

RECORD OF PROCEEDINGS



PRAIRIE TOWNSHIP BOARD OF TRUSTEES

SEPTEMBER 9, 2009 – REGULAR MEETING 7:00 PM 23 MAPLE DRIVE, COLUMBUS, OHIO 43228

The regular meeting of the Prairie Township Board of Trustees was called to order on September 9, 2009 at 7:00 PM by the Chairman, Mr. Stormont, with Mr. Kennedy, Ms. Schlosser, and Mr. McCardle present. Also in attendance were Mr. Hatmaker, Township Administrator and Fire Chief Feustel. (See attached sign in sheet for a complete list of additional attendees).

Mr. Stormont led the Pledge of Allegiance.

Approval of minutes

Mr. Stormont moved, and Ms. Schlosser seconded, that the Board approve the minutes for the regular meeting held on August 26. Votes were: Mr. Stormont, Aye; Mr. Kennedy, Aye; and Ms. Schlosser, Aye.

Sheriff's Report

Franklin County Deputy Sheriff Weiner presented the August crime statistics report, highlighting several key statistics and took questions from the audience. Copies of the August crime statistics report are available for pick-up at the Township Hall during normal business hours.

Board Objection to and Opposition of Proposed Water & Sewer Rates

Mr. Kennedy presented a proposed resolution opposing the current Ohio American Water rate increase request and authorizing certain steps be taken in accordance with this position. The most significant of these steps would be the hiring of Waterhouse Public Relations to spearhead a campaign against the rate increase request. This resolution is an emergency home rule resolution. As a home rule resolution, it may include authorization to hire Waterhouse. (Given that the township government itself has no direct stake in the case, Prairie Township's home rule power must be invoked so that funds may be used to promote the general good of the township residents) The fact that the resolution is an emergency allows the township to implement it immediately, instead of waiting thirty days. This is important, given the fact that the PUCO staff report will be completed in November. Emergency home rule resolutions must be adopted by a unanimous vote.

Mr. Kennedy spoke a great length about the history of rate increases by Ohio American Water Company that the Lake Darby and West Point subdivisions have endured since 2005. (This is the fourth rate increase since 2005.) The average utility bill is \$150.00 per month for 10 units of water and sewer in these subdivisions. The most recent request made this past May is seeking an overall increase of 23 to 27 percent in 2010, and subsequent increases in 2011, 2012 and 2013 – for a 4 year increase summing nearly 60% over the current rates.

Mr. Kennedy went on to explain that five other townships (Madison, Blacklick, Blendon, Norwich and Turo) have joined together with Prairie Township to fight the rising cost of water in their respective communities. He advised that attorney fees could be very expensive and stressed that the Townships need to utilize three local attorneys who are familiar with both the issue and Ohio American Water Company. He also explained that there have been other communities (in Tennessee and California) who have successfully defeated rate hike requests of utility companies while utilizing the services of a public relations firm.

Kennedy warned that the 2009 increase could devastate the community. If Ohio American Water is successful, the average water and sewer rate would rise to as much as \$250 per month within the next 4 years. At rates this high, the Lake Darby and West Point communities are likely to incur a very high number of home vacancies.

A number of Township residents, including Neil Distlehurst, Andrew Henemann and Melinda Shoaf, spoke

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before the Board in support of the proposed resolution and the use of the Township funds for this effort.

Andrew Hehemann, a West Point resident since 1993, briefly explained the history of the water and sewer rates and the previous efforts against the rate hikes.

Melinda Shoaf supports the board proposal because since 1997, her monthly bill has increased from \$30 per month to over \$80 per month for a family of two. She is seriously concerned about the overall welfare of the neighborhood.

Neil Distlehurst, a long time active township resident, stated that in consideration of the previous board's efforts and the history of the Ohio American Water Company, he fully supports the use of the township funds to battle this rate increase.

Ms. Schlosser added that we should consider the fact that for many residents in these neighborhoods, \$250.00 per month is the equivalent of a car payment. This proposal to spend \$25,000 is not much compared to what the previous Board spent to pursue expansion of this same utility company.

Mr. Kennedy then formally introduced Resolution HR-01-09. A Resolution objecting to and opposing the proposed water and sewer rate increases filed by Ohio American Water with the Ohio Public Utilities Commission and retaining the firm of Waterhouse Public Relations to assist the Board in such opposition, dispensing with the second reading and declaring an emergency.

Mr. McCardle, as Fiscal Officer, read the resolution by title. Resolution HR-01-09. A Resolution objecting to and opposing the proposed water and sewer rate increases filed by Ohio American Water with the Ohio Public Utilities Commission and retaining the firm of Waterhouse Public Relations to assist the Board in such opposition, dispensing with the second reading and declaring an emergency.

