

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/JULY 23, 2003

The regular meeting of the Prairie Township Board of Trustees was called to order by the Chairperson, Ms. Keller, with Mr. Wharton, Mr. Nourse and Ms. Easter present. Also attending were: Chief Lavelly, Adam Riebel, Jim Strunk, Elizabeth Anderson and Don Brosius; Loveland & Brosius. (See attached list).

Ms. Keller led the Pledge of Allegiance.

Mr. Nourse moved, Ms. Keller seconded the Board approve the minutes from the regular meeting on July 9, 2003 as written. Vote; Aye.

Deputy Foster informed the Board that traffic accidents in the Township have been increasing and encouraged residents to continue to pay insurance and wear seat belts at all times. Rural burglaries have stopped and one person is in custody. Ms. Keller expressed concerns from Village Park residents and other residents in the Township, regarding parking on the sidewalks. The deputy stated that he will investigate or write citations if they don't comply. A disabled car was reported at 110 Pasadena Avenue and the deputy will tag the car or tow it tomorrow.

Mr. Nourse stated that the property at 271 Evergreen has been demolished and rubble will be removed in the near future. The Health Department is attempting to establish ownership of the property at 330 Evergreen for demolition.

This meeting was designated as a public hearing to consider the following applications:

Application: 165-RZ-03
Location: The property located at 7888 W. Broad Street and Parcel Number 240-000018, Galloway, Ohio 43119.
Owner: G.S. LLC
Applicant: G.S. LLC, c/o Crabbe, Brown & James LLP, 500 S. Front St., 12th Floor, Columbus, Ohio 43215
Request: Request to rezone from Rural to R-6 and GB

The Chairman administered the oath to persons wishing to testify.

Jim Strunk, Zoning Inspector, presented the rezoning request to the Board. Mr. Strunk stated that the total acreage is 180.84 acres, 154.61 of which is proposed to rezone from Rural to R-6 and 26.23 acres from Rural to General Business. The surrounding land uses, water and wastewater supply were discussed. The rezoning is in accordance with the Township Comprehensive Plan. The zoning commission recommended denial of this request by a 3-2 vote. Mr. Mike Shannon with Crabbe, Brown & James, LLP, representing the applicant, spoke in favor of the rezoning. Mr. Shannon stated that after discussion with legal counsel, Franklin County and Township staff he would like to amend the application. Mr. Shannon feels that the site would be better suited and the Township would be better able to regulate and control the development consistent with their policies, if the application would be modified to a Planned Unit Development (PUD) with and R-6 overlay. He further explained that two sub areas would be created. One sub area will be established for the commercial development with specific standards and uses addressing concerns that resulted in the Zoning Commission 2-3 vote. For the single family sub area, the development standards would address lot size, setbacks, right-of-way with greater specificity detailing the proposed development and a written request for the amendment or a preliminary development plan. Mr. Shannon requested permission to amend the application as previously stated and Don Brosius recommended the hearing be recessed for 4 weeks, a time, date and place certain, allowing the Zoning Commission to call a special meeting to review comments that have been presented. Mr. Brosius recommended the Zoning Commission meet during the week of August 4th or early the week of August 11th in order for the Trustees to hear the request at their regular meeting on August 20, 2003. No one spoke in opposition.

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Ms. Keller moved, Mr. Wharton seconded the Board recess the hearing of Application 165-RZ-03 and continue on August 20, 2003 at 7:00 p.m. at the regular Board of Trustees meeting, 23 Maple Drive, Columbus OH 43228 time, place and date certain. Roll call vote resulted as follows: Mr. Nourse; Aye, Mr. Wharton; Aye, Ms. Keller; Aye.

Application: 166-RZ-03
Location: East of Amity Road and north of U.S. 40 and Parcel Numbers 240-002534 and 240-002535, Galloway, Ohio 43119
Owner: New Frontier Real Estate Development, LLC
Applicant: New Frontier Real Estate Development, LLC
Request: Rezone from Rural to R-6

The Chairman administered the oath to persons wishing to testify.

