

1. Agenda

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[2023.05.03 COUNCIL AGENDA.PDF](#)

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[2023.04.19 COUNCIL MINUTES.PDF](#)

**AGENDA OF BUSINESS  
REGULAR MEETING OF COUNCIL  
SUNBURY, OHIO  
May 3, 2023 at 7:30 P.M.**

SILENT PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL: Mr. Joseph St. John, Mr. Timothy Gose, Mr. Damin Cappel, Mrs. Cindi Cooper, Mr. John Grumney, Mr. David Martin, and Mr. Murray Neff.

**MINUTES:**

April 19, 2023

**VISITORS**

**COMMITTEE REPORTS**

**POLICE REPORT**

**ADMINISTRATOR'S REPORT**

**ENGINEER'S REPORT**

**RESOLUTIONS**

Third Readings

Second Readings

First Readings

**RESOLUTION 2023.11**

**A RESOLUTION TO ESTABLISH A CASH RESERVE POLICY FOR THE CITY OF SUNBURY**

**RESOLUTION 2023.12**

**A RESOLUTION TO ESTABLISH A DEBT POLICY FOR THE CITY OF SUNBURY**

**RESOLUTION 2023.13**

**A RESOLUTION AUTHORIZING EXECUTION OF A GOVERNMENTAL AGGREGATION SERVICES AGREEMENT FOR THE PROVISION OF ELECTRICAL ENERGY FOR CITY OF SUNBURY PARTICIPATING RESIDENTS AND BUSINESSES FOR A XXX MONTH TERM AT A RATE NOT TO EXCEED XXX**

**AGENDA OF BUSINESS  
REGULAR MEETING OF COUNCIL  
SUNBURY, OHIO  
May 3, 2023 at 7:30 P.M.**

**ORDINANCES**

Third Readings

**ORDINANCE 2022.50 (Tabled)**

**AN ORDINANCE APPROVING THE COMMERCIAL AND INDUSTRIAL SITE PLAN AND BUILDING APPLICATION OF CUTLER PROPERTIES LTD FOR CONSTRUCTION OF STORAGE BUILDINGS TO BE LOCATED AT 601 W CHERRY ST.**

Second Readings

First Readings

**NEW / UNFINISHED BUSINESS**

Planning and Zoning Commission – Interviews and Appointment

Street Sweeping Services - 2023

Executive Session pursuant to ORC 121.22(G)(2) to consider the purchase of property for public purposes when the premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public.

**ADJOURNMENT**

City Council Strategic Planning Retreat – Saturday, May 13, 2023 from 9 am to 12 pm

# City of Sunbury Regular Council

## Minutes

**April 19, 2023**

Mayor Joseph St. John opened the Sunbury City Council meeting at 7:30 p.m., April 19, 2023, with a moment of silent prayer and the Pledge of Allegiance.

Those answering roll call: Cindi Cooper, Joseph St. John, Damin Cappel, Dave Martin, Murray Neff, Tim Gose, and John Grumney. Other staff in attendance were Assistant City Administrator Daryl Hennessy, City Solicitor David Brehm, Clerk of Council Amber Swain, and City Engineer Dan Whited.

### **MINUTES:**

Motion by **Cooper** and seconded by **Neff** to approve the March 1, 2023, meeting minutes. Upon roll, 5 yeas. Minutes passed.

### **VISITORS**

Megan Truax was present to receive her certificate for the Citizen Recognition Program.

### **COMMITTEE REPORTS**

Mr. Gose updated the council on the Finance Committee and the Montrose Group presentation, along with the monthly reports. He updated the Council on the JR Smith open house. He also went over the fire board meeting and the consideration of moving the main fire station to the new location.

### **POLICE REPORT**

Chief Rob Howard went over the new Distracted Driving Law update with Council. He also updated the Council on the status of the new police vehicles, part-time officers that have been sworn in, and E-Scheduling.

### **Administrators Report**

Sunbury, Ohio

### **Memo**

**To:** Mayor, Council  
**From:** Steve Pyles  
**cc:**  
**Date:** 4/18/23  
**Re:** Administrator's Report

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### **Personnel and Staffing**

# City of Sunbury Regular Council

## Minutes

**April 19, 2023**

- Alex Nelisse-Blankenship continued his training. We are down to questions and answers as he encounters new issues.
- Record, box and plan sorting continues.
- I've been filling in for the Streets Superintendent, meeting with staff in the morning start up from 6:45 – 7:15. More information in the Streets section which follows.
- The Service Superintendent and Supervisor position, summer positions and an opening at the wastewater plant have been posted. Review of applicants for the full-time services positions has been completed, interviews conducted and five applicants for second round interviews have been selected. .

