

City of Sunbury Regular Council

Minutes

January 4, 2023

Mayor Joseph St. John opened the Sunbury City Council meeting at 7:30 p.m., January 4, 2023, with a moment of silent prayer and the Pledge of Allegiance.

Those answering roll call: Tim Gose, John Grumney, Cindi Cooper, Joseph St. John, Damin Cappel, Dave Martin, and Murray Neff. Other staff in attendance were Assistant Law Director Vic Whitney, Administrator Steve Pyles, Clerk of Council Amber Swain, and Engineer Wes Hall.

Public Hearing – Kintner Crossing – Rezoning Application

Mr. Whitney gave instructions on the format for the public hearing. He told speakers that they will be sworn in by the court reporter. He asked speakers to begin by stating their first and last name and their street address before beginning their remarks. Speaker remarks will be limited to three minutes. Only one person will be allowed to speak at a time to enable the court reporter to record an accurate record of the proceedings.

Sara Clark, the Court reporter asked everyone speaking at the public hearing to stand and be sworn in.

Mr. Whitney submitted exhibits for the record. Exhibit A was introduced as the application. Exhibit B was entered as the website publication for the hearing. Exhibit C was entered as a 9-page document for proof of mailing.

Gary Smith, 720 East Broad St. Columbus, Ohio, spoke on behalf of the applicant. He went through the conceptual plan for Kintner Crossing including the site location and existing zoning classification. He reviewed plans for the construction of townhomes and single-family patio homes. Mr. Smith reviewed recent updates that have been made to the plans, including the number of units, changes to the road alignment to help preserve the trees and give a little curve to the road, a dual function park that included walking paths, and a community garden. He finished by reviewing the phasing plan, access streets, and a tree survey for the project.

Mr. Hall stated he had no comments at this time but will do a final check on the development text before the next Council meeting.

Gayle Jameson, a resident of the area for 35 years, brought her concerns before Council. She also voiced concerns about the waterway behind her home and potential flooding, the number of new houses proposed for construction in Sunbury, and traffic congestion. Finally, she expressed safety concerns about the spacing between the housing units and asked if rules could be placed to forbid future property owners from renting out their units.

Barry Bennett also provided comments about the traffic congestion.

Mayor St. John motioned to close the public hearing. The motion was seconded by **Mr. Gose** and approved with 7 Yeas.

State of the City – Mayor St. John

Mayor St. John presented his annual State of the City remarks. A full copy of the text has been included online in the Council packet for others to read.

City of Sunbury Regular Council

Minutes

January 4, 2023

MINUTES

Motion by Cooper and seconded by Cappel to approve the December 21, 2022, meeting minutes. Upon roll, 7 Yeas.

VISITORS

Paul Hollar spoke to the Council regarding Resolution 2023.01, the addition of property to the Sunbury Meadows NCA. He was seeking clarification on the resolution and the roles of the City and County in the approval process.

COMMITTEE REPORTS

Mr. Gose gave an update on the recent Parks and Recreation Committee meeting, including the status of planning for improvements to select parks. He also provided a brief update on the recent Fire Board meeting.

Mr. Cappel gave an update on the Services Committee meeting, including the status of design plans for the wastewater treatment plant expansion, the potential purchase of a vacuum truck, and next steps for establishing a stormwater utility.

ADMINISTRATOR'S REPORT

Sunbury, Ohio

Memo

To: Mayor, Council
From: Steve Pyles
cc:
Date: 1/4/23
Re: Administrator's Report

Personnel and Staffing

- We have tendered a conditional offer of employment to Alex Blankenship for the position of Zoning Officer and Planning Assistant. Alex has a BA from The Ohio State University in City and Regional Planning and has some professional experience working for Village Connections, a non-profit in Columbus via the VISTA program. His tentative start date is 1/17/23. I anticipate a good investment of my time in training and getting records at the Lion's Building organized.

Planning and Zoning

City of Sunbury Regular Council

Minutes

January 4, 2023

- Housing slowed during the holidays with one new Zoning Certificate issued. At the next meeting, I will have statistics for 2022, it was a record year.
- Continuing to work on zoning complaints. I was able to work with a business regarding screening, and they have completed re-installing a fence to screen building materials at a highly visible lot on the edge of the downtown area.
- Continued work on resident complaints regarding a business violating the zoning code.

