

RECORD OF PROCEEDINGS

Minutes of Meeting

Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 7:15 a.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: Fiscal Officer, Bud Zappitelli, Ben Collins, Chief Rupp, Mike Durik, Deputy Upton, Amy Lindenmuth, Hans Schell, Val Jorgensen, Jeff Gastineau and Courtney Rogers.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Ms. Mollard would like to discuss the proposed pickleball courts during Old Business. Mr. Ferguson requested an executive session for purposes of appointment. Mr. Collins added Resolution 220615F2 and moved Pending Warrants to the Fiscal Office section.

APPROVAL OF MINUTES

Ms. Mollard made a motion to approve the June 1, 2022 Board of Trustees Meeting minutes. Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 22061501)

CITY LIAISON – MIKE DURIK

Mr. Durik reported that New Albany City Council met last week. There was nothing significant for zoning. The Planning Commission met last Monday and will meet again next Monday. The major item on the agenda was the NONA project. The city hired MKSK to help develop standards for a hamlet. It will go to planning commission approval and then city council approval. Proposed standards would be 6 units per acre and there are approximately 30 acres, 25% green space and elevation would be 40 feet for the majority of the property. Several residents were in attendance to ask questions. Chief Rupp inquired as to whether public safety would be included in discussions regarding the hamlet. Concerns with the original plan for this development were density and traffic.

FRANKLIN COUNTY SHERIFF – DEPUTY UPTON

Deputy Upton reported that Jefferson Township is growing steadily and the Sheriff's Department is paying attention to that growth. Jefferson Township residents passed a fire levy to build a new fire station at Clark State Road and Waggoner Road. Mr. Ferguson mentioned that he saw that the City of Columbus just approved the next phase of funding for the new fire station that is going in at Harlem Road and Central College Road.

ADMINISTRATOR

Mr. Collins reported that he received a proposal for a new updated website and hosting services for the Township. The current provider is no longer able to service the Township. Mr. Collins also presented a new proposal from Gordon Flesch for a new copier for the Township. The current copier will be moved to the Fire Station. He also reported that pool memberships are outpacing 2021 memberships. The Plain Township Aquatic Center will be hosting the first home swim meet of the season tonight. This will require the pool to close at 4pm and communication has been sent out to all members. The Township currently has requests for pool rentals for every Saturday evening this summer.

Township staff and Trustee Mollard met with the Franklin County Engineer's office regarding the Clouse Road project to discuss the timeline and expectations. Because of the size and scale of the project, it is expected to possibly impact existing right-of-way easements and utility locations. Therefore, the Franklin County Engineer needs additional time to develop plans and coordinate with utility companies. Construction may not occur until 2024. Mr. Ferguson inquired about the likelihood of obtaining a grant for this work. Mr. Collins reported that if the Township includes the pavement work that needs to be improved, the Township would receive more points for the project which will help qualify for the grant money. The grant would be 25% on a \$500,000 project. The longer timeline will give additional time for the Intel development to come to fruition to see how it impacts Clouse Road. A calculation on Clouse Road property tax receipts for the Road District was performed and over a 3 year period, residents would pay \$338,000.

The Township received a \$45,000 proposal from the Franklin County Engineer for Wilbur Road storm water improvements. \$20,000 is for materials and \$8,000 is equipment use. This is a small private development and the developer never finished the storm water system back in the 1980's.

The IRS raised the mileage reimbursement rate from .585 to .625 beginning July 1, 2022

Mr. Ferguson made a Motion to pass Resolution No. 220615A1.

