

Orange Township Trustees  
May 7, 2018  
Special Trustee Meeting in Place of Regular Meeting

The audio recording, resolutions passed, and any attachments constitutes an accurate record of the Orange Township Trustee Minutes 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 Orange Township Fiscal Office, 1680 East Orange Road, Lewis Center, Ohio 43035.

Ms. Knapp called the meeting to order at 1:00 p.m.

This meeting was held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035.

Motion by Ms. Knapp to appoint Township Administrator, Lee Bodnar as Interim Fiscal Officer. Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

Ms. Taranto noted Mr. Spitzer was at his grandfather’s funeral.

ROLL CALL: Lisa F. Knapp – yes, Ryan Rivers – yes, Deborah Taranto – yes.

**TOWNSHIP OFFICIALS ALSO PRESENT**

Matt Noble	Fire Chief
Amanda Sheterom	Human Resources/Communications Manager
Beth Hugh	Maintenance and Parks Director
Michele Boni	Planning and Zoning Director
Lee Bodnar	Township Administrator
Michael McCarthy	Township General Counsel

**PLEDGE OF ALLEGIANCE**

The minutes were prepared by Administrative Assistant for Maintenance and Parks Mary Ann Ross.

**PUBLIC COMMENTS**

Ms. Knapp asked for public comments for items not on the agenda. No one came forward.

**1:00 PM BOARD OF TRUSTEES ZONING HEARING REGARDING ZONING CASE #ZON-17-08 WAL-MART REAL ESTATE BUSINESS TRUST**

Zoning Director, Michele Boni commented she was having difficulty with her computer. It was decided to move on with some of the agenda items while the computer was being fixed.

**APPROVAL OF MINUTES**

**APRIL 4, 2018 REGULAR TRUSTEE MEETING**

**RES.18-162 APPROVAL OF MINUTES**

Motion by Ms. Knapp to approve the April 4, 2018, regular trustee meeting minutes as presented.

Seconded by Mr. Rivers.

VOTE Knapp – yes, Rivers – yes, Taranto – yes.

**ZONING REPORT**

**ORANGE TOWNSHIP ZONING HEARINGS/MEETING REPORT**

The reports can be found on the table as you come into the meeting room.

**RESIGNATION OF MR. HENRY ROY WILSON FROM THE ZONING COMMISSION**

Mr. Wilson was not in attendance.

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**RES.18-163 ACCEPT RESIGNATION OF MR. HENRY ROY WILSON**

Motion by Ms. Knapp to regretfully accept the resignation of Mr. Henry Roy Wilson from the Orange Township Zoning Commission effective immediately.

Motion Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**DISCUSSION AND POSSIBLE ACTION RECOGNIZING MR. HENRY ROY WILSON**

Ms. Knapp noted Mr. Wilson had been on the Zoning Commission and the Zoning Board of Appeals for over 25 years. She commented he had a lot of historical knowledge and was going to be missed.

**RES.18-164 RECOGNIZING MR. HENRY ROY WILSON**

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, Mr. Henry Roy Wilson, with his wife Sarah, reside at 5415 South Old State in Orange Township; and

WHEREAS, Mr. Henry Roy Wilson has served on the Orange Township Zoning Commission and the Orange Township Board of Zoning Appeals since 1993 for a combined total of over twenty-five (25) years of service; and

WHEREAS, Mr. Henry Roy Wilson has recently decided to step-down and retire from the Orange Township Zoning Commission.

NOW THEREFORE BE IT RESOLVED, by the Board of Orange Township Trustees, County of Delaware, State of Ohio that Mr. Henry Roy Wilson is recognized and acknowledged for his many years of dedication and tireless efforts in serving to help shape the Orange Township community.

BE IT FURTHER RESOLVED that the Orange Township Fiscal Officer shall certify a copy of this resolution to Mr. Henry Roy Wilson at his earliest convenience.

Seconded by Mr. Rivers.

\_\_\_\_\_, Aye \_\_\_\_\_, Aye \_\_\_\_\_, Aye \_\_\_\_\_  
Lisa F. Knapp, Chair                      Ryan Rivers, Vice-Chair                      Deborah Taranto, Trustee

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution 18-\_\_\_\_\_ is taken and copied from the record of proceedings of Orange Township, and it has been compared by me with the resolution on the record, and is a true copy. Further, I certify that the adoption of such resolution occurred in an open meeting held in compliance with section 121.22 of the Revised Code.

Date: May 7, 2018

\_\_\_\_\_  
Joel M. Spitzer, Fiscal Officer  
Orange Township, Delaware County, Ohio

**APPOINTMENT TO THE ZONING COMMISSION**

Ms. Boni noted commented they had received only one applicant, Mr. Dennis McNulty. He is currently serving as an alternate on the Zoning Commission. He has served on the Zoning Board of Appeals for a couple of terms. Ms. Boni commented Mr. McNulty brings a lot to the commission. He has a unique perspective that she felt brings much to the community.

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**RES.18-165 APPOINTMENT TO THE ORANGE TOWNSHIP ZONING COMMISSION**

Motion by Ms. Knapp to appoint Mr. Dennis McNulty, from Alternate Member to Full Member, to the Orange Township Zoning Commission to fill an unexpired term effective immediately and expiring on December 31, 2019.

Motion Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**DISCUSSION AND POSSIBLE ACTION REGARDING AN ALTERNATE MEMBER FOR THE ZONING COMMISSION**

Ms. Boni asked the Board's permission to advertise for Mr. McNulty's open position. Ms. Knapp commented there were no other applicants. Ms. Boni responded no, she would like to post on our website. Mr. Rivers asked if there were any past applicants. Ms Boni commented yes, she was going to reach out to them also.

**RES.18-166 AUTHORIZING TOWNSHIP ADMINISTRATOR**

Motion by Ms. Knapp to request the Township Administrator advertise, through the normal channels, the vacancy of an alternate member for the Orange Township Zoning Commission to fill an unexpired term ending December 31, 2022.

Motion Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**1:00 PM BOARD OF TRUSTEES ZONING HEARING REGARDING ZONING CASE #ZON-17-08 WAL-MART REAL ESTATE BUSINESS TRUST**

Zoning Hearing minutes done by Cindy Davis.

