

Village of Sunbury Regular Council

Minutes

August 4, 2021

Mayor Joseph St. John opened the Sunbury Village Council meeting at 7:30 p.m., August 4, 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 Steve Pyles, Engineer David Parkinson, and Fiscal Officer Kathy Belcher.

Motion by **Elliott** and seconded by **Martin** to approve July 21, 2021, minutes. Upon Roll 7 yeas.

VISITORS

Nancy Crawford - Big Walnut Chamber of Commerce

- Spoke to Council introducing herself and she spoke of her plans of cooperation between the Village and Chamber.

Eugene Linton - Sunbury Big Walnut Kiwanis Club.

- They want to host the Labor Day Event. They are formally asking to close the Granville Street between Columbus Street and Vernon Street.
- Kiwanis Clubs is an organization for children. Some of there work has been sponsoring a leadership club for children.

Motion by **Martin** and seconded by **Cooper** to allow the Kiwanis Club to use the square and close Granville Street for Labor Day.

Al Blyth – Rotary

- Spoke to Council concerning the acoustics in the Town Hall since the remodeling. Since the remodeling the soft area has been reduced making the rooms difficult to use.
Mayor St. John replied that the administration is aware of the problem, and they are working towards a comprehensive solution for all three floors. He also reminded Al that the stove in the kitchen will have to be removed as per the fire inspection notice.

Joe Sauvie, Surve Restaurant

- Seeking approval from Council for a stamped concrete sitting wall in front of Surve Restaurant.

Village of Sunbury Regular Council

Minutes

August 4, 2021

- **Mayor St. John** asked if there was an approval process for items in the right of way. There was a discussion on the aesthetics of the wall including being ADA complaint. **Brehm** also spoke stating that it would be preferable to have a permit issued to assure all future projects would be a fit with the aesthetics on the square. It also would insure the process for any future project. The process will be worked on will be brought forward at the next Council Meeting. Between now and the next meeting **Joe Sauvie** will develop a scale plan for the project.

COMMITTEE REPORTS:

Cooper

- **Delaware County Regional Planning** will be hosting a free zoning training workshop on August 28, 2021 from 9 to noon.

Cappel

- **Services** – Committee decided to work with the administrator to develop an approval process for objects in the right of way. The process will be who will do the approval and who will an appeal go towards.
- **Street Trees** – talked about Sunbury Mills/Estates and the plan to replace trees. Parkinson will work on a plan and have it by the next meeting for possible replacement.
- **Parkinson** will also be working toward a storm water solution for Baughman Street.

Gose

- **Parks Committee** – JR Smith Park and flag football. Services will continue to mow, and the athletic group will dress up the score board and painting of the lines. The subject was brought up of a cost sharing with the athletic groups for the two building.
- He also brought up the subject of becoming a trail town and the benefits of working with the Columbus Foundation Green Funds Initiative will have for Sunbury if they decide to become a trail town. The cost for Sunbury would be \$2,000.00

Elliott

- Multi family on the West Side of 71 was discussed with open issues to be resolved for next meeting.
- Changes to the zoning code are being considered.

Mayor St. John

- There was also a public hearing for the multi family development. He is expecting a public hearing in Council at some point in September. He also talked about taking the zoning code charges out of the actual code and placing the fees in a fee schedule.

POLICE REPORT:

Village of Sunbury Regular Council

Minutes

August 4, 2021

Mayor St. John

- Chief Howard and Officer Whiteside are in a weeklong training in Tennessee.

ADMINISTRATOR’S REPORT:

Pyles

- **Brad** and crew are putting the bucket truck to good use, replacing around 30 lights. They appreciate the investment.

ENGINEER’S REPORT:

Engineering Status Report

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


Date: July 30, 2021

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 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>CT prepared a Task Order Proposal to design and inspect Phase 3 of the Fallen Heroes Multi-Use Trail (total not-to-exceed fee of \$29,900). We have requested consideration of our proposal at Council’s meeting on July 21,</p>

Village of Sunbury Regular Council

Minutes

August 4, 2021

Project Description	Updates
 <p data-bbox="378 1486 902 1549">Fallen Heroes Multi-Use Trail - Phase 3 (Note: Phase 3 shown Conceptually in Blue)</p>	<p data-bbox="1179 485 1451 909">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> <p data-bbox="1179 947 1438 1339">Council did not consider CT's request to immediately begin design. Project will be scheduled for an early Spring 2022, bidding; design, upon authorization by Council, to be completed in the fall/winter of 2021.</p>

