

## The Clinton Township Board of Trustees

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The Meeting of the Clinton Township Board of Trustees was held on December 6<sup>th</sup>, 2017 at 7pm at 999 Chambers Rd. Present were Trustees Jane Cera, John Coneglio, and Carl Reardon, Fiscal Officer Deb Steele, Fire Chief Fraley, Police Chief Jones, Superintendent of Roads Villa, Township Manager Apple, Code Enforcement Officer Whalen, and several residents.

The next meeting will be held Wednesday, December 20<sup>th</sup>, at 7pm at 999 Chambers Rd.

The pledge was led by Chair Coneglio

### GENERAL

**Res. No. 17-12-001** Motion by Chair Coneglio to pass the agenda with flexibility. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio – Yes

Atty Matthew Koppitch began a presentation about Vertical Adventures building a new Training Center at 1165 Chambers Rd. The owners came to meet the Board and explain their situation. The company has spoken with Franklin County and City of Columbus. The parcel is currently zoned for Limited Industrial use, and Community Commercial would allow their company to conduct business there.

**Res. No. 17-12-002** Motion by Chair Coneglio read the following resolution; Whereas, Clinton Township encourages entrepreneurship and economic development as well as the promotion of small businesses; and

Whereas, Clinton Township strives to be an area that attracts and grows jobs with vibrant areas that are economically competitive; and

Whereas, Clinton Township recognizes the benefits of physical fitness and activity, including through utilization of climbing gyms like those offered by Vertical Adventures; and

Whereas, parcel number 130-000332, address 1165 Chambers Road, is currently zoned for Limited Industrial and thus precludes the development of the property as a climbing gym; and

Whereas, Clinton Township desires industrial uses to produce limited noise, light and pollution emissions and we recognize that Vertical Adventures proposal would fit those characteristics even with a change in zoning; and

Whereas, Clinton Township has expressed desire in its future land use plan to continue the economic viability of the Chamber Road area;

Whereas, Clinton Township desires any rezoning to have an attractive street presence and Vertical Adventures' proposal fits those criteria; now therefore be it

Resolved, that we, the Clinton Township Trustees, fully support Vertical Adventures efforts in rezoning parcel number 130-000332 to Community Commercial zoning for the purposes of establishing a climbing gym; and be it further

Resolved, that we, the Clinton Township Trustees, urge the Franklin County Planning Commission, the Franklin County Rural Zoning Commission, and the Franklin County Board of Commissioners to approve the rezoning application; and be it further

Resolved, that we, the Clinton Township Trustees, urge Franklin County to work with Vertical Adventures to resolve any other issues that may prevent this important and vital economic development including addressing the need for potential variances or other issues; and be it further

Resolved, that a copy of this Resolution be sent to each Franklin County Commissioner and the Director of the Franklin County Economic Development & Planning Department. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio – Yes

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### GENERAL CONT:

Patrik Bowman, Dir. Admin and Economic Development at Grandview Heights presented with Deb Miller, Principal and Chief Strategy Officer with Boulevard Strategies about implementing an Economic Study of the township that would survey businesses and residents. Mr. Bowman reviewed how quickly development is coming to areas near and in the township and the importance of planning in a time, that retail is rapidly changing. Ms. Miller reviewed plans and steps ahead that include interviews with various stakeholders such as Real Estate Developers, Local Merchants particularly independent ones, and restaurants for example. She also pointed out the need for outreach into the Somali Community for the North East side of the township. Trustee Cera said she had concerns about the methodology of only using an online survey, as many residents do not have internet access. Paper surveys were suggested as a way to connect with residents. Ms. Miller provided drafts of the interview guides with stakeholders. Resident Aliena Sword asked how long the survey would be online, Ms. Miller responded about 2 to 4 weeks. Chair Coneglio introduced Aliena Sword who asked if a survey could be mailed out with the trash bill. There was discussion that some are more likely to complete a survey online while others might prefer paper and snail mail or a drop off location. Trustee Cera stated she recalled being present at a JEDZ meeting discussion about the search for a company to do this study back in April, and later there was a draft of a contract. The contract reads that Clinton Township is who Boulevard Strategies would be in contract with to conduct the study. She asked Trustee Reardon if her recollection was correct that the Township will be reimbursed for the expenses. Trustee Reardon confirmed.