Mr. Stormont moved to dispense with the second reading of Resolution HR-01-09 and authorize the adoption of Resolution HR-01-09 upon its first reading." Ms. Schlosser seconded. Roll call votes were Ms. Schlosser, Aye; Mr. Kennedy, Aye; and Mr. Stormont, Aye.

Mr. Stormont moved for the adoption of Resolution HR-01-09." Mr. Kennedy seconded this motion. The votes were by roll call vote: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. The Resolution passed.

Fiscal Officer's Report

Creation of Funds for New Light Districts

Mr. McCardle requested the Board's approval to forward a letter on to the Franklin County Budget Commission requesting that it establish Fund 2418 - Lake Darby North Lighting District- and Fund 2419 - Westpoint Two, Sections 3, 4 and 5 Lighting District as well as request the establishment of revenues and appropriations for the years 2009 and 2010 for each fund as follows (These districts were created late last year.):

Fund 2418:	2009:	\$6,671.61	2010:	\$6,763.68
Fund 2419:	2009:	\$11,735.83	2010:	\$13,834.80

Mr. Stormont moved that the Board request that the Franklin County Budget Commission establish Fund 2418 for the Lake Darby Estates North Lighting District; request that 2009 revenues and appropriations for Fund 2418 be set at \$6,671.61; request that the 2010 revenues and appropriations for Fund 2418 be set at \$6,763.68; and authorize the township administrator to sign a letter forwarding

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this request. Ms. Schlosser seconded this motion. The votes were: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Mr. Stormont moved that the Board request that the Franklin County Budget Commission establish Fund 2419 for the Westpoint Two, Sections 3, 4 and 5 Lighting District; request that 2009 revenues and appropriations for Fund 2419 be set at \$11,735.83; request that the 2010 revenues and appropriations for Fund 2419 be set at \$13,834.80; and authorize the township administrator to sign a letter forwarding this request. Mr. Kennedy seconded. The votes were: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Lighting district assessment renewals

Mr. McCardle then requested that the Board approve the renewal of assessments for six lighting districts. The new assessments for five of the districts represent a decrease in amounts collected. The reduced assessment amount was proposed because these 5 funds have accumulated fund balances that are in a strong position to cover the anticipated costs over the next 36 months. The assessment amount for the West Point Two, Section 2, light district was the lone increase proposal. That light district assessment was increased due to higher-than-expected fuel costs combined with the upcoming reimbursement to the General Fund of \$3,300 in start up costs. All assessment amounts were set for three years and will be collected twice annually.

Mr. McCardle advised that the Lincoln Village South assessment amount was reduced from \$42.50 to \$30.93 per parcel.

Mr. Stormont moved that the Board adopt Resolution 16-09, "A Resolution to Levy Assessments for the Artificial Lighting of the Streets and Public Ways in Lincoln Village South Subdivision for the Years 2010, 2011 and 2012." Mr. Kennedy seconded. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed.

Mr. McCardle explained that the West Point Phase I assessment was reduced from \$194.09 to \$177.35 per parcel.

Mr. Stormont moved that the Board adopt Resolution 17-09, "A Resolution to Levy Assessments for the Artificial Lighting of the Streets and Public Ways in West Point Phase I Subdivision for the Years 2010, 2011 and 2012." Ms. Schlosser seconded. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed

Mr. McCardle stated that the Norton Crossing assessment was reduced from \$81.72 to \$75.49 per parcel.

Mr. Stormont moved that the Board adopt Resolution 18-09, "A Resolution to Levy Assessments for the Artificial Lighting of the Streets and Public Ways in Norton Crossing Subdivision for the Years 2010, 2011 and 2012. Mr. Kennedy seconded. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed.

Mr. McCardle then said that the Clover Estates assessment was reduced from \$181.68 to \$174.65 per parcel.

Mr. Stormont moved that the Board adopt Resolution 19-09, "A Resolution to Levy Assessments or the Artificial Lighting of the Streets and Public Ways in Clover Estates Subdivision for the Years 2010, 2011 and 2012. Ms. Schlosser seconded. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed.

Mr. McCardle advised that the West Point Phase II, Section 2 assessment was increased from \$127.71 to \$191.01 per parcel.

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Mr. Stormont moved that the Board adopt Resolution 20-09, "A Resolution to Levy Assessments for the Artificial Lighting of the Streets and Public Ways in West Point Phase II, Section 2 Subdivision for the Years 2010, 2011 and 2012. Mr. Kennedy seconded. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed.

Mr. McCardle then explained that the Lincoln Village North assessment has been reduced from \$70.22 to \$57.96 per parcel.

