

Village of Sunbury Regular Council

Minutes

July 21, 2021

Mayor Joseph St. John opened the Sunbury Village Council meeting at 7:30 p.m., July 21, 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, Tim Gose, Damin Cappel and Martin Fisher. Also, in attendance were Solicitor David Brehm, Administrator Allen Rothermel, Police Chief Robert Howard, and Fiscal Officer Kathy Belcher. Engineer David Parkinson was absent

Motion by **Martin** and seconded by **Elliott** to approve July 7, 2021, minutes. Upon Roll 7 yeas.

VISITORS

Motion by **St. John** and seconded by **Martin** to nominate Debra K. Miller to the Planning and Zoning Commission. Upon Roll 7 yeas.

Brehm sworn in Debra K. Miller as the newest Planning and Zoning Commission Member.

COMMITTEE REPORTS:

Gose

- **Finance Meeting** – I Cloud gave a presentation on paperless billing with a real time application to the account.
- American Rescue Act approved Sunbury's registration has been approved. Your award amount is \$333,475.00.
- Law Director contract was also discussed.
- Additional Little Walnut Creek expenses were also discussed.

St. John

- Planning and Zoning will have a Public Hearing Monday, July 26 to discuss the Ravines at Meadow Ridge.

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POLICE REPORT:

Chief Robert Howard

- Gave a brief update on Granville Street – State Route 37
There was a total of 11542cars that passed the monitoring sign in seven days, the 7th to the 14th. From the data obtained from the monitoring equipment, the Police would have written only 65 tickets, that is if they had been on location 24 hours/7 days a week. Average speed 33-34/mph.
- Council's training will be deferred one month to September

Mayor St. John read the following proclamation.

Proclamation

Whereas, Allen Rothermel has announced his retirement effective on July 31, 2020 after serving Sunbury for over six years with professionalism and as an example of the best attributes of a public servant. And,

Whereas, He has successfully assisted Sunbury in navigating challenges of growth, a pandemic and preparing the community to become a city. And,

Whereas, Sunbury staff will miss the opportunity to visit both a polar and tropic environment by simply stepping from one adjoining office to another. And,
Whereas, Sunbury Council, residents and staff will miss his warm personality and hearty laugh. And,

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Whereas , Allen Rothermel has executed his duties faithfully with a consistent stewardship of public dollars.

Now Therefore , I Proclaim on behalf of the Council, Sunbury employees, and the citizens of Sunbury, that I express to Allen Rothermel our sincere appreciation for his loyal and distinguished service as Administrator, in making Sunbury a “Small Town, With Big Ideas and Perfect Balance ” and a great place to live, work, and play.

Mayor Joseph St. John

ADMINISTRATOR’S REPORT:

ADMINISTRATOR’S REPORT

July 21, 2021, Edition

- 1). Personnel Update** 1). Olivia Ballard from Delaware has accepted the Administrative Staff-Clerk position with a start date of August 16, 2021. 2). The WWTP recruitment process continues as a FT Operator candidate will be interviewed on Thursday morning.

- 2). ChargePoint Monthly Report June 2021**—Attached are the June monthly and 2nd Quarter reports for our charging station at Old Church Parking Lot. We are averaging just under 9 charges a month from 6 different drivers per month.

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3). Bucket Truck Update- The new bucket truck is scheduled for delivery to the Village on Wednesday morning July 21, 2021, at 7:00 am

4). Parking/Speeding concerns- have been logged in by residents regarding increased traffic and speeding on N. Miller and Heartland Meadows. Additional concerns have been expressed from 2 other residents regarding potentially hazardous conditions on Arbor Dr. as a result of cars parking on both sides of the road and in front of fire hydrants.

