

RECORD OF PROCEEDINGS

Held

Springfield Township Trustees

December 11, 2018

Rezoning Hearing

Meeting called to order by Jim Scoby, Board President Beginning 5:30 PM with the Pledge of Allegiance

Board Members Roll Call

Trustee Tim Foley	Present
Trustee Jim Scoby	Present
Trustee John Roeder	Present
Fiscal Officer Mike Hively	Present

Employee / Visitors in Attendance

Employees: Billy Saunders, Vicki Gundolf, Alan Neimayer

Visitors: Jim and Kathy Day, Kim and Pete Sadler, Judy Sheridan, Darryl Elzondo, Sabrina Scott, Ashley Giefer, Kathryn McDaniel, Sandy Beedy

Zoning Public Hearing on Case # S-2018-04

Planning Staff

Allen Neimayer This is a request from Duncan Oil on E Leffel Lane. This is actually about the property behind their current site. They are looking for additional need of parking due to growth of the business it and they also spoke about future expansion of the business. They are looking to re-zone this property from R-1 to B3 Specific Use. The Specific use would limit that to parking and possible expansion of the business. As this was reviewed by the CEDA Board which was on November 8, 2018 there were two recommendations. One was to note the Specific Use as I stated, and in addition to provide a buffer area around the residential properties. (See attached packet) At the CEDA Board meeting, along with the Staff recommendations they added two additional conditions. 1) Two parcels combined into one. 2) The little strip of land on Southberry which is 15 X 140 ft should be split off from their property and have that piece listed as Residential. The reason for that is to ensure there would be no means of access coming through the subdivision into the back area of the business. The only additional item added was concerns about soil and drainage. I did ask Soil and Water Conservation District to provide more information about that, and I have given that report to you.

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BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Mr. Roeder Did the CEDA Board have a copy of this?

Allen Neimayer No, that was done after the meeting.

Mr. Scoby The voting from the Zoning was what again?

Allen Neimayer The Zoning Commission was recommending the B3 S with the same four conditions that the CEDA Board recommended.

Mr. Roderer Was there something in this where they are only going to use a third of this area.

Allen Neimayer Yes, there is a map in there showing what additional area they want to use for additional parking.

QUESTIONS FROM TRUSTEES

NONE

OPENING THE PUBLIC HEARING AT 5:36PM

Mr. Scoby asked the property owner to come up and speak.

Ashley Giefer –Duncan Oil - I handle the project management for Duncan Oil. We discussed internally and we are willing to accept the four recommendations that Allen discussed.

Kyan McDaniel- President of Duncan Oil Company. We wanted to thank the counsel for the opportunity to change what we currently have, and to grow our business. Our objective is to comply; we are not trying to create stress or any frustration with our neighbors. We will answer any questions there may be.

Mr. Foley Having been through these before, number one being, it is listed for potential expansion of the applicants use. When there is no specific use mentioned it creates uncertainty which creates anxiety.

Kyan McDaniel We are undecided on what we want to do, there are a couple options we have discussed. The existing facility is a truck fill plant. We have other divisions of the company which includes construction. We don't have any set plans. We do propane, heating oil, and always looking for truck parking.

Mr. Foley The truck parking is the primary need?

Kyan McDaniel Correct, unfortunately we had a fire a couple months ago. The gentleman that lives next to us was very cordial and fair, but it created anxiety for me, and we need to get our trucks parked back further away. We have 5 acres right now not being used.

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Mr. Roeder I am aware of the fire you had there and you lost quite a few trucks, so is that what promoted you to do this re-zoning?

Kyan McDaniel Yes, it was a big step in this direction. At the time we purchased this, it was called Rogers Oil Company and that organization had two or three drivers, much smaller then. We basically have 10 trucks, and the need is there to expand the business.

Mr. Roeder What kind of trucks will be parked back there?

Kyan McDaniel Right now it would be a Tank Wagon, and maybe service trucks.

Ashley Giefer Down the fence line, we have at least 2 Bobtail Trucks- (propane delivery trucks), 5 Tank Wagon Trucks.

Mr. Roeder What is a Tank Wagon Truck?

Kyan McDaniel Is a truck that delivers heating oil, a Bobtail is a truck that delivers propane.

Ashley Diefer Their shorter, they hold between 2,700 and 4,700 gallons

Kyan McDaniel The heating oil truck can hold 4,500 gallons, and the propane truck can hold 2,500 gallons.

Mr. Roeder Would they be full when their parked?

Ashley Diefer No, we don't return anything back to the yard. All products go back into the tanks.