WHEREAS, Ohio Revised Code § 510.707 authorizes a board of township trustees to appropriate from the township general revenue fund moneys not appropriated for any other purpose to an organization that the board determines serves a community purpose and that is exempt from federal taxation under subsection 501(a) and described in subsection 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended; and

WHEREAS, Plain Township has entered into the Second Amended and Restated Joint Operating Agreement for the New Albany Community Arts Center (hereinafter referred to as the "Operating Agreement"), which provide in Section 8.3 that each Owner shall annually deposit in the same proportion as their ownership provided in Section 3.2 the dollar amount necessary to fund the Capital Repair and Replacement Fund of the McCoy Center for the Arts; and

WHEREAS, Section 8.3 of the Operating Agreement provides that the Capital Repairs and Replacements funding from each owner will be deposited into a separate Capital Repair and Replacement Account maintained and managed by the New Albany Community Foundation; and

WHEREAS, in accordance with Section 6.6 of the Operating Agreement, the Board of Education of the New Albany - Plain Local School District has, in cooperation and consultation with the City, the Township, the community Foundation and the Board of Directors, prepared a Five-Year Capital Repairs, Replacements, and Improvement Plan, which includes, by category, budgeting for Capital Repairs/Replacements and for Capital Additions or Improvements; and

WHEREAS, the Owners have reviewed and approved the Five-Year Capital Repairs, Replacements, and Improvement Plan as presented.

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

Section 1. That the New Albany Community Foundation is determined to be an organization that serves a community purpose and is exempt from federal taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

Section 2. That the funds contributed to the New Albany Community Foundation for the Capital Repairs/Replacements of the McCoy Center for the Arts will serve a community purpose; and

Section 3. That the amount of \$24,885.00 be set aside and paid to the New Albany Community Foundation from fund 1000-610-58003 (NA Comm Fdn-Perf.Arts-Capital Fund Donation), for the purpose of funding Plain Township's proportionate share of the McCoy Center for the Arts Capital Repairs and Replacements according to Section 8.3 of the Second Amended and Restated Joint Operating Agreement for the New Albany Community Arts Center.

Section 4. That this Board of Trustees finds and determines that all formal actions of this Board concerning this legislation were taken in an open meeting of this Board, all in compliance with Ohio law including Section 121.22 of the Ohio Revised Code.

Section 5. That this Resolution is declared to be in full force and effect from and after the earliest period allowed by law.

Ms. Mollard seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 220615A2. Be it resolved, to correct Resolution 220601A2 to pay Sedgwick, Inc., PO Box 89456, Cleveland, Ohio 44101, \$6,825.00 as a service fee for third party administration for the group rating period beginning January 1, 2023, and enroll Plain Township in the BWC Group Retrospective Rating Program through the Ohio Township Association Retro Group for the 2023 rating year, and to divide the payment between the following funds:

\$	646.33	GEN	1000-110-58099
\$	266.86	ROADS	2141-330-58099
\$	5,911.81	FIRE	2111-220-58099
\$	6,825.00		

**Sedgwick, Inc.
PO Box 89456
Cleveland, Ohio 44101**

Mr. Ferguson seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 220615A3. Be it resolved, to increase the mileage reimbursement rate for 2022 from \$0.585 to \$0.625 effective July 1, 2022 in accordance with IRS announcement 2022-13. Ms. Mollard seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 220615A4. Be it resolved, to approve an agreement with Gordon Flesch, Inc., 5655 Venture Dr, Dublin, OH 43017, for the purchase and maintenance contract for a Canon iR ADV DX C3830i color copier, off of state term schedule, and authorizing the township administrator to enter an agreement on behalf of the township.

- 1) An agreement for a 60-month lease to purchase for a Canon iR ADV DX C3830i copier, at a lease rate of \$150.15 a month, for a total of \$9,009 out of fund 01-A-28 (General – Contractual Services).**
- 2) A continuing maintenance agreement with Gordon Flesch to include all toner, labor, parts, travel, cleaning and repairs at the rate of \$.0105 for black and white images and \$0.0585 for color images.**

Mr. Ferguson seconded the Motion. Vote: All Aye

ZONING

Mr. Collins reported that the property located at 10696 Johnstown Road in an ongoing problem. A notice to the property owner will be sent via certified mail and a notice will be posted at the property. If they fail to mow the property within 7 days, the Township will mow it and charge the cost to the property owner.

