

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held July 6, 20 2021

The Etna Township Board of Trustees met on July 6, 2021 in the Etna Township Administration Building for the purpose of conducting a regular meeting. The meeting was called to order at 6:00 p.m. by President Carlisle. Jeff Johnson led the invocation and John Carlisle 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 as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Carlisle moved to approve the April 26th Special meeting minutes, April 28th, Special meeting minutes, and May 4th Regular meeting minutes as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Public Comments –

Chuck Bundy of 10254 Tollgate Road is concerned with the Trustees ignoring the Comprehensive Plan that was approved years ago and the property where the FedEx is building built was designated as a park area. Mr. Bundy discussed all the warehouses and future land being sold for warehouses. Mr. Bundy is against all of this indiscriminate rezoning.

Trustee Carlisle stated that the property North of US40 in the Corporate Park was rezoned back in early 2000 and they are just now building there. Mr. Bundy reference page 68 of the Etna Township Comprehensive Plan and the area north of 70 and east of Tollgate Road showed as a proposed park area in 1/2011. Trustee Carlisle stated the properties North of US40 and East of Mink Road were rezoned to Manufacturing back in the late 90's early 2000, it has been M-1 Zoning for twenty years.

Alan Albrecht of 78 Trail East inquired if Mr. Hagy could build buildings, condo's, low-income housing on the property if the referendum passes and stated his understanding is the township would not have the option of referendum at that point. Trustee Carlisle explained that if the referendum is successful to stop the approved rezoning then the property could be developed under the PRCO Overlay District which allows twenty-five percent apartments with the remaining portion allowing for multi-family units. Mr. Carlisle believes there was a sketch done by a planner showing one hundred and seventy or seventy-three units if he remembers correctly and it is non referendable. Mr. Albrecht stated they can be Section 8 housing and Mr. Carlisle confirmed it can be whatever fits the zoning.

Mark Evans of 91 Olde North Church Road confirmed that Mr. Carlisle stated the maximum of twenty-five percent units can be apartments with one hundred and seventy-three approximate as the maximum units. Mr. Carlisle stated that is the sketch that was provided to the township by a planner and he is not going to say if that is the maximum or the minimum. Mr. Carlisle does not have the Zoning Resolution in front of him to confirm the exact percentage permitted in the PRCO Overlay District. Mr. Evans requested the township live stream the meetings.

Mike Snyder of 74 Trail East thanked the Board of Trustees for paying for the trash.

Ryan Davis of 8807 Watkins Road appreciates the free trash services he inquired how the Trustees came to the decision that this would be the right use of the township funds. Trustee Carlisle explained that four years ago when there was a surplus of JEDZ funds the Trustees discussed paying for the trash services in a meeting. The JEDZ funds from Amazon were more than the Trustees expected and had budgeted for and when the JEDZ districts were formed it was voted on by the people per the statute at the time. The Trustees do not have a mechanism to lower the resident's taxes using the funds. The Township had the ability to pay for the trash using the money from the JEDZ revenue. The Trustees discuss paying the trash at the Trustee's May 14 (15), 2021 meeting. Ryan Davis would like to see the public have the opportunity to give input by placing the topic on the agenda. Trustee Foor added that part of the decision to pay for the resident's trash came from Covid and the expansion of SR310 and the inconvenience the residents were going through. The Trustees felt this would be a nice gesture and several residents have thanked the township for paying for the trash. Trustee Johnson stated this is a way the township can give back to the majority of the residents at the time.

Walter Rogers of 113 Aster Court discussed an issue he had with Spectrum and would like the Trustees to investigate what can be done. Mr. Rogers has been having issues with the internet at his residence and he purchased his own receivers instead of using Spectrum's equipment. Because of the business that he is in confidentiality of his records is important. When he recently had a power outage the internet went totally down and Spectrum could identify the unit he purchased along with his passwords to two different wifi settings. He stated these passwords should be confidential. Spectrum stated it was a power surge and the entire system would need reset but his neighbors did not go down. Spectrum was supposed to upgrade

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equipment. Trustee Carlisle recommended Mr. Rogers contact the Licking County Prosecutor's office to explain what happened and provide the Trustees with an update.

Reports

Road Report - A report was provided.

Zoning Report - A report was provided.

Water & Sewer – The report has not been provided at this time.

Fire District – Nothing at this time.

