

## MEETING AGENDA

August 21, 2024, 7:00 pm

The Harlem Township Trustees met in a regular meeting at 7:00 pm.

**Present:** Dave Jackson, Chair  
Adam Holliday, Vice Chair  
Jon Trainer, Alternate  
Lisa Hursey, Fiscal Officer

<b>Staff Present:</b> Mike Cannon	Director of Zoning & Development
Jim Steelesmith	Economic Development
Mike McKeen	Assistant Chief
Ashley Zoruba	Administrative Assistant

**Also Present:** Holly Mattie, Dana Daniels

**Via Zoom:**

Pledge of Allegiance.

**FIRE DEPARTMENT STAFFING**

**RES. 24-0821T-001 APPROVAL TO ACCEPT RESIGNATION OF FULLTIME FIREFIGHTER/PARAMEDIC LEWIS MITTELMAN**

Trustee \_\_\_\_\_ moved to approve to accept resignation of full-time firefighter/paramedic Lewis Mittelman effective date August 13-2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

**RES.24-0821T-002 APPROVAL TO ACCEPT RESIGNATION OF PART-TIME FIREFIGHTER ZACHARIA HOLDERBY**

Trustee \_\_\_\_\_ moved to approve to accept resignation of part-time firefighter effective date August 21, 2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

**RES.24-0821T-003 APPROVAL TO REMOVE PART-TIME FIREFIGHTER FRED HUGHES FROM ROSTER**

Trustee \_\_\_\_\_ moved to approve to remove part-time firefighter Fred Hughes from roster. Effective date August 21, 2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

**RES.24-0821-004 APPROVAL OF EMPLOYMENT CONTRACT FOR FIREFIGHTER/PARAMEDIC JOSEPH KONTUL**

Trustee \_\_\_\_\_ moved to approve the employment status change of Joseph Kontul from part-time firefighter/paramedic to full-time firefighter/paramedic at the pay rate of \$21.50/hr., \$59,254.00 yearly, bi-weekly \$2,279.00 with benefits. Effective August 21,2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

**RES.24-0821-005 APPROVAL OF PAY INCREASE FOR FIREFIGHTER/PARAMEDIC IAN SEUM**

Trustee \_\_\_\_\_ moved to approve pay increase of firefighter/paramedic Ian Seum at the pay rate of \$24.73/hr., \$68,155.88 yearly, \$2,621.38 bi-weekly. Effective in pay period ending on August 23, 2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

Swearing in of Full Time Firefighter/paramedic Joseph Kontul.

Public Comments:

## **PUBLIC SERVICE UPDATES**

\*Holly Mattie from Crossroads Community Planning to update on TIFF's.

\*Dana McDaniel, the Interim Economic Development Director for Delaware County, will make a presentation concerning the importance of strategic planning in a township. There will be an opportunity for questions and answers.

\*Lauren Robinson from Delaware Public Health District to speak about health department updates.

## **FISCAL OFFICE REPORT**

### **August 2024 FINANCIALS**

July Bank Reconcile

Appropriation Status Report up to date Report

Appropriation Ledger Report up to date report

Cash Summary Report YTD

### **RES. 24-0821T-006 APPROVAL OF TRUSTEE MINUTES**

Trustee \_\_\_\_\_ moved to approve the following minutes.

- July 17, 2024, regular Meeting minutes

Seconded by Trustee \_\_\_\_\_. VOTE:

### **RES. 24-0821T-007 APPROVE WARRANTS & VOUCHERS**

Trustee \_\_\_\_\_ moved to approve the presented the bills and Fiscal Officer certified that the amounts were available in the respective accounts to pay said bills in the Payment Listing Report. Starting with Warrant #13571 through Warrant #13588 Voucher #124-2024 - Voucher #126-2024. Total amount \$70,123.52. Seconded by Trustee \_\_\_\_\_. VOTE:

### **RES. 24-0821T-008 APPROVAL FOR ASHLEY ZORUBA TO BE BONDED**

Trustee \_\_\_\_\_ moved to approve Ashley Zoruba to be bonded through Harlem Township. Lisa Hurley will process paperwork on behalf of the trustees. Trustee \_\_\_\_\_ seconded. VOTE:

## **TRUSTEE BUSINESS**

### **RES. 24-0821T-09 APPROVE TO VOTE FOR NO MORE THAN THREE OPWC REPRESENTITIVES**

Trustee \_\_\_\_\_ moved to approve to vote for no more than three OPWC representatives. Naming \_\_\_\_\_ to vote on behalf of the Harlem Township trustees.