OPEN TO THE PUBLIC

Mr. Scoby announced that everyone speaking will announce their name and address and be sworn in.

IN FAVOR FOR THE RE ZONING

NONE

AGAINST THE RE ZONING

There were several property owners that had the same concerns who attended this meeting. Their concerns were:

The fire was feet away from homes in the neighborhood.

Property value decreasing

Loosing woods, and wild life

It will look like a commercial area

Water contamination with wells

Spillage of fuels

EPA violations (they were corrected)

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BARRETT BROS Odors from fuel

Form 6101

Explosions

Held

Mr. Pete Sadler Wanted to know if you can put anything in on B3?

Mr. Foley We would place B3 with Specific use of parking only, and we would leave out expansion of business.

Sandy Beedy Concerned about drainage and property value.

Public

Rebuttal by Property Owner

Ashley Giefer I would like to speak about the Environmental issues first. We are in compliance with all Title 5, with the air emissions from the facility. Everything at the facility is current with regulations. The truck themselves are always parked empty. So there is no threat with those. We don't want to take down the entire forest area either, it creates a good buffer.

Kyan McDaniel It is not our intent to create anxiety, but it is my job as being CEO is to take care of the 175 employees that Duncan Oil Company has there. Make sure they have a future and opportunities which I don't know how to do without growing the business.

Ashley Giefer As far as the storm water that the CEDA Board brought up, we would make sure whatever changes made would not make any more impact on the water flow.

Close the Public Hearing the time is 6:15 PM

Deliberation among the Trustees

Mr. Foley CEDA recommended Following its presentation and discussion, the CEDA RPC recommended to the Zoning Commission that the request be approved as presented with the following conditions: 1. the Specific Use designation shall limit use of the property to: a) additional parking needs associated with the Applicant's current use, and b) future expansion of the Applicant's use; 2. the abutting residential-use properties be buffered with a 20 ft. landscaped screening consisting of a combination of trees and shrubs and property maintained; 3. Applicant combines the subject property with their current property located at 2850 E. Leffel Lane (PID #300-07-00021-406-029), and 4. the Applicant shall work with the property owner at 2126 Southbury Drive to transfer the Applicant's adjacent 15 ft. by 140 ft. strip of land to ensure no truck traffic to the subject property will utilize Southbury Drive; those were recommended by the CEDA Board. Were those backed up by the Township Zoning Commission?

Allen Neimayer Yes

Mr. Foley I going to recommend the same four, only leave out future expansion. This can be used for extra parking only. If it is going to be used for anything else, it must come before the board again.

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Mr. Hively With that comment you would have to deny Resolution 2018-Z004. I have prepared a Resolution thinking that was going to happen. That removes expansion from the resolution.

Mr. Roeder By no means do I want to lose business in Springfield Township. This company has been there quite some time. The hazard has always been there. There are laws and regulations to follow. Its too bad a fire has to change the way a company operates. The Clark county Planning Commission had a detailed report from the Water and Soil Conservation, that according to this report the water level is right underneath the soil. I believe the trees are taking a lot of the water away right now. That has always been a water problem area. This report will be attached with minutes.

Mr. Scoby I will read the initial agreement:

Springfield Township, Clark County
Resolution: 2018-Z004

BE IT FURTHER RESOLVED by the Township Trustees

ZONING MAP AMENDMENT

WHEREAS, Duncan Oil Co., Owner & Applicant, filed an application dated October 10, 2018, to rezone 4.85 acres from R-1 to B-3S to allow for additional parking for Duncan Oil Operations. The property in question is PID #300-07-00021-406-010 located at behind 2850 E. Leffel Lane.; and

WHEREAS, the CEDA Regional Planning Commission heard this rezoning request, Case #S-2018-04, at their regular meeting on November 8, 2018. Following its presentation and discussion, the CEDA RPC recommended to the Zoning Commission that the request be approved as presented with the following conditions: 1. the Specific Use designation shall limit use of the property to: a) additional parking needs associated with the Applicant's current use, and b) future expansion of the Applicant's use; 2. the abutting residential-use properties be buffered with a 20 ft. landscaped screening consisting of a combination of trees and shrubs and properly maintained; 3. Applicant combines the subject property with their current property located at 2850 E. Leffel Lane (PID #300-07-00021-406-029), and 4. the Applicant shall work with the property owner at 2126 Southbury Drive to transfer the Applicant's adjacent 15 ft. by 140 ft. strip of land to ensure no truck traffic to the subject property will utilize Southbury Drive; and

WHEREAS, the Springfield Township Zoning Commission held a public hearing on November 14, 2018, to hear this rezoning case. Following the public hearing, the Zoning Commission passed a motion recommending to the Township Trustees that the rezoning request be approved as presented with the same four conditions as recommended by the CEDA RPC; and

WHEREAS, the Springfield Township Trustees held their public hearing on December 11, 2018 on this rezoning request.