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Project Description	Updates
VILLAGE PROJECTS	

Village of Sunbury Regular Council

Minutes

August 4, 2021

Project Description	Updates
<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>Loan was approved by OWDA on July 29, 2021; paperwork to follow .</p>

Village of Sunbury Regular Council

Minutes

August 4, 2021

Project Description	Updates
<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 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.</p> <p>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.</p>	<p>CT is working with the Parks Committee and the Administration to determine the project to submit in application for a grant. Upon selection, we will prepare the application.</p>

Village of Sunbury Regular Council

Minutes

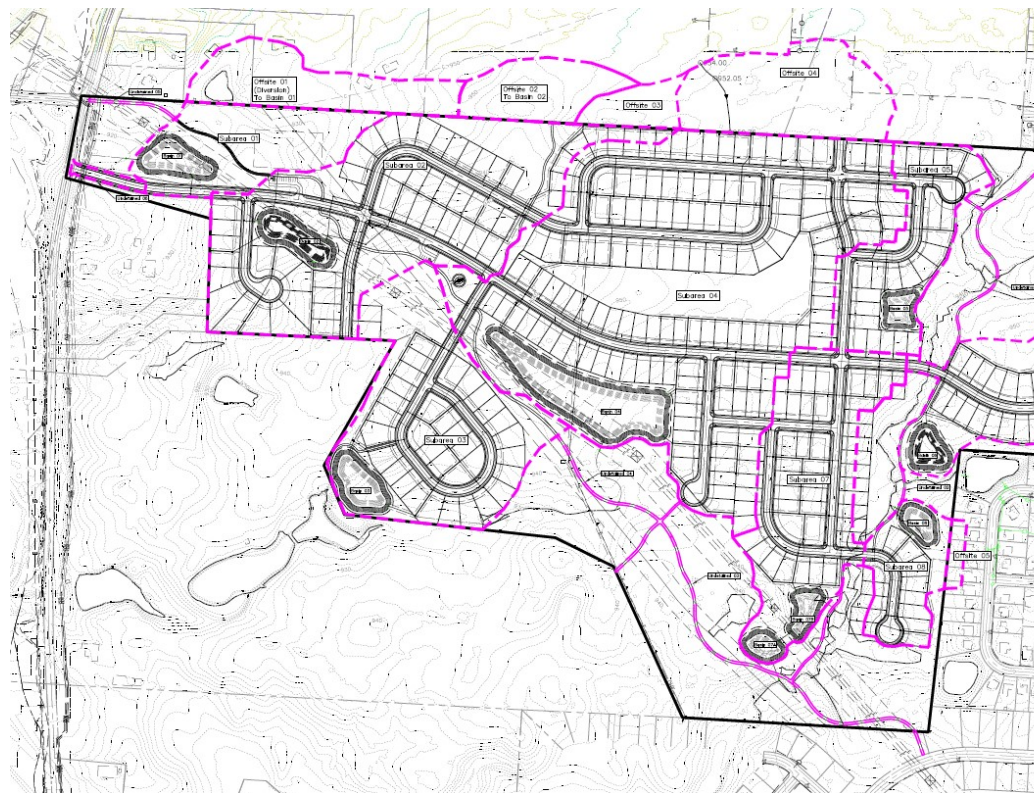
August 4, 2021

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.

Engineer provided responses. They did not comply with our comments. Additional discussion is required.

Engineer submitted a Mass Excavation Plan for Section 1 (141 lots) for review and approval. Review fees to be submitted by applicant.

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

Village of Sunbury Regular Council

Minutes

August 4, 2021

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 has been rescheduled for August 2, 2021.

Village of Sunbury Regular Council

Minutes

August 4, 2021

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 August 2, 2021; to be completed this 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.
Fallen Heroes MUT, Ph. 2	Contract execution in progress. Pre-Con Mtg to be scheduled.