Cemetery and Parks – Nothing at this time.

JEDZ1&2 and JEDDs – The boards will be meeting in August.

Old Business

JBW Properties for parcels 010-016854-00.000, 010-016872-00.000, and 010-016866-00.000 from Planned Mixed-Use Development District to Planned Mixed-Use Development District (PMUD).

Mike Shannon presented text dated June 2, 2021 with updates from the meeting on June 1, 2021. Mr. Shannon summarized the updates. The overall density has been reduced from 181 with condominiums to 159 then 157 then 149 to 131 units and the density from 2.65 units to 2.2 units to the acre. The minimum square footage was increased from 1,200 to 1,400 square feet which is forty percent more than the subdivision to the south, and a couple hundred square feet more than the MI subdivision across SR310. They added a commitment that 95% of the units will have basements. The language regarding lot sizes was modified to sixty-five feet wide except for nine lots on the southern boarder that will be seventy-foot lots. The emergency access drive will be located as far west as possible as required by Licking County. The ravine will not be changing. The tree preservation area on the site plan was discussed.

The Trustees reviewed the updated text. The common open space will be deeded to Etna Township with the HOA maintaining. The commercial use on the west side would require a joint access with the adjoining property owner. The developer will need to submit NAICS codes for this area along with the area on the east side. Under the Residential Use on page two what is the option delineated on the IP, Mike Shannon will address this entire section regarding open space on page three. The language under the residential density was discussed and will be verified. The square footage of residential units was discussed and the language regarding excluding the basements will be added. The Open Space language was discussed and the owner will be the Etna Township Trustees and the maintenance will be the HOA throughout the document. In the section regarding the model home a permit is required for the sign and will be added as item e. Under the street lighting section the language regarding the standard Holophane light will be added. The pedestrian circulation section needs language regarding connecting the paths to contiguous properties and at this time the paths will remain within this development. The buffering section was discussed and this section will be clarified. The front set back needs to be modified from twenty-five foot for the garage and thirty foot for the structure, Mr. Shannon will discuss with the developer. Under the building height language to exclude chimneys will be added. Under the Parking Regulations language for no parking on the fire hydrant side of the street will be added. The road widths were discussed and will be addressed. The emergency access will be defined in the text regarding the property lines. Under the Commercial Use areas the specific NAICS Codes will be listed from Sections 905 and 906. The height for the commercial buildings were discussed. In the commercial section the front, side, and rear yard setbacks were discussed and the front setback needs to be more than twelve feet. The Buffering will be defined. Trustee Carlisle discussed TIF's, NCA's, and the maximum buildings per year with the applicant.

Trustee Carlisle moved to table to a date not certain. The motion was seconded by Trustee Johnson. Discussion: Mr. Shannon will get the changes made and sent to John Singleton. The motion passed by unanimous affirmative vote.

New Business

JEZ1 DCA#2

John Carlisle and Sean McCarter explained the JEDZ1 contract that was approved in 2005 needs to be modified because of the changes in the Ohio Revised Code to meet 2021 regulations. The

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distribution of funds has not changed. This is with Exeter Parcel 5 Etna Land LLC who wants to develop in the JEDZ1.

Resolution 21-07-06-01: Trustee Carlisle moved to approve "Resolution providing for acceptance and approval of the Development and Compensation Agreement" as presented. The motion was seconded by Trustee Johnson. Discussion: Under the whereas the City of Reynoldsburg needs to be the City of Newark. The motion passed by unanimous affirmative vote.

PUBLIC HEARINGS

10095 Tollgate Road

The application submitted by Jeff Cotugno for 10095 Tollgate Road to rezone from Agricultural District (AG) to Light Manufacturing District (M-1).

Trustee Carlisle provided an overview of the rezoning request. The Zoning Commission recommended the Board of Trustees approved the rezoning by unanimous vote.

Jeff Cotugno and Rick Cox presented for the applicant. The site plan of the property was reviewed. The applicant is requesting the entire property be zoned M-1. The property was purchased with a split zoning of M-1 and agriculture which is similar to other properties in the township with split zoning. The property does not have a fixed line to delineate where the zoning changes.

Public Comments

Charles Bundy of 10254 Tollgate Road clarified where the property is located that is requesting the rezoning. The applicant does concrete work and will continue with the current business. They do not manufacture concrete.

Abdul Ammar of 10141 Tollgate Road owns the property to the south of 10095 Tollgate Road. Mr. Ammar has concerns with drainage, lighting, and property value. Trustee Carlisle explained that once it is zoned M-1 all the permitted uses have to be considered and not just the ones the applicant is currently doing. Mr. Ammar does not want manufacturing uses along his property.

Mark Evans of 91 Olde North Church Road understands the split zoning on this property. He discussed the continued commercial use and the Comprehensive Plan.

The Trustees verified the entire eleven acres is one parcel with the split zoning. The applicant does not know when the property was rezoned to M-1.

Trustee Carlisle moved to close the public hearing 7:29 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

The Trustees would like to ask John Singleton some questions when he returns from vacation.

Trustee Carlisle moved to table the decision on this rezoning until a date not certain until the Trustees get some questions answered by Mr. Singleton. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

10288 Lynns Road

The application submitted by Ryan Haire for Turbo Group for 10288 Lynns Road to rezoning from Agricultural District (AG) to General Business District (GB-1).

The Zoning Commission recommended the Board of Trustees approved the rezoning by unanimous vote.

Brad Haire with Turbo Group presented for the applicant. The applicant is requesting a rezoning from Agricultural District to General Business District to expand their business.

Mark Evans of 91 Olde North Church Road discussed the property abuts residential and the impacts of the current RV park regarding light pollution and requested side shields on the lighting. The Etna Township Comprehensive Plan needs to be followed.

Trustee Carlisle moved to close the public hearing. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The Trustees have questions for John Singleton regarding buffering and lighting.

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Trustee Carlisle moved to table to a date not certain. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Text Amendment Article 9 and Article 16

Text amendment submitted by Etna Township in Article 9 District Regulations and Article 16 Buffering, Landscaping, and Resource Preservation. The Zoning Commission recommended the Board of Trustees approved the rezoning by unanimous vote. The Licking County Planning Commission voted 9-1 to approve.

Mark Evans of 91 Olde North Church Road discussed the language for the easements being removed and whether this would affect the lot sizes to meet the minimum square foot requirements.

Trustee Carlisle moved to close the public hearing. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to table to a date not certain. The motion was seconded by Trustee Johnson. Discussion: The Trustees have questions for John Singleton regarding the text amendment. The motion passed by unanimous affirmative vote.

Fiscal Officer Report –

June 1, 2021

	Receipts	Expenditures
General Fund	\$440,061.37	\$148,988.09
MV License Tax	\$3,561.51	\$1,201.00
Gasoline Tax	\$16,832.94	\$3,708.92
Road & Bridge Fund	\$0.00	\$21,051.69
Cemetery	\$0.00	\$0.00
Special Assessment	\$0.00	\$256.97
Misc. Special Revenue	\$0.00	\$300,000.00
Misc. Debt Services	\$0.00	\$0.00
Misc. Capital Projects	\$0.00	\$0.00
Road Right-of-way Permit	<u>\$0.00</u>	<u>\$0.00</u>
Total	460,455.82	\$475,206.67

Funds Total June 30, 2021 is \$5,985,875.32.

F/O Rogers discussed the amount appropriated for legal expenses will need to be adjusted before the end of the year.

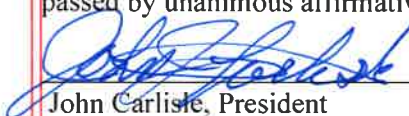
Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Announcement and Trustee Comments –

Trustee Carlisle discussed Don Copley’s vacation time and what was approved when the Trustees re-hired him. The vacation time was supposed to be for the entire time he has worked for the township like he did not leave. Don Copley should have received an additional week of vacation three years ago. He is at eleven years of service. He left the township for nine months. In 2026 he will be eligible for four weeks of vacation. His time of service starts from his original hire date of October 2009.

Trustee Carlisle moved to clarify that Don Copley is eligible for the three weeks of paid vacation for the year of 2021 moving all the way until 2025. The motion was seconded by Trustee Foor. Discussion: We are saying in 2026 based on 16 years of service he is eligible for four weeks. F/O Rogers can adjust for the months that he was gone but is not able to use two different hire dates in the UAN System. In the UAN it must reflect the nine months that he did not work for the township. The motion passed by unanimous affirmative vote.

Trustee Carlisle moved to adjourn at 7:56 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.