

RECORD OF PROCEEDINGS

Minutes of Meeting Plain Township Board of Trustee Meeting

Held Fire Station 7:00 p.m.

The Plain Township Board of Trustees met in regular session at the Plain Township Fire Station, 9500 Johnstown Road, New Albany, Ohio.

Mr. Olmstead called the meeting to order with the Pledge of Allegiance to the flag.

Roll Call: Members Present: Dave Olmstead and Tom Rybski. Bud Zappitelli Fiscal Officer was present. Other people present were Ben Collins, Chief Hoovler, Bobby Pharris, Cindy Powell, Battalion Chief Sponaugle, Firefighter Dozier and Mary Fee.

Visitors Present: Deputy Ken Upton and Mike Durik.

Trustee Dave Ferguson arrived at 7:02 pm.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Mr. Olmstead requested an executive session for the purposes of employment, promotion, or compensation.

APPROVAL OF MINUTES

Mr. Rybski made a motion to approve the January 22, 2020 Board of Trustees Meeting minutes as submitted. Mr. Olmstead seconded the motion.

Vote: All Aye. (Resolution 20020501)

PAYMENT OF THE BILLS

Mr. Olmstead made a motion to pay the pending warrants in the amount of \$347,427.44.

Mr. Rybski seconded the motion. Vote: All Aye (Resolution 20020502)

CITY LIASON-MIKE DURIK

Mr. Durik said that the New Albany City Council met last night. Several items were passed. A 2.75% pay increase was approved for the Mayor and Council which is consistent with the increase for city employees. There was also a resolution approved for the City Manager to award contracts for the construction on the Blacklick creek trunk line. Council also approved funds for design of an additional trunk line from the new trunk line up to Jug Sreet Road and over to Harrison Road. Council also discussed the refurbishment of the school playground between the Middle School and lower schools. The design is estimated to cost \$1.6 Million.

The school district is asking the city for participation in the cost. The design includes 2 pavilion structures that will be open to the public. The city approved \$250,000 for the playground.

The Council also approved their annual grant funding for city organizations, i.e. Founders Day, The New Albany Walking Classic, The New Albany Food Pantry, The New Albany Symphony, etc. The maximum they will contribute to a group is \$10,000.

The New Albany Company and City of New Albany are acquiring the Taylor property on Dublin Granville just east of the new Hamilton Quarter. The intent is to turn it into a community park and walking trails to prevent housing development.

SHERIFF'S DEPARTMENT - DEPUTY KEN UPTON

Deputy Ken Upton reported that there were 2 reports in January. The first was a stolen phone. The owner thought someone was trying to steal their identity. The second was a recovered stolen vehicle.

ADMINISTRATOR

Mr. Collins discussed the status of our HRA. He noted that 2018 claims were at \$178,000 and 2019 claims are tracking at \$191,000 which is what he expected with 3 additional full-time employees.

Mr. Collins also reported that a couple of Township properties have garnered interest for religious use. They are existing residential properties for sale, one is on Central College Road and the other is on Johnstown Road at Clouse Road. They have asked about permitted uses.

Mr. Collins wants to finalize swim lesson rates for 2020. Once the rates are finalized, the Township will be able to distribute the mailer within 14 days. Mr. Ferguson inquired about the pool parties and whether an off-duty police officer should be required by renters. Mr. Olmstead suggested that an off-duty police officer be required at parties of a certain size.

Mr. Rybski asked about the Township property valuation and what it means for revenue to the Township. Mr. Collins reported that it could potentially be another \$9,000 to the general fund.

Mr. Collins also discussed the OSU Wellness proposal. It would keep all of the current features and add a functional movement screening, as well as add access to the Heit Center for Township employees. Mr. Olmstead voiced his concern over adding this additional cost without an estimate of usage since the General Fund is not seeing much of an increase in revenue.

Mr. Ferguson made a motion to pass Resolution No. 200205A1. WHEREAS, the Plain Township Board of Trustees (the "Board") has recognized internet auction services as an appropriate means of disposing excess Township property; and WHEREAS, Ohio Revised Code Section 505.10 permits a board of township trustees to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies which is not needed for public use, is obsolete or unfit for the use for which it was required; and

WHEREAS, the Board has determined that an Internet auction is a cost effective method for disposing of such items and to be in the best interest of the residents of the Township.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the board of Trustees of Plain Township, Franklin County, Ohio, that the following Resolution be and is hereby adopted:

- 1. Pursuant to Ohio Revised Code 505.10(D), the Board of Trustees of Plain Township (the "Board") hereby expresses its intent to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies which is not needed for public use, is obsolete or unfit for the use for which it was acquired by internet auction; and**
- 2. Items to be disposed of shall be inventoried, listed by department, and include the pertinent information (i.e. year, make, mileage or use) and presented to the Board. The Board shall recognize by formal vote the list of items to be disposed of, an established minimum price for each item, method of payment and any other terms and conditions of each sale, including requirements for pick-up or delivery.**
- 3. The Board hereby designates the Township Administrator as the official point of contact for all Internet auctions. This person will establish the minimum price and other conditions of sale including pick-up, sales tax, method of payment and fees. This person shall be responsible for insuring that all items have been settled for and the appropriate paperwork is complete, releasing the Township of any ownership and liability.**
- 4. The Township hereby contracts with GovDeals, Inc. to serve as a representative of the Township and conduct auctions on behalf of the Township and all property will be available to the public on www.govdeals.com website for a minimum of ten (10) days, including Saturdays, Sundays and legal holidays as required in Section 505.10(D) of the Ohio Revised Code;**
- 5. No items shall be transferred to a successful bidder until such time as guaranteed payment has been received in full.**
- 6. Revenue collected from the sale of items by Internet auction shall be deposited into the General Fund of the Township or the Trustees may transfer and appropriate the revenue to the specific fund where the items sold were derived.**
- 7. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of the resolution were taken in an open meeting of the Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action took place in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.**
- 8. This resolution shall be full force and effect immediately upon its adoption.**

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 200205A2. Be it resolved, that the Plain Township Board of Trustees hereby approves the 2020 Plain Township Aquatic Center swim lesson rates at \$65 per session for members and \$75 per session for non-members. This is an increase of \$5 per session.

Mr. Rybski seconded the motion. Vote: All Aye

Mr. Rybski made a motion to pass Resolution No. 200205A3. Be it resolved, that the Plain Township Board of Trustees hereby approves an agreement with Aquatic Consultants

Enterprises, Inc. DBA Greater Columbus Swim School to provide swim lesson programming and instruction at the Plain Township Aquatic Center for 2020, according to the attached terms. Be it further resolved that the Board of Trustees hereby authorizes the township administrator to execute this agreement on behalf of Plain Township.

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 200205A4. Be it resolved, to authorize and pay an amount up to \$19,000 for the purchase of pool deck furniture, including 100 lounge chairs and 25 lawn chairs, to O.P. Aquatics of Columbus out of fund 21-A-04C (Capital Improvement Pool – Other Expenses).

O.P. Aquatics-Columbus

775 Kaderly Drive

Columbus, OH 43228

614-322-09440

Mr. Rybski seconded the motion. Vote: All Aye

Mr. Olmstead moved to amend Resolution No. 2000205A5 to strike Lot 28. Mr. Rybski seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 2000205A5. Be it Resolved, that the following township personal property is declared unneeded, obsolete or unfit for township use and is to be disposed of by internet auction:

Item Description	Minimum Price
Lot 1: 7 Utility Rocket Modems and 1 box of misc connectors/wires	\$10.00
Lot 2: 3 HP L1706 LCD Monitors	\$10.00
Lot 3: NEC LCD 1530V monitor, Dell E173FPc monitor, NEC LCD 1560V monitor	\$10.00
Lot 4: APC 650 UPS Battery Backup, Belkin 550VA UPS Battery Backup, APC ES350 UPS Battery Backup, APC VS500 UPS Battery Backup, Tripp-Lite UPS Battery Backup	\$10.00
Lot 5: Realistic 100 Watt amplifier, Mitsubishi VCR, Sanyo Projector, Kenwood speakers, Research subwoofer	\$10.00
Lot 6: Canon overhead projector RE-450X and Eclipse overhead projector	\$5.00
Lot 7: Brother HL-2140 Laser Printer, Dell Inkjet printer	\$5.00
Lot 8: Cissell Gas Dryer Model # L28VR30G Serial # 05097184	\$20.00
Lot 9: Wascomat washer Model # JRW75 Serial #unreadable	\$20.00
Lot 10: Expired turn-out gear – starting price of \$5.00/set	\$5.00/set
Lot 11: Precor Elliptical Model EFX576i Serial # AA32D19050013	\$50.00
Lot 12: Precor recumbent bike C842i Serial # A952L20070023	\$50.00
Lot 13: Precor Treadmill 956i Serial # AGJYF04080060	\$50.00
Lot 14: Stokes basket	\$10.00
Lot 15: Misc weight equipment – Bar, Weight rack	\$10.00
Lot 16: TFT 6” Intake	\$50.00
Lot 17: Qty 2 Plastic Backboards	\$5.00
Lot 18: Tempest Gas PPV Fan	\$25.00
Lot 19: Qty 2 Used Goodyear G296MSA Load L 425/65 22.5	\$10.00

Lot 20: Qty 26 – 50’ 1.75” Hose rolls	\$5.00/roll
Lot 21: Qty 8 – 50’ 2.5” Hose Rolls	\$5.00/roll
Lot 22: Qty 4 – 100’ 5” Hose Rolls	\$10.00/roll
Lot 23: Qty 4 – 50’ 3” Hose Rolls	\$5.00/roll
Lot 24: Portable Volley Ball Net	\$5.00
Lot 25: Portable Sprinkler display	\$5.00
Lot 26: Misc Hand Tools – Long pike poles, Bolt cutters, Hose Roller Portable electric reel	\$10.00
Lot 27: Qty 2 – Wood tables	\$5.00
Lot 28: 2004 International Horton medic	\$1,000

Mr. Olmstead seconded the motion. Vote: All Aye

ZONING

Mr. Olmstead asked about the 15-acre property that inquired about subdividing the site into 6 lots. It would require rezoning.

Mr. Collins said there are a number of definitions added to the Plain Township Zoning Resolution that are straight from the Ohio Revised Code. Mr. Collins said the Resolution is an exemption of sorts. The interpretation of Agritourism is defined by statute.

Mr. Rybski asked what the Township’s authority is to regulate if an individual is not believed to qualify as Agritourism. Mr. Collins said the zoning office would enforce compliance.

Mr. Ferguson moved to open the public hearing for the Zoning Text Amendment case 11-14-2019. Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Collins reported that they have had a very vigorous review of the case at hand. This is a zoning text amendment that will deal with 3 different things. First, it will amend the language regarding recreational vehicles. Second, it will amend the language regarding accessory structures to clarify some issues. And thirdly, to regulate Agritourism activities.

There were no public comments. The Public meeting was advertised in the This Week New Albany and the Daily Reporter. The amendment was submitted to the Franklin County Planning Commissioner Review. The Planning Commission recommended approval. Staff has been working on this amendment for approximately one year. Staff spent about 5 months investigating other townships in the state and benchmarking against other resolutions that were in the works. The Township presented an initial draft to the Zoning Commission and after a second review it was introduced on November 14, 2019.

Mr. Ferguson moved to close the Public Hearing. Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 200205Z1. WHEREAS, on November 14, 2019, the Plain Township Zoning Commission introduced a Zoning Resolution Text Amendment by motion that was designated as Plain Township Zoning Resolution Text

Amendment Number 11-14-2019 that would, if adopted, (1) add paragraph 4 to subsection 412.05.2 requiring that recreational vehicles, camping trailers and similar recreational vehicles and equipment, shall not be used as a dwelling unit or for living, sleeping or house purposes outside an approved recreational park/campground area; (2) clarify regulations regarding the allowed square footage and required setbacks of accessory structures; and (3) add a new section to the Plain Township Zoning Resolution to regulate agritourism activities; and

WHEREAS, proposed Zoning Resolution Text Amendment 11-14-2019 was forwarded to the Franklin County Planning Commission, which held a public hearing on the proposed amendment on December 10, 2019; and

WHEREAS, on December 12, 2019, the Plain Township Zoning Commission held a public hearing on proposed Zoning Resolution Text Amendment Number 11-14-2019 and voted in favor of the propose amendment; and

WHEREAS, on January 8, 2020, the recommendation of the Plain Township Zoning Commission was forwarded to the Plain Township Board of Trustees to approve proposed Zoning Resolution Text Amendment 11-14-2019; and

WHEREAS, on January 8, 2020, the Plain Township Board of Trustees scheduled a public hearing on proposed Zoning Resolution Text Amendment 11-14-2019 to take place on February 5, 2020; and

WHEREAS, proposed Zoning Resolution Text Amendment 11-14-2019 was made available for public examination from Wednesday, January 22, 2019 through Wednesday, February 5, 2019 inclusive, Mondays through Fridays, excluding legal holidays, during the hours of 8:00 a.m. to 4:00 p.m. at the Plain Township Administrative Offices located at 45 Second Street, New Albany, Ohio; and

WHEREAS, notice of proposed Zoning Resolution Text Amendment 11-14-2019 was published in "This Week" in New Albany, a newspaper of general circulation within Plain Township as well as The Daily Reporter, a newspaper of general circulation within Franklin County.

NOW THEREFORE BE IT RESOLVED by the Plain Township Board of Trustees that:

Section 1. The Board of Trustees finds that proposed Zoning Resolution Text Amendment 11-14-2019 is in the best interest of Plain Township and necessary to protect public health and safety, and hereby adopts Zoning Resolution Text Amendment 11-14-2019 and incorporates the text of said amendment into the official Zoning Resolution of Plain Township as submitted and recommended by the Plain Township Zoning Commission.

Section 2. The Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Mr. Rybski seconded the motion. Vote: All Aye

ROADS/ MAINTENANCE

Mr. Pharris said the Maintenance department is painting things at the pool in preparation of the upcoming season. Mr. Rybski inquired about the Whitewater check that was on the pending warrant report. Mr. Collins said that the bulk order they made for interactive equipment was \$32,000. 50% was paid up front. All items have been delivered. Whitewater took \$1,000 off the invoice because of the delay in receiving the equipment. There is a problem with equipment for the slide. Mr. Collins is working with Whitewater to fix the problem.

Mr. Ferguson made a motion to pass Resolution No. 200205M1. Be it resolved, to pay TruGreen Commercial Services of 461 Enterprise Drive, Lewis center, Ohio 43035 up to \$7,277.85 for lawn treatment and fertilization for 2020 to include services according to the attached proposal for the following facilities:

Maplewood Cemetery: \$5,015.10 (05-A-12) Cemetery-Other Expenses

Fire Station: \$1,422.75 (10-A-15O) Fire District-Other Expenses-Misc

Aquatic Center: \$840.00 (14-A-08) Pool-Other Expenses

TruGreen Commercial Services

461 Enterprise Drive

Lewis Center, Ohio 43035

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 200205M2. Be it resolved, that the Plain Township Board of Trustees hereby authorizes the Plain Township Maintenance Superintendent to hire up to two summer seasonal maintenance employees, at up to \$15.00 per hour and not to exceed 1500 hours per employee for 2020, to work April 1 to December 1 as needed.

Mr. Rybski seconded the motion. Vote: All Aye

FIRE DEPARTMENT

Chief Hoovler reported that they had 129 fire and EMS runs since the last Board of Trustees meeting. Chief Hoovler distributed a report that lists simultaneous/overlapping runs. In December 2019, PTFD had a total of 236 runs. 70 of those runs involved overlapping. In January 2020, there were 91 overlapping runs. Chief Hoovler believes this is something the Township needs to look at for staffing/need.

Chief Hoovler reported that the new medic is in production. Delivery is estimated to be late March 2020. Chief Hoovler also reported that the pump transmission in the Ladder was repaired same day. The engine refurbishment is currently in the paint stage. All the prep work at Heritage is done. Expected delivery is mid-March.

Mr. Ferguson asked about the deteriorating asphalt behind the fire station. Mr. Pharris reported that he has had 2 people come out to look at it. He spoke with Franklin County and one of the Franklin County Engineers is supposed to get in touch with Mr. Pharris.

Chief Hoovler reported that the roof is not leaking. He reported that CertainTeed is going to cover the cost of removing and reinstalling the Cupola.

Chief Hoovler wants to revisit the lateral transfer policy. Mr. Olmstead would like to see a recommendation from the Fire Department and Mr. Collins. Mr. Collins reported that they have been working on this but have not benchmarked other Ohio Fire Departments. Chief Hoovler believes it will result in better candidates.

Mr. Ferguson made a motion to pass Resolution No. 200205F1. Be it resolved, to pay Ohio Public Risk Insurance Agency DBA VFIS of Ohio \$6,036 for VFIS accident and sickness coverage for career firefighters out of fund 10-A-14C (Fire – Insurance - VFIS).

Ohio Public Risk Ins. Agency dba VFIS of Ohio

P.O. Box 279

Maineville, OH 45039

Mr. Rybski seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 200205F2. Be it resolved, to pay Ohio Public Risk Insurance Agency DBA VFIS of Ohio \$1,307 for VFIS accident and sickness coverage for Volunteer firefighters out of fund 10-A-14C (Fire – Insurance - VFIS).

Ohio Public Risk Ins. Agency dba VFIS of Ohio

P.O. Box 279

Maineville, OH 45039

Mr. Olmstead seconded the motion. Vote: All Aye

FISCAL OFFICE

Mr. Ferguson inquired about the status of the VIP software. Mrs. Powell reported that the launch date for the software is going to be pushed to early March. The Fiscal office is currently working on several things for the new software. All of the 2019 data has been extracted, converted and sent to Software Solutions. The data will then be uploaded to the live system. Once that is completed, we will need to validate that data and the live system will still need to be checked for accuracy. As I mentioned at the last meeting, there still are reports that are not matching. Software Solutions is still trying to pinpoint where the issue is.

Mr. Olmstead asked if OTAS is still be used. Mrs. Powell said yes. The goal is, at February month end, to extract and convert the data from OTAS and upload it into the live system so we are not re-keying a lot of data.

NEW BUSINESS

Mr. Olmstead asked Mr. Collins for a recap of the McCoy meeting. Mr. Collins reported that their projections are favorable. The McCoy center is projecting to have a \$30,000 surplus at the end of their fiscal year. There is a significant balance in the Capital Maintenance fund.

Mr. Ferguson reported that he had the New Albany Foundation meeting earlier this week. Specific to the Amphitheater, they are getting construction bids at \$8+ Million. They are looking at ways to reduce costs. They are also looking at ways to bridge the difference between the cost and budget of \$6 Million. They are expanding the Board by 2 positions for higher participation. They are looking at ways to creatively address higher revenues.

EXECUTIVE SESSION

Mr. Ferguson made a motion to adjourn into executive session 8:23 p.m. pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, demotion or dismissal. Mr. Rybski seconded the motion. Roll Call Vote: All Aye

Mr. Zappitelli and Mr. Collins also attended the Executive Session.

Mr. Olmstead made a motion to close out of executive session at 8:48 p.m. Mr. Rybski seconded the motion. Roll Call Vote: All Aye

ADJOURNMENT

Mr. Olmstead made a motion to adjourn the meeting at 8:48 p.m. Mr. Rybski seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:



David Ferguson, Trustee



Dave Olmstead, Trustee



Thomas Rybski, Trustee



Bud Zappitelli, Fiscal Officer