

**LIBERTY TOWNSHIP TRUSTEE  
RECORD OF PROCEEDINGS  
May 17, 2010**

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 recording. Copies of this record are available by request at the Township Government Office, 10104 Brewster Lane, Suite 125, Powell, Ohio.

**REGULAR MEETING PROCEEDINGS SUMMARY:**

The Trustees of Liberty Township met in regular session Monday, May 17, 2010, at 7:34 p.m. at the Liberty Township Hall at 7761 Liberty Road, Powell, Ohio. Board Members present were Mary Carducci, Curt Sybert, and Bob Mann. Also present were Township Administrator, David Anderson, Fiscal Officer, Mark Gerber, Attorney, Bill Loveland, and Chief, Tim Jensen. Others in attendance are listed on the attached sign-in sheet.

**APPROVAL OF MINUTES:**

Mr. Sybert made a motion to approve the minutes of April 19 and May 5, 2010. The motion was seconded by Ms. Carducci and roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no.

**RESOLUTION: 10-0517-01: Approving Purchase Orders**

Ms. Carducci moved to approve Resolution #10-0517-01 Approving Purchase Orders. The motion was seconded by Mr. Mann and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**RESOLUTION: 10-0517-02: Approving Bills and Warrants**

Mr. Sybert moved to approve Resolution #10-0517-02 Approving Bills and Warrants. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

Trustee Mann asked Mr. Gerber for a spreadsheet showing dollar amounts for sick leave, comp. time, out-of-class pay, and vacation time. Mr. Gerber presented this spreadsheet and it is attached as part of the permanent record.

**CITIZEN COMMENT:**

Robert Ochell, 8459 Clarineton Ct., Daventry Park HOA spoke regarding several neighborhood burglaries. The HOA would like to erect “No Solicitation” signs at the entry of Daventry Lane and River Point. The HOA would also like the Trustees to speak with the Sheriff’s office for more patrols in southern Delaware to protect the neighborhoods.

**PUBLIC HEARING CONTINUANCE:**

The purpose of the public hearing is to consider adoption of amendments to the Liberty Township Zoning Resolution, as recommended by the Liberty Township Zoning Commission, after first considering additional changes and revisions recommended by the Zoning Inspector, Counsel, Board of Zoning Appeals members and citizens. If adopted, said amendments will replace the entirety of the text of Article XXII – Sign Regulations.

The trustees received reports from Holly Foust, Zoning Inspector, and Bill Loveland, counsel, asked for any additional public comment, and discussed the changes both recommended by the Zoning Commission and recommenced subsequent to the date of the action of the Zoning Commission.

Trustee Sybert motioned to approve modifications of the proposed amended Article XXII – Sign Regulations by accepting all of the changes recommended by staff and constituents the Zoning Commission made its recommendation, as presented in red-line form and discussed at length at the hearing. The motion to accept the recommended modifications was seconded by Mr. Mann, and a roll call vote was taken: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no.

Trustee Sybert then motioned to amend the Article XXII – Sign Regulations by replacing that Article of the Zoning Resolution with the revised Article recommended by the Zoning Commission, as modified by the previous motion. The motion for approval was seconded by Ms. Carducci, and a roll call vote was taken: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no.

**NEW BUSINESS:**

**RESOLUTION: 10-0517-04: Accept the Resignation of Full-Time Fire Dept. Administrative Assistant**

Mr. Mann moved to approve Resolution #10-0517-04 Accept the Resignation of Full-Time Fire Dept. Administrative Assistant. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**RESOLUTION 10-0517-05: Authorize Purchase of Fire Dept. Uniforms**

Ms. Carducci moved to approve Resolution #10-0517-05 Authorize Purchase of Fire Dept. Uniforms. The motion was seconded by Mr. Mann and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**RESOLUTION 10-0517-06: Authorize Refurbishment of Fire Station #321**

Mr. Sybert moved to approve Resolution #10-0517-06 Authorize Refurbishment of Fire Station #321. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**ZONING BUSINESS:**

**Administrative Review applications need to be designated as major or minor; if minor, then per Section 10.06E of the Zoning Code, the Trustees may also hear the application the same night, without public notice.**

**Administrative Review #10-05** by Randall Demyan, requesting to amend the Liberty Village planned residence district Development Plan as it applies to his property at 4593 Hunters Bend Drive, Powell, OH to allow construction of a retaining wall 15' from the side property line where the required setback is 25'. Said retaining wall would also be located in 10' of a platted 25' drainage easement.

Mr. Sybert moved to designate Administrative Review #10-05 as minor. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

Mr. Mann moved to approve Administrative Review #10-05. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**Administrative Review #10-06** by Mark Davenport of Showcraft Fine Homes, requesting to amend the Wedgewood Park II planned residence district Development Plan as it applies to his property at 9294 Highbury Court, Powell, OH to allow a four-rail 48" high wooden fence, where the development plan allows for a three-rail 42" high split rail fence

Mr. Sybert moved to designate Administrative Review #10-06 as minor. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

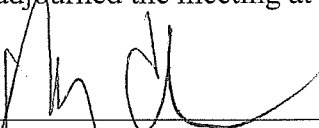
Mr. Sybert moved to approve Administrative Review #10-06. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion to passed with a 3-yes and 0-no vote.

Mr. Sybert made a motion to enter into Executive Session pursuant to ORC 121.22 (G)(3) conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and ORC 121.22. Attorney, Bill Loveland was present. Mr. Mann seconded the motion and the roll call vote: Ms. Carducci-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with 3-yes and 0-no vote.

**ADJOURNED:**

There being no further business Chairperson Sybert adjourned the meeting at 10:00 p.m.

  
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Mark S. Gerber, Fiscal Officer

  
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Curt Sybert, Chairman  
Board of Trustees