RESIDENTIAL PLOT PLAN REVIEWS

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

Residential Reviews Completed:

- 136 Leatherleaf

Village of Sunbury Regular Council

Minutes

August 4, 2021

- 828 Peacock
- 249 Lemming
- 141 Leatherleaf Circle

Residential Reviews Received and still under review:

- None

RIGHT-OF-WAY PERMIT

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

- #2021 - 20 - Pioneer Building

RESOLUTIONS:

Third Readings

Second 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

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

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

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

Village of Sunbury Regular Council

Minutes

August 4, 2021

First Readings

RESOLUTION 2021.12

A RESOLUTION AUTHORIZING THE EXPENDITURE OF VILLAGE FUNDS IN SUPPORT OF A FOUNDATION GRANT AND COOPERATIVE EFFORT OF THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) RELATED TO CENTRAL OHIO GREENWAYS TRAIL TOWNS AND DECLARING AN EMERGENCY

Motion was made by **Martin** to suspend the rules seconded by **Cooper** Passed 7-0.
Motion was made by **Martin** and seconded by **Cooper** on the emergency Passed 7-0.
Motion was made by **Martin** and seconded by **Cooper** on the Resolution Passed 7-0

ORDINANCES:

Third Readings

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

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

Second Readings

ORDINANCE 2021.36

AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF A DIRECTOR OF LAW

Village of Sunbury Regular Council

Minutes

August 4, 2021

Motion was made by **Cooper** to suspend the rules seconded by **Elliott** Passed 7-0.
Motion was made by **Cooper** and seconded by **Elliott** on the Ordinance Passed 7-0

First Readings

ORDINANCE NO. 2021.01 Second Amended

AN ORDINANCE AMENDING THE 2021 ANNUAL APPROPRIATIONS AND DECLARING AN EMERGENCY (first reading)

ORDINANCE 2021.37

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT BETWEEN THE VILLAGE OF SUNBURY AND VARIOUS POLITICAL SUBDIVISIONS WITHIN DELAWARE COUNTY TO PROVIDE EMERGENCY POLICE PROTECTION SERVICES AND DECLARING AN EMERGENCY

Motion was made by **Cappel** to suspend the rules seconded by **Fisher** Passed 7-0.
Motion was made by **Cappel** and seconded by **Fisher** on the emergency Passed 7-0.
Motion was made by **Cappel** and seconded by **Fisher** on the Ordinance Passed 7-0

ORDINANCE NO. 2021.38

AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF STEVEN PYLES AS VILLAGE ADMINISTRATOR, AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT CONTRACT, 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

Brehm

Village of Sunbury Regular Council

Minutes

August 4, 2021

Administered the oath of office to Steven Pyles.

ORDINANCE 2021.39

AN ORDINANCE AMENDING POSITIONS AND PAY RANGES FOR EMPLOYEES OF THE VILLAGE OF SUNBURY, OHIO 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 2021.40

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT BETWEEN THE VILLAGE OF SUNBURY AND THE SHERIFF'S DEPARTMENT OF MORROW COUNTY, OHIO TO PROVIDE EMERGENCY POLICE PROTECTION SERVICES AND DECLARING AN EMERGENCY

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

NEW/UNFINISHED BUSINESS:

Motion by **Elliott** and seconded by **St. John** to approve Purchase Order # 34879 – CT Consultants – Phase 3 Trail \$29,900.00. Upon Roll 7 years.

Brehm

- Led the discussion on the current objects in the Right of Way. He discussed with council concerning the insurance recommendations on the removal of the objects. The objects currently in the right of way are called an attractive nuisance, and our risk control recommendation is to remove the object. The insurance carrier considers this to be a grossly negligence and if it not removed immediately, it threatens the sovereign immunity of the Village.

Village of Sunbury Regular Council

Minutes

August 4, 2021

Motion by **Fisher** and seconded by **Cooper** to authorize Brehm/Pyles to compose a letter to resident to have the object removed by a date certain with cessation of usage being immediate. Upon Roll 7 yeas

Cooper

- Soil and Water wanted to attend a council meeting but now since the agreement has passed it would be better served to come to a parks meeting.
- Big Walnut Civic Association is asking for volunteers for Sizzle and Sound, Cindi will send out the sign up genius for volunteers.

Motion by **St. John** and seconded by **Elliott** to move to executive session per ORC 121.22(G) (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/Steve Pyles** to attend.

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

Motion to Adjourn

All Yeas.

Joseph St. John, Mayor

Village of Sunbury Regular Council

Minutes

August 4, 2021

Kathy Belcher, Finance Director