

**LIBERTY TOWNSHIP TRUSTEE  
RECORD OF PROCEEDINGS  
September 21, 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, September 21, 2009, at 7:30 p.m. at the Liberty Township Hall at 7761 Liberty Road, Powell, Ohio. Board Members present were Robert Mann and Curt Sybert. Peggy Guzzo was absent. Also present were Township Administrator David Anderson, Zoning Inspector Holly Foust, Chief Tim Jenson, Fiscal Officer Mark Gerber, and Attorney Craig Paynter. Others in attendance are listed on the attached sign-in sheet.

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

**RESOLUTION: 09-0921-01: Approving “Then and Now” PO’s**

Mr. Mann moved to adopt Resolution #09-0921-01 Approving “Then and Now” PO’s with the exception of Thompson & Hine. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and -0 no vote.

**RESOLUTION 09-0921-02: Approving Bills – EFT’s and warrants**

Mr. Sybert moved to adopt Resolution #09-0921-02 Approving Bills – EFT’s and warrants. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**RESOLUTION 09-0921-03: Refinancing Havener Park Bonds**

Mr. Mann moved to adopt Resolution #09-0921-03 Refinancing Havener Park Bonds. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**RESOLUTION 09-0921-04: Permanent Appropriation Amendment**

Mr. Mann moved to adopt Resolution #09-0921-04 Permanent Appropriation Amendment. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

## **CITIZEN COMMENT:**

John Schuette, 5192 Seldom Seen Rd., asked about the Havener Park Bond. He wanted to know who had the bonds originally.

Fiscal Officer Gerber stated that it was originally held by Edwards Brokerage Firm.

John Schuette also stated that he was disappointed when he went across Carriage Road shortly after the speed tables were installed and noticed the condition of the pavement surface. Mr. Schuette spoke to Mr. Walkup about it and Mr. Walkup said it was on the list to be resurfaced. It bothers him that now to resurface that road the speed tables will need to be ground off, resurfaced, and then dovetail the new speed tables into the new pavement. Those speed tables cost \$6800 apiece and there are 12 of them. That is \$81,600 and it would have been more cost effective if the road would have been resurfaced before the speed tables were done.

### **RESOLUTION 09-0921-05: Authorizing Road Dept. Radio Systems/Equipment Upgrades**

Mr. Mann moved to adopt Resolution #09-0921-05 Authorizing Road Dept. Radio Systems/Equipment Upgrades. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

### **RESOLUTION 09-0921-06: Approve and accept Road Department 2010 Posted Roads**

Mr. Mann moved to adopt Resolution #09-0921-06 Authorize hiring of two (2) part-time Park employees. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

### **RESOLUTION 09-0921-07: Authorize refurbishment of Fire Department Tanker 321**

Chief Jenson and Captain Reardon spoke in regard to refurbishing Fire Department Tanker 321.

Mr. Mann moved to amend Resolution #09-0921-07 Authorize refurbishment of Fire Department Tanker 321 to change the amount from \$60,000 to \$20,000. Also change the Now, Therefore clause to read "authorize the refurbishment of the Fire Department Tanker 321 through Blackburn for a total cost not to exceed \$20,000." The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Mr. Mann moved to adopt the amended Resolution #09-0921-07 Authorize refurbishment of Fire Department Tanker 321. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Township Administrator, David Anderson, received a letter in regard to using the Park for The Annual Jeff Beitel Memorial 2 Mile Run & 1 Mile Walk. This run/walk is to raise money and awareness for kidney Cancer. They are also asking to have a silent auction and raffle.

Trustee Mann asked that we have them list the silent auction and raffle items as we have asked in the past.

## **WORK SESSION**

- Township Hall Station 321 Architectural Review exterior and interior
  - Chief Jensen spoke about the review that were done
  - Mr. Mann could you look into grant money or stimulus money since we are looking to be more energy efficient
- October 4<sup>th</sup> Open House Fire Prevention Week
  - Annual Open House at Station 322 for us to open up and show the community and bring in our citizens
- Tree Policy Update
  - This is still in the works
- Review and discuss Township Administration Office Lease
  - Mr. Mann was going to make some phone calls and will discuss his email with Mr. Anderson
- No Parking Sign Request
  - Mr. Betts stated that he doesn't encourage but it is ultimately the decision of the Trustees
  - Mr. Anderson does want this decision in writing before any decisions are made

## **ZONING BUSINESS**

**Administrative Review #09-07 by Jeff Skinner**, president and trustee of Wedgewood Park Estates homeowners' association, requests to amend the Wedgewood Park 2 Development Plan, for approval of landscape plans and structures proposed on lots 4687, 4688, and 4689 of Wedgewood Park Section 2 Phases A & B, which are all owned and maintained by the homeowners' association. **The Trustees designated this application minor at the last meeting on September 8, 2009.**