### **Planning and Zoning**

- Continued work on resident complaints regarding a business violating the zoning code.
- See the zoning report for process activity in the last month.
- Meetings with developers.
- Preliminary meeting for a new commercial building on the last remaining out lot at Kroger Plaza.

### **Odds and Ends**

- Our environmental consultant, legal counsel and I continue to communicate with the Ohio EPA to discuss final items remaining related to Martindale Park. We are seeking a continuation of the grant and some supplementary funding to bring that grant to conclusion with a No Further Action and Covenant Not to Sue from OEPA. We held a teleconference last week.
- The demolition of the houses is complete, we have requested a scope change with the grantor to see if we can include the remaining structure as bids came in low and we have funds remaining.
- Space planning meetings continue with Daryl leading that effort, they met on finishes for the two buildings. MS is preparing probable costs and we should have that information by the end of April.
- Closing of the ODOT outstation property is proceeding.
- Met on-site with RLA to resolve a construction spoils issue at Freedom Park. They have agreed to pay for a local contractor to spread and compact the spoils for the parking lot.

**Adding the following two departments to my report to provide further information.**

**Streets**

# City of Sunbury Regular Council

## Minutes

April 19, 2023

- Weekend trash services of public containers at town square, Freedom, and GRE parks.
- Street light maintenance, we are also working through issues with the pedestrian crossing at Fallen Heroes.
- The street sign inventory is complete, I need to compare it to an inventory of signs on hand and get pricing for what is needed.
- We met the manufacturers rep for the crack sealing machine and did a field use of it on Walnut View.
- There was one burial since we last met.
- The partially collapsed storm sewer on Evening Street was repaired and is ready for the 2023 repaving of that street.
- One of the Western Star plow trucks is in for service now that the snow season has, hopefully, passed.
- Mowing equipment was prepared (oil changes and other task on preventative maintenance schedule) and mowing started last week.
- Lights repaired at PD.
- Streetlight survey completed in anticipation of meeting with AEP on LED retrofit project.
- Ohio Underground Protection Service (OUPS) locates when appropriate.

### Wastewater

- The department has been busy with some of the significant rain events.
- A section of sewer main in JR Smith was cleaned and televised. There will be a need to do some pipe replacement on a main that crosses through that park.
- Meeting with CT has resumed periodically to discuss plant upgrades and for them to see how the plant is currently operating. This is being done to refine plans.
- Daily operations of the plant, which includes sampling, adjusting processes based upon results, pressing sludge, sewer inspections of new taps.
- Periodic maintenance includes lubrication, cleaning clarifiers, and maintaining equipment.
- We had the new Pipe Hunter truck in for warranty work related to the power train.

### Engineer's Report

Prepared By: Wes Hall, P.E., Dan Whited, P.E.