\*Trustees to discuss Delaware County Local Government Fund.

\* Discuss purchasing a public access account for CIMS with the cost of \$1000.00 startup fee and \$800.00 per year.

### **RES. 24-0821T-010 APPROVE THE PURCHASE OF CIMS PUBLIC ACCESS ACCOUNT**

Trustee \_\_\_\_\_ moved to approve the purchase of a public access CIMS online account at a cost of \$1000.00 for the initial startup and \$800.00 yearly.

Trustee \_\_\_\_\_ seconded. Vote:

\*Discuss the number of emails needed and the price per email for Zoning Commission and Board of Zoning Appeals.

\*The HTF is asking the Harlem Township Communications Committee to sponsor a "Meet and Greet" with the trustees. How should the trustees support this effort?

**RES. 24-0821T-011 APPROVAL FOR TRUSTEE MEETING STANDARD OF CONDUCT**

Trustee \_\_\_\_\_ moved to approve Trustee Meeting Standard of Conduct to include; While the trustees have chosen to encourage resident feedback in public meetings, should the trustees establish a "Standard of Civility" to safeguard public conversations in the future? The Del County Prosecutor could review something like the following:

1. Trustees may regulate public comment as follows as deemed appropriate by the circumstances:
  - Allow or disallow public comment.
  - Limit comments to certain times per individual. This guideline may be waived by the Harlem Board of Trustees based on the nature of the discussion.
  - Allow public comments on Agenda items only.
2. Trustees may, or may not, respond to a public comment.
3. Speakers are to step to the podium and give their name and address
4. Speakers are to address their comments to the Chair of the Harlem Township Trustee Board.
5. All speakers are to address the trustees in a respectful manner and the trustees are to respond in a respectful manner.
6. Any speakers acting in a disrespectful manner will be asked to discontinue their comments by the Chair.
7. Only those individuals recognized by the trustees shall be allowed to speak.
8. Members of the public may submit a comment or question, in writing, prior to the commencement of the meeting. The name and address of the individual submitting the question should be identified.

Trustee \_\_\_\_\_ seconded. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

**RES. 24-0821T-012 TO APPROVE A RESOLUTION IN SUPPORT OF REVISING THE CURRENT LOCAL GOVERNMENT FUNDING FORMULA FOR DELAWARE COUNTY OHIO**

BOARD OF TRUSTEES HARLEM TOWNSHIP,

DELAWARE COUNTY, OHIO

RESOLUTION NO. 24-0821T-012

A RESOLUTION IN SUPPORT OF REVISING THE CURRENT LOCAL GOVERNMENT FUNDING FORMULA FOR DELAWARE COUNTY OHIO.

The Board of Trustees of Harlem Township, Delaware County, Ohio ("Board") met in regular session on the 21<sup>st</sup> day of August 2024 with the following members present:

Trustee Dave Jackson

Trustee Adam Holliday

Trustee Jon Trainer

Trustee \_\_\_\_\_ moved the adoption of the following Resolution:

WHEREAS The Harlem Township Trustees are notifying the Delaware County Board of Commissioners that they are in support of a fair and equitable Local Government Funding Formula and support revising the current Local Government Funding Formula.

## RESOLUTION

### NOW THEREFORE, BE IT RESOLVED:

1. The current Local Government Funding Formula is imbalanced and unequitable to the Townships of Delaware County.
2. Harlem Township hereby supports the revised Local Government Funding Formula developed by the Delaware County Township Association Legislative Sub-Committee to the Delaware County Board of Commissioners.

Trustee \_\_\_\_\_ seconded the motion. Vote: Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

Motion \_\_\_\_\_

#### **RES. 24-0821T-013 APPROVAL TO AMEND THE HIRING OF KENDRA BORROR'S HOURS AS AN OFFICE TRAINER**

Trustee \_\_\_\_\_ moved to approve amending Kendra Borrer's hiring as a vendor for additional hours to complete the training of the new Administrative Assistant. Additional 60 hours at the rate of \$24.00 an hour to be in a bank for the use of any upcoming administrative items. Administrative Assistant will notify Trustees when need arises. Kendra will need to invoice Harlem Township for the training hours. A W-9 is already on file. Trustee seconded \_\_\_\_\_. Roll Call VOTE: Trainer A/N, Holliday, A/N; and Jackson, A/N.