Respectfully submitted by Allen Rothermel

ENGINEER'S REPORT:

Engineering Status Report

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


Date: July 18, 2021

Project Description	Updates
VILLAGE PROJECTS	
<p><u>Fallen Heroes Multi-Use Trail, Phase 2 (to and partially through Old Orchard Park)</u></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 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>Survey is being scheduled; weather dependent.</p> <p>Survey has been completed. Design 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>

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Project Description	Updates
 <p style="text-align: center;">Fallen Heroes Multi-Use Trail - Phase 2 (Note: Phase 2 shown in Red)</p>	<p>Bids were opened on 7.8.21. Apparent lowest and best bid was submitted by Facemyer Landscaping, LLC in the amount of \$114,649.76. The Engineer's Opinion of Probable Construction Cost was \$124,000.</p> <p>We will present the bids to Council on 7.21.21, with a request to award the contract.</p> <p>Contract documents stipulate completion by 10.31.21.</p>


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Project Description	Updates
VILLAGE PROJECTS	
<p><u>Fallen Heroes Multi-Use Trail, Phase 3 (to southern property line of Old Orchard Park)</u></p> <p>This project extends the existing Fallen Heroes Multi-Use Trail for the terminus of Phase 2 (shown in red in the exhibit, below) to the southern property line of</p>	<p>CT prepared a Task Order Proposal to design and inspect Phase 3 of the Fallen Heroes Multi-</p>

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Project Description	Updates
<p>Old Orchard Park (which is the northern property line of Sunbury Meadows). Phase 3 is shown conceptually in Blue in the exhibit, below. This MUT segment is approximately 610 feet long. The MUT will be an asphalt trail, 10 feet wide. Sunbury has been informed that it will be recommended for 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>Fallen Heroes Multi-Use Trail - Phase 3 (Note: Phase 3 shown Conceptually in Blue)</p>	<p>Use Trail (total not-to-exceed fee of \$29,900). We have requested consideration of our proposal at Council's meeting on July 21, 2021. There is an opportunity to construct Phase 3 in 2021 if the design is immediately undertaken. There is no obligation to construct in 2021, so if it's Council's pleasure to take a more-measured approach, that poses no issues.</p>

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<p><u>Facilities Plan Update for WWTP</u></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>Work continues.</p>
<p><u>2021 WWTP Improvements</u></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>Work continues.</p>
<p><u>Ohio EPA WPCLF Loan Applications</u></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>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.</p> <p>No update.</p>
<p><u>Preservation Parks Community Multi-Use Trail Improvement Grant (CTIG) Application</u></p> <p>Preservation Parks of Delaware County is accepting applications until October 1, 2021, for its Community Multi-Use Trail Improvement Grant program. This</p>	<p>CT is working with the Parks Committee and the Administration to determine the project</p>

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program has \$100,000 available to distribute to assist communities and non-profit organizations in the acquisition, development and maintenance of multi-use trails. Council authorized the submission of an application through Ord. No. 2021.08.

At this time, a project has not been selected for submission in application of the Grant. Discussions have focused on Phase 4 (and final completion) of the Fallen Heroes Multi-Use Trail to the south, connecting into the Sandel Legacy Trail.

to submit in application for a grant. Upon selection, we will prepare the application.

