

## Village of Sunbury Regular Council

### Minutes

July 7, 2021

Mayor Joseph St. John opened the Sunbury Village Council meeting at 7:30 p.m., July 7, 2021, with a moment of silent prayer and the Pledge of Allegiance.

Those answering roll call: Joseph St. John, David Martin, Greg Elliott, Cindi Cooper, and Tim Gose, Damin Cappel and Martin Fisher. Also, in attendance were Solicitor David Brehm, Engineer David Parkinson, Administrator Allen Rothermel, Police Chief Robert Howard, Steve Pyles and Fiscal Officer Kathy Belcher.

Motion by **Elliott** and seconded by **Cooper** to approve June 16, 2021, minutes. Upon Roll 7 yeas.

#### **VISITORS**

#### **COMMITTEE REPORTS:**

##### **Cappel**

- School Board – Meeting. He gave a brief update on the staggered starts for the upcoming school year.
- No virtual classes are being planned at this time.
- There is a potential for a new operating levy to be on the ballot this fall.

##### **Gose**

- Park's meeting was prior to the Council Meeting.
- Tree maintenance around the square was discussed.
- Rosecrans minor vandalism was discussed with possible solutions including solar powered motion detectors.
- Volunteer project list was discussed with Cindi Cooper heading this project.
- Silas Bowers was a visitor representing the Big Walnut Youth Sports Organization giving an update on groups within the organization.

#### **POLICE REPORT:**

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# Council Report

## July 07, 2021

**Training:** Bob Spring who is our departments training officer will be returning to active status at the beginning of August. We are getting the training organized that we were asked about by council and have 2 dates to choose from. We can do Wednesday August 11<sup>th</sup> or Wednesday the 18<sup>th</sup> and the training will take roughly 3 hours. The scenarios we are planning will be vehicle stops and building searches. Just let me know what date works best for everyone so we can plan accordingly.

**Events on the 4th:** The parade and fireworks were very crowded this year and I think everyone involved had a great time. For as many people as we had attend, we had very few incidents to deal with. During the parade we had a couple parking issues and no other incidents were reported. During the fireworks we had a couple calls dealing with underage drinking as well as a reported reckless driver that resulted in an arrest. We had extra Officers scheduled for both events and everything went as well as it could have. I would like to just say thanks to all involved planning the parade and fireworks for a well-planned day of events.

**Speed Complaints on East Granville:** We placed a speed signs on East Granville Street to collect traffic data on vehicles entering the corporation limits on State Route 37 at Walnut Street. North bound 37 at Walnut Street there were **7496** vehicles counted. Out of those **7496** vehicles **1813** of them were traveling **over 35MPH but under 40MPH** and **438** vehicles were **above 40MPH but under 45MPH**. (**106 vehicles were traveling 10MPH or more over the posted 35MPH speed limit**) These numbers seem to be high but keep in mind the speeds we are seeing are being picked up by the speed sign right at or just before entering the Corporations 35MPH sign. **5139 vehicles were traveling 35MPH or less when entering the corporation.**

We now have the speed sign set up near East Granville and Arbor Drive south bound to get a count on vehicles as well as an average of speed violations on vehicles leaving the Village. This data will be pulled in 7 days, and I will have the information available at our next council meeting.

**Just a reminder that we are planning our Village auction on July 28<sup>th</sup>, 2021 at 5:00 or 5:30pm (time not yet determined)**

**Calls for service:**

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For the month of **June 2021**, we had **445** calls for service (In June of 2020 we had 231 calls for service)

**Court (Traffic):**

Mayors Court: **24** Defendants with a total of **27** charges

Municipal Court: **2** Defendant with a total of **4** charge

**Criminal charges:** **4** Defendants with a total of **4** charges

Traffic stops for **June** were **94** (June of 2020 were 26 traffic stops)

Total Defendants cited were **26**

Roughly **72% (72.34%)** of the vehicles stopped were issued either **written or verbal warnings** for their infractions.

**Impounds:**

The Police Department impounded **3** vehicles in the month of June.

**Questions?**

**Robert Howard**

**Chief of Police**

Training sessions with Council dates were discussed being perhaps August 11, 18 or 25.