Odds and Ends

- Researching a discrepancy discovered on an existing lot line on a plot plan and a new build submission, it has been resolved.
- Met with a person who purchases and dismantles historic structures in the hope he would be interested in a complete dismantle of the two properties on S. Columbus. He is interested in salvage but says the economics to fully dismantle the properties for reuse is not feasible.
- Daryl, Dan Whited from CT, and I met with Delaware County Soil and Water to discuss the storm water utility study and also on MS-4, which is our storm water compliance program. They are supportive of the idea and currently serve as the storm water utility for unincorporated areas of Delaware County via a drainage assessment on every property.

Adding the following two departments to my report to provide further information.

Streets

- Weekend trash services of public containers at town square, Freedom, and GRE parks.
- Leaf pickup has ended successfully.
- Christmas decorations are being taken down this week.
- We had our fleet fully up earlier this week but had one of the Western Star big trucks illuminate a check engine light. There is a diesel pollution control system on these trucks that is reliant upon a regeneration process that requires longer highway speed driving, which we will be doing.
- The Christmas weekend storm was a challenge, especially the temperature impacts upon salt effectiveness and the wind. The timing with people wanting to use the streets the day before Christmas was also challenging, even when a Level III Snow Emergency was declared. The crew had an exceptionally long effort Thursday into Friday afternoon when rest was needed. They were back at it after the rest. In hindsight resident cooperation with no parking on the street was sporadic and the next storm that is close to meeting our criteria for a snow ban it will be declared to clear the streets and help with our response.

Wastewater

- New employee is getting trained.
- Meeting with CT every two weeks on Friday to discuss plant upgrades and for them to see how the plant is currently operating. This is being done to refine plans.
- Daily operations of the plant, which includes sampling, adjusting processes based upon results, pressing sludge, sewer inspections of new taps.
- Periodic maintenance including lubrication, cleaning clarifiers, and maintaining equipment.

City of Sunbury Regular Council

Minutes

January 4, 2023

- A demonstration of a sewer maintenance truck is scheduled for the first full week in December. We are seeking comparable trucks for pricing.
- The winter storm was also demanding upon the department because of the extreme temperatures. This requires breaking ice in tanks and spot application of heaters. The Kintner lift station has some freezing issues but was dethawed without damage or interruption of services.

ENGINEER’S REPORT

Engineering Status Report

Prepared By: Wes Hall, P.E.

Date: January 4, 2023

Project Description	Current Phase / Updates
CITY PROJECTS	
<p><u>Fallen Heroes Multi-Use Trails</u></p> <p><u>Phase 3 (to southern property line of Old Orchard Park)</u> This project extends the existing Fallen Heroes Multi-Use Trail for the terminus of Phase 2 to the southern property line of Old Orchard Park (which is the northern property line of Sunbury Meadows). This MUT segment is approximately 610 feet long. The MUT will be an asphalt trail, 10 feet wide. Sunbury has received a grant in the amount of \$50,568.50 from the County Commissioners, through their Trail Assistance Program. This amount is one-half of the estimated cost to construct the MUT.</p> <p><u>Phase 4 (from Old Orchard Park to Sunbury Meadows Drive)</u> This project extends the existing Fallen Heroes Multi-Use Trail for the terminus of Phase 3 to Sunbury Meadows Drive. This MUT segment is approximately 550 feet long. The MUT will be an asphalt trail, 10 feet wide. Sunbury has received a grant in the amount of \$40,000 from Preservation Parks of Delaware County, through its Community Trail Improvement Grant (CTIG) Program.</p>	<p><u>Design Phase</u></p> <p>Bid were received for Phase 3. A contract was awarded to the Facemyer Company.</p> <p>Phase 4 is on hold.</p>
<p><u>Reservoirs Park Fishing Piers and Parking Lot Improvements</u></p> <p>The project includes the design of a small gravel parking lot off Sedgwick Avenue, with hard-surface pavement for ADA parking spaces, 620 feet of concrete sidewalk (5-foot wide) from the parking area to top of reservoir levees, to meet with the existing asphalt walking trail, a fishing pier, and ancillary items such as, but not limited to, fence gates, trail signage, trailside benches, lifebuoy rings, dog waste stations, and drainage infrastructure. Sunbury was offered, and accepted, a grant in the amount of approximately \$41,000 from ODNR’s NatureWorks Grant Program.</p>	<p><u>Design Phase</u></p> <p>Conceptual plan has been finalized. Construction documents are being prepared.</p>