**May 7, 2018 Trustees' Meeting**

**LEGAL NOTICE**

*Notice is hereby given that the Orange Township Board of Trustees will hold a public hearing on Monday, May 7, 2017 at 1:00 p.m. to consider the following application:*

**Rezoning Application #ZON-17-08. 8659 Columbus Pike – Wal-Mart Real Estate Business Trust**

*Requesting amendment of the currently effective development plan for one parcel, being 17.71+/- acres, within the Planned Commercial and Office District (PCD) approved under Application#1342, Triangle Investments, to allow for temporary outdoor storage as well as outdoor display and sale of merchandise. The subject property is located at 8659 Columbus Pike, Lewis Center, OH 43035, being Lot Number 8439 in the Northpointe Plaza subdivision, having permanent parcel number 318-324-12-007-000. The applicant and property owner is Wal-Mart Real Estate Business Trust.*

*The hearing will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035.*

*The application and plans are available for inspection from today's date through the date of the hearing at the Orange Township Zoning Office, 1680 East Orange Road, Lewis Center, Ohio 43035. Zoning Office hours are Monday through Friday, 8 a.m. to 4:30 p.m., except legal holidays.*

*Lisa Knapp, Chairperson  
Michele Boni, Orange Township Zoning*

*Publish one time on or before Friday, April 27, 2018 in the Delaware Gazette.*

*Ms. Boni: The site was originally rezoned in July, 1986 from FR-1 to Planned Commercial. It was later amended to create additional outparcels in front of 23. In April, 2017, an inspection conducted by Staff revealed temporary outdoor storage and sales were conducted outside the designated outdoor garden center area. A violation letter was sent April 11, 2017. Upon further discussion with legal counsel, it was determined a more appropriate course of action would be the applicant seek to rezone the property under ORC 519.12. The formal rezoning application was submitted to our*

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*office September 18, 2017. Their Zoning Code and our Resolution state that under 14.07p), no outdoor storage, displays or materials are allowed. We received a revised submittal last Friday that addressed all outstanding stipulations that the Zoning Commission had. From my interpretation, and I believe Mr. McCarthy's, the stipulations were addressed. They amended the text to allow 2 specific locations, A and B. Area A is at the store front; the total area is 910 square feet (sf). They are not proposing any additional landscaping, and the display area will be marked by a painted line on the sidewalk. Storage period for this area will be April 1 to August 31. Plant materials, flowers, perennials, annuals, etc. will be displayed. Area B is approximately 1,196 sf. There is currently a chain link fence there, but they propose to replace it with a permanent structure as the Commission asked for. No additional landscaping will be required, items will be stacked in rows and not exceed 10' in height. The structure proposed is 10', so you won't see that storage over the structure, and they are proposing year round storage. Only signs proposed are just showing their prices.*

*Ms. Knapp asked about the size of the area as shown on the slide.*

*Ms. Boni: Part of it is existing.*

*John Rossey, Wal-Mart Manager, 3357 Marion Bucyrus Road, Marion, Ohio: Outside where the fence is around the flower patio is what we are proposing and it would only be live plants. Have a little spot on the side of the lawn and garden entrance, and the area along the fence of the lawn and garden area is what is being proposed.*

*Ms. Knapp: In the same location that it is currently?*

*Mr. Rossey: Yes. We don't have anything in front of the front doors of the building right now; the only things that we have where we are proposing are live goods at this point.*

*Ms. Knapp: Than nothing further than what is shown?*

*Mr. Rossey: No. It would just be in front of the lawn and garden area.*

*Ms. Boni: The current zoning doesn't allow any outdoor displays. Regional Planning did not require a review for this case; the Orange Township Zoning Commission unanimously voted for this application at their April 10, 2017 meeting.*

*Ms. Knapp: Can you verify that proper notice was given to the adjacent property owners?*

*Ms. Boni: Yes. Read the Legal Notice.*

*Kenneth Kreider, 1 E. 4<sup>th</sup> Street, Suite 100, Cincinnati, Ohio 45202, representing Wal-Mart Real Estate Business Trust. The display/storage area makes it a much more attractive approach as you come up to the lawn and garden area. There is a time limit, April 1 – August 31, so that covers us in terms of the planting season. It is a limited area, not at the front of the store, just outside where the existing garden center is. Because of the cardboard recycling, that is a lot of what is stored within the fenced in area currently as well as pallets, the permanent storage solution is acceptable and will be obviously more attractive. I request that the Board consider some help on timing. This is not a budgeted item for the store, so if he has to do this sooner than later, it may affect some of the yearend bonuses for some of the people who work there. He can get it into the Wal-Mart capital budget because it is about a \$200,000 construction item, and do it in the spring, so replacing the fenced area with the permanent masonry structure next spring would be preferable.*

*Mr. McCarthy: Is the chain link fence down?*

*Mr. Rossey: No, it's still there. We still have the containment area.*

*Mr. Kreider: It's more of a rectangular area now; the permanent structure will be more linear with one set of gates and storage inside. Approximately the same area, just a little different configuration.*

*Ms. Knapp asked if there was any public comment; none*

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*Mr. McCarthy: All of the stipulations of the Commission were addressed and the applicant did go one step further by limiting the affected area only to the Wal-Mart portion of the lot, so that was the only significant change to it outside the changes that were necessary. Everything was taken care of which was labeling and identifying the exhibits, deletion of a relic from the first iteration where things were just being moved out to the parking lot; everything else was dealt with. The masonry area will be 10' tall as well as the storage behind it; opening to that area will be on the south side so traffic can get thru there, and will be spared the view of pallets and cardboard. The application progressed very similar to Home Depot which went from moving all that storage out of the parking lot to plants and permanent storage of items behind that lattice. They will replace that lattice with a permanent structure which complements the development, so this is the decision before you. If the Board is going to entertain a request to defer the actual construction, I suggest you vote on a start and end date if that's the direction you go with.*

*Ms. Knapp: So we would need to change the dates of construction?*

*Mr. McCarthy: There are no stated dates of construction at this point.*

*Ms. Boni: Do we need a start time or should we just ask for a date completed by?*

*Mr. McCarthy: I would definitely have a completion; my thought is to also have a start in there for when people call it isn't just it should be done by but probably not that much work week.*

*Ms. Hugh: I suggest the start be a contract date because start of construction can be amended, they have a contract for construction signed by a certain date and then your end date be whatever. You can't necessarily start construction if it's pouring down rain or you have hurricane winds.*

*Ms. Knapp: Mr. Rossey, how long would it take for construction to be completed once you have the funds in place?*

*Mr. Rossey: I would have to get with the construction side of our home office. Outside discussion of what materials had to be, there was no discussion of timeframe. They discussed the capital budget would be roughly \$200,000, so I'm not sure how long it will take them to tear down, get the materials in and construct that area.*

*Ms. Knapp: Will you be doing both areas at the same time?*

*Mr. Rossey: It's just the purple area as far as tearing that down and getting that out; it shouldn't even take a day to take the chain link fence out and start to construct it. I don't know if they have someone contracted, materials, how many people they're putting on this project, so those are some of the variables I don't know at this point.*

*Ms. Knapp: When did you say you could have that completed by? Did you say starting next spring or completed next spring?*

*Mr. Rossey: The store is going thru a remodel next year. Since that's going to be a large expense budget as it is, what they want to do is try and add that into the expense budget of the store. From the associates' standpoint, associates get a quarterly what's called my share bonus and something of that kind of expense is going to put a big loss on the profit piece of it for the associates, so I'm just trying to get some of this budgeted into the store's planning budget for the year when they do the remodel.*

*Mr. Kreider: Wal-Mart's fiscal year starts February 1, so that could be the earliest contract date perhaps but it might be done as part of the store remodel.*

*Ms. Knapp: Michele, what is your opinion on it?*

*Ms. Boni: Wal-Mart has been working with us since the first letter. We only sent out one violation letter and we've been in communication with them all throughout. I think if we have a completion date, at least from an enforcement standpoint, we could keep an eye on that.*

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*Ms. Knapp: You're ok with letting it go for basically another year?*

*Ms. Boni: It's more contained than it was when we initially sent out the letter.*

