

**LIBERTY TOWNSHIP TRUSTEE
RECORD OF PROCEEDINGS
February 17, 2009**

REGULAR MEETING PROCEEDINGS SUMMARY:

The audio recording, resolutions passed, and any attachments constitutes an accurate record of the Liberty Township Trustee Proceedings at the above dated meeting as determined by the Fiscal Officer. The following summary is provided as an overview of the meeting and a road map to the audio record. Copies of this record are available by request at the Township Government Office, 10104 Brewster Lane, Suite 125, Powell, Ohio.

The Trustees of Liberty Township met in regular session Monday, February 17, 2009, at 7:30 p.m. at the Liberty Township Complex. All Board Members were present. Also present were Township Administrator Dave Anderson, Assistant Fiscal Officer M Michela and Township Legal Counsel William Loveland and Craig Paynter.

Chairperson Robert Mann called the meeting to order with the Pledge of Allegiance.

RESOLUTION: 09-0217-01: Approving “Then and Now” PO’s

Mr. Mann moved to adopt Resolution #09-0217-01 Approving “Then and Now” PO’s. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-02: Approving Bills – checks and warrants

Ms. Guzzo moved to adopt Resolution #09-0217-02 Approving Bills – checks and warrants. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

CITIZEN COMMENT:

Kim Simpson from Wedgewood Park said she had attended the October 20 meeting to have stop signs and no thru construction traffic signs posted. They would like to slow down the traffic in front of the park and the intersections they are proposing would be Tag and Gibson, Creighton and Emerson, Emerson and Gibson and Creighton and Tag. These would be 3-way stops and two are bus stops.

Ms. Guzzo moved to approve the 3-way stops for Emerson and Gibson, Emerson and Creighton, Creighton and Tag, and Gibson and Tag. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

Ms. Simpson asked about the no thru construction signs and Mr. Sybert and Mr. Anderson both stated that it would not be permitted. Mr. Anderson stated the liability issues we could incur if we overstep ODOT.

RESOLUTION 09-0217-03: Authorizing the Fire Department to pursue a \$370,000 educational program grant

Mr. Piwtorak, LTFD and Ms. Gail Wheatley from Ed Heads gave a presentation on this educational grant program. This will be hands on learning and we will be partnering with Olentangy Schools.

Ms. Guzzo moved to adopt Resolution #09-0217-03 Authorizing the Fire Department to pursue a \$370,000 educational program grant. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-04: Approving Road Maintenance Agreement with Berlin Township

Mr. Sybert moved to adopt Resolution #09-0217-04 Approving road maintenance agreement with Berlin Township. The motion was seconded by Ms. Guzzo and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-05: Authorizing the expenditure of funds for the Unified Threat Device

Mr. Sybert moved to adopt Resolution #09-0217-05 Authorizing the expenditure of funds for the Unified Threat Device. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-06: Authorizing the Fire Department Expenditure for BGSU Training School

Mr. Mann moved to adopt Resolution #09-0217-06 Authorizing the Fire Department Expenditure for BGSU Training School. The motion was seconded by Ms. Guzzo and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-07: Authorizing the Road department staff to purchase two trucks, one tractor and two tractor attachments through the State Bid Program

Ms. Guzzo moved to adopt Resolution #09-0217-07 Authorizing the Road department staff to purchase two trucks, one tractor and two tractor attachments through the State Bid Program for a cost of \$159,345.17. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**ADMINISTRATIVE REVIEW #07-04 Wedgewood Park green space/no build zone.
This development plan to reduce the natural green space/no-build zone at the rear of lots
#3746-3755 (excluding lot 3753) from 75' to 25'.**

Legal Counsel Mr. Loveland gave the overview of the proposed resolution.

Ms. Guzzo suggested changing Section I to remove the words "and accepts modification of". Ms. Guzzo suggested changing #5 by putting a period after Permanent Green Space and adding the sentence "Trampolines shall be dismantled and stored during the months of October through March."

Mr. Mick Divens stated that the agreement has not been upheld and that certain neighbors failed to abide by the agreement. If you reward them for what they have done there is no stopping them.