Ms. Mollard made a Motion to pass Resolution No. 220615Z1.

WHEREAS reasonable attempts have been made to contact Vincent A Russo, the record owner of Plain Township Parcel Number 220-001505 and located at 10696 Johnstown Road, New Albany, OH, regarding overgrown weeds and vegetation; and

WHEREAS the overgrown weeds and vegetation located at Plain Township Parcel Number 220-001505 and located at 10696 Johnstown Road, New Albany, Ohio 43054 constitute a nuisance that is present and ongoing;

THEREFOR BE IT RESOLVED that the Plain Township Board of Trustees hereby orders Vincent A. Russo to abate, control, or remove said overgrown weeds and vegetation that are a present and ongoing nuisance;

BE IT FURTHER RESOLVED that if said overgrown weeds and vegetation are not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within seven (7) days, the Plain Township Board of Trustees shall provide for the abatement, control or removal of said nuisance;

BE IT FURTHER RESOLVED that any expenses incurred by the Plain Township Board of Trustees in providing for the abatement, control, or removal of said nuisance shall be paid out of the township general fund from moneys not otherwise appropriated;

BE IT FURTHER RESOLVED that the Plain Township Board of Trustees shall make a written report to the county auditor identifying the premises and all expenses incurred in providing for the abatement, control, or removal of said nuisance. Any expenses incurred shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.

Mr. Ferguson seconded the Motion. Vote: All Aye

ROAD/MAINTENANCE

Mr. Collins reported that the Township currently has 3 seasonal helpers working with maintenance staff. Staff is trying to stay on top of the landscaping needs of the Township. Mr. Collins expects the maintenance supervisor to return to work in the next week or two pending release from his doctors.

Mr. Collins is recommending pay increases for the two full-time maintenance technicians in order to retain them. Mr. Ferguson thinks that it would be prudent for the Township to look for another full-time maintenance technician based on the age and medical challenges the Township has had with the current staff. Mr. Collins agreed and said that he is working on benchmarks for new staff recruitment.

Chief Rupp also noted that the maintenance staff has done a nice job with patch repairs at the fire station.

Mr. Ferguson made a Motion to pass Resolution No. 220615M1. Be it Resolved, to pay the Franklin County Engineer's Office an amount not to exceed \$45,000 for storm water improvements on Wilbur Road, according to the attached estimates, to be paid out of 2141-330-53060 (Roads – Contracts). Ms. Mollard seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 220615M2. Be it Resolved to approve a \$1.50 per hour wage increase for township maintenance technicians effective on the pay period beginning June 1, 2022. Mr. Ferguson seconded the Motion. Vote: All Aye

Mr. Ferguson would like a document that shows total compensation per employee with salary, pension pickup, health insurance, etc.

FIRE DEPARTMENT

Chief Rupp indicated that there has been 36 Fire and 63 EMS runs since the last meeting.

Chief Rupp discussed Resolution 220615F1 which is a maintenance resolution to purchase a new axle housing for E/R 121. The internal parts are believed to be in good condition but they will not know for certain until they take the axle housing apart. The repair is expected to take 3 days.

Chief Rupp reported that he received 2 quotes for the medic replacement. Horton's quote is \$359,000 and they could meet 2023 delivery. Penn Care's quote is \$377,000 for a Braun Ford chassis but they were unsure when the chassis delivery would occur.

Mr. Ferguson asked if the Fire Department has put together a budget for future years. Mr. Ferguson would like to review the Fire Budget in July.

Ms. Mollard recognized the Fire Department for all of the community engagement events that they have done since the last Board meeting, i.e., block parties, Safety Town, Library, etc. She thanked them for their efforts.