*Ms. Knapp: Because you could technically shut it down right now, correct?*

*Ms. Boni: If they weren't filing this amendment, yes; we would have forwarded it to the Prosecutor's Office.*

*Mr. Rivers: What do we want to use for the completion date?*

*Ms. Knapp: What would be a comfortable completion date?*

*Mr. Kreider: We're thinking May 1, 2019 which would allow us to get the contract let right after the fiscal year commences and allow some time for weather too.*

*Ms. Knapp: Are there any objections to that from the Board?*

*None*

*Mr. McCarthy: There is no completion date in the resolution right now and it would not be a modification to insert new material into it. I think announcing the intent of the Township as a matter of record to take action if this is not completed by May 1, 2019 is probably the best we can do today.*

*Mr. Kreider: That works fine from the applicant's standpoint as well.*

*Mr. McCarthy: I would keep it separate from the motion but the problem is if there was a completion date and they're asking for a change of that you could modify it. But there's no completion date stated but either way, May 1 is the deadline. If we want to view the absence of a completion date as indicating immediacy, then we are modifying and I can do something like that if you would like.*

*Ms. Knapp called for a short recess for this application to modify the resolution.*

**SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-18-01, NATIONWIDE CHILDREN'S HOSPITAL**

**RES.18-167 SET HEARING DATE**

Motion by Ms. Knapp to hold the zoning hearing for Case #ZON-18-01; Nationwide Children's Hospital, on June 4, 2018, at 7:30 p.m. at township hall.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**AMENDING THE GIS ASSISTANT POSITION DESCRIPTION**

Ms. Sheterom, Human Resources/Communications Manager came forward and explained the modifications needed. She answered the Board's questions.

**RES.18-168 MODIFYING POSITION DESCRIPTION FOR THE EMPLOYMENT POSITION OF GIS ASSISTANT**

Motion by Ms. Knapp;

WHEREAS the Board, having previously adopted a position description for the at-will, non-exempt, part-time non-bargaining unit position of GIS Assistant, has been presented a description modifying this employment; and

WHEREAS it is deemed advisable to approve such modification and position description;

NOW THEREFORE BE IT RESOLVED that:

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1. The *GIS Assistant* position description presented to the Board and dated 5/7/2018a is hereby approved and accepted and an employee in such position shall henceforth serve under the terms and provisions stated therein.

2. As provided in the modified position description, which is incorporated by reference herein, this is intended to be a limited employment opportunity, with the anticipated term of each such employment being as determined by the Planning and Zoning Director and Maintenance and Parks Director and endorsed by the Board of Township Trustees acting by resolution.

3. The aforementioned position description is presented for informational purposes only and can be changed at any time by the Board, with or without notice.

4. Neither the aforementioned position description nor this Resolution are an employment contract, express or implied and an employee in such position is an employee at will and either the employee or the Board can terminate the employment relationship at any time (for any reason or no reason) and no representative of Orange Township has the authority to enter into an agreement with an employee that is contrary to the foregoing.

5. Those portions of prior resolutions of the Board inconsistent with this Resolution are hereby repealed and of no further force or effect.

Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING THE GIS ASSISTANT POSITION

Ms. Boni commented they had interviewed three different individuals. They had chosen the top candidate and she asked permission to proceed with background checks. Ms. Sheterom agreed with moving forward; getting all the background information together so they can move forward with putting a resolution together.

DISCUSSION AND POSSIBLE ACTION REGARDING PLANNING AND ZONING INTERN POSITION

Ms. Boni let the Board know that the Planning and Zoning Intern Position does end on May 31, 2018. She would like to open the position up again and have someone hired by the fall semester. Possibly starting in August. Ms. Sheterom is hoping to get this started so they are following the school class cycles.

DISCUSSION REGARDING ZONING RESOLUTION CHANGES AND UPDATE

Ms. Boni commented at the last trustee zoning hearing it was suggested to change some of the language in the zoning code. She and Mr. McCarthy got together last week and there are a few items they would like to address. They will be presenting it to the Zoning Commission on their May 22, 2018 meeting. It will be just discussion and they would be asking the Zoning Commission to set up a public hearing regarding the changes. Ms. Boni answered the Board's questions.

DISCUSSION ON ZONING FEE SCHEDULE CHANGES AND UPDATE

Ms. Boni commented they have been working on it since the performance audit was adopted. She has discussed this with Fire Chief Noble who is also interested in fee changes in his department as well. Fire Chief Noble added that it had been awhile, possibly 10 years since they had addressed fee changes. Ms. Boni and Chief Noble have looked at other neighboring township and done comparisons. They are hoping to present it to the Board at the June or July meetings.

1:00 PM BOARD OF TRUSTEES ZONING HEARING REGARDING ZONING CASE #ZON-17-08 WAL-MART REAL ESTATE BUSINESS TRUST (Continued)

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Ms. Knapp reconvened The Zoning Hearing.

**RES.18-169 TO ADOPT THE RECOMMENDATION OF APPROVAL OF THE ZONING COMMISSION AS TO ZONING APPLICATION #ZON-17-08 OF WAL-MART REAL ESTATE BUSINESS TRUST, WITH MODIFICATION**

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS the Zoning Commission, by its *Motion* adopted on April 10, 2018, has recommended the approval of Zoning Application #ZON-17-08 of the property owner, Wal-Mart Real Estate Business Trust, and requesting amendment to the currently effective zoning, Application No. 1342, as to the WalMart portion of Lot Number 8439 of the Northpointe Plaza Subdivision, Parcel Number 318-324-12-007-000 (“*Lot*”); and

WHEREAS, the recommended amendments are reflected in the provisions, restrictions, limitations and requirements stated or referenced in the materials stated in the *Listing of Documents* attached to the *Motion* as *Attachment "1"*, with those modifications agreed to by the property owner and stated in the *Listing of Modifications* attached thereto as *Attachment "2"*; and

WHEREAS, replacement versions of the materials stated in *Attachment "1"*, with those modifications agreed to by the property owner and stated in *Attachment "2"* have been received in loose form by the Zoning Office from the applicant, all of which are stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning, which versions resolve all stipulations of *Attachment "2"*;

NOW THEREFORE BE IT RESOLVED that the recommendation of the Zoning Commission is adopted as to the *Lot*, with the modification of the date of the completion of the demolition of the existing chain link fence with lattice and the construction of the Bale and Pallet Storage area in *Area B*, both of which shall be completed by May 1, 2019.

BE IT FURTHER RESOLVED that, with the aforesaid modification, the version of the application hereby approved consists of those materials stated in the *Listing of Approved Documents* appended hereto as *Attachment "A"* of this Resolution, the contents of which are incorporated by reference herein, and to the extent that their provisions vary from Application No. 1342, by conflict or addition, they shall amend or supplement that zoning as applicable to the *Lot* in regard to the outside display of materials or merchandise for advertising, merchandising or storage purposes.

BE IT FURTHER RESOLVED that all portions of the previously approved zoning not changed herein, shall continue in full force and effect.

Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

*Attachment "A"*

Listing of Approved Documents

**Re: Zoning Application #ZON-17-08 of Wal-Mart Real Estate Business Trust.**

- (1) *Amended Zoning Text*, consisting of 1 page being approximately 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (2) *Area Description - Area A*, consisting of 1 page being approximately 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (3) *Area Description - Area B*, consisting of 1 page being approximately 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.

