

RECORD OF PROCEEDINGS

Minutes of Brown Township Trustees Meeting

Held December 30, 2019

The Brown Township Trustees met on this date at 5:30 PM in special form with Trustees Cole, Stegner and Miley, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, and Guests Connie Skinner

Trustee Miley made a motion to approve the December 30, 2019 agenda as presented. Trustee Cole seconded. Motion passed.

Chairman Stegner led the Pledge of Allegiance

Trustee Miley made a motion to approve the December 10, 2019 regular meeting minutes as presented and the December 10, 2019 organizational meeting minutes as presented. Trustee Stegner seconded. Motion passed.

Appropriation adjustment:

Fiscal Officer Link presented information that appropriation 1000-120-190-0178 (personnel salaries for new hall) had a shortfall. Trustee Stegner made a motion to approve moving \$500 from 1000-930-930-0000 contingency fund to 1000-120-190-0178. Trustee Miley seconded. Motion passed.

RESOLUTION – 2019-12-30-01 APPROVE MOVING \$500 FROM 1000-930-930-0000 CONTINGENCY FUND TO 1000-120-190-0178

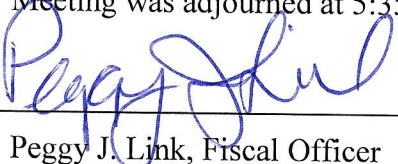
Miley Aye Stegner Aye Cole Aye

Rhoads hall rental issue:

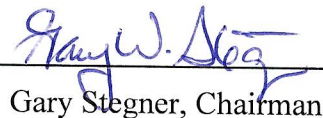
Fiscal Officer Link requested a response from the Trustees regarding the damage during a recent event at the new hall. Trustees agreed to only release \$50 of their security deposit to cover the repairs and extra work required.

Trustee Stegner made a motion to release warrants 20309-20328 in the amount of \$7,510.28. Trustee Cole seconded. Motion passed.

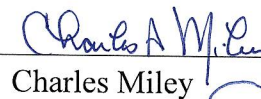
Trustee Stegner made a motion to adjourn. Trustee Cole seconded. Motion passed. Meeting was adjourned at 5:35 pm


Peggy J. Link, Fiscal Officer

Trustees


Gary Stegner, Chairman

Steve Cole, Vice Chairman


Charles Miley

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Minutes of Brown Township Trustees Meeting

Held January 7, 2020

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley, Skinner and Stegner, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba and Cemetery Sexton Donna Cackler

Trustee Miley made a motion to approve the January 7, 2020 agenda as presented. Trustee Skinner seconded. Motion passed.

Chairwoman Skinner led the Pledge of Allegiance

Trustee Miley made a motion to approve the December 30, 2019 end of year meeting minutes as presented. Trustee Stegner seconded. Motion passed.

Fiscal Officer's Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$92,224.71 and earned \$16.47 in interest. Star Bank balance is \$1,326,881.69 and earned \$2,052.15 in interest. She passed around the reconciliation checklist for signature and approval for December 2019. Fiscal Officer Link noted that appropriation 1000-130-190-0000 will have a shortfall of \$900 due to the increase in her salary. Trustee Stegner made a motion to move \$900 from 1000-930-930-0000 contingency to 1000-130-190-0000 zoning inspector salary due to shortfall. Trustee Skinner seconded. Trustee Miley abstained. Motion passed.

RESOLUTION – 2020-01-07-01 MOVE \$900 FROM 1000-930-930-0000 CONTINGENCY TO 1000-130-190-0000 ZONING INSPECTOR SALARY DUE TO SHORTFALL

Miley Abstain Stegner Aye Skinner Aye

Fiscal Officer Link presented the trustees with the IRS Mileage Rate notification for 2020. The new rate will be 57.5 cents per mile. Trustee Miley made a motion to approve setting the reimbursement rate of 57.5 cents per mile for the 2020 fiscal year. Trustee Skinner seconded. Motion passed.

RESOLUTION – 2020-01-07-02 TO APPROVE SETTING THE REIMBURSEMENT RATE OF 57.5 CENTS PER MILE FOR THE 2020 FISCAL YEAR

Miley Aye Stegner Aye Skinner

Fiscal Officer Link presented the trustees with a list of records that are ready to disposition. Ms. Link presented the following documents for disposal: 2014 and 2015 bank statements, timesheets, warrants, invoices, purchase orders, general and accounting correspondence and bank deposits. Documents that are retained for much longer periods such as newsletters, cemetery information, zoning information and roads are not disposed of.

Fiscal Officer Link presented Trustee Stegner with paperwork to sign and notarize to begin the renewal process.

