

1. Agenda 2019.09.04 REVISED

Documents:

[2019.09.04 AGENDA.PDF](#)

1.I. Ordinance 2019.01.1 First Amended

Documents:

[2019.01.1 APPROPRIATIONS FIRST AMENDED.PDF](#)

1.II. Ordinance 2019.02

Documents:

[2019.02 SUNBURY FARMS APPROVAL REZONING APPLICATION.PDF](#)

AGENDA OF BUSINESS  
REGULAR MEETING OF COUNCIL  
SUNBURY, OHIO  
September 4, 2019  
7:30 P.M.

SILENT PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL: Mr. Leonard Weatherby, Mr. Timothy Gose, Mr. Joe St. John, Mr. Martin Fisher, Mr. David Martin, Mr. Damin Cappel.

MINUTES:

August 21, 2019

VISITORS

**Jackie Haight** –  
Age Friendly Coordinator  
Source Point

COMMITTEE REPORTS:

POLICE REPORT:

ADMINISTRATOR'S REPORT:

ENGINEER'S REPORT:

**RESOLUTIONS:**

Third Readings

Second Readings

First Readings

**ORDINANCES:**

Third Readings

**Ordinance 2019.02 tabled.**

**AN ORDINANCE APPROVING THE RECOMMENDATION OF THE PLANNING & ZONING COMMISSION TO APPROVE THE APPLICATION OF NORTHGATE CONSTRUCTION SERVICES TO REZONE ±61.90 ACRES TO PLANNED RESIDENTIAL DISTRICT (PRD)**

Second Readings

**ORDINANCE NO. 2019.01 First Amended**

**AN ORDINANCE AMENDING THE 2019 ANNUAL APPROPRIATIONS AND DECLARING AN EMERGENCY**

First Readings

UNFINISHED BUSINESS:

NEW BUSINESS:

Purchase Order # 33194 Tidewater – liquid Polymer – WWTP. \$4,860.00

Purchase Order # 33210 – Squire Patton Boggs - \$12,096.80 – Legal services

ADJOURNMENT.

**ORDINANCE NO. 2019.01 First Amended**  
**AN ORDINANCE AMENDING THE 2019 ANNUAL APPROPRIATIONS AND**  
**DECLARING AN EMERGENCY.**

**WHEREAS**, Council for the Village of Sunbury has previously enacted an Ordinance setting annual appropriations for the year 2019; and

**WHEREAS**, Council now wishes to amend and increase the appropriation to the General Fund Transfer Out line item by \$9,000.

**WHEREAS**, Council now wishes to amend and increase the appropriation to the Park Fund by \$9,000.00.

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

**Section I.** **BE IT ORDAINED** by the Council of the Village of Sunbury, State of Ohio, and Herby authorizes;

Increase General Fund Transfer Out Line Appropriations by nine thousand dollars and no cents, (\$9,000.00).

Increase Park Fund – supply line item by nine thousand dollars and no cents, (\$9,000.00)

**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 Village 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 SUSPENSION OF THE RULES**

**YEAS**

**NAYS**

\_\_\_\_\_

\_\_\_\_\_

**VOTE ON THE EMERGENCY**

**YEAS**

**NAYS**

\_\_\_\_\_

\_\_\_\_\_

**VOTE ON ORDINANCE OF 2019.01  
FIRST AMENDED**

**YEAS**

**NAYS**

\_\_\_\_\_

\_\_\_\_\_

**PASSED: \_\_\_\_\_, 2019**

\_\_\_\_\_  
**Tommy Hatfield, Mayor**

**ATTEST:**

\_\_\_\_\_  
Kathy Belcher, Fiscal Officer

**CERTIFICATION**

I hereby certify on this \_\_\_\_ day of \_\_\_\_\_, 2019, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on \_\_\_\_\_, 2019, of the Village of Sunbury, County of Delaware, State of Ohio.

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Kathy Belcher, Fiscal Officer

**ORDINANCE NO. 2019.02**

**AN ORDINANCE APPROVING THE RECOMMENDATION OF THE PLANNING & ZONING COMMISSION TO APPROVE THE APPLICATION OF NORTHGATE CONSTRUCTION SERVICES TO REZONE ±61.90 ACRES TO PLANNED RESIDENTIAL DISTRICT (PRD)**

**WHEREAS**, Northgate Construction Services submitted an application for rezoning on August 7, 2018, of ±61.90 acres of a 75-acre tract located on the west side of S. Galena Road and bound on the west by I-71 and on the north by the Estates at Cheshire Subdivision (Meadow Chase Drive); and

**WHEREAS**, the Sunbury Planning & Zoning Commission conducted a public hearing on August 27, 2018, and in a subsequent zoning meeting on November 26, 2018, the Planning and Zoning Commission approved said rezoning to Planned Residential District, pursuant to the applicable provisions of the Village of Sunbury Zoning Code conditioned upon the following:

1. The applicant/property owner conveying 150' right-of-way easement for future road extension to the satisfaction of the Village Engineer and Village Solicitor.
2. Contingent on final legal and engineering approval.

**WHEREAS**, Council for the Village of Sunbury has determined that the proposed new development and the development plans and standards are consistent in all respects with the purpose and intent and applicable standards of the Village of Sunbury zoning ordinance and that the proposed development advances the general welfare of the Village of Sunbury; and

**WHEREAS**, Council for the Village of Sunbury now wishes to approve the recommendation of the Planning and Zoning Commission and approve the rezoning application.

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

**SECTION I:** The recommendation of the Sunbury Planning & Zoning Commission to approve the rezoning application of Northgate Construction Services of +61.90 acres to Planned Residential District (PRD) pursuant to the Village of Sunbury Zoning Code is hereby approved, conditioned upon the following:

1. The applicant/property owner conveying 150' right-of-way easement for future road extension to the satisfaction of the Village Engineer and Village Solicitor.
2. Final legal and engineering approval.

**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.



**WHEREFORE**, this Ordinance shall take effect at the earliest period allowed by law.

**VOTE ON ORDINANCE 2019-02**

**YEAS**

**NAYS**

\_\_\_\_\_

\_\_\_\_\_

**PASSED:** \_\_\_\_\_, **2019**

\_\_\_\_\_  
**Tommy Hatfield, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kathy Belcher, Fiscal Officer**

**CERTIFICATION**

I hereby certify on this \_\_\_ day of \_\_\_\_\_, 2019, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on \_\_\_\_\_, 2019, of the Village of Sunbury, County of Delaware, State of Ohio.

\_\_\_\_\_  
Fiscal Officer