

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES
MEETING HELD AUGUST 18, 2015**

Mr. Bradley Coffman called the meeting to order at 7:00 pm.

Roll call: Mr. Davidson – present; Mr. Foley- present; Mr. Coffman - present.

The following were also present: Administrator, Donald Edwards; Fiscal Officer, Darrell Coffman; Roads Department Supervisor, Scott Camery and Zoning Inspector and Asst. to the Administrator, Erin Hartsock.

The following were also present: residents, George Cherryholmes and Gary Breeze; and guest, Mike Gilb, *Judge*, Warren County Court of Common Pleas.

Board President, Bradley Coffman welcomed those in attendance.

Mr. Coffman led those in attendance in the pledge of allegiance to the flag.

Mr. Foley motioned to approve the Minutes of the previous meeting. Mr. Davidson seconded the motion. Upon call of the roll thereon the vote resulted as follows: Mr. Foley – yea, Mr. Coffman – yea, Mr. Davidson – yea.

COMMUNITY INTRODUCTION:

Special Guest, newly appointed Common Pleas Court Judge, Mike Gilb introduced himself and provided a brief overview of his broad background and past experience.

Mr. Gilb took questions from those present. He was thanked for attending.

CITIZEN'S COMMENTS:

None.

DEPARTMENT REPORTS:

ROAD DEPARTMENT:

Road Department Supervisor, Scott Camery reported as follows:

He attended the pre-construction meeting for this year's chip-seal program. Barring any major weather events, chip-seal should happen the middle of September.

The Township's asphalt truck was down due to a shifting problem. It was repaired and patching and wedging will be hopefully be completed this week.

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Some trees came down in New Burlington Cemetery. All have been cleaned up and mowing commenced. The third (3rd) round of mowing is now complete.

Mr. Camery concluded by stating that the Roads Department is currently at 100% equipment availability.

Mr. Foley commented that ditches throughout the Township look good despite the heavy rains the area experienced this summer. Mr. Davidson agreed and inquired about a large number of dead trees seen in the tree lines across the Township.

Mr. Camery responded that he believed that the Emerald Ash Bore was responsible. Mr. Camery stated that he is trying to prioritize trees in the right-of-way and working with the WTFD to remove those deemed dangerous, but there are many. It was also discussed that any dead trees in danger of taking down power lines should be referred to the power company.

Mr. Foley inquired about the status of a community Recycle Rally. He believed the event is needed. Mr. Camery stated that the intention was to hold such an event in the spring and discussions were beginning between Ms. Hartsock, Mr. Edwards and himself. Details would be forthcoming.

FIRE DEPARTMENT:

Fire Chief, Paul Scherer reported as follows:

A breathing air compressor was serviced earlier in the day. Needed repairs were identified totaling \$460 in parts; no labor costs were associated with these repairs as it was under contract.

Chief Scherer reported that he had completed all Wayne Local Schools inspections. A few minor issues were found, but he anticipated corrections to be made prior to the first day of school.

Regarding recent activities, a WTFD crew was on stand-by for the Wounded Warrior Project® Ride on Saturday morning and Chief Scherer has been learning to work with the new website and adding images to the Fire/EMS Department webpage.

Chief Scherer concluded by relaying that MediCount would be making the following policy changes: all unresolved reports over a year old would be written-off on September 20 due to statutory limitations. Additionally, a blanket financial hardship policy will be instituted on September 15, 2015 unless Wayne Township has its own policy to put into effect.

ZONING DEPARTMENT:

Zoning Inspector, Erin Hartsock reported on the following properties:

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She met with Adam Nice Assistant Civil Prosecutor, Warren County this morning regarding two (2) properties discussed previously.

Mr. Nice will send the property owner of **7396 SR 42** a letter requesting full compliance of three (3) zoning violations: 1.) junk vehicles; 2.) building an addition without a zoning permit; and 3.) improper operation of a business in an R-2 zone.

He will give the property owner thirty (30) days to come into compliance or court action will be pursued.

Regarding **6326 Corwin Rd.**, Mr. Nice advised that the Township will likely incur upfront clean-up expenses for the outside of the building. The Township will likely be able to defray the expense through scrap value.

