

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
October 4, 2023 at 7:30 P.M.**

First Readings

NEW / UNFINISHED BUSINESS

Independent Public Accountant

Construction Administration and Inspection Services – Facilities Renovation Project

Road Closures – Christmas on the Square

Staff Christmas Party

ADJOURNMENT

**City of Sunbury Regular Council
Minutes
September 20, 2023**

Mayor Joe St. John opened the Sunbury City Council meeting at 7:30 p.m., September 20, 2023, with a moment of silent prayer and the Pledge of Allegiance.

ROLL CALL

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

MINUTES

Motion by **Cooper** and seconded by **Cappel** to approve the September 6, 2023, meeting minutes. Upon roll, 6 yeas. Minutes passed.

VISITORS

Mayor St. John read a mayoral proclamation declaring September Childhood Cancer Awareness Month in the city. He invited the Preston family to share their story about Jackson and to accept the proclamation on behalf of others working to overcome the disease. Mrs. Preston spoke of the effects that childhood cancer had on her son Jackson and his fight to beat it. She thanked the mayor and the city for their support to help find a cure. Mayor St. John asked for a moment of silence in remembrance of Jackson and the support of his family.

COMMITTEE REPORTS

Mr. Gose reviewed the results of the finance committee meeting, which included an update on impact fee collections, review of the city's investment accounts, the status of RITA delinquencies, bond processing for the facilities project, and a first draft review of the 2024 budget. Mr. Gose also noted he attended the Fire Board meeting, and the rescue truck is almost ready to be delivered.

Mayor St. John went over the public hearing that is to take place on September 28, 2023 at the Planning and Zoning commission for a new zoning district.

POLICE REPORT

Deputy Chief Wade went over the police report with the Council, highlighting the status of the drone program, the ongoing investigation of the swatting event, and the selection of Officer Whiteside as a BWLS soaring staff member.

ADMINISTRATOR'S REPORT

Mr. Hennessy touched on the zoning permit report and the status of the 2023 street program.

ENGINEER'S REPORT

Mr. Whited highlighted ongoing planning related to Reservoir improvements and JR Smith Park. He also discussed the status of the Walnut Street hazard mitigation project and the status of the WWTP design. Mr. Whited concluded with updates on several private developments.

RESOLUTIONS

Second Readings

RESOLUTION NO. 2023.23

A RESOLUTION ACCEPTING THE SECOND AMENDED CERTIFICATE OF ESTIMATED RESOURCES FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2023 AND CERTIFYING THEM TO THE COUNTY AUDITOR.

**City of Sunbury Regular Council
Minutes
September 20, 2023**

RESOLUTION NO. 2023.24

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Motion was made by **Gose** to suspend the rules, seconded by **Grumney**, passed 6-0.
Motion was made by **Gose** and seconded by **Grumney** on the Resolution, passed 6-0.

ORDINANCES

First Readings

ORDINANCE NO. 2023.19

AN ORDINANCE AUTHORIZING EXECUTION OF A COMPENSATION AGREEMENT BETWEEN THE BIG WALNUT LOCAL SCHOOL DISTRICT AND THE CITY OF SUNBURY AND DECLARING AN EMERGENCY

Motion was made by **St. John** on the Emergency, seconded by **Cooper**, passed 6-0.
Motion was made by **St. John** to suspend the rules and seconded by **Cooper**, passed 6-0.
Motion was made by **St. John** and seconded by **Cooper** on the Ordinance, passed 6-0

NEW / UNFINISHED BUSINESS

Mr. Grumney expressed his pride in the community, Council, and staff for working hard to make Sunbury a great place to live.

Mrs. Cooper shared feedback from the community with city staff, letting them know the community appreciates all the information we are providing and keeping them informed. She also thanked our police officers on duty for their quick response earlier in the day to an accident.

Motion by **St. John** for a 5-minute recess, seconded by **Cappel**, passed 6-0. Following the recess, **Mayor St. John** moved to reconvene in public session. The motion was seconded by **Copper** and passed 6-0.

ADJOURNMENT

There being no further business for the Council, **Cappel** moved to adjourn. The motion was seconded by **Grumney**. Upon roll all yeas.

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

RESOLUTION 2023.23

A RESOLUTION ACCEPTING THE SECOND AMENDED CERTIFICATE OF ESTIMATED RESOURCES FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2023 AND CERTIFYING THEM TO THE COUNTY AUDITOR

WHEREAS, The Auditor of State has identified several fund balance adjustments that were required by the City of Sunbury resulting from the financial audit covering fiscal years 2020 and 2021; and

WHEREAS, The changes to the beginning fund balances for 2023 require an amendment to the Certificate of Estimated Resources which is provided annually by the County; and

WHEREAS, Council for the City of Sunbury wishes to certify the amended Certificate of estimated resources for fiscal year 2023 provided by the County Auditor; and

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

SECTION I: Council hereby approves the Second Amended Certificate of Estimated Resources dated August 7, 2023 as set forth in the attached Exhibit “A”.