Jim Strunk, Zoning Inspector, presented the rezoning request to the Board. Mr. Strunk stated the request is to rezone 67 acres from Rural to R-6. The Conrail tracks are directly to the north and a flood area runs through a portion of the property and Prairie Township does not permit development in the floodplain. The maximum potential build out is slightly less than 2 units per acre. The site is proposed for medium density R-6 development. The current use is agricultural. The surrounding land use, water and wastewater supply were discussed. The Franklin County Engineer is requesting a traffic study for this site. There is currently no water or wastewater facilities to the site. A stormwater drainage and erosion sedimentation plan will be required. The rezoning is in accordance with the Township Comprehensive Plan. The Zoning Commission recommended, by unanimous vote, approval of the rezoning request. Mr. Nourse asked the Zoning Inspector why the rezoning is to R-6 and not R-4. Mr. Strunk stated that the average lot size is 60' X 120'. Mr. Shannon, Mr. Todd Faris and Ms. Laura Komack; Crabbe, Brown and James LLP addressed the Board on behalf of the applicant. A conceptual rendering of the development was presented to the Board. Mr. Shannon further explained that a high quality development is proposed with 2.8 units per acre and is environmentally sensitive. Ms. Keller asked Mr. Todd Faris what the percentage of greenspace will be. Mr. Faris will report back to the Board, for the record, when the calculation is complete as a good faith effort and they would like to come before the Board on a regular basis. Ms. Hulda Moffit inquired and was told that the floodplain or ditch will be included in the greenspace calculation. Mr. Kennedy, V.P. Hellbranch Residents Association, expressed his concern with the density of 2.2 homes per acre to maintain 40% open space. Why is the development R-6 and not R-2? Mr. Nourse explained that this proves there is a deficiency in the zoning code. Mr. Kennedy further explained that approving developments in the middle of farm fields is not a good idea; we don't have the facilities to support it and expressed concern for the residents currently in the area. Mr. Don Brosius stated that historically, Prairie Township has been very restrictive in terms of floodplain usage. Mr. Wharton stated that this is a balance between nature, development, Prairie Township and the City of Columbus.

Mr. Nourse moved, Mr. Wharton seconded the Board uphold the Zoning Commission decision and approve Application 166-RZ-03 with the understanding that the density is no more than 2.8 units per acre. Roll call vote resulted as follows: Mr. Nourse; Aye, Mr. Wharton; Aye, Ms. Keller; Aye. (Resolution 14-03)

The Clerk presented the following items:

1. The Clerk informed the Board that the Bond for Jason Thomas has been cancelled effective July 15, 2003 and presented a bond for James Strunk, Zoning Inspector.

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Ms. Keller moved, Mr. Wharton seconded the Board approve and sign the \$2,000.00 continuous bond for James Strunk, Zoning Inspector. Vote; Aye.

2. The Clerk informed the Board that the motion that was made on June 11, 2003 to increase the hourly wage for Donetta Brock should be clarified to state effective July 9, 2003 and will be paid on July 23, 2003.

Ms. Keller moved, Mr. Wharton seconded the Board approve the following supplemental appropriations. Vote; Aye.

\$20,000.00 from 1000-760-710-0000 to 1000-760-730-0000

\$ 3,000.00 from 1000-120-599-0000 to 1000-110-330-0000

3. The Clerk requested a motion from the Board to request, from the Franklin County Auditor, an increase in revenue and appropriations for the 2003 CDBG Road Improvement Project by \$60,000.00 and to increase appropriations in fund 1000-330-360-0000 by \$450,000.00.

Mr. Wharton moved, Ms. Keller seconded the Board approve the Clerk request from the Franklin County Auditor, an increase in revenue and appropriations for the 2003 CDBG Road Improvement Project by \$60,000.00 and to increase appropriations in fund 1000-330-360-0000 by \$450,000.00. Vote; Aye.

4. The Clerk presented a resolution authorizing the Board of Trustees of Prairie Township, Franklin County, Ohio to enter into a participation agreement with Franklin County, the City of Columbus, the City of Hilliard, the City of Grove City, area Townships, Metro Parks, The Nature Conservancy (TNC), Franklin Soil and Water Conservation District and the Ohio Department of Natural Resources, for the Hellbranch Watershed Forum. (Resolution 15-03)

Mr. Nourse moved, Ms. Keller seconded the Board approve the Participation Agreement with Franklin County, the City of Columbus, the City of Hilliard, the City of Grove City, area Townships, Metro Parks, The Nature Conservancy (TNC), Franklin Soil and Water Conservation District and the Ohio Department of Natural Resources, for the Hellbranch Watershed Forum. Roll call vote resulted as follows: Mr. Nourse; Aye., Mr. Wharton; Aye, Ms. Keller; Aye.