Ms. Mollard made a Motion to pass Resolution No. 220518F1. Be it resolved to pay to Stone Truck Parts of Colfax, NC for a rear axle housing and brake assemblies for repairs to Engine Rescue 121 in the amount of \$6,800.00 out of fund 2111-220-58024 (Fire District-Repairs-Non-Routine).

**Stone Truck Parts
P.O. BOX 277171
Atlanta, GA 30384-7171**

Mr. Ferguson seconded the Motion. Vote: All Aye

Mr. Collins discussed the need for Resolution 220615F2. He explained that the original agreement with Prime AE was from April 2021. It was anticipated that the roof project would take 3-4 months beginning in the Fall of 2021. Work has been extended because of weather and delays with materials. The original agreement stated 4 site visits by Prime AE. They have already made 7 site visits and Mr. Collins would like additional site visits and additional consulting services.

Mr. Ferguson made a Motion to pass Resolution No. 220518F1. Be it Resolved, that the Board of Trustees hereby approves an increase of \$5,000 for the consulting agreement to pay Prime AE Group, Inc. for services to design, assist with competitive bidding and provide construction observation for roofing and building envelope repair and restoration at the Plain Township Fire Station, in addition to the amount of \$25,641.00 previously approved, to be paid out of Fund 2111-220-55020 (Fire District – Buildings and Additions) and be it further resolved that the Board of Trustees hereby authorizes the township administrator to execute an agreement on behalf of Plain Township consistent with this resolution.

**Prime AE Group, Inc.
8415 Pulsar Place, Suite 300
Columbus, Ohio 43240**

Ms. Mollard seconded the Motion. Vote: All Aye

FISCAL OFFICE

The May 2022 Bank Reconciliation and Month End reports were presented.

The preliminary 2023 Tax Budget was also presented. This will be reviewed and approved at the next Board Meeting on July 6, 2022.

No other new business.

PAYMENT OF THE BILLS

Mr. Ferguson made a motion to pay the pending warrants in the amount of \$439,564.75.

Ms. Mollard seconded the motion. Vote: All Aye. (Resolution 22061502)

Ms. Mollard inquired as to the cost to refill the pool. Mr. Collins reported that it was approximately \$1700 to refill the pool.

Ms. Mollard also asked where the credit card convenience fees are showing. Ms. Rogers explained that there are credit card processing account codes for the pool, cemetery, and other departments. This revenue is being tracked for each department and shows on the Monthly Revenue reports.

OLD BUSINESS

Ms. Mollard asked to revisit what actions the Trustees should take with the City of New Albany regarding the pickleball courts. She still believes the volume of density is an intense use of that space. Mr. Ferguson asked Mr. Durik if the city has explored other sites. Mr. Durik said that the city is not looking at alternative sites. Mr. Ferguson suggested that he and Ms. Mollard talk to Joe Stefanov separately and revisit the subject at the next July meeting. Ms. Mollard reported that she spoke with Abby Brooks, the Township representative on the Parks board, and from her perspective "density is good" for programming. Mr. Durik recommends continuing to talk with Council members to voice the Township's concerns. Mr. Collins inquired as to whether the city has cost estimates. Mr. Durik stated that they do but those cost estimates have not been made public yet. Chief Rupp stated again that his concern with that location is the one way in and one way out design of that particular location.

NEW BUSINESS

Ms. Mollard reported that Abby Brooks has accepted a position with the City of New Albany. Mr. Ferguson asked if there are any concerns with her being an employee of the city and a Parks Board representative. Currently, the Township and the city does not see a conflict of interest with her maintaining her position on the Parks board.

EXECUTIVE SESSION

Mr. Ferguson made a motion to adjourn into executive session at 8:19 a.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 9:01 a.m. Ms. Mollard seconded the motion. Vote: All Aye

ADJOURNMENT

Mr. Ferguson made a motion to adjourn the meeting at 9:02 a.m. Ms. Mollard seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:


David Ferguson, Trustee

Dave Olmstead, Trustee


Kerri Mollard, Trustee
Bud Zappitelli, Fiscal Officer