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- (4) *Exhibit A (Revised Legal Description)*, consisting of 1 page being approximately 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (5) Title Sheet labeled *Exhibit B (Revised Overall Site Plan)*, consisting of 1 page being approximately 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (6) *Exhibit B (Revised Overall Site Plan)*, consisting of 2 pages, one being approximately 24” x 36” in size and the other being approximately 11” x 17” in size, both stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (7) Title Sheet labeled *Exhibit C (Revised Area Plan)*, consisting of 1 page being 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (8) *Exhibit C (Revised Area Plan)*, consisting of 2 pages, one being approximately 24” x 36” +/- in size and the other being approximately 11” x 17” in size, both stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (9) *Exhibit D*, consisting of 1 page being 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (10) *Exhibit E*, consisting of 1 page being 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (11) Title Sheet labeled *Exhibit F (Bale and Pallet Storage Description)*, consisting of 1 page being 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.
- (12) *Exhibit F (Bale and Pallet Storage Description)*, consisting of 2 pages, each being 8.5” x 11” in size and stamped RECEIVED with ORANGE TWP. ZONING above and MAY 04 2018 superimposed over RECEIVED by Orange Township Zoning.

**MAINTENANCE REPORT**

Ms. Beth Hugh, Director of Parks and Maintenance started her report first by reading a thank you she had received regarding additional signage at the abrupt ending of Plumb Road.

**DISCUSSION AND POSSIBLE ACTION TO TRANSFER ROW TO DELAWARE COUNTY FROM NORTH ROAD PARK**

Ms. Hugh explained the easements, the reasoning for the easements and commented that the prosecutor’s office and Mr. McCarthy have seen the easement language etc.

**RES.18-170 APPROVING A TEMPORARY EASEMENT AND A DEED TO DELAWARE COUNTY**

Motion by Ms. Knapp;

WHEREAS, the Delaware County Board of County Commissioners (“Commissioners”) have approved a road improvement project on North Road in Orange Township known as project DEL-CR106-TR272 (“Project”); and,

WHEREAS, the Orange Township Board of Trustees owns land on North Road bearing tax parcel identification number 318-220-01-068-000 in the Township; and,

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WHEREAS, the Commissioners require additional land in order to widen and increase the right-of-way area of North Road; and,

WHEREAS, the Commissioners temporarily require additional land for purposes of constructing the North Road improvements; and,

WHEREAS, upon completion of the Project, the Commissioners intend to dedicate North Road as a Township road, thus placing it in control of the Board; and,

WHEREAS, the Board desires to assist the Commissioners in the completion of the Project by granting a deed and a temporary easement to the Commissioners pursuant to the authority in R.C. 505.10(A)(5).

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, that:

Section 1. The Board hereby approves and authorizes the granting of the attached Limited Warranty Deed to the Delaware County Board of County Commissioners for the portion of tax parcel number 318-220-01-068-000 described in Exhibit A attached to the Limited Warranty Deed.

Section 2. The Board hereby approves and authorizes the granting of the attached Temporary Easement to the Delaware County Board of County Commissioners over the portion of tax parcel number 318-220-01-068-000 described in Exhibit A to the Temporary Easement.

Section 3. The Board hereby authorizes its Board Chairman, Trustee Lisa Knapp, to sign the deed and easement on the Board's behalf.

Section 4. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

Section 5. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

APPROVE 2018 ROAD IMPROVEMENT PROGRAM CONTRACT

Ms. Hugh commented that The Shelly Company was low bid and Delaware County awarded the bid to them. This would be Orange Township's portion of the bid.

**RES.18-171 ENTER INTO AGREEMENT WITH THE SHELLY COMPANY FOR THE ORANGE TOWNSHIP PORTION OF THE 2018 DEL-COUNTY ROAD IMPROVEMENT PROGRAM**

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board enter into a unit price agreement, in the form provided by the Delaware County Engineer's Office, with The Shelly Company in the amount of \$626,590.93 [includes the Road Summary Estimate amounts provided by the Delaware County Engineer and dated December 15, 2017, for Arnold Place (TWP 295) Clarksdale Dr (TWP 803), Winslow Ct (TWP 801), Morningside Dr (TWP 670), Hickory Ridge Ct (TWP 424), Casselbury Mills Ct (TWP 14), Oak Creek Dr (TWP 640), Holderman St (TWP 766), Orange Rd (TWP 114) West Orange Rd TWP 114), North Central (TWP 435), together with a 10% contingency, all totaling \$626,590.93, based on unit prices as stated therein, for the Orange Township portion of the 2018 Del-County Road Improvement Program, Delaware County, Ohio. The township fiscal officer is directed to obtain possession of the contract performance bond and the Delaware County Engineer's Office shall be the prevailing wage coordinator for this project.

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BE IT FURTHER RESOLVED that all members of the Board shall execute the contract on behalf of the Board.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

**RETROACTIVELY APPROVE PROPOSAL FOR ARCHITECTURAL SERVICES FOR FRONT DESK RENOVATION DESIGN**

Ms. Hugh commented she had talked with the Delaware County Prosecutor's office and since the work has already been done there was no need to actually sign the proposal. It will now move on to the construction conception phase.

**THEN AND NOW PURCHASE ORDER**

**RES.18- 172 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO MEYERS + ASSOCIATES**

Motion by Ms. Knapp to authorize the issuance of then and now a purchase order to Meyers + Associates, in the amount of \$5,000.00, for Front Office Renovation Drawings for Construction. Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**PURCHASE ORDERS**

Ms. Hugh reviewed both the purchase orders.

**RES.18-173 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO ROCKS TRAILER SALES, INC.**

Motion by Ms. Knapp to authorize the issuance of a purchase order to Rocks Trailer Sales, Inc., in the amount of \$1,852.50, for a trailer.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

**RES.18-174 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE SHELLEY COMPANY**

Motion by Ms. Knapp to authorize the issuance of a purchase order to The Shelley Company, in the amount of \$626,590.93, for 2018 Road Improvement.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

**PARK REPORT**

**OBSOLETE ITEM**

**RES.18-175 FINDING CERTAIN PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE, OBSOLETE, OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED TO HAVE NO VALUE AND ORDERING IT TO BE DISCARDED OR SALVAGED**

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Township has certain used property which has no value and is not needed for public use, is obsolete, or is unfit for the use for which it was acquired;

NOW THEREFORE BE IT RESOLVED that the property listed in Exhibit "A" of this resolution, incorporated herein by reference as if fully repeated, is found to be not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and to have no value.

BE IT FURTHER RESOLVED that such property shall be discarded or salvaged and that Ms. Beth Hugh or her designee shall oversee its' disposal.

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Exhibit "A"

Amt	Item	Serial/Model #
1	Broken Picnic Table	

Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**DISCUSSION AND POSSIBLE ACTION REGARDING RIBBON CUTTING DATE FOR ALUM CREEK BRIDGE TRAIL OPENING**

Ms. Hugh described all the last details that have been completed. The invitations have gone out. The ribbon cutting will be held at noon, May 18, 2018; refreshments and cookies will be served.