The Chief gave a brief update on the recent thefts in the neighborhoods.

**ADMINISTRATOR'S REPORT:**

**ADMINISTRATOR'S REPORT**

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**July 7, 2021, Edition**

**1). Personnel Update** 1). The Administrator has been directed to prepare an offer letter to an Administrative Clerk candidate following a second set of interviews with three (3) candidates.  
2). We have reached agreement with one candidate to work at the WWTP as FT Operator. Michael Cossin from Marengo will start at the WWTP, FT on Monday July 12, 2021.

**2). Notice from Census Bureau**—We received materials (attached) from Chad Stover, Delaware County Census office, with respect to Field position opportunities in Delaware County. There is no update on when the Census results will be certified by the federal government.

**3). Bucket Truck Update-** Brad and Kathy are working hard to get the new bucket truck to the Village. Our best estimate is it will be here by the end of next week. At that time there are numerous streetlight repairs in the queue which staff can start on. All necessary supplies and replacement parts are on hand in anticipation of the lift truck's arrival.

**Respectfully submitted by Allen Rothermel**

**ENGINEER'S REPORT:****Engineering Status Report**

Prepared By: David R. Parkinson, P.E.


Date: July 6, 2021

Project Description	Updates
<b>VILLAGE PROJECTS</b>	
<p><b><u>Fallen Heroes Multi-Use Trail, Phase 2 (to and partially through Old Orchard Park)</u></b></p> <p>This project extends the existing Fallen Heroes Multi-Use Trail (Phase 1, shown below in yellow) from Granville Street to a point about half-way through the Old Orchard Park (shown below in red). This MUT segment is</p>	<p>Survey is being scheduled; weather dependent.</p> <p>Survey has been completed. Design</p>

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Project Description	Updates
<p>approximately 720 feet long and includes an at-grade crossing of W. Granville Street utilizing a solar-powered rectangular rapid flashing beacon (RRFB) with signs. The MUT will be an asphalt trail, 10 feet wide. Sunbury will receive two (2) grants for this project, one from Preservation Parks of Delaware County and one from Delaware County, totaling approximately \$119,000 +/- (the PPDC grant has been awarded by the Board; Delaware County will officially approve our grant in January, 2021). Estimated cost (design, bid, construct, inspect) is \$155,000 +/- . The grants represent over 75% of the anticipated costs.</p>  <p style="text-align: center;">Fallen Heroes Multi-Use Trail - Phase 2 (Note: Phase 2 shown in Red)</p>	<p>has been finalized and bid documents are being prepared.</p> <p>We anticipate advertising the project in late June and opening bids in mid-July.</p> <p><b>Project is out for bid. Bid opening is 7.8.21. We will present the bids to Council on 7.21.21, with a request to award the contract.</b></p> <p><b>The Engineer's Opinion of Probable Construction Cost is \$124,000.</b></p> <p><b>Contract documents stipulate completion by 10.31.21.</b></p>

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<p><b><u>Facilities Plan Update for WWTP</u></b></p> <p>This project provides for the preparation and submittal to Ohio EPA of a Facilities Plan Update for the Wastewater Treatment. The facilities plan will evaluate alternatives for providing wastewater treatment plant capacity 20 years into the future.</p>	<p><b>Work continues.</b></p>
<p><b><u>2021 WWTP Improvements</u></b></p> <p>This project provides for the design and bidding for improvements to the wastewater treatment plant to enhance efficiency and reliability. Improvements will include additional biosolids drying/storage beds, additional canopy area for the biosolids drying/storage beds, improvements to the sludge transfer pumping system, and miscellaneous electrical and site improvements.</p>	<p><b>Work continues.</b></p>
<p><b><u>Ohio EPA WPCLF Loan Applications</u></b></p> <p>As authorized by Council, we are preparing two loan applications for the OEPA WPCLF program. We are preparing a loan application for \$100,000 for the Facilities Plan Update and another application for \$225,000 for design of the 2021 WWTP Improvements Project.</p>	<p><b>Requested information has been submitted to OEPA. OEPA is working to have the application approved by OWDA at its July 22, 2021, meeting. If successful and if approved by OWDA, loan should be closed in early August.</b></p>
<p><b><u>2021 Street Program</u></b></p> <p>The streets to be improved as part of the 2021 Street Program include:</p> <ul style="list-style-type: none"> <li>• Fairview Drive,</li> <li>• Harrison Street, N. Columbus to N. Morning and Otis to High</li> <li>• Hartford Road, High to bridge</li> </ul>	<p><b>Four bids were received on June 29, 2021, ranging from a low bid of \$536,949.75 (from Columbus Asphalt</b></p>