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees of Springfield Township, Clark County, Ohio, _____.

Motion: T Foley

Second: J Roeder

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BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Discussion

Roll Call:

Held _____

Mr. Foley _No___ Mr. Roeder _No___ Mr. Scoby _No___

Springfield Township, Clark County
Resolution: 2018-Z005

BE IT FURTHER RESOLVED by the Township Trustees

ZONING MAP AMENDMENT

WHEREAS, Duncan Oil Co., Owner & Applicant, filed an application dated October 10, 2018, to rezone 4.85 acres from R-1 to B-3S to allow for additional parking for Duncan Oil Operations. The property in question is PID #300-07-00021-406-010 located at behind 2850 E. Leffel Lane.; and

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NOW, THEREFORE, BE IT RESOLVED the Board of Trustees of Springfield Township, Clark County, Ohio, _____.

Motion: T Foley
Discussion

Second: J Roeder
Roll Call:

Mr. Foley _Yes___ Mr. Roeder ___No___ Mr. Scoby ___No___

This public hearing meeting is adjourned at 6:24 PM
Springfield Township Trustee Meeting to follow at 6:30PM

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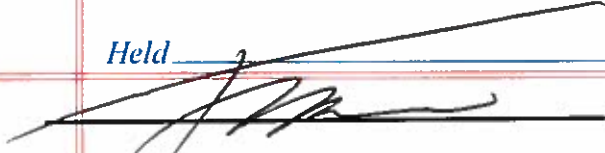
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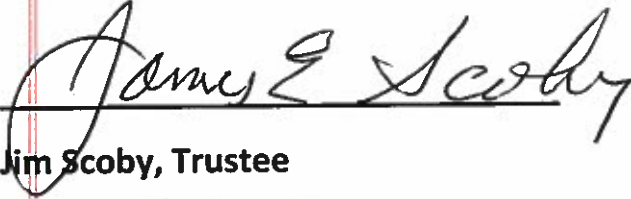
Board Certified _____
MUNICIPALITY OF _____, OHIO

Form 6101

Held _____



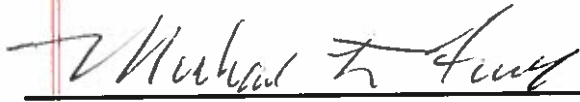
Tim Foley, Trustee



Jim Scoby, Trustee



John Roeder, Trustee



Michael Hively, Fiscal Officer

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BARRETT BROTHERS - DAYTON, OHIO

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BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Springfield Township Trustees

December 11, 2018

Regular Meeting

Meeting called to order by Jim Scoby, Board President Beginning 6:00 PM with the Pledge of Allegiance

Board Members Roll Call

Trustee Tim Foley	Present
Trustee Jim Scoby	Present
Trustee John Roeder	Present
Fiscal Officer Mike Hively	Present

Employee / Visitors in Attendance

Employees: Billy Saunders, Vicki Gundolf, Allan Neimayer , Dave Fairbanks

Visitors: Chuck Swaney, Judy Sheridan, Brian Masser

APPROVAL OF PREVIOUS MINUTES Regular Session Dated November 17, 2018

Motion to approve by Mr. Roeder

Second by Mr. Foley

Discussion

Roll Call

Mr. Foley Yes Mr.Scoby Yes Mr. Roeder Yes

Departmental Reports

Road Department Billy Saunders

Billy We have been working on leaves since our last meeting, due to the storms we had to salt the roads a few times and that has slowed our progress with the leaves. We are 2/3 of the way done now.

Cemetery Vicki Gundolf

Vicki Gundolf No report

Fire / EMS

Dave Fairbanks No report

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BARRETT BROTHERS - DAYTON, OHIO

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Zoning- Allen Neimayer

Allen Neimayer No report

Old Business

Mr. Scoby We were given the Keep Clark County Beautification Award. It was posted in the Newspaper. We are going to have a trip for 1 bulk brush pick up after leaf pick up is complete.

Mr. Roeder We definitely need to have a bulk brush pickup.

