

**City of Sunbury Regular Council
Minutes
September 6, 2023**

Mayor Joe. St. John opened the Sunbury City Council meeting at 7:30 p.m., September 6, 2023, with a moment of silent prayer and the Pledge of Allegiance.

ROLL CALL

Those answering roll call: Cindi Cooper, Damin Cappel, Tim Gose, David Martin, Murray Neff, John Grumney and Joseph St. John. Other staff in attendance were City Administrator Daryl Hennessy, Clerk of Council Amber Swain, Director of Law David Brehm, and City Engineer Dan Whited.

MINUTES

Motion by **Cooper** and seconded by **Cappel** to approve the August 16, 2023, meeting minutes. Upon roll, 7 yeas. Minutes passed.

VISITORS

Molly Drayer wanted to show appreciation and thanks to the Sunbury Police Department and all their efforts in keeping the City safe during recent events. She also asked about the legitimacy of an energy aggregation letter she received from AEP. She concluded by asking questions about the status of a roadway issue adjacent to her home.

Barry Bennett addressed the Council about his concerns with the aggregation program, he would like to see an opt-in option and not an opt-out only option for the programs.

Noah from Grace Church of Sunbury was there to introduce himself to the Council and say hello.

COMMITTEE REPORTS

Mr. Gose went over key points from the Parks and Recreation Committee meeting that took place earlier in the evening. In particular, he highlighted water consumption and ongoing planning efforts related to JR Smith Park. He also briefed Council on the status of wayfinding signs, the Reservoir Park improvements, and future planning related the pocket park at Columbus and Cherry streets.

Mr. Cappel went over key points from the Service Committee meeting that took place earlier in the evening. He also highlighted plans related to dam safety at the Reservoir Park, the status of replacing trees at Sunbury Estates subdivision, the 2023 street program, and recent staff calls with other jurisdictions about their fiber installation projects.

Mrs. Cooper highlighted a presentation at the recent Planning and Zoning Commission meeting to amend the existing zoning code.

Mr. Neff went over key points from the Events and Commemorations Committee meeting including approvals for a block party and the Big Nut Strut.

Mayor St. John added to Mrs. Cooper's report regarding the zoning code amendment stating that discussion is to add a new zoning district to the code, called the Limited Industrial District, and emphasizing the important of this new zoning code.

POLICE REPORT

Chief Howard reviewed the police report with the Council, highlighting the progress of drone training for select officers. Deputy Chief Wade added that Officer Belcher is behind due to working the third shift and training a new officer. Chief Howard touched on the Sizzle and Sounds event that took place, reporting there were no serious incidents that took place.

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Deputy Chief Wade reported on a swatting incident that took place on August 27, 2023. He highlighted the efforts of Sgt. Meacham's and thanked officers on duty for their quick, decisive, and effective efforts to assess the situation. He briefly reviewed the details of the event and the safety measures taken before the all clear signal was given. DC Wade emphasized that this incident will not be forgotten, and Detective Smith is working diligently to track down the suspect.

ADMINISTRATOR'S REPORT

Mr. Hennessy went over the administrator's report with Council, highlighting a new water reuse program in which the city will be one of five founding utilities to establish a chapter in Ohio. The new state chapter will begin working on regulations to govern the reuse of water for industrial cooling/process purposes. Mr. Hennessy also announced the completion of the new guardrail installation on St. Rt. 3.

ENGINEER'S REPORT

Mr. Whited went over the engineer's report, highlighting ongoing planning related to the Reservoir and JR Smith parks, the status of the Walnut Street mitigation project, and the status of the WWTP design. Mr. Whited concluded with updates on several private developments.

RESOLUTIONS

First Readings

RESOLUTION NO. 2023.20

A RESOLUTION AWARDED THE CONTRACT FOR THE SUNBURY FACILITIES PROJECT TO SETTERLIN BUILDING COMPANY

Motion was made by **St. John** to suspend the rules, seconded by **Cooper**, passed 7-0.

Motion was made by **St. John** and seconded by **Cooper** on the Resolution, passed 7-0.