It was further discussed that the Township has worked diligently for over a year and a half to gain voluntary compliance. The length of time has served to strengthen the Township's case. It was also discussed that the situation is not likely to get better on its own due to financial and physical limitations of the resident. Ms. Hartsock was instructed to continue pursuing these properties through legal channels.

ADMINISTRATOR REPORT:

Administrator, Donald Edwards reported the following:

There are four different drainage issues that the Township has been working on: one has been resolved and the other three are currently in different states of resolution.

The "Movie in the Park" on Friday night August 7th at Bicentennial Park was well attended. There were an estimated 400-500 people in attendance. Many asked why there weren't more events in the park. The people from HBC were very happy with the turnout.

All property tax assessments have been calculated and are ready for approval to send to the County Auditor for collections.

This Saturday the Road Garage will be used as a rest area for a MS Society bike ride. They will be having port-a-lets delivered there on Thursday and a UPS truck will be parked there on Friday night with all of their supplies they need for Saturday. The UPS truck will be removed Saturday and the restrooms the following week.

There was some discussion that the routes were not shared with WTFD and/or the Roads Department as such events typically are. Mr. Camery stated he would follow-up with Mr. Lewis at the WCEO.

Mr. Edwards concluded by stating that Zoning Inspector, Erin Hartsock, finished her "Federal component" of the OTA Leadership Academy yesterday and will graduate in January. Those present congratulated her on her accomplishment.

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OLD BUSINESS:

None

NEW BUSINESS:

PUBLIC HEARING: USB PUD ZONING TEXT AND MAP AMENDMENT

At 7:30 pm, Mr. Coffman opened the public meeting for Urban Service Boundary Planned Unit Development Zoning Text and Map Amendment.

Ms. Hartsock stated that the hearing notice was publicized in the "Pulse" section of the August 2nd edition of the *Dayton Daily News*. She went on to say that the Wayne Township Zoning Commission was holding a public hearing to inform and take comment on a proposed map and text amendment to the Wayne Township Zoning Code. The proposed geographic location of a Village Transition PUD area was identified in the 2012 Comprehensive Plan and referred to as the Urban Service Boundary as having the most appropriate geography for viable utility extensions (particularly sanitary sewer) and denser development standards than elsewhere in the Township.

Ms. Hartsock discussed the various points where the proposed standards deviated from the existing PUD standards: overall density of 1 unit/acre; ½ acre minimum lot size for up to no more than 60% of the site and a 20% greenspace requirement (active and passive).

She concluded by stating that the **Warren County Regional Planning Commission (RPC) recommended approval** of the proposed map and text amendment after hearing the proposal with the **condition that the following criteria** (as developed through consultation with the Warren County Prosecutor's Office) be **inserted** into section 26.04 (c) specifying where and when the Township may *wave* the active open space requirements in lieu of a fee:

1. Active open space within the proposed development is not consistent with Wayne Township's guidelines for acquiring acceptable park land based on the parcel's size, location, proximity to new development, and accessibility.
2. There are no substantial physical barriers or impediments to residents of the proposed development accessing an existing neighborhood parks, community parks, and other public recreational facilities. Existing parks have been determined to be in close proximity the proposed development or within an area which children can safely walk and ride their bicycles to and from a park.
3. The proposed development's topography or soils are not well suited for the development of a park.
4. The location of the proposed park would generate adverse impacts to surrounding sites.
5. Based on past usage patterns for area parks there is no need for an additional park at the proposed location.

She went on to state that the Wayne Township **Zoning Commission** held a public hearing on July 23rd and **recommended approval of the proposed amendments** on along with the RPC recommendations

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with the **additional recommendation** that the Board of Trustees re-evaluate the following sections favoring greater development flexibility:

1. **The overall density restriction in §24.06 (D)**
2. **The restrictions on minimum lot size in §24.06 (A-B); and**

Additionally, the Zoning Commission **recommended that the Trustees consult with legal counsel** regarding the omission of language restricting the maximum size of a lot.