Date: April 19, 2023

Project Description	Current Phase / Updates
<b>CITY PROJECTS</b>	

# City of Sunbury Regular Council

## Minutes

April 19, 2023

<p><b><u>Fallen Heroes Multi-Use Trails</u></b></p> <p><u>Phase 3 (to southern property line of Old Orchard Park)</u> This project extends the existing Fallen Heroes Multi-Use Trail for the terminus of Phase 2 to the southern property line of Old Orchard Park (which is the northern property line of Sunbury Meadows). This MUT segment is approximately 610 feet long. The MUT will be an asphalt trail, 10 feet wide. Sunbury has received a grant in the amount of \$50,568.50 from the County Commissioners, through their Trail Assistance Program. This amount is one-half of the estimated cost to construct the MUT.</p> <p><u>Phase 4 (from Old Orchard Park to Sunbury Meadows Drive)</u> This project extends the existing Fallen Heroes Multi-Use Trail for the terminus of Phase 3 to Sunbury Meadows Drive. This MUT segment is approximately 550 feet long. The MUT will be an asphalt trail, 10 feet wide. Sunbury has received a grant in the amount of \$40,000 from Preservation Parks of Delaware County, through its Community Trail Improvement Grant (CTIG) Program.</p>	<p><u>Construction Phase</u> Contract is executed with contractor. Preconstruction activities are <b>progressing</b>.</p> <p>Phase 4 will be completed as a change order in Phase 3.</p>
<p><b><u>Reservoirs Park Fishing Piers and Parking Lot Improvements</u></b></p> <p>The project includes the design of a small gravel parking lot off Sedgwick Avenue, with hard-surface pavement for ADA parking spaces, 620 feet of concrete sidewalk (5-feet wide) from the parking area to top of reservoir levees, to meet with the existing asphalt walking trail, a fishing pier, and ancillary items such as, but not limited to, fence gates, trail signage, trailside benches, lifebuoy rings, dog waste stations, and drainage infrastructure. Sunbury was offered, and accepted, a grant in the amount of approximately \$41,000 from ODNR's NatureWorks Grant Program. This project will need to include reservoir drawdown plans as well.</p>	<p><u>Design Phase</u> Construction documents are being <b>prepared</b>.</p>
<p><b><u>Wastewater Treatment Plant Facilities Plan Update</u></b></p> <p>Submitted FP Update to Ohio EPA for review and approval. Waiting for comments. We were advised, informally, that the first reviewer for Ohio EPA had no comments on the FP Update. We are working to get something formal from Ohio EPA acknowledging their acceptance of the update or additional comments from additional reviewers so that we can finalize the Update. A presentation summarizing the findings, conclusions and recommendations of the Facilities Plan Update was made to the Services Committee at its meeting</p>	<p><u>Planning Phase</u> The Ohio EPA permit application has been <b>submitted</b>.</p>

**City of Sunbury Regular Council**

**Minutes**

**April 19, 2023**

<p>on 2/2/2022.</p>	
	<p><u>Preliminary Phase</u> Survey and conceptual planning is progressing.</p>
	<p>Study is on hold while MS4 program is being reviewed and organized.</p>
	<p><u>Design Phase</u> Construction documents are being prepared. Will be able to bid by late April</p>
<b>PRIVATE DEVELOPMENT PROJECTS</b>	
<p>Metro Development (DRK) submitted an application to rezone 67.1 acres of land between Africa Road and 3 B's &amp; K Road, on the south side of 36/37, to Planned Residence District (PRD) and to rezone 2.0 acres of land on the east side of 3 B's &amp; K Road, on the south side of 36/37, to Planned Commercial District (PCD). Metro Development proposes to construct 744 apartments, with ancillary supporting facilities, within the PRD.</p>	<p><u>Design Phase</u> Preliminary plan was approved at the March Planning Commission meeting. Final Engineering is being reviewed</p>
<p>Mixed-use development; 120-unit apartment complex and 40,000 sq. feet of commercial/retail space.</p>	<p><u>Planning Phase</u> Council approved the rezoning. A submittal is anticipated soon.</p>
<p><b><u>Magnolia Park</u></b> New single-family subdivision located east of the Middle School.</p>	<p><u>Construction Phase</u> Clearing has been completed. Construction is anticipated to start soon.</p>
	<p><u>Construction Phase</u> Construction is progressing.</p>



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<b>Price Ponds Subdivision</b> located on Golf Course Road. Final Plat for Section 1 was approved with contingencies by Council on 7/6/22.	<u>Construction Phase</u> Construction is progressing for Section 1. Mass grading plan for Section 2 and 3 is <b>being reviewed.</b>
<b>Eagle Creek Subdivision</b> located on 3B's&K Road. The preliminary plat / plan was conditionally approved at the 8/22/2022 Planning Commission Meeting.	<u>Design Phase</u> Preliminary plan was approved at the March Planning Commission meeting.
	<u>Planning Phase</u> Rezoning was <b>approved by Council.</b>
<b>Eagle Storage - 601 West Cherry Street</b> Addition of four new storage buildings on the property. Council approved the building and site improvements with contingencies. We have reviewed the construction drawings (1st submittal) and provided comments.	<u>Design Phase</u> Waiting on the resubmittal of the construction drawings.
<b>BSTP Sunbury, LLC (Azco Development LLC)</b> Mixed retail development in the Sunbury Meadows development. Initial application for day care facility; commitments on other three lots still undetermined.	Preliminary plan was conditionally approved at the March Planning Commission meeting.