Jeff Skinner, 5400 Schuette Dr., Powell, this has been an ongoing project for the last two years. We are seeking approval to make landscape changes throughout the common grounds of the neighborhoods. This is to approve the overall appearance of the neighborhood. The new landscape plan calls for the addition of several landscape beds, shade and flowering trees, a central gathering area, perennials, shrubs, ornamental grasses, annuals, retaining walls consistent with existing retaining walls at the front entrance, a water feature, a brick paver patio or a gazebo or shelter type structure. The improvements will be completed over a three to five year term depending on our budget. Throughout this process we have consulted with several different landscapers. We also consulted with Milt Link, Randy from the Road Department, Dale Meade with the Ohio Department of Transportation, Charles Derson with the Ohio Department of Transportation, and Robert Lloyd. The main reason we contacted ODOT was our plans call for four landscape beds immediately adjacent to the fence that runs along Riverside Drive and does happen to fall in the road right-of-way. There are four areas of focus and they are Riverside Drive, north side entrance of the common ground which is referred to as lot 4687, south side

common ground entrance which is referred to as lot 4688, and lot 4689. On lot 4687 the changes and upgrades will include spreading out or moving existing trees and adding a small landscape bed and retaining wall on each side of the existing drainage pipe to clean up and conceal the drainage culvert. Landscape beds or plantings will not be installed in the retention area and will not impede or obstruct flow of water. On lot 4688 upgrades will include the installation of several landscape beds on the outside perimeter of the existing walking paths and catch basins. We will also add park benches and ornamental grasses and trees. The existing shade trees will be moved out from under the existing power lines and relocated throughout the area. The trees will not be placed in the catch basin or in a location that could potentially impede the flow of water. In addition a small bed and retaining wall will be added above and on each side of the existing drainage pipe to clean up and conceal the drainage culvert. The plant material will not be planted in the retention area and will not prevent or impede the flow of water. The last area of focus is lot 4689. This is the primary area focus for the association. We are going to install four foot concrete sidewalks that will crisscross the property. Sidewalks will be consistent with the others in the areas. In addition to sidewalks we will install several landscape beds per the plan along with ornamental trees, shade trees, grasses, shrubs, and flowers. A brick paver and shelter will be installed in the center of the common grounds that would be used for neighborhood gatherings such as a neighborhood Easter egg hunt. The shelter and brick paver patio will be installed at a later date but the homeowners association is seeking approval for the patio and shelter in this administrative review process. At Schuette and Creighton a large landscape bed with a water feature will be installed. The water feature will consist of roughly 100 foot stone wall approximately 36 to 40 inches tall with nine separate waterfalls. The front wall is roughly 20 inches high.

Trustee Mann asked what the ultimate cost of what you would like to complete.

Mr. Skinner stated that excluding the patio and the gazebo/shelter we are in the range of \$210,000.

Holly Foust, Zoning Inspector, stated that the nine waterfalls would be illuminated and our code doesn't allow up lighting. This would also be considered a front yard water impoundment and can't be any closer than 25 feet from any road right-of-way or any less than 55 feet from the center of the public right-of-way.

Mr. Mann moved to approve the amendment as submitted by the applicant with the following changes: 1. The location for the gazebo/shelter is approved but permits will be needed for the specific size, materials and other information that would be needed for approval. 2. Approval for the water impoundment in the front yard subject to setback requirements if you get into situations where you will get into setbacks come in and ask us to amend those and we will take a look at those. 3. The up lighting and you will need to acquire approval of that when you put those in. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Mr. Mann moved that when the applicant comes back to build the gazebo/shelter we waive their fee and have them appear at a meeting that is already scheduled on another

application. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**MOTION: Enter into Executive Session at 9:10 p.m.**

Mr. Mann made a motion to enter into Executive Session pursuant to ORC 121.22 (G) (4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Mr. Sybert seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

**MOTION: Reconvene – Out of Executive Session at 10:25 p.m.**

Mr. Mann made a motion to reconvene out of Executive Session and Mr. Sybert seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

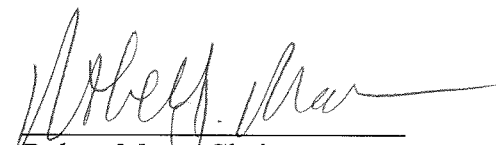
**APPROVAL OF MINUTES:**

Mr. Sybert moved to approve the Board of Trustees Meeting Minutes of August 18, 2009, and September 8, 2009. Mr. Mann seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**ADJOURNED:**

There being no further business Chairperson Mann adjourned the meeting at 10:27 p.m.

  
Mark S. Gerber, Fiscal Officer

  
Robert Mann, Chairman  
Board of Trustees