Public Participation:

n/a

Zoning Inspector:

Zoning Inspector Kuba went over her written report. Ms. Kuba noted that the BZA will have a hearing tomorrow night (1/8/20) to hear an application for 27 acres on Hogback

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Road. The lot has been designated as unbuildable since it doesn't have enough frontage. Trustees discussed sewage concerns, electric line issues. Gigi Rogers, resident of Oxford Subdivision complained about no trespassing signs on alot of trees. Ms. Kuba noted that as long as they are not on anyone else's property then it would not be an issue with zoning. Ms. Kuba noted that Hannah Alzaki will stop working on the building and get a permit and that the Gillilan is building without a permit. Ms. Kuba shared that she received a notice that someone was living in a shed on Bowtown Road. She worked with the Health Department who could go onto the property and no answered but they could hear voices. Ms. Kuba is going to work with Mark Fowler and Bill Johnson in Code Compliance to help investigate further and decide if they would need a building permit and further action³

Fiscal Officer Link asked for information on the All Seasons zoning proposal. The Delaware County Regional Planning Commission Assistant Stephanie Matlack is asking for updates. Trustee Miley received approval from Chief Morris and will forward a copy of such approval to DCRPC.

Road Superintendent:

Road Superintendent went over his report. The iMop was picked up in order to be serviced since it is under warranty. Mr. Gladman shared a quote and details for the curve signs. Trustee Miley made a motion to approve \$750 for curve signs on Kelly McMaster Road and bill Troy Township for ½ of their portion. Trustee Stegner seconded. Motion passed.

RESOLUTION – 2020-01-07-03 TO APPROVE \$750 FOR CURVE SIGNS ON KELLY MCMASTER ROAD AND BILL TROY TOWNSHIP FOR ½ OF THEIR PORTION

Miley Aye Stegner Aye Skinner

Trustee Miley made a motion to approve \$600 for street signs to finish the upgrade of all the street signs. Trustee Stegner seconded. Motion passed.

RESOLUTION – 2020-01-07-04 TO APPROVE \$600 FOR STREET SIGNS TO FINISH THE UPGRADE OF ALL THE STREET SIGNS

Miley Aye Stegner Aye Skinner

Trustee Miley asked Mr. Gladman to monitor the ditch in front of Mr. Jones' house on Cackler Road when we have a heavy rain.

Roads:

Trustee Miley shared the County's 2020 road improvement proposal. The proposal was for a total of \$255, 020 for Beard, Hogback, Baker, Skinner, Kelly McMaster, Pittman and Cackler Roads. Fiscal Officer Link mentioned that with the \$100k hold for the tractor purchase that the township did not have sufficient funds to cover the \$255,020 amount. Trustees discussed that many of these roads were the townships longest roads which costs more to maintain. Trustee Stegner suggested holding off on Kelly McMaster until 2021. Trustee Miley made a motion to accept the County's proposal for a total of \$202,620 which would be \$184,200 for the road construction and 10% contingency of \$18,420 without Kelly McMaster. Trustee Stegner seconded. Motion passed.

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RESOLUTION – 2020-01-07-05 TO ACCEPT THE COUNTY’S PROPOSAL FOR A TOTAL OF \$202,620 WHICH WOULD BE \$184,200 FOR THE ROAD CONSTRUCTION AND 10% CONTINGENCY OF \$18,420 WITHOUT KELLY MCMASTER

Miley Aye Stegner Aye Skinner

Trustee Miley updated the board that the Hogback Road culvert was dug down 40’ and replaced with stone. It should be good. Trustee Miley shared that the curve study is complete and he will coordinate with Doug Reidel. The Veley Road 7’ culvert is very bad and the County will put it on their list and will cover all the costs due to the size.

Cemetery:

Cemetery Sexton Cackler noted we currently only have 3 foundation orders and she is aware of one more potentially coming. Trustee Stegner noted that we only need 2 cubic yards to pour and if we don’t have that much that we might need to bill the purchases for the additional cost. Ms. Cackler recognized the Eagle Scout that took pictures of all the graves to put on billiongraves.com. Ms. Cackler will create a township email account and share that once she gets it setup. She will also write an article for the newsletter on the project.

Fire Department:

Trustee Miley shared that the Fire Department’s toy drive in December was very successful. Chief Troy is looking to replace engine 337 and looking at several vendors. The chief has generated a project list. Trustee Miley shared a document that shows all the runs in the County and for the 3 townships. The fire department has two new volunteers David Wortz and Benjamin Motor. There was no information or updates on the point project or new fire station.

Old Business:

n/a

New Business:

Trustee Miley brought up the Ball Association and using the township hall for sign-ups. The trustees would like the sign taken down quicker. The trustees agree that the group can use the hall for sign-ups.

Trustee Miley began a discussion about development of the township. With the development of the 23 corridor and Berlin Township he suggests looking into doing something on 42 from the curve to Delaware or along SR 521 especially with the County offices going in. Ms. Kuba noted that sewer would not be available for awhile since the City won’t put sewer under the bridge and the county isn’t prepared to yet. Trustee Miley would like to begin engaging the zoning board in discussions of development.