SECTION II: It is found and determined that all formal actions of this Council concerning and related to the adoption of this Resolution 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.

WHEREFORE, pursuant to Section 4.07 of the Charter of the City of Sunbury, this Resolution shall be in effect immediately after its passage.

VOTE ON SUSPENSION OF THE RULES	YEAS	NAYS
	_____	_____

VOTE ON RESOLUTION 2023.23	YEAS	NAYS
	_____	_____

PASSED _____

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 Resolution passed at the meeting held on _____, 2023 of the Council of the City of Sunbury of the County of Delaware, State of Ohio.

Amber Swain, Clerk of Council

Second Amended Certificate Of Estimated Resources

The Budget Commission of Delaware County, Ohio hereby makes the following Certificate of Estimated Resources for the City of Sunbury for the fiscal year beginning January 1, 2023.

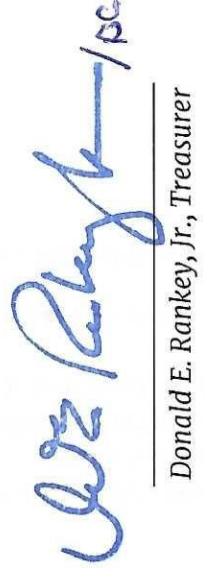
FUND	Unencumb. Balance January 1, 2022	Real Estate Tax	Local Government	Other Sources	Total
General Fund	6,641,179.78	566,945.15	89,487.69	4,395,437.00	11,693,049.62
Street Construction	422,992.74			400,000.00	822,992.74
State Highway	228,197.19			16,800.00	244,997.19
Cemetery	265,258.83			120,000.00	385,258.83
Water	75,317.88			0.00	75,317.88
Parks & Rec	445,718.40			50,000.00	495,718.40
Capital Projects	2,869,182.12			0.00	2,869,182.12
Impact Fees-Police	99,878.60			0.00	99,878.60
Impact Fees-Muni	33,540.42			0.00	33,540.42
Mayor's Court Computer	54,178.17			3,013.00	57,191.17
Showa TIF	0.00			0.00	0.00
Sunbury Mills TIF	105,331.35			86,191.00	191,522.35
Bond Retirement	184,549.28			167,159.00	351,708.28
Pass Through Agency Fund	272,899.40			300,000.00	572,899.40
Permissive Tax Fund	61,996.20			192,598.00	254,594.20
COVID 19 Fund	669,612.60			0.00	669,612.60
Sanitary Sewer	5,341,769.59			1,500,000.00	6,841,769.59
Total	17,771,602.55	566,945.15	89,487.69	7,231,198.00	25,659,233.39

Date August 7, 2023

Delaware County Budget Commission


George Kaitsa, Auditor


Melissa Schiffel, Prosecutor


Donald E. Rankey, Jr., Treasurer

**Certificate of County Auditor That the Total Appropriations from Each Fund
Do Not Exceed the Official Estimate of Resources**
Revised Code, Section 5705.39

County Auditor's Office, Delaware County, Ohio

Delaware, Ohio, August 7, 2023

To: Village of Sunbury
Delaware County, Ohio

I, George Kaitza, County Auditor of Delaware County, Ohio, do hereby certify that the total appropriations from each fund taken together with all other outstanding appropriations, do not exceed the Second Amended Certificate of Estimated Resources for the fiscal year beginning January 1, 2023, as determined by the Budget Commission of said County.

Total Appropriations	\$13,326,821.00
Total Resources	\$25,659,233.39


County Auditor, Delaware County, Ohio

RESOLUTION NO. 2023.25
A RESOLUTION APPROVING ADOPTION OF THE
2023 DELAWARE COUNTY MULTI-HAZARD MITIGATION PLAN

WHEREAS, pursuant to Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165), the Delaware County Office of Homeland Security and Emergency Management (DCOHSEM) has developed the *Delaware County 2023 Multi-Hazard Mitigation Plan* that includes hazards to which Delaware County and its municipalities are susceptible and outlines processes for identifying and addressing the natural hazards, risks, and vulnerabilities of Delaware County; and

WHEREAS, Delaware County has a history of experiencing damage from flooding, tornados, severe summer weather, severe winter weather, and other hazards resulting in loss of life, property loss, economic hardship, and threats to public health and safety; and

WHEREAS, the *Delaware County 2023 Multi-Hazard Mitigation Plan* has been developed after months of research and work done by DCOHSEM and representatives of various local governmental agencies and stakeholder organizations; and

WHEREAS, Delaware County and its municipalities (excluding those areas of the Cities of Columbus, Dublin and Westerville partially located within Delaware County) have been assessed for susceptibility to hazards; and

WHEREAS, adoption of a natural hazards mitigation plan is a condition of eligibility to receive federal mitigation funds available through the Federal Emergency Management Agency; and

WHEREAS, the *Delaware County 2023 Multi-Hazard Mitigation Plan* recommends numerous mitigation actions, developed in conjunction with local stakeholders and designed to protect the people and property affected by the natural hazards that face the aforementioned planning area; and

WHEREAS, the estimated potential losses that the aforementioned planning area could incur during a hazard event have been calculated;

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

SECTION I: Council hereby adopts and plans to implement the *Delaware County 2023 Multi-Hazard Mitigation Plan*.