Mr. Stormont moved that the Board adopt Resolution 21-09, "A Resolution to Levy Assessments or the Artificial Lighting of the Streets and Public Ways in Lincoln Village North Subdivision for the Years 2010, 2011 and 2012. Ms. Schlosser seconded this motion. Roll call votes were as follows: Ms. Schlosser, Aye; Mr. Kennedy, Aye; Mr. Stormont, Aye. Resolution passed.

Approval of warrants and payroll

Mr. McCardle requested the Board's approval for payment of this week's warrants (see attached list) summing \$341,807.02 along with this week's payroll summing \$138,948.85 for a total cash disbursement of \$480,755.87 this week.

Standing Business

Road and Cemetery Department

The Road department did not have any items to bring to the Board's attention so Mr. McAninch was excused from this meeting.

Zoning Department

The Zoning department did not have any items to bring to the Board's attention so Ms. Swisher was excused from this meeting.

Fire Department

Approval to Sell Medic 244

Chief Feustel asked the Board to approve the sale of Medic 244 via the internet auction on the GovDeals.com website as per an arrangement with the Franklin County Purchasing Department as per Resolution 07-09. Medic 244 is a 1996 International 4700, which was replaced on August 28th.

Mr. Stormont moved that the Board approve the sale of Medic 244, a 1996 International 4700 on GovDeals.com through the Franklin County Purchasing Department as per Resolution 07-09. Ms. Schlosser seconded. The votes were as follows: Mr. Kennedy, Aye; Ms. Schlosser, Aye; Mr. Stormont, Aye. Motion passed.

Approval to Purchase Educational Materials for Fire Prevention Month

Chief Feustel reminded everyone in attendance that October is Fire Prevention Month. Chief Feustel then requested the Board's approval for the purchase of materials for the Fire Department's public education program in area schools. The purchase cost of these materials will not exceed \$4,800.

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Mr. Stormont moved that the Board approve the purchase of up to \$4,800 of educational materials for use by the Fire Department in its 2009 Fire Prevention Month education program. Mr. Kennedy seconded this motion. The votes were as follows: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Administrator

Mr. Hatmaker began by asking for the Board's guidance on the nuisance cases for this meeting.

High Grass and Weeds Nuisance Cases

Mr. Stormont moved that the Prairie Township Board of Trustees find the conditions at 78 Evergreen Terrace, 81 Lawrence Avenue, 93 Lawrence Avenue, 840 Lakefield Drive, 267 Postle Boulevard, 127 S. Murray Hill Road and 57 Evergreen Terrace, to be a nuisance and that the Board hereby directs staff to abate said nuisances at the expense of the property owners as per the requirements in Ohio Revised Code Section 505.87. Ms. Schlosser seconded. The votes were as follows: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Trash and Debris Nuisance Cases

Mr. Stormont moved that the Prairie Township Board of Trustees find the conditions at 801 Lakefield Drive and 127 S. Murray Hill Road to be a nuisance and that the Board hereby directs staff to abate said nuisances at the expense of the property owners as per the requirements in Ohio Revised Code Section 505.87. Mr. Kennedy seconded. The votes were as follows: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Approval of the 2009-2012 Fire CBU Contract

Mr. Hatmaker asked the Board to approve the Agreement between Prairie Township, Franklin County, Ohio and Prairie Township IAFF Local No. 2985 to run from July 1, 2009 to June 30, 2012. (A copy of the memorandum from the Board to the CBU bargaining team describing changes that were agreed to is attached.)

Mr. Stormont moved that the Board approve the Agreement between Prairie Township, Franklin County, Ohio and Prairie Township IAFF Local No. 2985 to run from July 1, 2009 to June 30, 2012. Mr. Kennedy seconded. The votes were as follows: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Advancement of Funds to the 2009 Sidewalk Fund

Mr. Hatmaker requested that the Board approve the advancement of \$7,723.69 to the 2009 Sidewalk Fund (line item 2417-941-0000) from the General Fund (line item 1000-920-920-0000 / Advances Out).

Mr. Stormont moved that the Board approve an advance of \$7,723.69 from the General Fund to the 2009 Sidewalk Fund. Ms. Schlosser seconded. The votes were as follows: Mr. Stormont, Aye; Mr. Kennedy, Aye; Ms. Schlosser, Aye. Motion passed.

Old Business - None

New Business - None

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Public Comment - None

Announcements - None

Adjournment There being no further business to come before the Board, the meeting was adjourned at 8:03 PM.

A handwritten signature in blue ink, appearing to read 'Dan Stoum', written over a horizontal line.

Chairman

A handwritten signature in blue ink, appearing to read 'J. L. McCullough', written over a horizontal line.

Fiscal Officer