Mr. Foley We need a motion to confirm brush pickup after leaf pickup is completed. Weather Permitting

Motion to approve by Mr. Foley

Second by Mr. Roeder

Discussion

Roll Call

Mr. Foley Yes Mr.Scoby Yes Mr. Roeder Yes

New Business

Mr. Scoby We will have a work session December 29, 2018 @ 8:00AM

Mr. Hively I will confirm with the Fire Department

Mr. Scoby We will have employee pictures taken December 13 anytime that day

Resolutions

Resolution: 2018-123

Springfield Township, Clark County

Resolution: 2018-123

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve a \$100.00 bonus for the full time Road Department employees and the Township Office Assistant.

Motion: Mr. Roeder

Second: Mr. Foley

Discussion

Roll Call:

Mr. Foley Yes

Mr. Scoby Yes

Mr. Roeder Yes

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BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Resolution: 2018-124

**Springfield Township, Clark County
Resolution: 2018-124**

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve the Springfield Trustees 2019 meetings to be held on the second and fourth Tuesday of every month beginning at 6:00 PM. There will be no Trustees meeting on Tuesday July 23, 2019 and on Tuesday December 24, 2019.

Motion: Mr. Roeder
Discussion

Second: Mr. Foley
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

Resolution: 2018-125

**Springfield Township, Clark County
Resolution: 2018-125**

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve entering an executive session to discuss performance review of a Road Department employee.

Motion: Mr. Roeder
Discussion

Second: Mr. Foley
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

Resolution: 2018-126

**Springfield Township, Clark County
Resolution: 2018-126**

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve the temporary appropriation carry over for 2019 to enable the Fiscal Officer to pay expenses

Motion: Mr. Roeder
Discussion

Second: Mr. Foley
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

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BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Resolution: 2018-127

Springfield Township, Clark County

Resolution: 2018-127

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve closing the Township Administration Office and Road Department to observe the following holidays:

NEW YEAR'S DAY	JANUARY 1, 2019 TUESDAY
MARTIN LUTHER KING	JANUARY 21, 2019 MONDAY
WASHINGTON'S BIRTHDAY	FEBRUARY 18, 2019 MONDAY
MEMORIAL DAY	MAY 27, 2019 MONDAY
INDEPENDENCE DAY	JULY 4, 2019 THURSDAY
LABOR DAY	SEPTEMBER 2, 2019 MONDAY
VETERANS DAY	NOVEMBER 11, 2019 MONDAY
THANKSGIVING DAY	NOVEMBER 28, 2019 THURSDAY
DAY AFTER THANKSGIVING	NOVEMBER 29, 2019 FRIDAY
CHRISTMAS DAY	DECEMBER 25, 2019 WEDNESDAY

Motion: Mr. Roeder
Discussion

Second: Mr. Foley
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

**TRUSTEES WENT INTO EXECUTIVE SESSION
MOTION MADE TO COME BACK IN FROM EXECUTIVE SESSION**

Motion: Mr. Roeder
Discussion

Second: Mr. Foley
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

Resolution: 2018-128

Springfield Township, Clark County

Resolution: 2018-128

Date: Dec 11, 2018

BE IT FURTHER RESOLVED by the Township Trustees to approve increasing Road Department employee's Michael Johnson's hourly rate to \$16.25 per hour effective Dec 11, 2018

Motion: Mr. Foley
Discussion

Second: Mr. Roeder
Roll Call:

Mr. Foley Yes Mr. Scoby Yes Mr. Roeder Yes

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Open to the Public

NONE

Closing Remarks by Trustees

**Next Meeting is a General Purpose and Operational Meeting December 29,
2018 @ 8:00AM**

Motion to adjourn by Mr. Roeder

Second by Mr. Foley

Discussion None

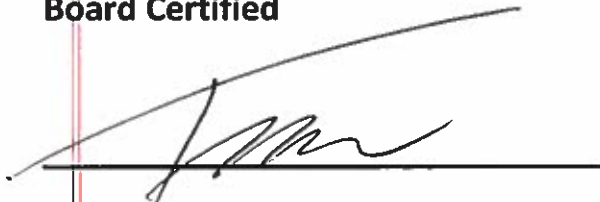
Roll Call

Mr. Foley Yes

Mr. Scoby Yes

Mr. Roeder Yes

Board Certified



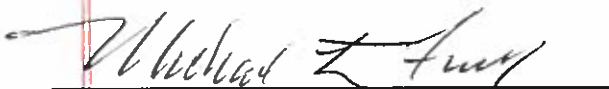
Tim Foley, Trustee



Jim Scoby, Trustee



John Roeder, Trustee



Michael Hively, Fiscal Officer

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Held _____