Mr. Rob Stafford stated and showed pictures regarding the trees that recently went down during the recent wind storm.

Ms. Guzzo moved to approve amendments to Resolution #09-0217-13 for Wedgewood Park Subdivision Lots in regard to Administrative Review #07-04. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-abstain, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-abstention.

Ms. Guzzo moved to approved Resolution #09-0217-13 as amended. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-abstain, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-abstention.

DP #08-05 submitted by Michael Fitzpatrick and Jeff Meacham Three Rocks and a Boulder

Mr. Sybert moved to approve the plan as recommended by the zoning commission. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

AR #07-07 by Jim Phieffer for Jewett Road Associates

Holly Foust read an email from Jim Cirigliano, Calumet Farms Association, Inc., which said, "The Calumet Farms HOA is committed to the agreement we made with Homewood, Trinity, and Rockford Builders, and we will continue to monitor the production of homes in Derby Glenn Farms in accordance with that agreement. I requested that the township trustees pass a resolution to publicly acknowledge that this agreement is imbedded in the Derby Glenn Farms Development plan and that compliance to the development plan includes compliance to the agreement; all of which will be enforced by the Township Zoning Department."

Mr. Mann moved to approve the plan as recommended by the zoning commission. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-no, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-no vote.

RESOLUTION 09-0217-08: Authorizing the Township Administrator to execute a website design agreement

Ms. Guzzo moved to adopt Resolution #09-0217-08 Authorizing the township administrator to execute a website design agreement. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-09: Authorizing the Road Department staff to go out to bid for specific rock salt quantities

Mr. Mann moved to adopt Resolution #09-0217-09 Authorizing the road department staff to go out to bid for specific rock salt quantities. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-10: Approve the Liberty Park Use Agreement with the OYAA

Mr. Mann moved to adopt Resolution #09-0217-10 Approve the Liberty Park Use Agreement with the OYAA. The motion was seconded by Ms. Guzzo and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-11: Declaring the Necessity and Intent to Appropriate Real Property for the Construction of Roadway Improvements and operation of Township Havener Park Property

Mr. Mann moved to adopt Resolution #09-0217-11 Declaring the Necessity and Intent to Appropriate Real Property for the Construction of Roadway Improvements and operation of Township Havener Park Property. The motion was seconded by Ms. Guzzo and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

RESOLUTION 09-0217-12: Retaining Attorney Wanda L. Carter to conduct Personnel Review

Mr. Mann moved to adopt Resolution #09-0217-12 Retaining Attorney Wanda L. Carter to conduct Personnel Review. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-no, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with 2-yes and 1-no vote.

WORK SESSION:

Discuss TIRC Appointments

Ms. Guzzo moved to appoint Mr. Anderson and Mr. Mann. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

Fuel Depot Status

Powell police are interested in a lease agreement

Income stream

15-20 year lease

Park Development:

Havener Park

McDaniels to fix pavement

YMCA/OYAA

Implement some more of the Floyd Brown plans

Name the fields

Possible Greif landscaping and using the name Greif Park/Fields

I-9 Sports

For profit group looking for field space

Preservation Parks of Delaware County Grant

Pursue grants for trails

ODOT 315/750

3 lanes for the east/west traffic (stacking lanes)

Personnel Matters

Health Insurance Renewal

Compensation issues

EXECUTIVE SESSION

Mr. Mann moved to go into executive session pursuant to ORC 121.22 (G) (1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual. The motion was seconded by Ms. Guzzo and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

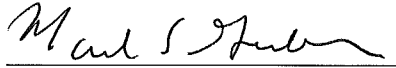
The motion to return to public session was made by Mr. Mann and seconded by Ms. Guzzo. The vote was Mr. Mann yes; Mr. Sybert yes; Mrs. Guzzo yes. The motion passed with 3-yes and 0-no vote.

APPROVAL OF MINUTES:

Mr. Mann moved to approve the Board of Trustees Meeting Minutes of February 2, 2009, and Mr. Sybert seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

ADJOURNED:

There being no further business Chairperson Mann adjourned the meeting at 10:30 p.m.



Mark S. Gerber, Fiscal Officer