

## **RECORD OF PROCEEDINGS**

### *Minutes of Meeting*

### Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 7:00 p.m. at the Fire Station, 9500 Johnstown Road, New Albany, OH 43054.

Mr. Ferguson called the meeting to order. Mr. Ferguson led the Trustees in the Pledge of Allegiance to the flag.

Roll Call: Members Present: Dave Ferguson and Kerri Mollard. Others present: Bud Zappitelli, Fiscal Officer, Ben Collins, Chief Rupp, Assistant Chief Connor, Battalion Chief Sponaugle, Bob Pharris, Hans Schell, Jill Beckett-Hill, Joan and Robert Wuebker, Mike Durik, and Courtney Rogers.

### **ADDITIONS OR CORRECTIONS TO THE AGENDA**

Mr. Ferguson requested an executive session at the end of the meeting for purposes of appointment.

Mr. Collins added Resolution 220707M1 to the agenda.

### **APPROVAL OF MINUTES**

**Ms. Mollard made a motion to approve the June 15, 2022 Board of Trustees Meeting minutes. Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 22070701)**

### **PAYMENT OF THE BILLS**

**Mr. Ferguson made a motion to pay the pending warrants in the amount of \$635,219.80.**

**Ms. Mollard seconded the motion. Vote: All Aye. (Resolution 22070702)**

Ms. Mollard asked about the pool refunds. Mr. Collins explained that there were several refund requests for swim lessons and a pool membership. Ms. Mollard also asked about the mileage reimbursement for Mary Fee. Mr. Collins and Ms. Rogers reported that she had several trips to the cemetery, for zoning issues, and purchasing items for the office.

### **CITY LIASION – MIKE DURIK**

Mr. Durik thanked the Township and Fire Department for the support at the 4<sup>th</sup> of July events. It was a great day and event.

City Council met on Tuesday and created and approved a TIF for the Intel property. The City also adopted the Tax Budget for 2023. Council also amended the zoning of land south of Smith's Mill and west of Beech Road. Council also looked at guidelines and standards for the

Hamlet property on Central College Road. Residents are concerned about the density, height of buildings, boundaries, and traffic and parking. They will be conducting parking, traffic and school studies. The standards have already been approved by the Planning Commission. It now has to pass the New Albany City Council. They also created a community reinvestment for Pharmavite. City Council also approved annexation of 12 residential lots into the City of New Albany.

#### **ADMINISTRATOR**

Mr. Collins reported that the pool had a successful 4<sup>th</sup> of July weekend. It averaged about 1000 visitors per day. Pool sales are going well. The maintenance staff worked to get the pool heater working to its best efficiency. Mr. Collins is recommending we proactively replace the heater after the end of the 2022 pool season. The current heater is 7 years old and is nearing the end of its life. Mr. Ferguson inquired about how the new pool management company is doing. Mr. Collins reported that there has been some adjustment adapting to the Township's standards since they are new. Mr. Collins and Ms. Reife are receiving feedback from patrons and working with SwimSafe to remedy any issues. Ms. Mollard inquired about how the swim lessons are going. Mr. Collins said that the lifeguards giving swim lessons do not have a lot of experience. Mr. Collins believes the team will continue to make progress.

**Ms. Mollard made a Motion to pass Resolution 220707A1. Whereas, the Plain Township Board of Trustees has approved a pool management contract, including opening and closing, with SwimSafe Pool Management, Inc. for the 2022 pool season, according to the bid submitted in the amount of \$189,885 out of fund 2171-610-53060 (Pool – Contracts).**

**Be it resolved, to set aside and pay the August 2022 pool management payment in the amount of \$37,977.00 from fund 2171-610-53060 (Pool – Contracts) according to the attached schedule. Mr. Ferguson seconded the Motion. Vote: All Aye.**

**Mr. Ferguson made a Motion to pass Resolution 220707A2.**

**WHEREAS, effective June 30, 2022 at 11:59:59 PM David Olmstead resigned his seat as Plain Township Trustee with a term commencing January 1, 2020 and expiring December 31, 2023; and,**

**WHEREAS, as a result of such resignation the office of Plain Township Trustee with such term became vacant.**

**NOW THEREFORE, BE IT RESOLVED, a follows:**

- 1. The Board hereby declares and deems the office of Plain Township Trustee, with a term commencing January 1, 2020 and expiring December 31, 2023, to be vacant as of**

**June 30, 2022 at 11:59:59 PM. Such vacancy being the result of the resignation of David Olmstead.**

- 2. The Fiscal Officer, pursuant to Ohio Revised Code 507.051, shall immediately, but not later than July 14, 2022, notify the Franklin County Board of Elections in writing of the vacancy.**
- 3. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the 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 ORC § 121.22.**
- 4. This Resolution shall be in full force and effect immediately upon adoption.**