**APPROVE PAY APPLICATION #6 GEORGE J. IGEL & CO. INC.**

Ms. Hugh commented there should be one more pay application after this and then the retainage.

**RES.18-176 AUTHORIZE RELEASE OF PAYMENT TO GEORGE J. IGEL & CO., INC.**

Motion by Ms. Knapp to authorize release of payment to George J. Igel & Co., Inc. for pay application # 6 in the amount of \$34,390.37, for Alum Creek Bridge Trail.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**AWARD BEVERAGE CONTRACT**

Ms. Hugh explained the confusion and reviewed the correct information.

**RES.18-177 ACCEPTING FORM OF EXCLUSIVE AGREEMENT FOR SOFT DRINK AND WATER SALES AND AUTHORIZING EXECUTION**

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Board has previously judged Pepsi-Cola Bottling Company of Columbus, Ohio (“Pepsi”), a division of G&J Pepsi-Cola Bottlers, Inc., to have submitted the most advantageous proposal for the provision of soft drinks, including carbonated and non-carbonated beverages, juices, iced teas and water on an exclusive basis for a period of five (5) years, through vending machines at certain park locations and over-the-counter sales at the concession stand of the North Orange Aquatic Center and future North Road park concessions, authorized entry into a contract with such entity and directed the Maintenance and Parks Director to prepare a written contract in accordance with the Request for Proposal issued by the Township and the Partnership Proposal received from such entity, dated April 25, 2018; and

WHEREAS, a written contract has been presented to the Board which is deemed to accurately incorporate such matter;

NOW THEREFORE BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approves the form of the Exclusive Agreement for Soft Drink and Water Sales as presented to the Board and bearing in its footer the identifying version date of 050718a.

BE IT FURTHER RESOLVED that, pursuant to the Board’s prior action authorizing entry into such an agreement with Pepsi, the Maintenance and Parks Director shall execute the agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

**PUBLIC SAFETY REPORT**

AMEND RES.18-151

**RES.18-178 AMENDING RESOLUTION #18-151**

Motion by Ms. Knapp to amend Res.18-151, section (b) (3), last sentence, to read “This shall be paid in two equal installments of \$229.02 (instead of \$228.02), due on May 15, 2018, and June 15, 2018, respectively.

Seconded: Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

ACCEPT RESIGNATION FROM PART-TIME FIREFIGHTER/EMT

**RES.18-179 ACCEPT RESIGNATION OF PART-TIME FIREFIGHTER/EMT**

Motion by Ms. Knapp to accept the resignation of part-time firefighter/EMT Michael Thompson effective April 30, 2018.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

DECLARE ITEMS FOR GOVDEALS

**RES.18-180 FINDING CERTAIN PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE, OBSOLETE, OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED AND ORDERING THE SALE OR DISPOSITION OF THE SAME**

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the township has certain property with a value of less than \$2500.00, a listing of which is included herein as Exhibit “A,” which is not needed for public use, is obsolete, or is unfit for the use for which it was acquired; and

NOW THEREFORE BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, hereby finds that certain Township property has a fair market value of two thousand five hundred dollars (\$2,500.00) or less and is not needed for public use, is obsolete, or is unfit for the use for which it was acquired. Such property is listed in Exhibit “A” of this resolution, which is incorporated by reference into this resolution.

BE IT FURTHER RESOLVED, pursuant to R.C. Section 505.10, that such property will be sold by private sale, without advertisement or public notification in the following manner: through GOVDEALS.

BE IT FURTHER RESOLVED that such property shall be sold "as is," and the Board specifically disclaims any express or implied warranties regarding the same.

BE IT FURTHER RESOLVED that purchaser(s) of the property shall only take possession of it upon full payment of the purchase price.

Exhibit “A”

Amount	Item
35	MSA Self Contained Breathing Apparatus (SCBA) Harness
70	MSA SCBA Masks
91	MSA SCBA Cylinders
4	MSA RIT Packs
1	Air Cart Assembly

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Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**FISCAL OFFICER REPORT**

Nothing reported.

**ADMINISTRATIVE REPORT**

**DISCUSSION AND POSSIBLE ACTION CONCERNING COPY MACHINES**

Mr. Bodnar did explain that these were the same make but a newer model of what we currently have. They are smaller; more updated, and improved technology. The current copiers were purchased in 2012. He felt their useful life has come to an end. All staff members as well as the administrative assistants were given the opportunity to go to the vendor of these machines to view them. There were allocations in the budgets for these purchases. He recommended purchasing the copiers; he felt it was better than the current leasing agreements being offered. He answered the Board's questions.

**RES.18-181 AUTHORIZE TOWNSHIP ADMINISTRATOR TO PURCHASE**

Motion by Ms. Knapp to authorize the Township Administrator to purchase two (2) Toshiba 3505AC Color Copier/Printer/Scanners/Fax machines through the State Purchasing Program from Mid-Ohio Strategic Technologies, at a cost not to exceed \$18,350.00

Seconded: Mr. Rivers.

VOTE Knapp – yes, Rivers – yes, Taranto – yes.

**DISCUSSION AND POSSIBLE ACTION CONCERNING THE TOWNSHIP WEBSITE REDESIGN**

Mr. Bodnar commented on the discussions to revamp the website. He felt they have been able to negotiate a pretty good cost if the township pulls the trigger on it early rather than late. He reminded the Board he would like this to run with the branding of the township. He answered the Board's questions.

**RES.18-182 APPROVING AN AGREEMENT WITH CIVICPLUS, INC.**

Motion by Ms. Knapp;

WHEREAS, Orange Township operates and maintains an internet website pursuant to R.C. 9.03; and,

WHEREAS, the Orange Township Board of Trustees ("Board") strives to maintain the website so that it is useful and informative to its residents and all users; and,

WHEREAS, the Board desires to redesign the Township's website to be more user friendly and accessible to users with disabilities; and,

WHEREAS; CivicPlus Inc. (CivicPlus) provides website services and designs, including the AudioEye system for individuals with disabilities; and,

WHEREAS; the Board desires to enter into an agreement with CivicPlus to redesign the Township's website.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby approves the attached Master Services Agreement and Addendum with CivicPlus for the redesign of the Township's website pursuant to the terms and conditions found in the Agreement.

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Section 2. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

Section 3. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

**ADDENDUM  
TO THE TERMS AND CONDITIONS OF THE MASTER SERVICES AGREEMENT  
BETWEEN CIVICPLUS, INC. AND ORANGE TOWNSHIP, DELAWARE COUNTY, OHIO**

**CAMPAIGN FINANCE – COMPLIANCE WITH ORC § 3517.13**

Ohio Revised Code Section 3517.13 I(3) and J(3) requires that no political subdivision shall award any contract for the purchase of goods with a cost aggregating more than ten thousand dollars in a calendar year or services with a cost aggregating more than ten thousand dollars in a calendar year to a corporation, business trust, individual, partnership or other unincorporated business, association, including, without limitation, a professional association organized under Chapter 1785 of the Revised Code, estate, or trust unless the political subdivision has received for that calendar year, or the contract includes, a certification that the individuals named in said sections of the Revised Code are in compliance with the applicable provisions of section 3517.13 of the Revised Code. CivicPlus, Inc., therefore, is required to complete the attached certificate/affidavit entitled “Certification/Affidavit in Compliance With O.R.C. Section 3517.13.” Failure to complete and submit the required aforementioned certificate/affidavit with the Contract will prohibit the Township from entering, proceeding with, and/or performing the Contract. Such certification is attached to this Contract and by this reference made a part thereof.