RESOLUTION NO. 2023.21

SUPPLEMENTAL RESOLUTION FOR SERVICES RELATED TO FIRE PROTECTION FOR PROPERTY KNOWN AS 78.017 ACRES OF LAND IN BERKSHIRE TOWNSHIP (2.002 ACRES) AND BERLIN TOWNSHIP (76.015 ACRES) DELAWARE COUNTY, OHIO

Motion was made by **Martin** to suspend the rules, seconded by **Cappel**, passed 7-0.

Motion was made by **Martin** and seconded by **Cappel** on the Resolution, passed 7-0.

RESOLUTION NO. 2023.22

A RESOLUTION APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING RELATING TO A COMMUNITY REINVESTMENT AREA AND A SCHOOL COMPENSATION AGREEMENT WITH THE BIG WALNUT LOCAL SCHOOL DISTRICT

Motion was made by **St. John** to suspend the rules, seconded by **Cooper**, passed 7-0.

Motion was made by **St. John** and seconded by **Cooper** on the Resolution, passed 7-0.

RESOLUTION NO. 2023.23

A RESOLUTION ACCEPTING THE SECOND AMENDED CERTIFICATE OF ESTIMATED RESOURCES FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2023 AND CERTIFYING THEM TO THE COUNTY AUDITOR

First reading.

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RESOLUTION NO. 2023.24

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

First Reading.

ORDINANCES

Third Readings

ORDINANCE NO. 2023.16

A ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 84.97 +/- ACRES OF LAND LOCATED IN BERKSHIRE TOWNSHIP, DELAWARE COUNTY AND OWNED BY WILLIAM R. ROGERS II, LORIE LYNN LOTZGESELLE, RICH ROGERS, TRUSTEE REPLACING WILLIAM ROGERS AND PATRICIA ROGERS, BOTH DECEASED AND FORMER TRUSTEES OF THE WILLIAM ROGERS AND PATRICIA ROGERS FAMILY TRUST AGREEMENT UTA 7-3-06, MARY ROGERS TRUSLER, TRUSTEE U/A DATED THE 14TH DAY OF AUGUST 2009, AND JOHN A. ROGERS AND DECLARING AN EMERGENCY

Motion was made by **St. John** to Un-table the Ordinance, seconded by **Neff**, passed 7-0.

Motion was made by **Cappel** on the Emergency, seconded by **Neff**, passed 7-0.

Motion was made by **Cappel** to suspend the rules and seconded by **Neff**, passed 7-0

Motion was made by **Cappel** and seconded by **Neff** on the Ordinance, passed 7-0

NEW / UNFINISHED BUSINESS

Mr. Hennessy went over the Squire Patton Boggs – Capital Facilities Bonds Engagement letter with the Council. This engagement will enable the City to work with SPB on the issuance of bonds in support of the police and municipal building renovations project.

Motion was made by **Martin** to authorize the city administrator to execute the engagement letter. The motion was seconded by **Gose**, passed 7-0

Mayor St. John went over the plans for the Joint Recreational District, stating he would like to form an exploratory committee that would consist of surrounding local schools, townships, and villages.

Motion was made by **Martin** to nominate Tim Gose and Mayor St. John to be the city's representatives for the Joint Recreational District, seconded by **Cooper**, passed 7-0.

Mr. Gose shared the update for the BST&G Fire truck that is almost finished and ready to be delivered to the Fire Department.

Mr. Grumney asked about the issue with “pigtail” alley and where that stands. Mr. Hennessy advised they are meeting with residents later in the week to discuss business terms for a shared-use driveway agreement.

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Mrs. Cooper wanted to remind Council and the community of the upcoming Big Nut Strut 5K and encouraged everyone to participate.

Motion by **St. John** to enter Executive Session Per ORC 121.22 (G)(6), seconded by **Gose**, passed 7-0.

Following executive session, **St. John** moved to reconvene in public session. The motion was seconded **Gose**, passed 7-0.

ADJOURNMENT

There being no further business for the Council, **Martin** moved to adjourn. The motion was seconded by **Neff**. Upon roll all yeas.

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council