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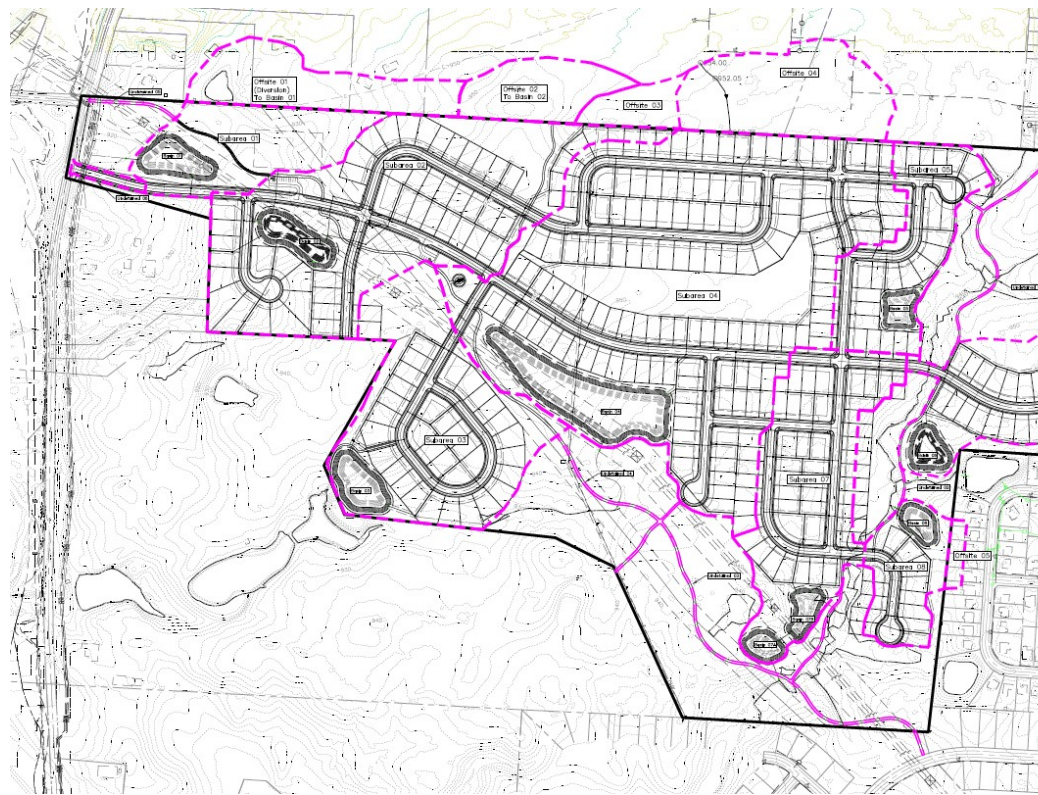
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PRIVATE DEVELOPMENT PROJECTS

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. Comments were provided back to the applicant's engineer on July 7, 2021. We currently stand in wait for their responses.

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

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26. This was previously referred to as the Rogers' properties. This will be moved to active 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 was scheduled for July 13, 2021, for the sole purpose of discussing the proposed revisions/amendments. This meeting had to be cancelled for lack of a quorum. Meeting will be rescheduled.

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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.
Car Wash USA	Project is under construction. Earthwork, underground utilities and curbs have been completed/
116 N. Miller Drive Office Building	Construction continues. Structure under roof; site work to be completed.
Newman Roofing	Earthwork is underway.
Rolling Hills Subdivision, Phase 1	Project has begun construction. Grading and underground utilities are underway.
Little Walnut Creek Interceptor Sewer, Phase 1	Construction continues.
Reservoirs Project	Construction to begin on July 18, 2021; to be completed this summer/fall.
2021 Street Program	Pre-Construction Meeting held July 20, 2021. Contractor to submit schedule.
Magnolia Park Subdivision	Plans have been approved. Waiting for Developer to request Pre-Con Meeting.

RESIDENTIAL PLOT PLAN REVIEWS

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

Residential Reviews Completed:

- 219 Lemming
- 364 Miller's Cove
- 372 Miller's Cove

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- 380 Miller's Cove
- 388 Miller's Cove

Residential Reviews Received and still under review:

- None

RIGHT-OF-WAY PERMIT

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

- 2021 - 12 - 121 Leatherleaf
- 2021 - 13 - 201 Leatherleaf
- 2021 - 14 - 156 Leatherleaf
- 2021 - 15 - 829 Peacock
- 2021 - 16 - Case Street
- 2021 - 17 - Envirocore - 40 S Vernon
- 2021 - 18 - Envirocore - Cherry & Columbus
- 2021 - 19 - Sunbury Section 16

RESOLUTIONS:

Third 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

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

Motion was made by **Martin** and seconded by **Cappel** on the Resolution Passed 7-0

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Second Readings

First Readings

RESOLUTION NO. 2021.11

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 AND DECLARING AN EMERGENCY. (First reading)

ORDINANCES:

Third 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

Motion was made by Gose and seconded by Elliott on the emergency Passed 7-0.
Motion was made by St. John and seconded by Elliott on the Ordinance Passed 7-0

Second Readings

ORDINANCE 2021.33

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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. (Second reading)