**INDEPENDENT CONTRACTOR ACKNOWLEDGEMENT/  
NO CONTRIBUTION TO OPERS:**

Orange Township is a public employer as defined in R.C. § 145.01(D). The Township has classified CivicPlus, Inc. (“Company”) as an independent contractor or another classification other than public employee. As a result, no contributions will be made to the Ohio Public Employees Retirement System (“OPERS”) for or on behalf of the Company and/or its officers, officials, employees, representatives, agents, and/or volunteers for services and/or deliverables rendered and/or received under or pursuant to this Contract. The Company acknowledges and agrees that the Township, in accordance with R.C. § 145.038(A), has informed it of such classification and that no contributions will be made to OPERS. If the Company is an individual or has less than five (5) employees, the Company, in support of being so informed and pursuant to R.C. § 145.038, agrees to and shall complete and shall have each of its employees complete an OPERS Independent Contractor Acknowledgement Form (“Form”).

**SIGNATURES**

**CIVICPLUS, INC.**

**ORANGE TOWNSHIP  
DELAWARE COUNTY, OHIO**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

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**FISCAL OFFICER’S CERTIFICATION (RC 5705.41(D)):**

The Orange Township Fiscal Officer hereby certifies that the funds required to meet the obligation set forth in this Agreement have been lawfully appropriated for such purpose and are in the township treasury or in the process of collection, free from any other encumbrances. The Orange Township Fiscal Officer also certifies that it has confirmed with the State of Ohio Auditor that CivicPlus, Inc., has no outstanding findings for recovery pending or issued against it by the State of Ohio.

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Joel Spitzer  
Orange Township Fiscal Officer

**DISCUSSION REGARDING TRANSIENT VENDOR PERMITS AND DO NOT KNOCK LIST**

Mr. Bodnar reviewed what has been happening with the vendor report. He has sold eight so far. There has been 15 residents that have been included on the do not knock list.

Mr. Bodnar asked the Board to consider in the future after the completion the meetings streaming project, that is being heading up by Trustee Rivers; that the Board may consider hosting the first trustee meeting of the month during this time of the day. He knew a lot of townships do this. He was asking for future consideration.

**OLD BUSINESS**

**TABLED ITEM: POSSIBLE PURCHASE ORDER – POOL FURNITURE - \$TBD**

Ms. Hugh commented she was still waiting on CPM to see what is needed. Ms. Hugh asked that it be tabled to the next meeting.

**ADMINISTRATIVE REPORT (Continued)**

**DISCUSSION REGARDING THE SURVEY PARTNERSHIP WITH THE YMCA**

Mr. Bodnar commented he had forgotten to mention about the YMCA. He commented the township has entered into an agreement with YMCA; to partner with them on a survey. Currently there is a meeting scheduled at 10:30 a.m. on May 11, 2018. He reviewed who would be attending and invited the Board to attend. Mr. Rivers commented he would be attending.

**TABLED ITEM: DISCUSSION AND POSSIBLE ACTION KORDA TASK ORDER #1 \$2,500.00 – VETERANS MEMORIAL PARK SURVEY**

Ms. Hugh commented she had reached out to Korda to what the Kenmore Agreement means to the township. She thought their numbers were possibly based on new construction. The earthwork over the sledding hill costs could be \$15 to 25 thousand and the base and prep for the parking lot would be another \$15 to 18 thousand dollars. For the survey and design work the township was asking for \$2,500.00 and \$4,500.00 respectively. That would allow the township to take advantage of the Kenmore agreement Ms. Knapp asked Ms. Hugh to explain the first part again. Ms Hugh answered Ms. Knapp’s questions.

Ms. Knapp commented she has been talking to a lot of different people she didn’t feel it would be an appropriate corner for the Veteran’s Memorial. It is a historical area; it is a nice area; it has been that way for years. It is green space. She thought it would be very disrespectful to have the Vet’s Memorial there. She would like to have a look at having it somewhere else. She couldn’t find anything having it approved for that site. It was a recommendation. She could not find a resolution that we were going to put it there. It was an idea. Things have changed because now there; will be a right of way taken; it is noisy. She didn’t think there could ever be respectful ceremonies held there. She felt they should look at other areas.

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She went on to say, you have fire trucks coming in and out; traffic. There were ideas about putting playgrounds around there; soccer fields, botch ball there. She enjoys the corner for what it is currently. She could not see putting a vet's memorial right there in between the fire station and the old township hall. She was going to ask the park board or others to consider North Orange Park or even Township Hall. This is the most quiet area in the township.

Ms. Hugh commented she thought some of the discussion was it was more visible on that parcel.

Ms. Taranto commented she has listened and certainly respected those thoughts. She thought they may be forgetting the history of that spot. She commented the former trustee Quigley brought the idea forward, and he had focus groups with veterans and he got the schools involved. She commented this was something the three of them have felt very strongly about. Community; creating hometown; branding ourselves; and creating things that are special to the residents here in Orange Township.

She went on to comment that is a center, much as we have for Orange Township. It is a historical site. She knew there was talk about playgrounds and so forth. She went on; number one, about not wanting a playground or further down, it is not going to be where the memorial is. She thought what the beautiful thing about this that we had veterans involved; and they had the schools involved. There was a contest. Someone came up with a design. Another school came up with the name. The amazing thing is that the middle schoolers have a walk every year. It was not a onetime thing; they have had it many years.

She remembered Ms. Knapp telling what an impact that had on her son. Ms. Taranto commented it was a really neat thing for her daughter. They learned what the veterans mean to us; who they are and to have something that close to the schools. The teachers are all on board. This was a great community involvement. It is branding, hometown. She felt it was a great area for this event. She would love to take advantage of this grading that is being donated towards the Vet's Memorial.

She went on to say, she knew there has always been a question out there about \$400,000.00. That was a worst case scenario. They all knew they had to wait until the widening of South Old State Road is complete, which is going to happen this year.

She continued she knew as a business owner who does a lot of sponsorship; she didn't want to donate her dollars and let it sit there 3 to 4 years. She would want to hold onto that money until that process starts to happen. She knows there are many sponsors that are out there that want to donate, but they are waiting for it to get closer. There are other construction groups that would like to donate to help build this. Which she thought was awesome that could possibly bring the cost down to \$200,000.00. She knew Mr. Quigley is ready to take off on the brick sale. She thought an email was sent, where residents, businesses can buy a brick; they are laser engraved. It will create the walk way. She thought it was going to be quite beautiful. With just selling these bricks could very easily be \$200,000.00. She could very easily see 1,000 being sold on the low end. She thought this is a community thing. She has worked with the veterans since the very first parade. There were quite a few that was even in Dessert Storm.

She watched the sign up at the high school. These are our kids that are going to one day be our veterans; that will be recognized in this memorial. She is really looking forward to building it, and all of us jumping on board. She commented if the 3 of them jump on board and help with this; they can make it happen. Getting the funds raised, get the bricks sold, just to get the support of the entire Board would really make this exciting. It is now getting closer where it is going to happen. It is going to start moving. Seeing dollars and resident participation.