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<ul style="list-style-type: none"> <li>• Hawthorne Road (Granville to Hawthorne Courts),</li> <li>• N. Vernon Street,</li> <li>• Stelzer Court, Kintner to end (does not include driveway to impound lot)</li> <li>• Walnut Street, Hartford to barrier</li> <li>• North Street, N. Columbus to N. Vernon, and</li> <li>• Miscellaneous spot repairs of brick streets and other areas, as determined in concert with Sunbury.</li> </ul> <p>The estimated construction cost is \$590,000.</p>	<p><b>Paving) to a high bid of \$555,536.36. The Engineer's Opinion of Probable Construction Cost is \$598,000. We will present the bids to Council on 7.7.21, with a request to award the contract.</b></p>
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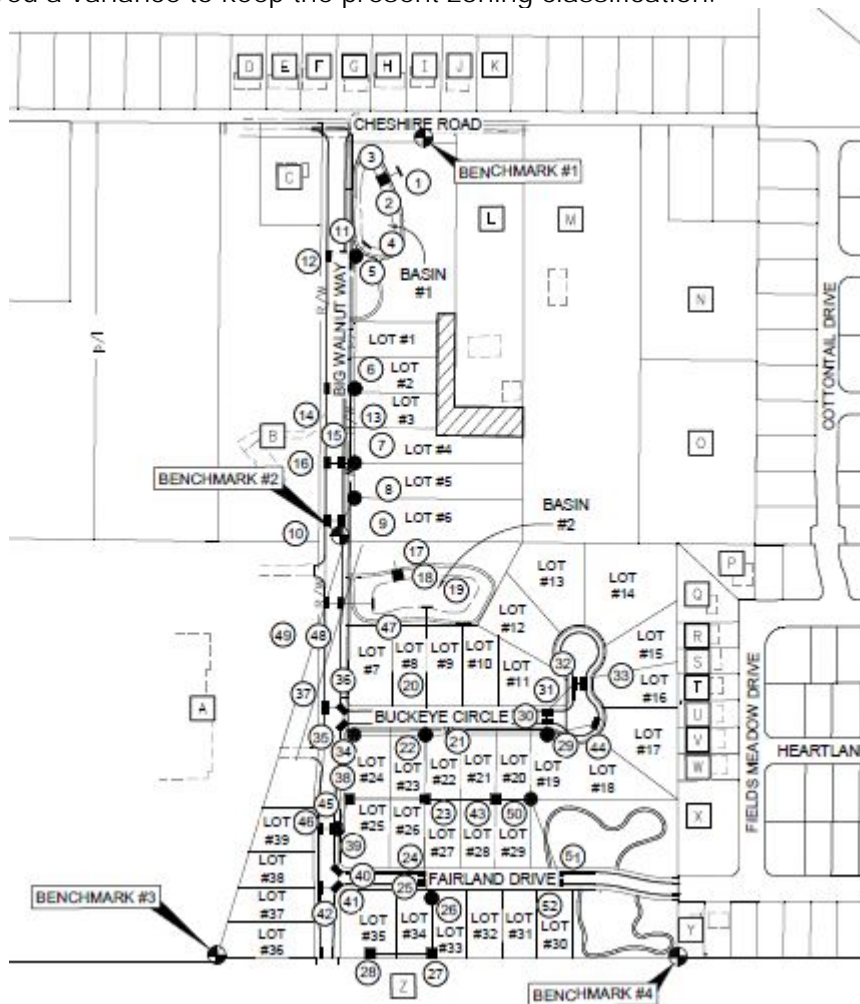
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**PRIVATE DEVELOPMENT PROJECTS**

**Magnolia Park (Formerly Orchid Park)**

The proposed single-family subdivision contains 39 lots on 25.95 acres to the east of Big Walnut Middle School, south of Cheshire Road. The subdivision will connect to Cheshire Road, Fairland Drive, and the future development to the south on the Price property. The property is zoned R2 and the Developer has received a variance to keep the present zoning classification.