5. The Clerk presented a resolution awarding the 2003 Road Improvement Project to Miller Pavement Maintenance (Resolution 16-03).

Mr. Keller moved, Mr. Wharton seconded the Board approve the resolution awarding the 2003 Road Improvement Project to Miller Pavement Maintenance. Roll call vote resulted as follows: Mr. Nourse; Aye, Mr. Wharton; Aye, Ms. Keller; Aye.

6. The Clerk presented a resolution in support of the Alton Area Restoration Project. Mr. Nourse read the resolution in its entirety. (Resolution 17-03)

Mr. Keller moved, Mr. Nourse seconded the Board approve the resolution in support of the Alton Area Restoration Project. Roll call vote resulted as follows: Mr. Nourse; Aye, Mr. Wharton; Aye, Ms. Keller; Aye.

7. The Clerk presented an invoice from Feller, Finch & Associates for \$8,092.00 for services pertaining to the Medfield Way Improvement Project which will be paid by Franklin County upon approval of Prairie Township. The Chairman's signature on the invoice is approval for Franklin County to pay.

Mr. Wharton moved, Mr. Nourse seconded the Board approve the Chairman to sign and Franklin County to pay the invoice from Feller Finch & Associates in the amount of \$8,092.00 for services pertaining to the Medfield Way Improvement Project. Vote; Aye.

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8. The Clerk presented an invoice from Feller, Finch & Associates for \$432.00 for services pertaining to the 2003 Curb Ramp Improvements Project which will be paid by Franklin County upon approval of Prairie Township. The Chairman's signature on the invoice is approval for Franklin County to pay.

Mr. Nourse moved, Ms. Keller seconded the Board approve the Chairman to sign and Franklin County to pay the invoice from Feller Finch & Associates in the amount of \$432.00 for services pertaining to the 2003 Curb Ramp Improvements Project. Vote; Aye.

9. A funding agreement was presented by the Clerk for the 2003 Road Improvements-Lincoln Village North (Grant No. B03-UC-39-0002).

Mr. Nourse moved, Mr. Wharton seconded the Board approve the Chairman to sign the Funding Agreement for the 2003 Road Improvements-Lincoln Village North (Grant No. B03-UC-39-0002). Vote; Aye.

10. The Clerk presented prices for the annual Fire Extinguisher maintenance for the Township.

Mr. Nourse moved, Mr. Keller seconded the Board approve entering into a contract with Harold D. Hard Company for the annual fire extinguisher maintenance for the Township at a total annual cost of \$475.50. Vote; Aye.

11. The Clerk requested permission from the Board to reduce the Fifth Third Sweep account by \$300,000.00.

Ms. Keller moved, Mr. Wharton seconded the Board approve the Clerk reduce the Fifth Third Sweep Account by \$300,000.00. Vote; Aye.

After the Trustees reviewed the pending warrant list, Mr. Nourse moved, Ms. Keller seconded the Board approve the payment of the ADP payroll in the amount of \$78,416.39 and approve payment of the following bills. Vote; Aye. (See pending warrant list).

Chief Lavelly addressed the Board with the following Fire Department matters:

1. An offer has been received on the old Ford Medic truck that was advertised in the Ohio Township Association News from Highland Co. North Joint Fire/Ambulance District in the amount of \$5,000.00. Chief Lavelly advised the Board that Mr. Richard Hoffman; Franklin County Prosecutors Office, is reviewing the bid and he will report back to the Board at the next meeting.
2. Chief Lavelly presented the part-time firefighter applications to the Board and they will be reviewed and discussed at the next meeting.

Adam Riebel, Assistant Road Superintendent, addressed the Board with the following Road Department matters:

1. The park equipment for the park bordered by Deerfield Road, Beacon Hill and Buena Vista was discussed and Mr. Riebel stated that the price quoted previously will actually be less than approved on July 9, 2003. The revised total cost will be \$22,137.00 from Anderson Recreational Design.
2. Mr. Riebel informed the Board that the light on the flagpole at Carl Frye Park has been stolen for the second time. Mr. Nourse stated that the Road Superintendent has a diagram of a cage that is cemented into the ground and may eliminate the light being stolen again and this will be discussed at the next meeting.