Mr. Coffman went over the order of proceedings then opened the hearing to questions and/or comments from proponents and opponents.

Mr. Breeze requested clarification of the differences between active and passive open spaces and the requirements established in the amendment for both.

Mr. Breeze and Mr. Cherryholmes inquired about the proposed development standards and sought clarification regarding overall density restriction of 1 housing unit/acre and ½ acre minimum lot restrictions on no more than 40% of the site. The Board discussed various scenarios and evaluated how such standards would transition new development from spacious township properties with current developments within village corporation limits; and how these standards would play a role in future annexations.

Greenspace requirements were discussed. It was said that a 20% requirement was an averaged requirement of other neighboring communities. The Board was generally in favor of passive open space and were favorable for active open space when a development would be able to maintain and care for it privately.

Mr. Edwards read a letter submitted by John Federle, a local developer regarding the proposed amendments. Mr. Federle was in favor of a higher density standard of 1.75 units/acre. The Board further discussed development standards. Having no more questions or comments, Mr. Coffman closed the public hearing at 8:40 p.m.

Having not arrived at a definitive determination, Mr. Coffman motioned to continue the public hearing to the next scheduled Board of Trustees meeting, set for September 1, 2015 at 8:00 p.m. The motion was seconded by Mr. Foley. Upon call of the roll thereon, the vote resulted as follows: Mr. Foley – yea, Mr. Davidson – yea, Mr. Coffman – yea.

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The Board of Trustees continued attending regular public business as follows:

QUESTION OR CONCERNS OF THE BILLS: None

LEGISLATION:

RESOLUTION 2015-31 RESOLUTION TO RENEW A DEPOSITORY AGREEMENT WITH LCNB NATIONAL BANK FOR PUBLIC FUNDS

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution. Mr. Foley seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Foley – yea, Mr. Davidson – yea, Mr. Coffman – yea. The resolution was therefore adopted the 18th day of August 2015.

RESOLUTION 2015-32 RESOLUTION LEVYING A SPECIAL ASSESSMENT ON LANDS IN WAYNE TOWNSHIP FOR STREET LIGHTING DISTRICTS

Mr. Edwards presented for consideration and Mr. Foley moved for adoption of said resolution. Mr. Davidson seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Foley – yea, Mr. Davidson – yea, Mr. Coffman – yea. The resolution was therefore adopted the 18th day of August 2015.

[Discussion ensued regarding an adjustment to the Auditor's fees].

RESOLUTION 2015-33 RESOLUTION APPROVING THE PROPERTY & CASUALTY INSURANCE PROPOSAL AS SUBMITTED BY BURNHAM & FLOWER OF OHIO FOR THE OHIO TOWNSHIP ASSOCIATION RISK MANAGEMENT AUTHORITY (OTARMA) PROGRAM AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN ALL DOCUMENTS

Mr. Edwards presented for consideration and Mr. Coffman moved for adoption of said resolution. Mr. Foley seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Foley – yea, Mr. Davidson – yea, Mr. Coffman – yea. The resolution was therefore adopted the 18th day of August 2015.

[Discussion ensued regarding the insurance industry standards]

CORRESPONDENCE:

- Warren County Combined Health District: monthly newsletter
- Warren County Commissioners: legal notice of public hearing to consider the adoption of the Warren County Comprehensive Plan Future Land Use Map (FLUM) to incorporate the Massie and Salem Township Comprehensive Plan 2030 FLUM

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- Enterprise Products: announcement of routine maintenance including mowing and clearing of the ATEX and Rockies Express Pipelines in the coming weeks to months
- Mary L. Cook Library: “Thank you” for participating in the “Touch a Truck” program
- LCNB Bank: Introduction of new Assistant Vice President & Trust Officer, Wendy Cole
- Mike Gilb: confirmation of August 18th meeting for introduction
- Warren County Auditor: announcement of meeting to renew “Tax Budgets of the Political Subdivisions of Warren County for the 2015 Tax Year”
- Southwest Ohio Air Quality Agency: Asbestos notification requirements

Being no further business or action, the board stood adjourned at 9:06 p.m.

Chairman of the Board of Trustees

Fiscal Officer