**Res. No. 17-12-003** Motion by Trustee Reardon to enter into contract for phase 1 with Boulevard Strategies for a strategic Economic Development plan in the amount of \$25,000.00 utilizing line item 1000-190-500. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

There was a presentation by Kurt Keljo from [Franklin Soil and Water Conservation District](#) about water run off issues, and the need for public educational outreach to try and prevent pollution getting into the creeks. Superintendent of Roads Villa reviewed the annual Open House and events on the Westside where literature is provided. It is important folks know how to report any violations they might see. There are some new permits, such as one that relates to illegal dumping. They also offer many programs about how to have landscaping that can benefit waterways. There are tree saplings for sale in the spring. There was discussion about all the recent development and pavement that has been added in and around the Westside of the township. Resident Jane Margiotta asked if developers came to Mr. Kelio's office to help advise them on their plans, and he responded no but his office does send experts to them to try and advise on water issues. Basement flooding continues to be an issue that construction over the previous few years has made worse. Mr. Kelio reviewed efforts from the city to encourage rain gardens, and if parking lots were built with permeable pavement with vegetation in the low points or middle that would help a lot.

Resident Jane Margiotta presented to the Board efforts she and others have been involved with. University View Civic Association in cooperation with the Bill Buckle Community Memorial Foundation has been talking to the DLC Corporation, who are the owners of the old Mr. Bill's, and they are still interested in donating the property. The Bill Buckle Memorial Foundation has offered to hold the property for the Twp. Ms. Margiotta stated to the Board she thinks there is a need to take advantage of this because if they don't donate it to the Township or the Foundation she believes they will donate it to Columbus.

She brought forward an estimate from a demolition company to take down the building for \$47K and she is asking the Board to approve a resolution tonight to pay for the demolition. She indicated there would be 3 phases of work. She thought then the Beatification Committee could work with the Foundation and apply for a lot more grants than the Township can apply for. Ms. Margiotta brainstormed some ideas such as a Community Garden, and knows resident, and Trustee-Elect Aliena Sword had done some work in this direction. Ms. Sword asked about when a soil sample would be done before there could be a Community Garden. Ms. Margiotta stated that would be done in phase 3, an EPA soil study that goes four feet down. Ms. Sword asked what would happen if that soil test came back as being contaminated. Ms. Margiotta said she has the test that was completed on a property next door and a history of who has owned the property in the past, nothing stood out to her to be concerned about.

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### GENERAL CONT:

Ms. Margiotta asked Trustee Cera for more information about why the donation fell through before. Trustee Cera responded that when the Township was in negotiations to acquire the parcel, they asked for time to do an Environmental Study and the Owners did not want the Township to have that time, because the results of that study would be public record. Ms. Margiotta interjected to state “did you think they might have not wanted to pay another year of property taxes and they might have wanted to just get the property off their hands?” Trustee Cera responded she thought about a lot of things, including the advice from the Township Attorney who has explained to her that the City of Columbus had to pay for a \$2 Million soil cleanup on a parcel. Trustee Cera said she did not want something like that to happen to the Township. Therefore Trustee Cera knew it was important to allow the Township time to do due diligence and the owners would not allow for that, so it is a risk she is unwilling to take on for the Township. Ms. Margiotta agreed there is a need to do a study and that perhaps the Foundation or Nonprofit could leverage grants or donations to pay for such a cleanup if it was found to be needed, and that again the owners are likely concerned about the \$150K annual tax bill.

Trustee Cera had questions about the demolition proposal as it was written to DLC, the Owners, with the first bullet point being about the “owner to provide an asbestos survey and subsequent abatement.” Ms. Margiotta responded, they should, or at least give the certification that there is no asbestos. Trustee Cera replied that the Township already knows there is asbestos that needs to be abated before a demolition process can start. She said it is likely the Foundation will run into the same issues the Township Board did during their negotiations where DLC will say they have to accept the property as is. Trustee Cera said the Owners have been very clear on that point and that she felt there was no way they were suddenly going to agree to survey and abate the asbestos for the Foundation. She speculated that was why the \$47,000 demolition quote was so low, because asbestos is not included when she has been told numbers more like \$120,000.

Ms. Margiotta replied that Trustee Cera must just want the property to go to City of Columbus then. Trustee Cera said she has been consistent all along in saying that she would like the Township to have this property and more green space, and she wants to acquire it in a responsible way. Trustee Cera’s second question about the proposal was about a Foundation owning the parcel. Trustee Cera is not sure if such a precedent is allowed or legal for the Township to choose one private entity to invest funds into. She said her recollection from a conversation with the attorney was that the Board could not use funds this way. She said that so far Joint Econ Development revenues have not been investing in business startups or other ventures, and that this would be a whole new precedent, but that she would not be opposed to it if it was in fact legal. Ms. Margiotta stated the land would be donated back to the Township and Trustee Cera said she was unaware that was part of their plans. Trustee Cera stated that then the Township would be in the same position it is in now, in terms of unknown Environmental Study results.