She went on to say they need to look at the big picture; no agendas, no who did it; who didn't. She felt they all need to work together.

Mr. Rivers commented he had several veterans that have approached him that are concerned about the site; what all is going to be there. There appears to be a lot of confusion. He thought this started back in 2013. It has been quite some time putting all of this together. He felt everyone was on board. Obviously they all want to do something that honors the veterans. They want to make sure it is the very best quality; that they get it right. But he thought there is a lot of

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confusion as far as cost, financials, what exactly is the plan to be there on the site. He thought for himself, obviously it is for the veterans; they should have the say, have the most input into this. He proposed have a formal public meeting, just for the veterans memorial. Have the local veterans group come in. Get all the information on the table. He would like to make sure they are all in agreement about the site; understanding the fund raising, the dollar amount; what is needed; what resources are needed. He wanted to put together a solid timeline that everyone understands and agrees upon. Something everyone agrees upon is clear about the direction and where they are going.

Ms. Knapp agreed. She commented she was all for it but didn't think that noisy corner was the proper location for it. She thought it was very peaceful here at township hall. She reiterated it was very loud and noisy on that corner and would continue to be. She thought the township hall would be a lot more tranquil. She would just like to see a change in location. She thought things have changed over the last five years.

Mr. Rivers asked if they could have an agreement on having a meeting just on the veteran's memorial. Ms. Taranto asked him to go ahead and set the date. Ms. Knapp asked who would be coming to the meeting. Mr. Rivers answered it would be a public meeting, obviously we would like to invite all our veteran organizations. Ms. Taranto commented as well as Mr. Quigley. Ms. Knapp commented there is the issue of money. The township cannot do any more than what they have already paid for. The rest will have to come from private funds; so far \$20,000.00 of the 200 or 4 hundred thousand dollars has been raised and we could not provide any additional support. Mr. Rivers commented that when you are fund raising you would have to establish the goals. You would have to show the progress being made. The communications would need to be very clear.

Ms. Hugh commented just for clarification she was not aware of any funds expended by the township. She thought there was a \$5,000.00 maximum. She was not aware of any of that spent. Ms. Taranto commented on a monument. Ms. Knapp commented if we put \$5,000.00 towards that account. Mr. McCarthy commented he couldn't recall the Board doing that. He thought the foundation could give the Board a list of where the money came from. Ms. Knapp wondered about plans being drawn up. Ms. Hugh commented she has been very diligent in making sure, and she did think there is some confusion here, because she had been calling it Veteran's Park, just as a name sake, a place holder, for her that included both the parcel from old township hall and the adjacent wooded lot. There was some discussion between herself and former Trustee Quigley that the park would be called Veteran's Memorial Park because it would have the memorial in it. This may be some of her confusion; but outside of some of the donated area; in these two proposals from Korda, this money is not for the Veteran's Memorial; this is for the park area itself. She went on to say from a park board prospective; with Edge; the task order that was approved last year, they never looked at soccer; it is just not big enough. They have looked at botche, they have looked at horseshoes and they have looked at tennis. They have purposely looked at the playground being on the other side of the creek, the wooded area. It would be more of a natural, it would be something we could do as an obstacle course; an exercise place, a place that could be used in conjunction with the schools. It would be part of the trails because it would be connected. There is park section to this and there is a memorial section to this. This grading is for the park section. The donated section is for the memorial. She just wanted to make sure that was clear because there are two separate pieces. She has spoken to the prosecutor's office and there is that \$5,000.00 limit. They purposely segmented; the memorial piece we have been talking about and the park portion. She apologized for calling it the Veteran's Park; she thought maybe if we start calling it Old Town Hall Park and Veteran's piece.

Ms. Knapp commented it is just not an accessible site for a playground or anything at all. We would have kids walking across the street to get there; she thought it would be hazardous. She would like to see it put back to the way it was, one nice open area of green space. She thought putting the memorial here (Township Hall Park) or North Orange Park; another quieter location.

Ms. Hugh commented from her prospective; some neighborhoods would have to cross the street for that; but the Old Township Hall property; just on the sledding hill itself; is the only piece of property that Abbey Knoll, Woodstone, Old State Farms, McCammon Chase; those neighborhoods that is the only piece of property that the township owns on that side. It would

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give those neighborhoods access without crossing a major street. They would all have sidewalk access, and they would have trail access if they came up Orange Road.

Mr. Rivers commented we have the design for the memorial in place, could we get the other proposed designs for the area; put it all together, and get everyone's input.

Ms. Knapp just thinks it is a nice open area and she didn't think we would need to fill every open area in Orange Township with buildings and more play structures. She thought there would be room here the old prairie garden area; for the Vet's Memorial. That was one of the considerations. She asked Ms. Hug if she remembered and Ms. Hugh commented she was not part of all the discussions. She did remember why Mr. Quigley and the group he was working with chose that area was because of the visibility. Ms. Hugh went on to say, there are still people coming into township hall commenting they never knew this place was here. She thought that now that we were holding community events; people are starting to learn about this park. But from a visibility standpoint; it is not a visible park.

Ms. Knapp didn't think she knew of many visible Vet's Parks. She didn't think the ones in Powell or Westerville were highly visible. Ms. Knapp wondered what groups Mr. Quigley worked with. Ms. Hugh commented she was not part of it, she didn't know.

Mr. Rivers would like to schedule a special meeting and reach out to organizations.

Tina Krider, 4155 Royal Brookdale Drive, Westerville, Ohio commented:

- She didn't know why the township couldn't start from where we began
- Why do we have to start all over again
- I, I, I, that is all she was hearing

Ms. Knapp commented they weren't going to start all over again; just change the location and keep the plan as it exist.

Ms. Krider commented;

- You are saying you want to change the location
- Maybe all the rest of us who have been working on it through their fund raising, participation in the walks; our kids have been doing it for years
- She has been involved in the 5k for years

Ms. Knapp commented it would still be the same plan, just a different location, not much farther at all.

Ms. Krider commented:

- She understood, but it was her idea, what about all of us that have been working on this

Mr. Rivers commented that there needed to be a meeting about this; she has been involved and they appreciate all she has done, all her work and support.

Ms. Krider commented that it was very upsetting because now all of a sudden it has to change.

Ms. Knapp asked her if she found this to be a more tranquil location; something that deserves respect or did she want; the road has been widened, there is excessive traffic and it is going to get worse. If the township would want a Veteran's celebration or Memorial Day Celebration there wouldn't be enough parking.

Ms. Krider commented she didn't even know if the whole plan has been in place; how it could work.

Mr. Rivers felt the meeting would be a good opportunity to look at the plan, see if it would work and make sure everyone is on board with it. He was not necessarily saying change or

Ms. Knapp asked why she objected to moving it.

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Ms. Krider commented:

- She is of the opinion that the township needs to showcase our veterans
- We need to have them where every single day, thousands of people drive by

Ms. Knapp thought the area was a busy intersection, very loud and very obnoxious and hard to get through and an area like this is connected to the trails.

The discussion continued. Ms. Krider liked Mr. Rivers idea about getting everyone together. They continued to share ideas.