City of Sunbury Regular Council

Minutes

January 4, 2023

Project Description	Current Phase / Updates
<p><u>Dept. of Public Safety (DPS) Hazardous Mitigation Grant Program (HMGP) - Round 2 - Pre-Application</u> CT is preparing a pre-application for Round 2 of the DPS HMGP. The pre-application is due on 3/24/2022 Sunbury will submit a request for a grant to assist in the engineering study of Prairie Run to identify possible solutions to mitigate flooding along the creek within the City. The results of this study will inform future decisions and actions of the City in completing projects designed to mitigate the observed flooding.</p>	<p><u>Planning Phase</u> FEMA questions are being addressed and information requested is being prepared.</p>
<p><u>Wastewater Treatment Plant Facilities Plan Update</u> Submitted FP Update to Ohio EPA for review and approval. Waiting for comments. We were advised, informally, that the first reviewer for Ohio EPA had no comments on the FP Update. We are working to get something formal from Ohio EPA acknowledging their acceptance of the update or additional comments from additional reviewers so that we can finalize the Update. A presentation summarizing the findings, conclusions and recommendations of the Facilities Plan Update was made to the Services Committee at its meeting on 2/2/2022.</p>	<p><u>Planning Phase</u> EPA comments were received and are being addressed.</p>
<p><u>Wastewater Treatment Plant Improvements</u> Submitted plans to Ohio EPA (for PTI). Comments were received from Ohio EPA and have been addressed. Ohio EPA Permit to Install was issued. Project is being expanded to include additional improvements to increase plant capacity.</p>	<p><u>Design Phase</u> Design is progressing.</p>
PRIVATE DEVELOPMENT PROJECTS	
<p><u>Ravines at Meadow Ridge (DRK Apartments)</u> Metro Development (DRK) submitted an application to rezone 67.1 acres of land between Africa Road and 3 B's & K Road, on the south side of 36/37, to Planned Residence District (PRD) and to rezone 2.0 acres of land on the east side of 3 B's & K Road, on the south side of 36/37, to Planned Commercial District (PCD). Metro Development proposes to construct 744 apartments, with ancillary supporting facilities, within the PRD.</p>	<p><u>Design Phase</u> Construction drawings are being prepared.</p>
<p><u>Granville Street Multi-Family Development</u> New multi-family and commercial development south of Granville Street on each side of Sunbury Meadows Drive. Council has approved the rezoning.</p>	<p><u>Planning Phase</u> Council approved the rezoning.</p>
<p><u>Magnolia Park</u> New single-family subdivision located east of the Middle School.</p>	<p><u>Construction Phase</u> Pre-construction activities and final comments are being completed.</p>

City of Sunbury Regular Council

Minutes

January 4, 2023

Project Description	Current Phase / Updates
<p><u>Rolling Hills Subdivision</u> New single family, planned residential subdivision located on Golf Course Road. The Final Plat for Section 1 was approved by Council on 2/2/2022.</p>	<p><u>Construction Phase</u> Construction is progressing. Section 3A Plat was approved by Council.</p>
<p><u>Little Walnut Creek Interceptor Sewer</u> 36" interceptor sewer from the Sunbury Meadows Pump Station to the intersection of Golf Course Road and Cheshire Road.</p>	<p><u>Construction Phase</u> Final punch list has been completed.</p>
<p><u>Price Ponds Subdivision</u> New single family planned residential subdivision located on Golf Course Road. Final Plat for Section 1 was approved with contingencies by Council on 7/6/22.</p>	<p><u>Construction Phase</u> Construction is progressing for Section 1.</p>
<p><u>Eagle Creek Subdivision</u> New single family, planned residential subdivision located on 3B's&K Road. The preliminary plat / plan was conditionally approved at the 8/22/2022. Planning Commission Meeting.</p>	<p><u>Planning Phase</u> Construction drawings are being reviewed.</p>
<p><u>Kintner Crossing</u> New small lot single family and town home development north of Cheshire Road and west of West Cherry Street. The development consists of 81 small lot single family and 107 town homes on a 39.9 acre site.</p>	<p><u>Planning Phase</u> Council approved the rezoning.</p>
<p><u>Eagle Storage - 601 West Cherry Street</u> Addition of four new storage buildings on the property. Council approved the building and site improvements with contingencies.</p>	<p><u>Planning Phase</u> The final construction drawings are being prepared.</p>

RESIDENTIAL PLOT PLAN REVIEWS

The following residential plot plans were reviewed since the previous report:

Residential Reviews Completed:

- N/A

Residential Reviews Received and still under review:

City of Sunbury Regular Council

Minutes

January 4, 2023

RIGHT-OF-WAY PERMITS

The following R/W Permits Completed and/or under review:

RESOLUTIONS

First Readings

RESOLUTION NO. 2023.01

RESOLUTION DETERMINING SUFFICIENCY OF THE APPLICATION TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE SUNBURY MEADOWS COMMUNITY DEVELOPMENT AUTHORITY AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE SUNBURY MEADOWS COMMUNITY DEVELOPMENT AUTHORITY AS A NEW COMMUNITY AUTHORITY AND SETTING A DATE FOR A PUBLIC HEARING UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

Motion was made by **St. John** to suspend the rules, seconded by **Gose**, passed 7-0.
Motion was made by **St. John** and seconded by **Gose** on the resolution, passed 7-0.

ORDINANCES

Third Readings

ORDINANCE 2022.50

AN ORDINANCE APPROVING THE COMMERCIAL AND INDUSTRIAL SITE PLAN AND BUILDING APPLICATION OF CUTLER PROPERTIES LTD FOR CONSTRUCTION OF STORAGE BUILDINGS TO BE LOCATED AT 601 W CHERRY ST.

After the third reading, **St. John** moved to table the ordinance at the request of the applicant. The motion to table was seconded by **Cappel**, approved 7-0.

First Readings

ORDINANCE NO. 2023.02

AN ORDINANCE APPROVING THE APPLICATION OF RANDY LOEBIG ON BEHALF OF HIGHLAND REAL ESTATE TO REZONE APPROXIMATELY 39.9+/- ACRES OF PROPERTY OWNED BY KIRK'S CREEK INVESTMENT LLC LOCATED

City of Sunbury Regular Council

Minutes

January 4, 2023

SOUTH OF U.S. 36/SR 37 AND NORTH OF CHESHIRE ROAD FROM R-2 LOW DENSITY RESIDENTIAL DISTRICT AND R-4 MULTI-FAMILY DISTRICT TO PLANNED RESIDENCE DISTRICT PURSUANT TO THE CITY OF SUNBURY ZONING CODE.

Mayor St. John commented on this ordinance, specifically the mix of zoning on the parcels that currently exist and the 8 to 10 year build out plan for the proposed housing units. He asked the applicant to clarify the construction of the access road, originally proposed as an emergency access road, and raised concerns about the pass-through potential of the road and skepticism that the bow in the proposed alignment will be enough to calm traffic. Mr. Smith responded to the mayor's comments and said the applicant will continue to consider options for traffic calming. Mrs. Cooper asked about plans for addressing trash pickup. Mr. Smith responded that individual homeowners will be responsible for contracting for services.

NEW / UNFINISHED BUSINESS

Motion by **Martin**, seconded **Gose** by to approve the Sunbury Rules of Council for 2023. Mrs. Cooper advised the rules were changed to make the wording more gender neutral. Upon roll, 7 Yeas.

Motion by **Grumney**, seconded by **Cappel**, to ratify the new employee health insurance rates based on final underwriting. Upon roll, 7 Yeas.

Motion by **Gose**, seconded by **Grumney** to approve a contract with Management Advisory Group, LLC for space planning services. Upon roll, 7 Yeas.

Motion by **Gose** seconded by **Cappel**, to authorize the city administrator to send a letter of interest to ODOT for a Sunbury outpost. Upon roll, 7 Yeas.

Motion by **St. John** seconded **Martin** to approve an update to bank account access at First Commonwealth Bank. Upon roll, 7 Yeas.

Special Event Permit and Block Party Policies – Information

Mrs. Cooper asked Council to read over the proposed policies in the next two weeks. Council consideration will be scheduled for the next meeting.

Mr. Gose went over the change in Committee assignments. Mrs. Cooper moved from Parks to Services, Mr. Grumney moved from Services to Parks, and Mr. Martin replaced Mayor St. John on Events.

Mr. Grumney commented that his first year of service on Council has been a fulfilling experience.

Mr. Neff wanted to draw some attention to the citizen recognition program that kicked off at the first of the year.

ADJOURNMENT

Motion to adjourn by St. John and seconded by Gose. Upon roll 7 Yeas.

City of Sunbury Regular Council

Minutes

January 4, 2023

Joseph St. John, Mayor

Amber Swain, Clerk of Council