#### **RES. 24-0821T-014 APPROVAL TO HIRE KENDRA BORROR TO FILL IN FOR ZONING ADMINISTRATIVE ASSISTANT**

Trustee \_\_\_\_\_ moved to approve hire of Kendra Borrer as a vendor to fill in for zoning administrative assistant as hired at the rate of \$1,020.00 for three weeks. Kendra will need to invoice Harlem Township at the completion of the project. A W-9 is already on file. Trustee seconded \_\_\_\_\_. Roll Call VOTE: Holliday, A/N; and Jackson, A/N.

Cemetery

Facilities

Roads

#### **RES. 24-0821T-015 APPROVAL HOOVER #61 WATERSHED DRAINAGE IMPROVEMENT PETITION**

Trustee \_\_\_\_\_ moved to approve Hoover #61 Watershed Drainage Improvement Petition to generally improve the drainage, both surface and subsurface, to a good and sufficient outlet, y replacing, repairing, or altering the existing improvements as required and/or creating new surface and subsurface drainage mains or laterals as requested, by this position. Total amount cost to Harlem Township for parcel ID#999999919000000 is \$33,397.41 and parcel ID#Road Row in the amount \$20.52 due by September 18, 2024. Seconded by Trustee \_\_\_\_\_. VOTE:

#### **ADMINISTRATIVE OFFICES**

\*Ask trustees if they would like Ashley Zoruba to become a notary.

## MAINTENANCE / ROADS / PARKS

### MAINTENANCE DEPARTMENT

#### Maintenance Accomplishments:

- Old fence removed from Maple Grove Cemetery
- New fence at Maple Grove has been installed
- In progress of getting Fancher Cemetery fence started
- New mulch for playground and work out stations at park
- Second round of roadside mowing has been completed
- Completed some roadside weed spraying
- Patched Hatch Rd as well as completed some ditch work once Fancher Rd roundabout was completed. Tar and chipped Hatch Rd as well.

\*Trustees to discuss the purchasing of a mini excavator through Bobcat with standard equipment at a cost of \$47,212.22. In addition, cab deluxe package at a cost of \$7,946.20, hydraulic clamp – Ext arm at a cost of \$2,133.28, extendable arm at a cost of \$5,059.84, hydraulic angle blade at a cost of \$2,176.83, second auxiliary hydraulic – extension arm at a cost of \$1,147.04, Hydraulic X-change – extension arm at a cost of \$1,686.46, 18” MX4 XCHG teeth at a cost of \$1,252.48, and 36” MX4 XCHG grading at a cost of \$1,405.24. This brings to total cost to \$72,019.99. In addition, the trainer at a cost of \$14,454.00.

#### **RES. 24-0821T-016 APPROVAL TO PURCHASE A MINI EXCAVATOR FOR MAINTENANCE DEPARTMENT**

Trustee \_\_\_\_\_ moved to approve the purchase of \_\_\_\_\_ Trustee \_\_\_\_\_ seconded. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

\*Discussion to review fencing at cemetery

Quoting a separate quote of 250 feet of 5 foot tall chain-link along east side of south side cemetery at \$8675.

If we do not want to enclose the whole east end of Maple Grove, we can construct a fence from the entrance gate to the tree line approximately 50' of 5' high fence for \$1735.00.

#### **RES. 24-0821T-017 APPROVAL OF FENCING AND GATE QUOTES FOR MAPLE GROVE AND FANCHER CEMETERIES**

Trustee moved to approve the adding of \_\_\_\_\_ Adding 3-14'x5' tall double drive gates to the original quote. The additional cost for the gates is \$2750.00. Also 1-14'x5' tall double drive gate with 4" posts with approximately 6 ft of 5 ft fence on both sides of gate for the east entrance of the north cemetery is \$1900.00. Thus a total of **\$4650** to have four gates with additional fencing.

Trustee \_\_\_\_\_ seconded. VOTE:

### FIRE DEPARTMENT

\*Fire Chief updates on other fire department business.

### ZONING APPLICATIONS

#### **RES. 24-0821T-018 RECEIPT OF ZONING APPLICATION HTZC24-05 AMENDMENT OF ZONING ARTICLES IV, VII, VIII, & XV**

Trustee \_\_\_\_\_ made a motion to receive zoning application HTZC 24-05 AMENDMENT OF ZONING ARTICALS IV, VII, VIII, & XV. The DCRPC met on this application on July 25,2024. Zoning Commission recommendation to the Trustees on August 5,2024. The hearing will be held September **18, 2024**, at **7:15 pm** at the Harlem Township Community Room, 3883 South State Route 605, Galena, Ohio 43021. Seconded by Trustee \_\_\_\_\_. Vote:

**RES. 24-0821T-019 RECEIPT OF ZONING APPLICATION HTZC24-06 AMENDMENT OF ZONING ARTICLES XXI SECTION 21.18**

Trustee \_\_\_\_\_ made a motion to receive zoning application HTZC 24-06 AMENDMENT OF ZONING ARTICLES IV, VII, VIII, & XV. The DCRPC will meet on this application on August 29, 2024. Zoning Commission recommendation to the Trustees on August 5, 2024. The hearing will be held September 18, 2024, at 7:30 pm at the Harlem Township Community Room, 3883 South State Route 605, Galena, Ohio 43021. Seconded by Trustee \_\_\_\_\_. Vote:

**ZONING DEPARTMENT****RES. 24-0821T-020 APPROVAL TO PURCHASE A VEHICAL FOR TOWNSHIP ZONING USE**

Trustee \_\_\_\_\_ moves to approve the purchase of a vehicle for zoning use not to exceed \$27,000.00  
Trustee \_\_\_\_\_ seconds. VOTE:

2024

Total Permits August: 44

Single Family Res: 12

Accessory Building: 14

Remodeling/Addition/Ext. 5

Signage: 0

Pool: 8

Deck/Porch: 3

PCD: 0

Revision/Extensions 1

Solar Panel Roof 1

Open Enforcement Issues:

Summary:

We are currently tracking sixteen code enforcement violations: We added two more over last month

Seven are businesses in residential areas:

Two of these are with the prosecutor's office, Cory has spoken with the attorney for both properties, they understand they are in violation of our zoning and the Township's stance is cease and desist. Both businesses are exercising their right to attempt to rezone through the Zoning commission. Currently there has not been any active rezoning application for the Dump Truck Property issue. Cory is attempting to contact their attorney and let them know if no action is taken soon, he will file the civil complaint. I did receive a call from the Attorney for the poured wall business on CV Rd. They are requesting the preliminary meeting with the ZC for planning of a PCD. I will set that up after I speak with the ZC chair and find out when he wants that to be scheduled.

One new business violation was at the last ZC meeting asking questions and had every intention planning to get their application in at the next ZC meeting, I was notified by the owner Monday that they have found a commercial property in Columbus and will be moving their business to that location. They will give me weekly updates on the process.

One business has moved its equipment off-site and committed to cleaning up the property. I have a follow-up inspection planned for the end of this month. This will likely result in another BZA variance request.

One business is on the Health Department Radar and has until Oct. 15 to clean up the site to the health department specifications, register the business with the EPA and follow all of their applicable guidelines. I will keep this violation active until the results of the Health Department actions are complete.

One property was approved by the BZA last month for an expanded home occupation variance, I will monitor the property for compliance with the agreement.

One reported business violation has been investigated and closed due to an unsubstantiated claim and no activity on the property.

One property is in violation of placing a fence in the right of way and driving fence poles on top of the culvert pipes. The maintenance department informed the owner last month that they needed to remove the poles and the fence. Nothing has happened so I followed up with a violation letter.

The other six nuisance properties are for Junk cars, discarded debris and trash.

Two of the violations are continuing to work to clean up the properties, One property is still un-owned and is in the probate court and no action can be taken by the Township or the prosecutor's office. One property has cleaned up the issue and is currently selling the property. One property in prosecutor's hands and is going through the courts. One property was just issued the second violation letter and will be dealt with accordingly.

I am continuing to work on the sign violations, specifically the advertisements in the right of ways and on telephone poles. I have issued letters and made phone calls to various businesses and some of the signs have been removed, I continue to work with the maintenance department and with their assistance we are removing the violating sign ourselves. The properties that are persistent or ignoring our notifications will be turned over to the prosecutor's office for appropriate actions.

The last two properties were sign violations on residential subdivisions. See below BZA Appeals for details.

#### Board of Zoning Appeals:

The Ivy ridge sub development has put a sign in place in violation of the zoning code and has not continued to pursue their variance request. I have sent correspondence to the HOA and I received a call from them stating they will be in contact with me soon. I will follow the violation guidelines to correct the issue.

I have initiated contact with The Greystones Development on Harlem Rd. They have been sent a Notice of Violation. They have a subdivision sign that violates the zoning code, and I am waiting for their response. I did speak with the HOA president, and he stated he will address the issue, possibly by removing the sign. He will be reviewing the issue with the other residents to reach a consensus agreement on their plan of action and will notify me of their plans. I assume they will be requesting a variance through the BZA as well.