Magnolia Park Overall Plan from Street, Storm and Water Plans

Revised plans were submitted and have been reviewed. Comments have been forwarded (except for review of Stormwater; expected to be completed this week).

The Sanitary Sewer Plan, the Stormwater Management Plan, and the Street Lighting Plan have been approved. There are issues with the proposed phasing, pedestrian access to the school, and the number of trees that are being proposed that need to be resolved/addressed before the street plans can be approved. These matters were presented to the Developer previously and have not been addressed.

Revised plans have been submitted and are under review. We anticipate submitting to Council for approval at its meeting scheduled for July 7, 2021.

**P&Z Commission**

The Developer has proposed to sequence the construction. Phase 1 will be the



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6 lots along the east side of the entrance drive. With Phase 1, the developer will build the entrance drive from Cheshire Rd to the south side of the north entrance to the school. Phase 2 will be the section along Fairland Dr and will include the extension of the entrance road to the south property line.

**approved amendments to the previously approved Development Agreement (DA). Council will be asked to approve the amendments to the DA on 7.7.21. If approved, Council will then be asked to approve the construction plans for the development at the same meeting.**

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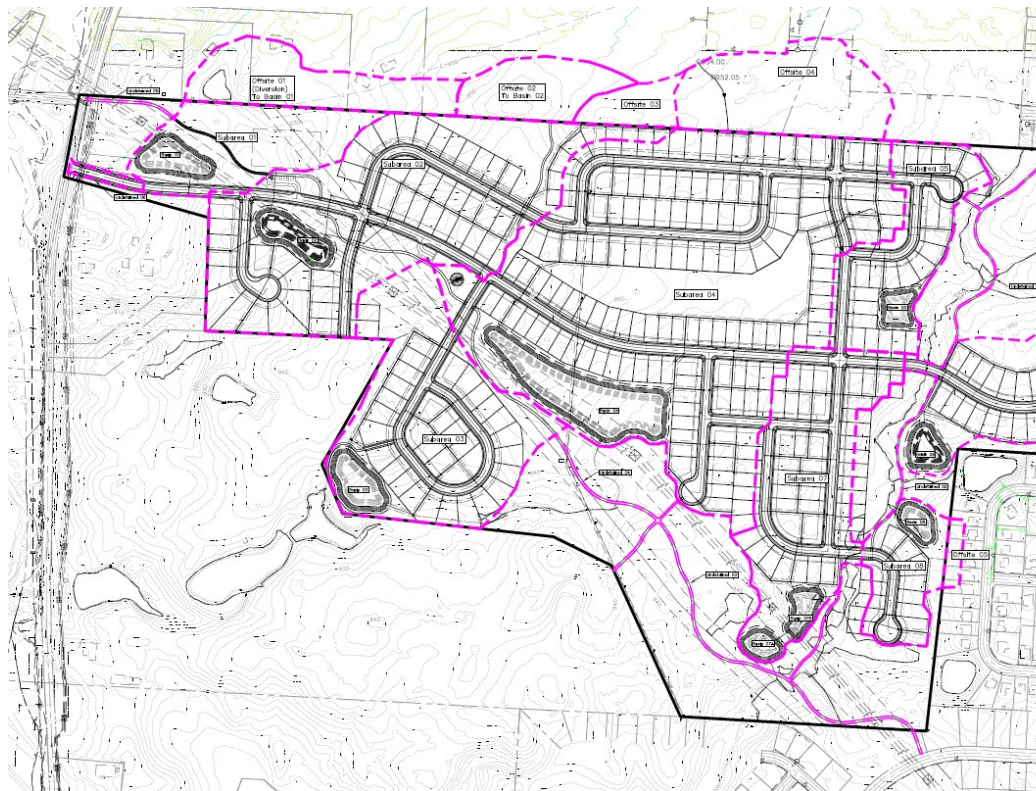
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**Price Farms**

This 336-unit PRD development is proposed for 184 acres east of Golf Course Road, immediately south of the Middle School (and the proposed Magnolia Park subdivision) and north and east of the proposed Rolling Hills subdivision. The property was zoned PRD on July 15, 2020, under Ordinance No. 2020.23.