First Readings

ORDINANCE 2021.34

AN ORDINANCE RATIFYING AND CONFIRMING EXPENDITURES MADE PURSUANT TO A TEMPORARY INCREASE IN THE NON-LEGISLATIVE PURCHASE ORDER AUTHORIZATION LIMITS TO TEN THOUSAND DOLLARS DURING THE PENDENCY OF THE STAY SAFE ORDER OR ANY SUBSEQUENT ORDERS OF THE OHIO DEPARTMENT OF HEALTH IN RESPONSE TO THE COVID-19 PANDEMIC AND DECLARING AN EMERGENCY

St. John/Brehm

- Stated that the increase speeding limits for the mayor were increased to \$10,000.00 tied to the stay-at-home order. With the Council moving to in person meetings the belief was the speeding limits would go back down, when the ordinance was only tied to the stay at home order that expired June of 2020. This ordinance confirms the expenditures made after the stay-at-home order was lifted and now.

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

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

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

ORDINANCE NO. 2021.35

AN ORDINANCE AWARDED THE CONTRACT FOR THE OHIO FALLEN HEROES TRAIL PHASE 2 PROJECT TO FACEMYER LANDSCAPING LLC OF SUNBURY, OHIO AND DECLARING AN EMERGENCY

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

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

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

ORDINANCE 2021.36

AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF A DIRECTOR OF LAW. (First reading)

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NEW/UNFINISHED BUSINESS:

Brehm

- Brought the subject of the change order to Helms and Sons of \$80,000.00 and AEP contract of \$5,387.66. These items are related to the Little Walnut Creek sewer and the unexpected complications of the live electric lines.

Motion by **St. John** and seconded by **Elliott** to amend the agenda to add two expenditures, Helms and Sons change order of \$80,000.00 and AEP \$5,387.66. Upon Roll 7 years.

Motion by **St. John** and seconded by **Elliott** to approve the AEP expense of \$5,387.66 with final engineering approval. Upon Roll 7 years.

Motion by **Elliott** and seconded by **Fisher** to approve the change order to Little Walnut Creek storm sewer project, Helms and sons in the amount of 80,000.00 contingent upon final engineering approval. Upon Roll 7 years.

Gose

- Bike riders will be passing through Sunbury in the next week as they participate in the Pan Ohio Rides

Elliott

- Had a high-level conversation with Little League Organization, they are interested in having a league in Sunbury, more to come later.

St. John

- Thanked the **Chief** and **Jassen Holderby**, of District 13 for their participation in an agreement not to sell To Go drinks during Sizzle and they are committed to having a bouncer during Sizzle. **Brehm** also included that for the special duty officers he will be bringing forth an agreement with Morrow County for mutual aid and this will open up the possibility of having Morrow County Officers working special duty during Sizzle.

Motion by **St. John** and seconded by **Fisher** to ratify the appointment of Steve Pyles as the interim acting administrator effective immediately until position is filled. Upon Roll 7 years.

Motion by **St. John** and seconded by **Elliott** to approve Purchase Order #34824 Leo Myers – Vest \$ 19,274.46 (Reimbursing grant Village portion \$4,818.62 – Grant \$14,455.84.) Upon Roll 7 years.

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Motion by **Martin** and seconded by **Gose** to approve Purchase Order 34846 \$6,367.00 Delaware Soil and Water – Conservation District membership Upon Roll 7 years.

Motion by **Elliott** and seconded by **Gose** to ratify and confirm services of Kathy Belcher as Clerk of Council since conception of the Charter. Upon Roll 7 years.

Brehm/St. John

- Brought up the subject of permanently changing the spending limits of the Mayor and Administrator. This will be brought up at the next meeting for further consideration.

Motion by **St. John** and seconded by **Fisher** to move to executive session per ORC 121.22(G) (1) & (2) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official and

(2) To consider the purchase of property for public purposes, the sale of property competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section **505.10** of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

Upon Roll 7 Yeas.

Mayor **St. John** invited Solicitor **Brehm/Kathy Belcher** to attend.

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

Motion to Adjourn

All Yeas.

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Joseph St. John, Mayor

Kathy Belcher, Finance Director