Ms. Margiotta said they are willing to put the work to turn it into a playground, park, and community garden by getting grants and then give it to the Township. Trustee Reardon asked if it is possible to get grants for the environmental studies, Chair Coneglio recalled that the Central Ohio Community Improvement Corporation was willing to cover the cost of environmental studies and or abatement. Trustee Reardon recalled years ago when developers acquired the land where the Lenox Flats are now located was an old industrial site and they used Super Fund Grants to clean that land up. Manager Apple stated those funds are no longer available. Trustee Cera brought the attention back to the study Ms. Margiotta brought to the meeting and said it is not an Environmental Study that was conducted on the neighboring COTA owned property, it is an asbestos report. Trustee Cera stated that not being allowed to conduct a phase one Environmental Study has always been the issue, and the two things are not the same.

Trustee Coneglio stated that is overall a good thing that the township has individuals who are wanting to take something like this on because this parcel is important to the direction of the Township, because if it becomes annexed it will be another way to chip away at the Township’s overall size. If anything, acquiring this land could be a buffer against more annexation even if a park is not established. He said the parcel that was bought next door to 3820 Cleveland Ave in the 1990’s sat empty for many years and is now land that the new Township hall or complex is being built on. He thinks the Board needs a vision perhaps grass is the only thing planted there for a while and he would like to see a park there and the Township own it and if there is

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### GENERAL CONT:

something wrong with the land to just plant some grass and wait to see what comes available 15 some years into the future. Resident Donna Goodman Adassa said that she too agrees with the need for a long-term vision however toxins can be a problem even if structures are not built and grass is planted while something else is figured out. Trustee Coneglio agreed that is a good point. Trustee Reardon stated he has lived behind the parcel since 1985 and he knows a man who has lived there since 1947 and that it was a farm before it became a shopping center with a bowling alley and bar located at the East end. Then there was a fire and then Habitat for Humanity moved in for a few years before relocating to Westerville Rd. Resident Joe Wing agreed that he recalls farm houses being there. Ms. Margiotta stated that she thought this is what Economic Development is for and that she and others from the Westside have been working hard for something they won't personally benefit from, she wants to see the Township keep the land and apply for grants as a private Foundation to cover costs. She can't see why the Board won't pass a resolution tonight to pay for the demolition costs with JEDZ money.

Trustee Coneglio stated that he thinks for the plan for tonight, it would be good for the Board to pass the Resolution to take down the building, because that needs to happen since we've been talking about this for 3 years. Then we could push for doing the Environmental Study. Trustee Cera thought that passing it could give the Board more time to consider, what is legal about the Twp giving money to the Foundation, how to work with the Foundation though legal agreements with time lines. She went on to say there is nothing in the Resolution that would prohibit the Foundation entering into an agreement with the Township, it is sending a message to DLC that the Twp. is proceeding with wanting that building down. Trustee Coneglio said he felt that we needed to pass the Resolution from the attorneys to force this issue. He stated that he thought the Twp. had a lot of money into legal bills on this property, Trustee Cera agreed and added that a lot of cost was also Mr. Apple's time, an early appraisal etc, and that the Twp. did have an investment in this property. She asked Mr. Apple, who said a previous estimate put demolition at more like \$107,000.

Trustee Coneglio asked Trustee Reardon if he had any thoughts on this, and if he was not allowed to talk about this. Trustee Reardon responded that it is a slippery slope and that he is disappointed, it is frustrating there is over \$1M in the JEDZ Fund, true it is next to his property and if it is a health hazard he is sure a lot of his neighbors would like it cleaned up. He went on to say when you are trying to do things sometimes it takes a leap of faith, that's just his thoughts. He said he thought the property probably had hydrocarbons from the asphalt, chemicals from the bowling alley, perhaps solvents and paints from where Habitat was, and that it was previously a farm.

Resident Bobbie Olt recalled a few years ago the Township was willing to pay \$600K. Jane Margiotta asked why the Board was willing to pay before and not take the property now. Trustee Cera clarified that negotiated sale documents at that time included environmental studies and time to do our due diligence. They were negotiated by legal counsel, along with the opportunity to get out if it was found to be too costly to clean up, just like getting a home inspection when anyone of us buys a home, and unlike an as-is donation without being permitted to conduct studies. Part of what we were agreeing to pay for at that time was having the ability to do our due diligence in considering the property, and having protections for the Twp. in place.

**Res. No. 17-12-004** Motion by Chair Coneglio to proceed with the removal of an unsafe unsecure and structurally defective structures from the property owned by Northern Lights Auxiliary LLC located on the Franklin Co. parcel number 130-011682 Clinton Township Franklin Co Ohio. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Abstained, Trustee Cera – Yes, Trustee Coneglio –Yes

There was discussion about details needed on the paperwork. Chair Coneglio stated Trustee Cera would be the person to be added to the blank in the Resolution for the Township about this.