**Ms. Mollard seconded the Motion. Vote: All Aye.**

**Ms. Mollard made a Motion to pass Resolution 220707A3.**

**WHEREAS, DAVE OLMSTEAD has continually served the residents of Plain Township and New Albany since the year 2001; and**

**WHEREAS, DAVE OLMSTEAD most recently served as Plain Township Trustee, first being elected in 2009 and serving from January 1, 2010 through his retirement on June 30, 2022; and**

**WHEREAS, DAVE OLMSTEAD previously served as a member of New Albany City Council from 2004-2007; and**

**WHEREAS, DAVE OLMSTEAD previously served on the New Albany Planning Commission from 2004 to 2009;**

**WHEREAS, DAVE OLMSTEAD previously served on the Rocky Fork Blacklick Accord Implementation Panel from 2001 to 2003; and**

**WHEREAS, DAVE OLMSTEAD has worked to preserve and enhance quality of life by joining with community partners to seek balance between residential and commercial development and maintaining open space and the environment;**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES, PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO:**

**That Plain Township Trustees Dave Ferguson and Kerri Mollard would like to extend their thanks and appreciation to retiring Trustee Dave Olmstead on behalf of the Township staff and residents, for all of his many contributions to the work of Plain Township and the entire community.**

**Mr. Ferguson seconded the Motion. Vote: All Aye.**

Mr. Ferguson and Ms. Mollard complimented Dave Olmstead on all of his contributions to the community.

### **ROAD/MAINTENANCE**

Bob Pharris discussed the areas of the cemetery where the drainage needs to be improved. Mr. Collins explained that the quote from Chapman is to enhance the existing drainage system and add additional French drains.

Ms. Mollard requested an update on the meeting with the cemetery planning company regarding the columbarium. Mr. Collins reported that they sent someone out to look at the area. Mr. Collins is waiting to hear back from them. Ms. Mollard also inquired about plans to extend the driveway. Mr. Collins explained that that would not be his preference because it is an expensive solution.

Ms. Mollard also asked if there is any update from the Franklin County Engineer's office regarding Clouse Road. Mr. Collins reported that there is not at this time.

Mr. Pharris reported that the slides at the pool were turned off on July 3<sup>rd</sup>.

Mr. Collins also stated that a full-time maintenance position has been posted.

**Mr. Ferguson made a Motion to pass Resolution No. 220707M1. Be it resolved to pay Chapman Drainage up to \$15,000.00 for the installation of drainage improvements to benefit Maplewood Cemetery out of fund 1000-410-58030 (General – Cemetery Improvement of Sites).**

**Chapman Drainage and Basement**

**5553 Ballantrae Woods Dr.**

**Dublin, Ohio 43016**

**(614) 273-0429**

**Ms. Mollard seconded the Motion. Vote: All Aye.**

## **ZONING**

Mr. Collins reported that the property owner of the nuisance property on Johnstown Road had the property mowed.

The Rocky Fork Blacklick Accord meeting is scheduled for July 21, 2022.

Mr. Collins reported that there is a property on the northeast side of the Township that is adjacent to a storage facility that is listed for sale at approximately \$180,000 per acre. It was purchased 6 years ago as an investment. Across the street, there is a 100 acre property owned by the Anderson family. It could potentially be a construction staging area for Intel.

## **FIRE DEPARTMENT**

Chief Rupp indicated that there has been 62 Fire and 145 EMS runs since the last meeting. That is an average of 20 runs per day.

Mr. Ferguson inquired about the increase in accidents on State Route 161. Chief Rupp stated that the cable barriers were installed to address the accidents. The State of Ohio is looking at traffic projections for the Intel project.

Chief provided a vehicle report update. It is used as a tool for the working budget. To meet the 2023 target date for a new medic, the Township will need to order it soon.

Ms. Mollard thanked the Fire Department and Chief Sponaugle for the ride-along in the 4<sup>th</sup> of July parade. She also publicly recognized the passing of Bill Resch and Captain Jim Carney. Ms. Mollard also asked about the resident who called a 911 phone number but there was a delay in responding. The number used is published on the Fire Department website and is still in use. Ms. Mollard also inquired about an email from Chief Connor regarding security at the Fire Station. It will be discussed at a later date.

The Fire operating budget was presented. The current staffing model for the fire department and the current wage structure carries the Township through 2028. But the Township needs to have an opportunity to update some of our existing facilities and capital needs as well as EMS technology and equipment improvements. It is currently a challenging time to recruit and retain staff. Mr. Collins pointed out that there will be a decrease in TIF receipts next year because the make-up payments will expire. Mr. Collins also noted that the Fire Department expenses exceed revenue so the Fire Department will be deficit spending for the remainder of the existing levy. The Trustees would like to discuss the budget further at the next regular Board meeting.