Ms. Cynthia Vandewater, 8410 Haines Court, Lewis Center, Ohio 43035 came forward and asked if the Board should choose to move it, who and how are they going to move the memorial that is already there; and at who's expense.

Ms. Knapp commented there was no memorial there.

Ms. Vandewater asked the cost of the grading and other work. Ms. Hugh answered \$2,500 for survey work and \$4,500 for design work.

Patrick Grubbe, 3339 Woodstone Drive, Lewis Center, Ohio 43035 came forward. He commented:

- He had a couple points of clarification and a question
- No dollars have been spent on this project from the township

Ms. Knapp commented it would be checked and Ms. Hugh commented she was unaware of any.

He continued:

- He asked if the Board was aware of 17<sup>th</sup> and Constitution Avenue in Washington D.C.; one of the busiest intersection; it is the World War 2 memorial; it is very visible; very prominent
- The Jefferson and Tidal Pool is way off, and doesn't get a lot of visitors

Ms. Knapp asked about the speed there. Mr. Grubbe thought 35 - 45mph.

He continued:

- He asked for a point of clarification; he asked if all were independently elected and all have a 33% say in what goes on

Ms. Knapp responded yes.

Ben Grumbles, 1371 Sunflower Street, Lewis Center, Ohio 43035 came forward:

- He is a veteran and represents an organization that installs flag poles for vets, gold stars vets, etc.
- He didn't mind the location, as a veteran as much as he minds the inclusion of playgrounds, botch courts, anything that would take away from the memorial itself
- He found it hard to understand the details on the park
- He has received a couple emails from Mr. Quigley
- The group he represents is going to donate the flag poles; there is no list
- He recommended having a list, a starting point; that all could see where we are
- He felt the unknown was causing animosity
- He wanted things made public and list what is going on
- He felt the having the design for the memorial was okay, what worried him is the other items
- He would like to see something move forward

Ms. Hugh commented the two proposed task order would provide the punch list; the donated portion from Korda. She went on to explain about Kenmore. The Edge Group has gather some information, but was incomplete, and she didn't want to confuse residents. Ms. Knapp and Ms. Hugh explained the concerns he had about the design. The design was from a student and concept, dimensions, etc., have to be figured out.

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Mr. Grumbles felt it was stuck on site specific and they needed to be moved on beyond that. Discussion continued between the Board, Ms. Hugh and the audience.

Ms. Hugh explained the Kenmore situation and answered the questions. Mr. Rivers would like a special meeting specifically for the vet's memorial so everyone is on the same page. Ms. Knapp would like the area to be put back the way it was.

There were questions from the audience which Ms. Hugh and others answered the concerns about the cost, estimate, the design. Mr. Bodnar gave his input to the confusion/dilemma of the task orders.

Wes Mayer, 4396 Crimson Maple Lane, Westerville, Ohio 43082 came forward. He commented:

- He hears a whole lot of agreement that there should be a veteran's memorial
- Some people feel it should be more visible; some feel it should be more peaceful
- He felt everyone agrees the veterans should have a lot of input into it
- He thought it was already called Veteran's Memorial Park,; just found out; it is not
- He hears a lot of agreement and a lot of confusion
- He felt the best thing to do is make sure the township does it right
- He thought having a meeting with the veterans group and find out what is most important to them
- He mentioned one of the most respected memorials in Washington D.C. cannot be seen from the road it is the Viet Nam Memorial; the Wall
- He felt it be important to list concerns and their importance, is it location, visibility, parking, it's peacefulness
- It is important to do it right and get more input

There were more comments from the audience, concerns were how big the parcel of land is for the memorial; more discussion about the task orders and work Kenmore may/can or may not/can not do.

David Knapp, 228 Hideaway Court, Powell, Ohio 43065 came forward with comment. He commented:

- He was Ms. Knapp's husband
- He had just driven by the plat and had a few observations
  - He thought it was awfully small
  - Not a very convenient place to put anything; park, memorial
    - He commented he was saying that for a couple reasons
      - It is right beside the fire station
      - Once you put parking in, there would not be a lot of room left
      - Trying to get in or out of that intersection , as it is right now; it is not fun
      - When he has had to go through that intersection; it is a mess
      - He wondered how you would ease that by adding something to that intersection
      - Firefighters have to get in and out of that area in a timely manner and he didn't see that happening if you throw a park in there
      - If there is a special event there; that would really be a mess
- He is not against having a veteran's memorial; he didn't feel that was the right location
- They have gathered \$20,000.00 for a \$500,000.00 project over 5 years
- By the rate we were going may take awhile
- He would like them to consider another location; spend the money that is there wisely, whatever individuals or groups that are willing to donate; pool it together and figure what we can do with the money that the township has

Ms. Knapp pointed out her husband was a veteran of the Navy and she grew up at Fort Bragg; her father was a Lt. Colonel in the Army.

Orange Township Trustees  
May 7, 2018  
Special Trustee Meeting in Place of Regular Meeting

A voice from the audience commented if the township has \$20,000.00 and we need \$5,000.00 for the design is there any way to leverage the \$20,000.00. Ms. Hugh explained they were two separate pots. There was a brief discussion.

Ms. Knapp asked if a special meeting date should be set. Ms. Hugh commented that the park board is very interested in this and their next meeting was scheduled for May 16, 2018. Mr. Rivers and Ms. Knapp would like it to be separate. A voice from the audience asked that it be in the evening so there could be more resident participation. Ms. Knapp asked the Administrator to work with the trustees to set a date.

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION KORDA TASK ORDER #2  
\$4,500.00 – VETERANS MEMORIAL PARK DESIGN

Tabled.

**NEW BUSINESS**

DISCUSSION AND POSSIBLE ACTION REGARDING APPROPRIATIONS

Removed from agenda.

DISCUSSION AND POSSIBLE ACTION REGARDING SECURITY ISSUES & UPGRADES

Removed from the agenda.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION OF DISPUTES  
INVOLVING THE TOWNSHIP THAT ARE THE SUBJECT OF PENDING OR IMMINENT  
COURT ACTION, CREATION OF EMPLOYMENT OF A PUBLIC EMPLOYEE AND  
RECOGNITION OF RESIGNATION

Went into Executive Session.

**EXECUTIVE SESSION**

Motion by Ms. Knapp to go into Executive Session to consider:

- The appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official
- To conference with attorney(s) for the public body concerning disputes involving the public body that are the subject of pending or imminent court action
- Purchase of property

The following were invited to attend: Township Administrator, Mr. Bodnar; Parks and Maintenance Director, Ms. Hugh; Human Resources/Communications Manager, Ms. Sheterom, and the Township General Counsel, Mr. McCarthy.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

Motion by Ms. Knapp to return to regular session.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

Ms. Knapp commented being no further business meeting was adjourned.

Ms. Knapp made a motion to continue the session.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

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There was a consensus of the Board to accept the counter offer and to put the language in regarding the driveway relocation.

There was no further business, meeting adjourned at 4:20 p.m.

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Lisa F. Knapp, Chairman

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Ryan Rivers, Vice Chairman

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Deborah Taranto, Trustee

Attest: \_\_\_\_\_  
Joel M. Spitzer, Fiscal Officer