The Preliminary Plat was approved by the Planning and Zoning Commission at its May 24, 2021, meeting.



(The above figure is taken from the Stormwater Management Plan)

**Additional information submitted per contingencies; currently under review.**

**No updates.**

**PROJECTS PENDING**

- Fourwinds Drive Phase 1

**PROJECTS CURRENTLY ON-HOLD / INACTIVE / IN-DISCUSSION**

- Granville Street Multi-Family Development - Informal presentation was made by the applicant to the P&Z Commission on April 26. This will be moved to active projects shortly.
- Eagle Creek - Informal presentation was made by the applicant to the P&Z Commission on April 26. This was previously referred to as the Rogers' properties. This will be moved to active

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projects shortly.

- Omnico is in the process of expanding; working on their plans/application.
- Zoning Code Updates - Draft revisions distributed by CT to the Sub-Committee on 1.31.21 for discussion purposes. A special meeting of the P&Z Commission is anticipated for July 13, 2021, for the sole purpose of discussing the proposed revisions/amendments.

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**PROJECTS UNDER CONSTRUCTION**

Big Walnut Schools	Progress continues. High School is on schedule for opening in January 2022. Working with contractor on finishing Kintner Pkwy extension (work on the south side of the roadway - ditch cut but area not seeded/mulched). Additional driveway to the stadium was approved by Sunbury. Working on securing the roadway easements from the Schools.
Sunbury Meadows Section 16	Construction has progressed well; mostly completed. May be a need for a variance for one of the lots; if so, application will be submitted to P&Z.
Miller's Cove	Substantially completed - no update this report.
Car Wash USA	Project is under construction. Earthwork and underground utilities have been completed. No update this report.
116 N. Miller Drive Office Building	Construction has commenced. No update this report.
Newman Roofing	No update this report.
Rolling Hills Subdivision, Phase 1	Project has begun construction. Grading and underground utilities are underway.
Little Walnut Creek Interceptor Sewer, Phase 1	Construction continues.
W. Cherry Street Right Turn Lane at Miller Drive	Substantial completion has been achieved and the project is open for use.
Reservoirs Project	Construction to be completed this summer/fall.

**RESIDENTIAL PLOT PLAN REVIEWS**

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

Residential Reviews Completed:

- None

Residential Reviews Received and still under review:

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- 388 Miller's Cove Court (lot 4)
- 380 Miller's Cove Court (lot 5)
- 372 Miller's Cove Court (lot 6)
- 364 Miller's Cove Court (lot 7)

**RIGHT-OF-WAY PERMIT**

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

- 5 recently submitted Applications are under review; waiting for additional required documentation from the applicant.

**RESOLUTIONS:**

**Third Readings**

**Second Readings**

**RESOLUTION 2021.10**

**A RESOLUTION AUTHORIZING THE VILLAGE DIRECTOR OF FINANCE TO EXPEND FUNDS FROM POLICE IMPACT FEES TO PURCHASE PATROL RIFLES AND DECLARING AN EMERGENCY (SECOND READING)**

**First Readings**

**ORDINANCES:**

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**Third Readings**

**ORDINANCE 2021.26**

**AN ORDINANCE TO ESTABLISH REVISED FLOOD PREVENTION REGULATIONS AND TO REPEAL ANY CONFLICTING ORDINANCES**

Motion was made by **Martin** and seconded by **Fisher** on the Ordinance Passed 7-0

**Second Readings**

**ORDINANCE NO. 2021.27**

**AN ORDINANCE AUTHORIZING THE SALE OF UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY AT PUBLIC AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15 AND DECLARING AN EMERGENCY (second reading)**