### RIGHT-OF-WAY PERMITS

The following R/W Permits Completed and/or under review:

- Columbia Gas - 595 Redshank Dr
- Columbia Gas - 1490 Linseed Ct
- Columbia Gas - 701 Titleist Dr
- Columbia Gas - 978 Ping Ln

### RESOLUTIONS

# City of Sunbury Regular Council

## Minutes

April 19, 2023

### First Readings

#### RESOLUTION NO. 2023.08

RESOLUTION AS REQUIRED BY O.R.C. 709.023(C) SETTING FORTH MUNICIPAL SERVICES THAT WILL BE PROVIDED TO 84.97 +/- ACRES OF LAND IN BERKSHIRE TOWNSHIP (DELAWARE COUNTY) OHIO IF ANNEXED TO THE CITY OF SUNBURY, OHIO

Motion was made by **St. John** to suspend the rules, seconded by **Neff**, passed 7-0.

Motion was made by **St. John** and seconded by **Neff** on the resolution, passed 7-0.

#### RESOLUTION NO. 2023.09

RESOLUTION AS REQUIRED BY O.R.C. 709.023(C) SETTING FORTH MUNICIPAL SERVICES THAT WILL BE PROVIDED TO 84.932 +/- ACRES OF LAND IN BERKSHIRE TOWNSHIP (DELAWARE COUNTY) OHIO IF ANNEXED TO THE CITY OF SUNBURY, OHIO

Motion was made by **Martin** to suspend the rules, seconded by **Cooper**, passed 7-0.

Motion was made by **Martin** and seconded by **Cooper** on the resolution, passed 7-0.

#### RESOLUTION 2023.10

A RESOLUTION TO ASSIGN A DELEGATE AND ALTERNATE DELEGATE TO THE REGIONAL COUNCIL OF GOVERNMENTS FOR THE REGIONAL INCOME TAX AGENCY

Motion was made by **Cappel** to suspend the rules, seconded by **Grumney**, passed 7-0.

Motion was made by **Cappel** and seconded by **Grumney** on the resolution, passed 7-0.

## ORDINANCES

### Third Readings

#### ORDINANCE 2022.50 (Tabled)

AN ORDINANCE APPROVING THE COMMERCIAL AND INDUSTRIAL SITE PLAN AND BUILDING APPLICATION OF CUTLER PROPERTIES LTD FOR CONSTRUCTION OF STORAGE BUILDINGS TO BE LOCATED AT 601 W CHERRY ST.

To remain tabled

### First Readings

#### ORDINANCE NO. 2023.09

# City of Sunbury Regular Council

## Minutes

April 19, 2023

### **AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF DARYL P. HENNESSY AS CITY ADMINISTRATOR, AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT CONTRACT, AND DECLARING AN EMERGENCY**

Motion was made by **Martin**. to suspend the rules, seconded by **Gose**, passed 7-0.

Motion was made by **Martin** and seconded by **Gose** on the Emergency, passed 7-0.

Motion was made by **Martin** and seconded by **Gose** on the Ordinance, passed 7-0.

### **NEW / UNFINISHED BUSINESS**

#### **Parade Rules and Procedures – Best Practices**

Mr. Brehm updated the Council on Parade Rules and Procedures – Best Practices, and that there are still discussions taking place with the insurance company.

#### **The Montrose Group – Professional Services Agreement**

Motion was made by **Cooper** to enter into a professional service agreement with The Montrose Group, seconded by **Neff**, passed 7-0.

#### **Planning and Zoning Commission Appointment**

Tabled at this time.

#### **S. Columbus Street Demolition Project**

Mr. Hennessy updated the Council on the status of this project, more actions will need to be made at a future meeting.

#### **Council Strategic Planning – May 13, 2023**

Mr. Hennessy reminded Council to have their work packets turned in before the retreat.

Executive Session pursuant to ORC 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

Executive Session pursuant to ORC 121.22(G)(2) to consider the purchase of property for public purposes when the premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public.

Motion Made by **St. John** to enter executive session, seconded by **Cappel**. 7-0

Motion made by **Martin** to end executive session, seconded by **Gose**. 7-0

### **ADJOURNMENT**

Motion to adjourn by **Cappel** and seconded by **Neff**. Upon Roll all Yeas.

**City of Sunbury Regular Council**

**Minutes**

**April 19, 2023**