SECTION II: It is found and determined that all formal actions of this Council concerning and related to the adoption of this Resolution 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.

WHEREFORE, pursuant to Section 4.07 of the Charter of the City of Sunbury, this Resolution shall be in effect immediately after its passage.

VOTE ON SUSPENSION OF THE RULES	YEAS	NAYS
	_____	_____
VOTE ON RESOLUTION 2023.25	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 Resolution passed at the meeting held on _____, 2023, of the City of Sunbury, County of Delaware, State of Ohio.

Amber Swain, Clerk of Council

OHIO AUDITOR OF STATE KEITH FABER



88 East Broad Street
Columbus, Ohio 43215
IPACorrespondence@ohioauditor.gov
(800) 282-0370

MEMORANDUM OF AGREEMENT

This agreement is entered into as of the 15th day of September, 2023, by and between Perry & Associates, CPAs, A.C. an independent public accountant (IPA), KEITH FABER, Auditor of State of Ohio (Auditor) and City of Sunbury, Delaware County (Public Office) WITNESSETH:

Whereas, the Auditor of State on 8/9/2023, issued a Request for Proposals for an engagement related to City of Sunbury, including any components and other requirements stated in the Request for Proposal, pursuant to Sections 117.11 and 117.115 Revised Code, for fiscal periods January 1, 2022 through December 31, 2027.

Whereas, IPA responded to the Request for Proposals with a formal proposal wherein they indicated their willingness to perform the engagement related to the Public Office in accordance with the items and conditions set forth in the Request for Proposals; and

Whereas, the Auditor of State, in consultation with the Public Office, has determined the IPA has submitted the proposal most advantageous to the Auditor and Public Office;

NOW, THEREFORE, IPA and Public Office do mutually agree as follows:

1. This Memorandum of Agreement, the Request for Proposals, the Proposal of the IPA and any written documents supplementing, amending, or incorporating the Request for Proposal, the Proposal of the IPA, and the Memorandum of Agreement constitute the integrated written agreement of the parties, to be known as the "Contract";
2. The IPA shall, in consideration of the payments specified in the Proposal, and subject to the requirements of the Contract, perform the specified engagement related to the Public Office;
3. Public Office will provide the IPA with such payments, services, and support as are specified in the Request for Proposals; and
4. The Auditor will provide the IPA with such services and support as are specified in the Request for Proposals; and
5. If applicable, pursuant to the agreement of the parties a subcontractor with respect to the Contract will be as stated below. Further, pursuant to the RFP Terms of Engagement and this Contract, the IPA shall be and remain solely responsible to the Public Office and Auditor for the acts the IPA performs or faults of any subcontractor and of any subcontractor's officers, agents or employees, who are deemed to be agents or employees of the IPA to the extent of the subcontract. Each subcontractor shall jointly and severally agree that neither the Public Office nor the Auditor is obligated to pay or to be liable for the payment of any sums due the subcontractor.

Subcontractor Name N/A

Address N/A

Number of Hours	Rate Per Hour	Total Subcontract
0	\$0.00	\$0.00

IN WITNESS WHEREOF, Auditor, Public Office and IPA have executed this agreement.

Legislative Authority or Designee for
City of Sunbury

Date



Jodey L. Altier
2023.09.18 09:10:47 -04'00'

September 18, 2023

Perry & Associates, CPAs, A.C.

Date

APPROVAL:

Compliance, Auditor of State
Office of KEITH FABER, Auditor of State of Ohio
In Accordance with Sections 117.11 & 117.115 Revised Code
(Not valid unless approved by AOS Representative)

Date

OHIO AUDITOR OF STATE
KEITH FABER



88 East Broad Street
Columbus, Ohio 43215
IPA_Correspondence@ohioauditor.gov
(800) 282-0370

Certification of Compliance with Procurement Requirements

This is to certify that, to the best of my knowledge and belief as the appropriate official of the

City of Sunbury, Delaware County, we have complied with all applicable
federal, state and local procurement requirements in the selection of the firm

Perry & Associates, CPAs, A.C. to perform the audit of the

City of Sunbury, Delaware County, which is the subject of the
accompanying contract.

City of Sunbury, Delaware County
Please type/print Name and Title:

Date