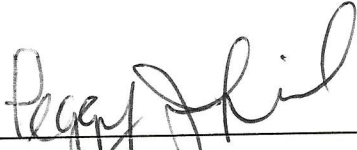
Trustee Miley made a motion to release warrants #20331-20338 for \$3,364.43. Trustee Stegner seconded. Motion passed. Trustees signed regular and super blanket purchase orders 1-2020 through 57-2020 as well as Cemetery Deeds #569, 570 and 571.

Trustee Stegner made a motion to adjourn the meeting. Trustee Miley seconded. . Motion passed. Meeting adjourned at 8:21 pm

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Peggy J. Link, Fiscal Officer

Trustees



Connie Skinner, Chairwoman



Charles Miley, Vice Chairman

Gary Stegner

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Minutes of Brown Township Trustees Meeting

Held February 11, 2020

The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley and Skinner, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, Housekeeper Kristine Hedrick and guests Chris Shamro, Aaron Heydinger, Josh Scheutzow, Garrett Gandee, Jim Seliskar, Timothy Carroll, Doug Ridel, Amber Condit and Joyce Condit

Trustee Skinner made a motion to approve the February 11, 2020 agenda as amended. Trustee Miley seconded. Motion passed.

Chairwoman Skinner led the Pledge of Allegiance

Trustee Miley made a motion to approve the January 7, 2020 regular meeting minutes as presented. Trustee Skinner seconded. Motion passed.

Public Participation:

Doug Reidel from the County Engineer’s office attended the meeting. Mr. Reidel briefly discussed the culvert situation on Walton Road, Veley Road and Giehl Road. Mr. Reidel shared that the culvert on Veley Road was in very bad shape as were really all of them. He indicated that the Veley and Giehl Road culverts would be cost-shared with the county. Veley Road culvert would be extended out and our cost was mostly embankment. The Walton Road culvert was less than 24” and no headwalls were included in the estimate. The county would like to get these on their schedule and as they have time they would schedule these. Fiscal Officer Link shared that the current appropriations budget, the 2020 County Road program, and the mower/tractor planned purchase did not allow the township to consider paying \$29,678 for the work unless the appropriation certificate was amended. Ms. Link discussed that Road and Bridge had about \$70,000 more that could be allocated as well as Permissive has about \$100,000 available. Trustee Skinner made a motion to increase the appropriation budget in contracted services in the Permissive fund from \$60,000 to \$90,000. Trustee Miley seconded. Motion passed.

RESOLUTION – 2020-02-11-01 TO INCREASE THE APPROPRIATION BUDGET IN CONTRACTED SERVICES IN THE PERMISSIVE FUND FROM \$60,000 TO \$90,000

Miley Aye Skinner Aye

Trustee Miley made a motion to move forward with the culvert replacements for Veley, Walton and Giehl Roads as submitted to the County Engineer for a total of \$29,678. Trustee Skinner seconded. Motion passed.

RESOLUTION – 2020-02-11-02 TO MOVE FORWARD WITH THE CULVERT REPLACEMENTS FOR VELEY, WALTON AND GIEHL ROADS AS SUBMITTED TO THE COUNTY ENGINEER FOR A TOTAL OF \$29,678

Miley Aye Skinner Aye

Further discussion continued with Mr. Reidel about setting a date for road inspection with the Trustees. Trustee Miley suggested that he reach out to Trustee Stegner to find an appropriate date when we returns from traveling.

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Browntown Investments attended the meeting to present a request for the Trustees to consider for a Modification of the preliminary plan presented back in the fall. Garrett Gandee gave a brief summary and indicated they believe the changes are minor and wanted to confirm this before they move forward with the final development plan. There were four explanations of minor modifications requested. #1) elimination of proposed work within the right-of-way on Main Street – the County Engineer will not require the applicants to perform the work as originally thought; 2) elimination of proposed roadway improvements to Pearl Street west of Main Street – again the County Engineer has indicated they will not require this work as originally suggested; 3) widening of Pearl Street between Pearl Street and North Old State – County Engineer has suggested widening Pearl Street by 4’ to help improve traffic flow; and 4) changes to the East Parking lot – the parking lot will need to be broken into two pieces to allow for septic field and originally the plan showed for additional egress onto N. Old State Road which was not successful. Trustee Miley asked about the existing gravel identified on the map and Mr. Gandee clarified that this is not intended for the township to maintain but just an identifier on the map. Trustee Skinner moved to accept the minor modifications request for Browntown Investment for their preliminary development plan. Trustee Miley seconded. Roll call was taken – motion passed.

RESOLUTION – 2020-02-11-03 TO ACCEPT THE MINOR MODIFICATIONS REQUEST FOR BROWNTOWN INVESTMENT FOR THEIR PRELIMINARY DEVELOPMENT PLAN

Miley Aye Skinner Aye

Fiscal Officer’s Report:

Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$101,890.83 and earned \$14.03 in interest. Star Bank balance is \$1,328,912.32 and earned \$2,030.63 in interest. She passed around the reconciliation checklist and timesheets for review and approval for January 2020. Fiscal Officer Link shared that she has the still has UAN printer still in her office and would like the Trustees advice on what they would propose to do with it. After discussion it was decided that the printer would go into the zoning inspector’s office for use. Mindy Ulery had an accident on April 30, 2019 and the township billed her \$221.44 for the damage. This invoice is still not paid. Assistant Prosecutor needs board approval in order to pursue this in small claims court but if the individual doesn’t have any money taking her to court could still result in non-payment. Trustees requested that Mr. Fowler send one last letter informing her of small claims court to see if we could get her to respond to making a payment(s). Ms. Link shared the County Records notification that all zoning documents are required to be sent to their office. Ms. Link notified the board and related staff that she would be away on vacation from February 19th through March 3rd with no email or phone access. Deposit slips would be placed in her mail slot so that deposits could be made and she will drop off deposit slips to the cemetery sexton in order to make sure deposits are still made timely. Fiscal Officer Link noted that the State of Ohio Auditor’s office has contracted out for services for audit which will begin soon. The services are being performed by Julian Grubb. Ms. Link has already begun working with them and for trustees and staff to be expected to respond with needed information.

Public Participation (cont’d)

The Kilbourne Ball Association Board Members (Tim Carroll, Chris Shamro, Amber Condit and Joyce Condit) attended. The board members were excited to be meeting with the Trustees and were looking for an open dialogue to the new season. Trustees asked for a schedule to share with the housekeeper for planning events at the hall. June 20th is scheduled to be Kilbourne Day and approximately 8-10 teams will play. Tournaments should be held the last week of June or after July 4th weekend. Fiscal Officer Link shared

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that she plans to have port-a-johns setup April 1st and trash pickup increased to once a week. Mr. Gladman will turn water on April 1st. The board exchanged phone numbers with Mr. Gladman. They will be meeting with Mr. Tobias to talk about mowing and their schedule.

Zoning Inspector:

Zoning Inspector Kuba went over her written report. Mr. Fowler is still working on the Devoe property. The Flemings are continuing to clean up. Discussion about the open basement on the corner of Pittman and 42 and the concerns around how dangerous this could be. The basement has filled up with water as it is the lowest point in the township. Trustees discussed putting a silt fence or orange fence around the property. Mr. Fowler will talk to Gigi Roger’s lawyer about the no trespassing signs. Ms. Alzaki has not responded to the request for not having a building permit but has not continued any work. As the building sits they would need a variance that would cost \$500 to obtain in order to have the building. Ms. Kuba shared that 5600 Bowtown building is on skids which does not require a building permit since it is less than 600 sq ft. The Delaware County Health Department did inspect the building but could not confirm if the inhabitants were actually living there. The neighbors are not willing to complain since they are afraid of the individuals. Trustees would like for the Health Department to make another stop to investigate. Ms. Kuba shared that she would like the Trustees to further explore a drop box to be placed at the township hall. She shared several ideas and will present an idea/estimate for next meeting. Ms. Kuba also suggested that it might be nice to have a projector for meetings. During the last BZA meeting the crowd was quite noisy and the recorder had a hard time hearing. Ms. Kuba will also bring some suggestions to the next meeting.

Road Superintendent:

Road Superintendent went over his report. The iMop was returned. Ms. Hedrick indicated it had dirty water left in it. Mr. Gladman indicated they were almost done with the Kelly McMaster curve sign project. He shared he was continuing to look at garage door options. Mr. Gladman shared a report from The Garland Company, Inc. regarding the issues with the roof. He is still gathering information. The warranty ended December 19th. The Garland Company shared he was willing to come talk to the Board. Trustees will read the report and assess at the next meeting.

Roads:

Ms. Link shared a notice to the Township for the Zerbe-O’Keefe #265 watershed drainage improvement petition. Ms. Skinner indicated she will be attending the hearing on February 20, 2020.

Cemetery:

No cemetery report was presented. Jahn contacted the township to get a map of the lot for Scowden’s and John Yarhouse asked about the township moving the military marker. Mr. Gladman informed Mr. Yarhouse that he would have to work with a monument company.

Fire Department:

Trustee Miley shared a brief update. The fire department amended their budget. Chief Troy met with county administrators to discuss moving. Trustee Miley shared that Ed MacCall indicated it could cost approximately \$4 million for 6 bays. The fire chief is looking at fire engines which could cost approximately \$689k.

Old Business:

n/a

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New Business:

Trustee Miley discussed presenting information at the Delaware County Township Association on March 5th. Trustee Skinner and Miley will work on their presentation.

Trustee Miley shared he received information about Spring Tif at the OTARMA conference to address with annexing. The City is forcing the County to annex the career campus.

Trustee Miley made a motion to release warrants #20336-20401 for \$26,316. Trustee Skinner seconded. Motion passed. Trustees signed regular purchase orders 1-2020 and 2-2020 for Hall Signs as well as Cemetery Deed #572.


Trustee Miley made a motion to move into Executive Session at 9:10 pm to discuss public employee. Trustee Skinner seconded. Roll call vote called. Motion passed.

**RESOLUTION – 2020-02-11-04 TO MOVE INTO EXECUTIVE SESSION
AT 9:10 PM TO DISCUSS PUBLIC EMPLOYEE**

Miley Aye Skinner Aye

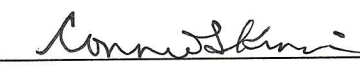
Trustee Skinner brought the meeting back to order at 9:51 pm.

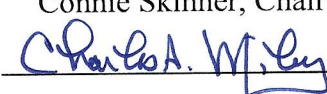
Trustee Miley made a motion to adjourn the meeting. Trustee Skinner seconded. Motion passed. Meeting adjourned at 9:55 pm



Peggy J. Link, Fiscal Officer

Trustees



Connie Skinner, Chairwoman


Charles Miley, Vice Chairman

ZONING TEXT

Brown Township, Delaware County, Ohio

DATE SUBMITTED: September 13, 2019

AS REVISED: **October 24, 2019**

CURRENT ZONING: LOW DENSITY RESIDENTIAL DISTRICT – (R-2)
NEIGHBORHOOD COMMERCIAL DISTRICT – (C-2)
OLD KILBOURNE VILLAGE DISTRICT

PROPOSED ZONING: PLANNED COMMERCIAL AND OFFICE DISTRICT –
(PC)

Property Owner:

Browntown Investment Group, LLC

Applicant:

Browntown Investment Group, LLC

Authorized Representative/Attorney:

Donald T. Plank
Plank Law Firm, LPA
411 East Town Street, Floor 2
Columbus, Ohio 43215

- D. Any use not permitted herein shall be considered prohibited, except that a use may be permitted if approved by the Township Trustees as part of the Final Development Plan approval.
- E. Deviations from the standards and requirements set forth herein as well as the Resolution and Standard Drawings may be approved by the Township Trustees through the Preliminary Development Plan or Final Development Plan.
- F. The Zoning Commission for Brown Township shall make the determination whether a design or development standard change or modification is “substantial,” requiring a filing of an application for a modification to the approved Final Development Plan.

IV. SUBAREA USE REGULATIONS AND DEVELOPMENT STANDARDS

A. GENERAL DEVELOPMENT STANDARDS

1. Access: Access to the Property currently exists to and from State Route 521, North Old State Road, Main Street (with a section proposed to be vacated, intersecting Subarea 1), and Pearl Street.
2. Setback from Public Right-of-Ways: The setbacks from the public right-of-ways of State Route 521, North Old State Road, and Pearl Street are as shown on the site plan dated August 22, 2019 (the “Site Plan”).
3. Common Open Space: Open space will be depicted on, and approved as part of, the Development Plan for the subarea. Applicant will create open space and outdoor amenities and encourage internal pedestrian connectivity, as shown on the Site Plan.
4. Landscaping along Public Right-of-Ways: The existing trees along the public right-of-ways shall be retained to preserve the existing aesthetic along the roadway and shall be replaced if they shall die during replanting.
5. Entry/monument signs may be set in irrigated landscaped areas at locations approved on the Development Plan for the respective subarea.
6. Specific Divergences Requested:
 - a) **Section 21.01(B): Paving:** Except in the Farm Residence Zoning District (FR-1) and the Agricultural Preservation District (A-1) all common parking areas and adjacent aisles or driveways shall be paved with asphalt material or cement. *Applicant requests divergences from the paving requirements of the Zoning Resolution. Applicant shall provide permeable paving including reinforced lawn and/or gravel paving in secondary and/or overflow parking areas, as shown on the Site Plan. Secondary parking is defined as on-street parking spaces (marked and unmarked) that are not directly associated with a business, that is not reserved. Overflow parking is defined as spaces (marked and unmarked) that have direct relationship to primary parking spaces/lots.*

divergence from the strict perimeter landscaping requirements, but shall provide for landscaping adjacent to any arterial street.

- f) **Section 23.03(A)(2)(A)(1) – Table. Vehicular Use Area Perimeter Requirements.** That landscaping and screening shall be in the form of one (1) tree per forty (40) feet, or fraction thereof, relative to the boundary of vehicular area, plus a continuous 3 foot high planting, landscape hedge, fence, wall, or earthen mound. *Applicant requests a divergence from the strict vehicular use area perimeter requirements, but shall provide headlight screening relative to the parking areas.*
- g) **Section 23.03(A)(8). Interior Landscaping for Vehicular Use Areas.** That peninsulas, islands, aisle end islands, and planting areas within interior vehicular use areas shall comply with the requirements of Section 23.03(A)(8) of the Zoning Resolution, unless deviations are requested and approved by the Township Trustees as part of the Development Plan. *Applicant requests a divergence from the interior landscaping for vehicular use areas requirements, as Applicant desires to provide ample shared parking for all subareas as one unified development and requires the requisite land area to provide for ample parking.*

B. SUBAREA 1

1. Permitted Uses

- a) Retail bakeries, furniture and home furnishings stores, food and beverage stores, health and personal care stores, clothing and accessories stores, general merchandise stores, miscellaneous store detailers;
- b) professional, scientific, and technical services;
- c) arts, fitness, and entertainment events;
- d) small, boutique hotels and motels with a maximum of 4 rooms, short term rental, bed and breakfast;
- e) food services and drinking places, including mobile food stands and food trucks;
- f) wedding or other event center; and
- g) apartments, with a maximum of two units.

2. Development Standards

- be in these areas, and shall have the same or complementary material as the building exterior.
- ii. All roof-mounted service/mechanical equipment shall be fully screened on all four sides, with a height to exceed the installed equipment by raising the parapet around the top of the building. Screening design and material shall be architecturally compatible with the remainder of the building.
- f) Landscaping. The existing landscaped areas within Subarea 1 shall be preserved and enhanced with new trees and vegetation to provide an aesthetically pleasing streetscape and adequate green space/open space for a market, entertainment district.

C. SUBAREA 2

1. Permitted Uses

- a) Wood furniture manufacture, assembly, shipping, and packaging (up to 75-80%) and wood furniture retail showroom/sales and office (up to 20-25%); and
- b) Retail bakeries, furniture and home furnishings stores, food and beverage stores, health and personal care stores, clothing and accessories stores, general merchandise stores, miscellaneous store detailers;

2. Development Standards

- a) Access. Subarea 2 shall access North Old State Road from Pearl Street.
 - i. Drives composition and other standards may be permitted to deviate from public roadway standards. Such deviations shall be approved as part of the Development Plan.
- b) Building Height. A maximum height of buildings shall be thirty-five (35) feet.
- c) Setbacks.

Property Line	Building	Parking & Drive Aisle
North (Along Public Right-of-Way of Pearl Street)	0'	0'
South (from adjacent property)	15'	10'
East (Along Public Right-of-Way of Old North State Road)	0'	0'
West (from adjacent property)	0'	0'

- e) Minimum Off-Street Parking Space Requirements.
 - i. Parking spaces shall be a minimum of nine (9) feet in width and twenty (20) feet in length.
 - ii. Parking for Subarea 2 shall be within Subarea 1.

- ii. Drives composition and other standards may be permitted to deviate from public roadway standards. Such deviations shall be approved as part of the Development Plan.
- f) Landscaping. The existing landscaped areas within Subarea 3 shall be preserved and enhanced with new trees and vegetation to provide an aesthetically pleasing streetscape.

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Minutes of Brown Township Trustees Meeting

	Held March 10, 2020	
	<p>The Brown Township Trustees met on this date at 7:00 PM in regular form with Trustees Miley and Skinner, Fiscal Officer Peggy Link, Road Superintendent Dan Gladman, Zoning Inspector Susan Kuba, and guests Megan Edwards, Delaware Township Trustssee Randy Ormeroid, Dave Knowlton, and Delaware County Commission Jeff Benton</p> <p>Trustee Miley made a motion to approve the March 11, 2020 agenda as amended. Trustee Skinner seconded. Motion passed.</p> <p>Chairwoman Skinner led the Pledge of Allegiance</p> <p>Trustee Miley made a motion to approve the February 11, 2020 regular meeting minutes as presented. Trustee Skinner seconded. Motion passed.</p> <p>Delaware Township Trustee Randy Ormeroid presented the Board of Trustees with a resolution that was passed by his township that would give townships more bargaining power to negotiate with cities that could potentially be losing money due to annexation. Trustees had reviewed the information prior to the meeting. Trustee Miley made a motion to support the Resolution to Endorse House Bill 163 (clean water bill act). Trustee Skinner seconded. Motion passed.</p> <p>RESOLUTION – 2020-03-10-01 TO SUPPORT THE RESOLUTION TO ENDORSE HOUSE BILL 163 (CLEAN WATER BILL ACT)</p> <p>Roll call vote held: Miley Aye Skinner Aye</p> <p>Fiscal Officer’s Report: Fiscal Officer Peggy Link reported that the First Commonwealth checking account balance is \$91,914.53 and earned \$13.53 in interest. Star Bank balance is \$1,330,775.45 and earned \$1,863.13 in interest. She passed around the reconciliation checklist and timesheets for review and approval for February 2020. Fiscal Officer Link noted that she has create the reimbursement for Trustee Miley for meeting expenses for attending the winter conference but since Trustee Skinner was the only other board member present that she will present the check at next meeting so that two trustees could sign. Ms. Link acknowledged that she had missed processing Charles (Lee) Dennison’s pay increase that was approved at the December 2019 organizational meeting. She has included the difference in pay in his February 2020 paycheck and she has generated a notification letter and made a note on his timesheet. Fiscal Officer Link shared that after last meetings Executive Session she followed up with Housekeeper Hedrick in an email to request information on how much time it took to put keys out as well as how much time to took to check the phone so that she could provide a suggested resolution on the missing time for 2018-2019. Ms. Link had requested Ms. Hedrick acknowledge receipt of the email which did not occur. Ms. Link had a conversation with Ms. Hedrick and she had stated that she didn’t receive the email but upon further review she had received the email. This item will be tabled until the next meeting, which will be the quarterly housekeeping update. Fiscal Officer Link had a conversation to discuss the Kilbourne Day trash voucher program. Trustee Miley and Ms. Link agreed that the deadline to request a voucher would be May 17th regardless of whether the program ends in June or July. Ms. Link let the Board know that the auditors (Julian Grubb) will be on-site beginning Friday afternoon and she will need to give them a key to her office in order for the process to move forward. The auditors will be on-site the week of March 16th. Trustee Miley asked that Fiscal Officer Link send the agenda to Road Superintendent Gladman, Zoning Inspector Kuba, Cemetery Sexton Cackler and Housekeeper Hedrick before each meeting so that they are aware if they are expected to present something on the agenda.</p>	

RECORD OF PROCEEDINGS

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Public Participation

Mr. Dave Knowlton briefly stopped by the meeting to say his farewell and introduce his successor Megan Edwards from the Delaware County Health Department. Ms. Edwards introduced herself and gave a handouts and a brief presentation regarding COVID-19, vaping grant, youth behavioral survey and the travel clinic.

Commissioner Jeff Benton attended the meeting. He was excited about the Kilbourne Project and shared that there are many opportunities for economic development grants and other opportunities for funding. He complimented the board on them being in front of the issues facing township. Commissioner Benton shared information on the Landbank which consists of 5 board members and their goal is to take over neglected properties, fix them up and sell them back to the private section. If they are tax delinquent it can be significant dollars to cover the tax lien but the Landbank can waive those fees. Mr. Benton encouraged the trustees to use the shared services of the County.

Delaware County Engineer's Office Doug Reidel attended the meeting. Mr. Reidel noted that Hogback Road could be crack sealed and not have to go out to bid since we could use the ODOT contract with J&A Construction. Crack seal is a good option before a road is chip sealed. Trustee Miley made a motion to approve allocating \$2,880 to crack seal Hogback Road through J&A Construction. Trustee Skinner seconded. Motion passed.

RESOLUTION – 2020-03-10-02 TO APPROVE ALLOCATING \$2,880 TO CRACK SEAL HOGBACK ROAD THROUGH J&A CONSTRUCTION

Miley Aye Skinner Aye

Susan Kuba shared that her 4-H club is looking for service projects and would like to do something to help the Brown Township community. Trustees will give some thought to the request and provide her feedback.

Zoning Inspector:

Zoning Inspector Kuba went over her written report. The Browntown Investment final development plan was passed at last Thursday's zoning meeting. Trustees asked for information on the Devoe property but Ms. Kuba has no information. Trustee Skinner asked about the 521 property and sought information from Mr. Reidel if he has contact with ODOT on how they could partner to resolve the issues. Ms. Kuba talked through the Bixby campus and gave information on items that she is working through with the County. Trustee Miley made a motion to waive building permit fees for Delaware County for the Bixby Campus. Trustee Skinner seconded the motion. Motion passed.

RESOLUTION – 2020-03-10-03 TO WAIVE BUILDING PERMIT FEES FOR DELAWARE COUNTY FOR THE BIXBY CAMPUS

Miley Aye Skinner Aye

Commissioner Jeff Benton shared that the Bixby Campus does not have to be annexed. Ms. Kuba shared that Pugh Road has no restriction as a shared drive and not CAD. The 1996 deed applied to successors. Ms. Kuba is waiting for two CAD developments one on 3 B's & K and one on Veley Road. Zoning Inspector Kuba shared an email she received from Dawn Batross requesting the township consider helping them with a water issue they are having on their property. Trustees will look over the letter and discuss this at the next meeting.

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Road Superintendent:

Road Superintendent went over his report. Mr. Gladman has been working to update signs. He has received several estimates for repair of maintenance garage doors and the cost will be around \$250 and he will proceed with the repair as part of his monthly expenditure allowance. Trustee Miley and Mr. Gladman discussed trimming trees on Pearl Street.

Roads:

Trustee Miley shared he had received questions about Kelley McMaster and a possible water line project that shared by a concerned resident. Mr. Miley has reached out to connect with the resident several times and not received a returned phone call. Mr. Reidel suggested that Trustee Miley refer the resident to him for questions. Trustee Miley shared he has prepared the written Pittman Road berming request for assistance. Trustee Miley made a motion to submit a Request for Assistance for Pittman Road berming. Trustee Skinner seconded. Motion passed.