As I stated above, we have three properties that we need to make a decision on what our next steps will be. We need to schedule a special meeting for us to go into executive session to discuss pending litigation on these properties and possible avenues to clean them up. After speaking with Cory about these options he recommended an executive session with the Trustees for him to review the options and the processes to abate these nuisance issues as well as the cost recovery process

#### Zoning Commission

The zoning commission is working to finalize the Solar Panel permit language. Part of that discussion is the possibility of opting out of allowing large solar farms to be built in all or portions of Harlem Township. I have sent the information to you, the Trustees, for review and consideration.

#### General Comments and information.

Based on the phone calls requesting information on zoning changes, the ZC will be kept busy with AR-1 to FR-1 requests and applications in the future.

There continues to be a lot of interest in the township. Lot splits/rezoning and in-law additions are a hot item. There has been an increase in interest in the larger properties for sale in the Township. I have had numerous conversations about infrastructure availability and timelines.

### **Jim Steelesmith Economic development.**

- \*Discussion on meetings with Delaware County
- \*Sewer Department, Engineering Department and Delco Water.
- \*Report on meeting with the City of New Albany regarding a JEDD
- \*Report on meeting with Big Walnut School Officials
- \*Presentation of Harlem Township map for economic Planning
- \*Showing potential utility lines based on demand and proximity. Also to start a baseline for economic development and estimates.
- \*Motion to send 14-day TIF notice to Big Walnut School Districts.
- \*Discuss need for a TIF and JEDD for dollar generated estimate.

### **MOTION TO APPROVE TIF LETTERS TO BOARD OF EDUCATION**

Trustee \_\_\_\_\_ Motion to send notice to The Board of Education Big Walnut Schools and The Board of Education Johnstown-Monroe Local School a 14 day notice that the Harlem Township Board of Trustees will consider and vote upon a resolution (TIF Resolution) on September 18, 2024. Naming Dave Jackson to sign on behalf of the trustees. Seconded By Trustee \_\_\_\_\_. Roll Call Vote Jackson A/N, Holliday, A/N, Trainer A/N

### **ZONING COMMISSION**

#### **RES. 24-0821T-021 APPROVAL TO APPOINT ALAN CZAKO AS ALTERNATE TO ZONING COMMISSION**

Trustee \_\_\_\_\_ moved to approve Alan Czako as alternate to zoning commission. August 21, 2024. Trustee \_\_\_\_\_ seconded. VOTE:

#### **RES. 24-0821T-022 APPROVAL TO ACCEPT RESIGNATION OF ZONING COMMISSION ALTERNATE MOLLY SNODGRASS**

Trustee \_\_\_\_\_ moved to approve to accept resignation of zoning commission alternate Molly Snodgrass effective date August 21, 2024. Seconded by Trustee \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, Trainer, A/N

### **BZA**

#### **RES. 24-0821T-023 APPROVAL TO APPOINT AMY RICHARDSON AS ALTERNATE TO BOARD OF ZONING APPEALS**

Trustee \_\_\_\_\_ moved to approve Amy Richardson as alternate to board of zoning appeals. August 21, 2024. Trustee \_\_\_\_\_ seconded. VOTE:

### **PARKS**

- \*Dave Snyder to discuss the beginning plans for additional benches being added to the walking paths at the park. Discuss the standards and requirements for designation of commemorative benches.

### **COMMUNICATIONS COMMITTEE**



**RES. 24-0821T-024 APPROVAL OF COMMUNICATIONS COMMITTEE CHAIR AND VICE CHAIR**

Trustee \_\_\_\_\_ moved to approve \_\_\_\_\_ as Chair and \_\_\_\_\_ as Vice Chair of the Communications Committee. Seconded by Trustee \_\_\_\_\_. VOTE:

\*Request for executive session to discuss with attorney on litigation.

**EXECUTIVE SESSION****Executive Session**

\_\_\_\_\_ motioned to move to Executive Session at \_\_\_\_\_ to conferences with the public body's attorney concerning pending or imminent court action by division (G)(3) of section 121.22 of the Revised Code. Court action is "pending" if a suit has been commenced; court action is "imminent" if it is on the point of happening or impending. Seconded by Mr. \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, TRAINER Y/N

Invited into Executive Session:

\_\_\_\_\_ moved to return from Executive Session to the Regular Trustee Meeting at \_\_\_\_\_. Seconded by Mr. \_\_\_\_\_. Roll Call VOTE: Jackson, A/N, Holliday, A/N, TRAINER Y/N

There was no more business to come from the Board

Trustee \_\_\_\_\_ Moved to Adjourn this meeting at \_\_\_\_\_. Seconded by Trustee \_\_\_\_\_ VOTE: