

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

May 22,

2019

Held

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The Etna Township Board of Trustees met on Wednesday, May 22, 2019 in the Etna Township Administration Building for the purpose of conducting a special meeting. The meeting was called to order at 5:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Roger Hayes led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers present.

Trustee Johnson moved to adopt the agenda. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the May 7, 2019 regular meeting minutes as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the Etna Township Trustees Special meeting (minutes) from May 7, 2019 as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Public Comments –

Mark Schaff of 7461 National Road discussed the census count and recommended the Trustees contact Chris Harkness at the Licking County Planning Commission to make sure address counts and everything has been completed. The census is important because of the money that is tied to the census.

Public Hearing

Trustee Carlisle opened the public hearing for the application submitted by the Zoning Commission for text amendments to the Zoning Resolution to Article – 2 Definitions, Article 9 - District Regulations, Article 10 – Supplementary District Regulations, and Article 16 - Buffering, Landscaping, and Resource Preservation sections.

The Licking County Planning Commission board made a non-binding recommendation to conditionally approve the text amendments.

John Singleton, Zoning Inspector, provided an overview of the text amendments. The recommended changes were reviewed by the Licking County Prosecutor's Office. The Prosecutor's office did not review the recommendations from the Planning Commission. In Article 2 the language regarding contiguous lots will be removed so an accessory structure will have to be on the same lot as the principle structure. When there is a lot that is contiguous the property owner will have to merge the lots together. Decks and patios will be eliminated from the square footage limitations. The lot frontage to eliminate the creation of flag lots was modified. In the packet the green font is what is being added and the red font is what will be removed. In Article 9 the language regarding Adult Entertainment facilities will be removed from the General Business Zoned Districts and will only be permitted in the Manufacturing Districts 1 and 2. In Article 10 the language in Section 1002 letter "g" regarding accessory structures in the front yard setbacks was modified to prohibit accessory structures in the front yard. In section 1005.1 regarding the maximum size of accessory structures it was by lot size and by the recommendation of the Prosecutor's office it was changed to zoning districts. In Section 1005 table A the break down is by Zoning District. In Article 16, in Table 16A, for clarification purposes in the first column under the table heading "when the following Zoning District/Use" add the words "is developed" after use, this was recommended by the Prosecutor's office. This is to determine when the buffer is required. In the same table for "any vehicular use or parking area" the minimum buffer width shall be 3 ft with a continuous planting or hedge 4-6 ft average height, or a fence or wall 6 ft. in height. The Trustees clarified what this language is requiring and whether 3 foot was wide enough. The Zoning Inspector explained the width was not modified just the height was conflicting with the other section in the Zoning Resolution. John Singleton recommended adding the wording to require solid fence.

Public Comments

Mark Schaff of 7461 National Road stated he had recommended to the Zoning Commission previously to consider requiring a seven foot buffer for businesses around the empty trailers with a double wall of evergreen trees. He is disappointed with the Zoning Commission for not considering his concerns.

Roger Hayes of 10910 Smoke Road discussed covered decks and how would they be considered in regards to accessory structures. John Singleton stated they would be considered a deck. Roger Hayes discussed fencing in the front yards for horses. John Singleton stated agricultural used properties are exempt from zoning.

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20

The Trustees discussed the covered decks, gazebos, pergolas and structures such as this. When the roof is attached to the structure it becomes part of the principal structure.

Laura Brown, the Zoning Commission Clerk, clarified that the Zoning Commission was only addressing the concerns brought to them by the Zoning Inspector regarding conflicts.

Randy Foor verified with Mark Schaff what he is requesting regarding the buffering. The Trustees discussed the buffering around the parking lot causing security issues for the business owners. The Trustees reviewed the buffering requirements.

The Trustees discussed properties that are on deep lots regarding the accessory structures in the front setback. The property owner could apply for a variance with the Board of Zoning Appeals. The Board of Zoning Appeals would have to determine it is a hardship, practical difficulty to approve. This is in Section 1002 item "g" regarding accessory structures.

Trustee Carlisle closed the public hearing (at 5:44 p.m.). The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to table (the decision) until a later date. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Old Business –

Park National Bank Loan

Trustee Carlisle explained this is the loan on the S.R. 310 project. This loan has already been extended once. This needs to be extended one more time for the final paperwork on the project. This is a six month extension and they are expecting to have all the paperwork completed by August. This is all being paid for through the TID, including the percentage cost to extend.

Resolution 19-05-22-01: Trustee Carlisle moved "A resolution further extending the maturity of \$2,000,000 State Route 310 improvements (grant portion) notes, series 2016 issued in anticipation of the receipt of certain grant moneys" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

JEDD1 Amendment 2

Trustee Carlisle explained that the public hearing date had to be moved so this resolution is to update the public hearing date to the resolution that was previously passed.

Resolution 19-05-22-02: Trustee Carlisle moved "Resolution providing for a public hearing concerning the Etna-Reynoldsburg Joint Economic Development District – 1 contract Amendment No. 2" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

New Business

Rumpke Addendum

Trustee Carlisle explained that per the Rumpke contract it allowed for a fuel surcharge if fuel prices increase. The State of Ohio passed an additional tax of 20 cents beginning July 1st, 2019. Rumpke has requested the township approve the Amendment to the Contract. It will be a minimum of five cents per month per resident for trash-only and seven cents per month per resident for trash and every-other-week recycling service. The price impact amounts to \$144.40 per month.

Trustee Carlisle moved to amend the (Rumpke) contract to allow them to charge the 7 cents according to our contract with them. The motion was seconded by Trustee Foor. Discussion: This is already in the original contract. Rumpke asked the township to pass a motion regarding this increase for their records. The motion passed by unanimous affirmative vote.

Jardin Manor Reserve

Trustee Carlisle provided a drawing of the Jardin Manor subdivision showing the reserve area.

Trustee Carlisle explained that the township is maintaining this reserve area and mows it about three times a year. Some of the adjacent property owners are mowing sections of this area. The township would like to dispose of the property and needs the reserve lifted. To lift the restrictions on the reserve the township needs a majority of the residents of Jardin Manor to sign off permitting this.

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The township has discussed selling the property to the adjacent property owners. The Southwest Licking Water and Sewer District will have the option to acquire the property they need. This property will not be sold to a developer. Four of the five adjacent property owners are interested in purchasing property. The township will require the property owners to conjoin the properties together. The township received a recommendation to sell the property for 1,000 dollars a parcel. The property owners will only be permitted to do what they can do now on their existing property. They can place accessory structures following the current Zoning Regulations.

The township can give away the property, sell it, or keep it as is.

The sewer treatment plant has been properly disposed of.

The fact that the township was given the property was discussed. The township has been maintaining the property and mowing it at least three times a year. The property is 4.41 acres. This will probably be divided into six parcels. This is giving the property owners approximately 1/2 an acre for \$1,000 dollars to add onto the value of their property. The Township has to look out for all of the residents of the township and would have to answer to all of them to give the property away. The property is zoned RS, they are only permitted one principle residence on the property, they would have to have access to the property, and the zoning allows up to 800 square feet for accessory structures.

The township will not have any costs in surveying properties. The property owners purchasing the property will have to have it surveyed to add this property onto their current property.

The park was dismantled because the residents had to maintain it and the area was too small for a park.

If the township does not receive the fifty percent approval the reserve will remain as is.

The township will be going door to door to notify the residents that are not attending this evening. The township needs the signature(s) of the property owner(s). The residents can stop by the township office to sign the document. There are one hundred and fifty one homeowners. The township has to have seventy-seven property owners sign the petition.

Culvert replacement

Trustee Carlisle stated on June the 10th on Laurel Drive, this side of Hawthorne Drive, the road will be closed for a week for the replacement of a culvert. Residents east of the culvert will have to enter thru Brandy Mill. This date is weather permitting. This will be closed from June 10th to the 17th. There is no cost to the residents for this replacement. The culvert is the township's responsibility to maintain. The township will update information on the township website if the June 10th date is changed.

Paving Jardin Manor

Trustee Carlisle stated the township will be paving the subdivision this year. If the residences have any issues that need addressed please let the township know. The township will be paving with asphalt this time. The past few times Kokosing has been awarded the paving projects. The residents discussed the last time the subdivision was paved and the issues with the tar. Several residents discussed concerns with the end of their driveways if the township is not able to grind the asphalt prior to paving. The residents discussed the lettering fading on the street signs and requested new street signs.

No Parking

Trustee Carlisle discussed the issues with parking on the street. The township has been called regarding concerns with the Fire Department and Emergency vehicles getting through with the cars parked on the street. The township has issues during snow emergencies and the township has the authority to have the vehicle towed. The residents discussed the pedestrians walking the neighborhood and safety issues because they do not have sidewalks. The residents discussed no parking on the fire hydrant side of the subdivision. Trustee Carlisle presented three options for the entire subdivision: Two hour parking, no parking, or to leave the parking the way it is. Trustee Carlisle explained the township is not permitted to allow obstructions in the right-of-way and they will be removed such as rail road ties. The property owners would have to pay for sidewalks for the subdivision.

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20

Trustee Carlisle moved to pay the bills as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to go into executive session at 6:51 p.m. per O.R.C. 121.22 (G) (1) to consider the employment and discipline of an employee. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to come out of executive session at 8:06 p.m. The motion was seconded by Trustee Johnson and passed by unanimous vote.

Announcements and Trustee Comments - None

Trustee Carlisle confirmed the cost for the Rumpke increase will be \$144.00 a month so it would be almost nine hundred dollars.

Trustee Carlisle moved to pay the additional surcharge of the five to seven cents per residence per month until the 31st of December. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to hire Eric Nickolas as part of the road crew part-time at a rate of \$15.00 per hour that will not include any benefits and he will be working probably anywhere between 24 to 32 hours a week. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Johnson moved to adjourn at 8:09 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.


John Carlisle, President


Walter Rogers, Fiscal Officer

All the resolutions as presented are on file with the Fiscal Officer.