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Mr. James Strunk, Zoning Inspector addressed the Board with the following Zoning Department matters:

1. Mr. Strunk informed the Board that the liquor permit for the property at 4930-4936 W. Broad Street has a postmark deadline of July 25, 2003 to request a hearing. The Zoning Inspector reported that the location was the former site of "Suds and Spuds" and they held a liquor permit in that name. Mr. Wharton would like to know if an additional bar is being added to the same shopping strip. A copy of the hearing request was given to Mr. Donald Brosius, Township Law Director, to follow up.

Mr. Wharton moved, Mr. Nourse seconded the Board request a hearing on the permit request for 4930-4936 W. Broad Street in the name of Wild Coyote Enterprises, LLC. Vote; Aye.

2. Mr. Strunk spoke regarding future amendments to the current Zoning Code to bring the Code in compliance with the Township Comprehensive Plan. Copies of the proposed amendment have been sent by e-mail to Tracy Hatmaker, Franklin County Development Department and Donald Brosius, Law Director. Mr. Nourse requested that the amendments meet the requirements of the conservation development language and encourage this type of development in the Township. If the desire is to develop a traditional housing development, the applicant will have to go before the Board of Zoning Appeals.

Ms. Elizabeth Anderson, Township Administrator, addressed the Board with the following Administrative issues:

1. Ms. Anderson stated that Mr. Thomas, IT Coordinator, is continuing to gather quotes for generator backups for the computer system. Ms. Anderson stated that a very old generator is being stored in the garage and she is interested in disposing of the old unit.
2. The Norton Road widening project was discussed and Ms. Anderson presented a drawing indicating the area the City of Columbus would like to purchase permanently from the Township and the area they are interested in temporarily purchasing for two years. American Electric Power would like to run a 137' electric wire across the property at the corner of Norton Road and Palmetto Street. Hydrants were discussed for the area of the Inah Avenue firehouse.
3. The summer youth program is coming to an end and Ms. Anderson referred to a front page article mentioning the program and a picture in This Week Westside. Mr. Wharton requested a report at the next meeting from Ms. Anderson detailing expenses incurred in the Summer Youth Program 2003.
4. Ms. Anderson requested an executive session to discuss employee reviews and salaries.

Mr. Nourse stated that he received a letter from the State Auditor stating that the Township has a maximum of \$15,000.00 to spend on road improvements and Franklin County has a maximum of \$30,000.00 and personnel and equipment costs must be itemized. In light of the fact that Prairie Township pays the Franklin County Engineer to do the work, does that increase the limit to \$45,000.00? Mr. Nourse will provide a copy of the letter to the Clerk and she will investigate.

Ms. Jane Maloney, 721 Hubbard Road, addressed the Board regarding a high water bill that she received. The water bill was presented to the Board for review. Mr. Wharton explained the role of the Public Utilities Commission of Ohio and the Ohio Consumers Counsel. Mr. Wharton gave the resident his home telephone number and

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asked her to call him for the phone numbers to the authorities that have impact on the investor owned utilities he mentioned.

Mr. Bill Eldridge, owner of the Rome Hilliard Self Storage, would like permission from the Board to pave Gabriel Court leading to the fence at the edge of his property. The road is only graveled at this time. Mr. Nourse suggested the Township Administrator get a definitive answer determining the legal status of the road.

Mr. Kennedy informed the Board that the City of Columbus will hold a community open house for an update of the Westland Area Plan at the Westland Library on July 29, 2003 from 4:30 to 6:30 p.m.

Ms. Keller moved Mr. Wharton seconded the Board adjourn into Executive Session at 9:15 p.m. for the purpose of discussing Township personnel matters. Roll call vote resulted as follows: Mr. Nourse; Aye, Mr. Wharton; Aye, Ms. Keller; Aye.

The regular meeting resumed at 11:00 p.m.

Mr. Nourse moved, Ms. Keller seconded, there being no further business to come before the Board, the meeting was adjourned at 11:00 p.m.

Chairperson

Clerk