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### GENERAL CONT:

**Res. No. 17-12-005** Motion by Chair Coneglio pursuant to [ORC 505.86](#), Clinton Township [Res. No. 17-11-007](#) and Res. No. 17-12-004 the Clinton Township Fire Dept. declares the structure located on the Franklin Co. tax parcel number 130-011682 the property be insecure, unsafe and structurally defective, the Board of Trustees of Clinton Township orders that the structure be removed and provide notice to the Board's decision action and opportunity to request a hearing before the Board based on their record owner and lienholders of record copies certified mail notices are attached because the structures were not repaired or removed by the record owner and lienholders of record, the Clinton Township Board of Trustees has the structures removed pursuant to [ORC 505.86](#), the Fiscal Officer hereby certifies the following in a statement of the charges incurred in removing the structure, expenses will be included, you are hereby respectfully requested to enter the above amounts, tax duplicate is a lean against the property from and after the date of entry to be collected as other taxes and returns to Clinton Township to be placed in the General Fund tax parcel number 130-011682. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Abstained, Trustee Cera – Yes, Trustee Coneglio –Yes

**Res. No. 17-12-006** Motion by Chair Coneglio to approve the bills. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

**Res. No. 17-012-007** Motion by Chair Coneglio to approve payroll. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

**Res. No. 17-012-008** Motion by Chair Coneglio to approve the November 15<sup>th</sup> minutes. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

Trustee Cera stated that the Health Insurance Committee received some good quotes and will have a proposal ready at the next meeting. She provided the Board with a preview of the quote for their information. There also continues to be legal proceedings in regard to leaving the previous Broker.

### TOWNSHIP MANAGER

Manager Apple read the following Pay Applications pertain to the Phase 2 construction at 3820 Cleveland Ave. Pay App #6 in the amount of \$218,479.76 to Howell Construction, Pay App #6 in the amount of \$158,264.56 to Jay-Carr Construction, Pay App #4 in the amount of \$35,880.00 to CT Electric.

### FIRE

Chief Fraley provided a November 2017 monthly report.

**Res. No. 17-12-009** Motion by Chair Coneglio to hire volunteer firefighter Syeve Little as part-time effective December 6, 2017 at a pay rate of \$13/hr to be paid from 2111-220-100 and 2281-230-100. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio – Yes

**Res. No. 17-12-010** Motion by Chair Coneglio to approve to hire Owen Mees as a volunteer firefighter effective December 6, 2017. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

### POLICE

November 2017 monthly stats were provided to the Board.

**Res. No. 17-12-011** Motion by Chair Coneglio to approve declaring 10 GETAC laptop computers as surplus and to be sold on Govdeals. 2<sup>nd</sup> Trustee Cera. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

One of these laptops has been donated to the Fire Dept.

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**ROAD**

Superintendent of Roads Villa provided a November 2017 Inspections and Report.

They will fix a water tap on the playground in the spring. Superintendent Villa also stated they will try and fit in an extra brush pick up.

**CODE ENFORCEMENT** Officer Whalen provided a November 2017 monthly report. She will not be attending the next meeting, December 20<sup>th</sup>.

**NEW BUSINESS**

Aliena Sword brought photos of cars being stored or dumped behind the old Schottenstein Shopping Center near the intersection of Westerville Rd and Innis Rd. Code Enforcement Officer Whalen had photos as well. There were complains of large amounts of birds gathering in the area as well.

Business owner Sandy Hoopes asked if there has been follow up about abandoning the alley near Northern Lights Shopping Plaza. It is too narrow to open up for two lane traffic, if the township abandons the alley, deepening backyards would be a better fit.

**Res. No. 17-12-012** Motion by Trustee Cera to approve abandoning the alley behind 3595 Cleveland Ave. 2<sup>nd</sup> Trustee Coneglio. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes

**Res. No. 17-12-013** Motion by Chair Coneglio to go into Executive Session for the purpose of considering the appointment, employment, promotion, demotion or compensation of a Township employee. 2<sup>nd</sup> Trustee Reardon. Vote: Trustee Reardon – Yes, Trustee Cera – Yes, Trustee Coneglio –Yes  
Start: 9:07 End 9:55

Resident Rick Minturn who lives on Dunbar Dr. came to address the Board. He has had a lot of stress putting up with noise and a deteriorating residence next door. He wants to know why Code Enforcement or the Police do not do more. The Township is limited but reports are turned into the county for zoning problems. He was not satisfied with what he was hearing but he has had family work for the Township over previous years and knows there are limitations with what authorities can do. The Board has been frustrated with a lack of attention from the County Code Enforcement as well. Trustee Cera asked Trustee Reardon if he wanted to share his plans for speaking with the county prosecutor. Trustee Reardon stated that yes, he and Code Enforcement Officer Whalen were going to discuss options for improving the process with Ron O'Brien at an upcoming function. He hopes to impress on the county some of these frustrations.

Meeting ended at 10:16pm

**ATTEST:**

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**John Coneglio, Chair**

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**Deborah Steele, Fiscal Officer**