**First Readings**

**ORDINANCE 2021.30**

**AN ORDINANCE APPROVING THE EXECUTION OF AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH CIVENCO LLC FOR A PROJECT KNOWN AS MAGNOLIA PARK AND DECLARING AN EMERGENCY.**

**Parkinson**

- Spoke to the amendment clarifying the reason for phase one to come in from Fairland Drive, this will open more lots initially. The second part is the landscape plan regarding the planting of the 250 trees, since the original development plan, there is no longer adequate room for the agreed upon number of trees and this amendment will modify the number to 100 trees. Planning and zoning commission has agreed with the proposed changes. **Brehm** also voiced his approval of the amendment, also pointing out how the two phases will now also have connectivity, which had been a concern with BST&G.

**Andrew Gardner/Faour Alfour**

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- Developer representatives answered questions from Council, **Gose** asked about the build out plans. Faour Alfour replied that the road portion would be two years and the home build plan would be predicated by the market, currently planning on four years.

Motion was made by **Martin** to suspend the rules seconded by **Gose** Passed 7-0.

Motion was made by **Martin** and seconded by **Gose** on the emergency Passed 7-0.

Motion was made by **Martin** and seconded by **Gose** on the Ordinance Passed 7-0

**ORDINANCE 2021.31**

**AN ORDINANCE APPROVING THE CONSTRUCTION IMPROVEMENT PLAN SETS FOR STREET, STORM, STREET LIGHTING, WATER, AND SANITARY SEWER IMPROVEMENTS FOR MAGNOLIA PARK SUBDIVISION AND DECLARING AN EMERGENCY**

Motion was made by **St. John** to suspend the rules seconded by **Cappel** Passed 7-0.

Motion was made by **St. John** and seconded by **Cappel** on the emergency Passed 7-0.

Motion was made by **St. John** and seconded by **Cappel** on the Ordinance Passed 7-0

**ORDINANCE NO. 2021.32**

**AN ORDINANCE AWARDDING THE CONTRACT FOR THE 2021 VILLAGE STREET IMPROVEMENTS TO COLUMBUS ASPHALT PAVING AND DECLARING AN EMERGENCY**

Motion was made by **Cappel** to suspend the rules seconded by **Elliott** Passed 7-0.

Motion was made by **Cappel** and seconded by **Elliott** on the emergency Passed 7-0.

Motion was made by **Cappel** and seconded by **Elliott** on the Ordinance Passed 7-0

**ORDINANCE 2021.33**

**AN ORDINANCE APPROVING THE COMMERCIAL AND INDUSTRIAL SITE PLAN AND BUILDING APPLICATION OF SORI PROPERTIES LLC AND VANTAGE LOGISTICS FOR CONSTRUCTION OF BUILDING EXPANSION AND RELOCATED SITE FOR PARKING TO BE LOCATED AT 730 KINTNER PARKWAY AND DECLARING AN EMERGENCY (first reading)**

**NEW/UNFINISHED BUSINESS:**

Impact Fee report was submitted to Council by Steve Pyles for consideration at a later date.

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**Cooper**

- Led a discussion on Trick or Treat. After a discussion, the pros/cons on having the date be on a Sunday the date was decided to be on October 31 from 6p to 8p with a rain date of November 1.

Motion by Cooper and seconded by Martin to Trick or Treat date October 31, 2021, from 6p to 8p with a rain date of November 1. Upon roll call, 7 Yeas.

**Martin**

- Thanked Big Walnut Chamber of Commerce and the Civic Association for the celebration over the weekend.

**Mayor St. John**

- The parade was impressive, and he was pleased to see the crowds along the parade route. He also thanked all the volunteers, including the Civic Association.
- He also continues to hold AEP accountable stating that a letter of complaint has been sent to PUCO on behalf of the Village residents.

Motion by **St. John** and seconded by **Fisher** to move to executive session per ORC 121.22(G) (1) & (3) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official and conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Upon Roll 7 Yeas.

Mayor **St. John** invited Solicitor **Brehm** to attend.

Motion by **Martin** and seconded by **Cooper** to reconvene. Upon roll call, 7 Yeas.

Motion to Adjourn



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All Yeas.

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Joseph St. John, Mayor

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Kathy Belcher, Finance Director