RESOLUTION – 2020-03-10-04 TO SUBMIT A REQUEST FOR ASSISTANCE FOR PITTMAN ROAD BERMING

Miley Aye Skinner Aye

Trustee Skinner attended the O’Keefe watershed meeting. Not much water will flow to Harris Road. This was just an informational meeting.

Cemetery:

No cemetery report was presented as the Cemetery Sexton was absent. Fiscal Officer Link shared that Ms. Cackler sent her an email and noted that Jahn Monuments was planning to submit four requests for foundations. Trustee Miley received a request for an estimate for a foundation for the Steinke family. Fiscal Officer Link shared that it would be close to a cost of \$695 and she will notify the caller in the next day or so. Trustees discussed landscaping for the cemetery as well as much for the flowerbed at the front of the cemetery and potentially the playground. Mr. Gladman noted that Slinger would probably save cost since it would reduce the amount of labor needed. He will obtain an estimate and share at the next meeting.

Fire Department:

Trustee Miley shared a brief update. The Chief Morris is working with the County on land for the fire station and EMS status on Bowtown Road. He will be working with an architect on the design for 6 bays, EMS and housing similar to the Coover Road Station. If they stayed at the point in Delaware, they would need to consider a \$1 million dollar retention wall as part of the project. The chief is still working through the phone issues and replacing the Engine.

Old Business:

The Kilbourne Baseball association would like to use the hall on the 15th & 22nd of March for a coaches and parents meeting. Trustee Miley will work with Ms. Hedrick on this.

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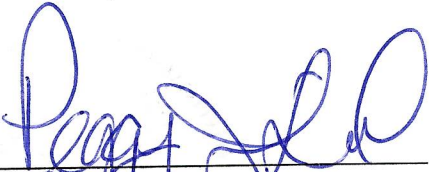
New Business:

The Pittman Road with basement issue is still ongoing. Trustee Miley has been trying to contact the building and no response. Zoning Inspector Kuba indicate it just needs a drainage plan but the builder does not seem to be paying attention to what the county or she are telling them.


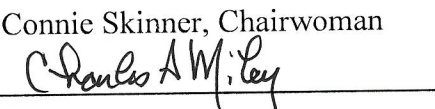
Trustee Skinner wants Road Superintendent Gladman to look into the cost of hedge trimmers.

Trustee Skinner made a motion to release warrants #20402-20427 for \$10,394.66. Trustee Miley seconded. Motion passed. Trustees signed regular purchase order 3-2020 for the County for \$29,677.78 and cemetery deed #573 Lawrence & Barbara Swick.

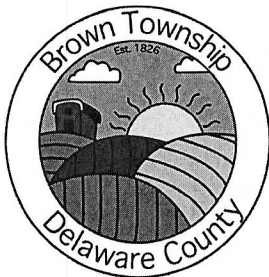
Trustee Miley made a motion to adjourn the meeting. Trustee Skinner seconded. Motion passed. Meeting adjourned at 8:25 pm


Peggy J. Link, Fiscal Officer

Trustees


Connie Skinner, Chairwoman

Charles Miley, Vice Chairman

Trustees:
Gary Stegner
Charles Miley
Connie Skinner



Fiscal Officer:
Peggy Link

5555 State Route 521, Delaware, Ohio 43015
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RESOLUTION TO ENDORSE HOUSE BILL 163

HOUSE BILL 163 WOULD AMEND OHIO REVISED CODE TO CREATE A
PROCESS FOR WITHHOLDING LOCAL GOVERNMENT FUNDS AND STATE WATER AND
SEWER ASSISTANCE FROM MUNICIPAL CORPORATIONS THAT ENGAGE IN CERTAIN WATER
AND SEWER PRACTICES WITH RESPECT TO EXTRATERRITORIAL SERVICE.

WHERE AS, The Board of Trustees of Brown Township, Delaware County, Ohio met in regular session:

Connie Skinner, Chairperson and Charles Miley Vice Chairman

WHERE AS, Charles Miley moved Resolution No 2020-03-10-01 be endorsed as follows:

BE IT RESOLVED, The Brown Township Board of Trustees, Delaware County, Ohio, endorse House Bill 163, which would create a process for withholding local government funds and state water and sewer assistance from Municipal Corporations that engage in certain water and sewer practices with respect to extraterritorial service.

WHERE AS, Connie Skinner, second the motion.

Roll call vote:

Connie Skinner, Chairperson, AYE

Charles Miley, Vice Chairman, AYE

Fiscal Officer Certification

I, Peggy J. Link, Fiscal Officer, Brown Township, Delaware County, Ohio, do hereby certify the foregoing to be true and correct as taken from the Minutes of the March 10, 2020 Trustee meeting.

WITNESS my signature, the 10th day of March, 2020.


Fiscal Officer, Brown Township, Delaware County, Ohio