Chief Rupp reported that when Engine 121 came back from its repairs for the axle housing, it was having starting issues when it was back in service. Therefore, it was sent out for diagnostics.

**Mr. Ferguson made a Motion to pass Resolution No. 220707F1. Be it resolved to pay Phoenix Safety Outfitters up to \$ 40,000.00 for turnout gear out of fund 4910-220-55000 (Capital Equipment-Fire – Fire Equipment).**

**Ms. Mollard seconded the Motion. Vote: All Aye.**

**Ms. Mollard made a Motion to pass Resolution No. 220707F2. Be it resolved to approve out of state travel for three members of the fire department to attend the Fire Rescue International Conference of the International Association of Fire Chiefs. The amount is not to exceed \$3,740.00 in total for conference expenses including registration fees, meals, lodging, and travel to be paid out of fund 2111-220-58018 (Fire District – Other Expenses-Training). The conference will be held in San Antonio, Texas on August 23-27, 2022.**

**Mr. Ferguson seconded the Motion. Vote: All Aye.**

### **FISCAL OFFICE**

Ms. Mollard questioned why the estimated carryover in the General fund for 2022 is so much lower than 2021. Ms. Rogers explained that the Township has a history of estimating revenue lower than expected and expenses higher than expected. The actual carryover at the end of 2022 should be closer to the carryover from 2021.

**Mr. Ferguson made a Motion to pass Resolution No. 220707B1. Be it Resolved: To accept the attached 2023 Tax Budget and submit it to the Franklin County Auditor's Office.**

**Ms. Mollard seconded the Motion. Roll Call Vote: All Aye.**

### **OLD BUSINESS**

Ms. Mollard shared draft comments to Ben that she would like to present at the next New Albany City Council meeting regarding the pickleball courts. Mr. Ferguson had a meeting with Mayor Spalding, Ben Collins, the Fire Chiefs and Joe Stefanov today. The Pickleball courts were on the agenda and they shared their concerns regarding traffic and location. Joe Stefanov laid out options for parking, etc. Mr. Ferguson's concern is potential school expansion. Joe Stefanov would like the Township to be very targeted in their concerns so he can address them. There was no argument that Thompson Park has adequate space but the city has concerns with the crime and police response at Thompson Park. Ms. Mollard also met with Joe Stefanov and although he is open to considering some options, her sense is that this project is proceeding as planned. Mr. Ferguson's takeaway from the meeting was that all parties would look at the issues and see what can be resolved. It was also discussed that when State Route 161 is widened, an access road might be added for Fire and EMS but it seemed to be a low priority.

Ms. Mollard would like to have a community planning process in 2023 to discuss the pool and future needs and expansion.

Mr. Ferguson also discussed the resident issue at the cemetery with the City of New Albany. They also discussed the Intel project and the fire department services.

### **NEW BUSINESS**

Mr. Collins reported that the State amended the regulations for consumer grade fireworks on July 1, 2022. House Bill 172 allows fireworks on specific holidays at specific times, for example the Friday, Saturday and Sunday surrounding the 4<sup>th</sup> of July until 11pm. It allows local governments to adopt regulations that are more lenient, more restrictive, or completely ban fireworks. If the Township does nothing, the regulations follow the State. The Sheriff would need to enforce any violations.

### **CITIZENS COMMENTS**

Joan Wuebker would like to see better communication from the Township. She missed Founder's Day this year because she didn't know about it. A neighbor also was setting off fireworks after 11pm.

Hans Schell thanked the Fire Department for their support and presence at the 4<sup>th</sup> of July festivities. Chief Rupp said that it is always a pleasure working with Hans for New Albany and Township events.

### **EXECUTIVE SESSION**

**Mr. Ferguson made a motion to adjourn into executive session at 8:30 p.m. pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, demotion or dismissal. Ms. Mollard seconded the motion.  
Vote: All Aye.**


**Mr. Zappitelli attended the Executive Session.**

**Mr. Ferguson made a motion to close out of executive session at 9:15 p.m. Ms. Mollard seconded the motion. Vote: All Aye**

### **ADJOURNMENT**

**Mr. Ferguson made a motion to adjourn the meeting at 9:16 p.m. Ms. Mollard seconded the motion. Vote: All Aye**

**BOARD OF TRUSTEES:**

  
David Ferguson, Trustee  
Kerri Mollard, Trustee  
Bud Zappitelli, Fiscal Officer