

Minutes of the Board of Licking Township Trustees, Public Hearing held at the Fire Co., Station 3, Jacksontown, OH at 6:30pm on July 5, 2011.

Mr. Hart called the meeting to order with the following members present: Joseph Hart, David Miller arrived at 7:00pm, Ronald Acord and Jill Linn.

Others Present: Jerry Workman, Brenda Workman, John Holman, Andrea Holman Lynch, Bill Ours, Dale Wise, Richard Wade, John Freas, Forest Rose, Sean Ahern, Larry Gerlach, Paul Short, Seth Ellington, Ed Monroe, Brian Moore, Sean Nicholson, Marshall Eubanks, Carol Kristopher, Daniel Shakelford, Mike Payne, and Steve Patterson.

The Pledge of Allegiance was recited.

The Public Hearing is to hear the request from the Licking Township Zoning Commission for a text amendment of Article 12 of the Licking Township Zoning Resolution.

The decision regarding the amendment must be made in 20 days of this hearing. The Trustees can approve the amendment as recommended, they can deny it or they can approve it with modifications by resolution.

Mr. Hart swore in Dale Wise.

Dale Wise from the Licking Township Zoning Commission mentioned that the proposed amendment will replace the current Article 12 in the Zoning Resolution. The primary purpose is to update and address setbacks, lot areas, structure size and height requirements. The secondary purpose is to address outdated uses and new uses.

The proposed amendment would delete the following:

Section 12.00.A3 Stores and Shops for Conducting any Mercantile Business or Public Service. The Zoning Commission and Planning Commission thought that it was too broad of a statement and open to any type of business.

Section 12.00.A8 Ice Storage and Sales. This is an outdated use.

Section 12.00.A9 Dairy, Locker Plant, Job Printing and Newspaper Printing Plant.

Section 12.00.A12 Rental and Storage of Empty Roll Off Debris Containers and Empty Portable Storage Containers is proposed to be moved to a conditional use.

The proposed amendment would add the following:

Under Permitted Uses they would add churches, private and public schools, public parks and playgrounds, government buildings, taverns, restaurants or restaurants with entertainment, baseball fields, pool halls, swimming pools, skating rinks, golf driving ranges, miniature golf, bowling alleys, trade or commercial schools, building materials and sales conducted in an enclosed facility, doctor parks offices and clinics, dental offices and clinics, law offices, insurance and real estate offices, utilities Companies and planning architect or engineering office.

Under Conditional Permitted Uses they would add watercraft and/or recreational vehicle sales and/or storage, commercial and public entertainment facilities, golf courses, general motor vehicle repair (indoor only), motor vehicle service station, motor vehicle sales, accessory buildings and uses, veterinary hospitals, veterinary clinics, commercial kennel and/or cattery and radio or television broadcasting station and towers (applies to commercial stations and equipment only).

Under Conditional Permitted Use Standards the main issues that need to be addressed are the setbacks, structure size, height requirements and lot areas. They also added a buffer when a business district and residential district adjoin.

Under General Requirements they added parking requirement, signs, major development permit and other requirements as specified (subject to Articles 17 through 21 Supplementary).

Mr. Hart mentioned that he has a tremendous amount of respect for the time that the Zoning Commission puts in to trying and improving the Zoning Regulations for the township. Mr. Harts main concern is that the information

given to the public to review was different than what they received. Mr. Hart mentioned the Licking County Planning Commission is recommending to the Trustees not to pass the amendment as written. Dale Wise did confirm that he took some of the Licking County Planning Commission recommendations and made changes.

Mr. Hart mentioned that under the current language Article 12.00 Commercial Business District talks about agricultural being carried out in any district and it says that the map is hereby established and said map is made part hereof and in the proposed purpose the map is not mentioned but they did mention as specified in the comprehensive plan and in the future land use map. The future land use map has not been approved yet and it should not be a part of our zoning regulations.

Mr. Hart mentioned that he went back and reviewed the changes that the staff was recommending under 12.00.A which reads that the 'C' District shall be located on an arterial thoroughfare and or their intersections (such as US 40 and SR 13). To Mr. Hart it means that the only place that is commercial/business can take place is on an arterial thoroughfare. He sees a conflict with existing commercial businesses.

Mr. Hart sees a concern with the 50 ft. front yard. There are existing businesses that have less than 50 ft. in the front, especially in Jacksontown.

Mr. Hart read the letter from the Licking County Planning Commission in which they recommend that the amendment be denied and recommended establishing multiple districts.

Dale Wise mentioned that the Planning Commission would like to see a Buckeye Lake District, a Local District, which would be Jacksontown, an Interstate District would be St. Rt. 13 and I-70 and a General Business.

Mr. Hart read the recommendation letter from the Licking Township Zoning Commission. He did not see in the amendment any grandfathered areas. If they change the entire district then the establishments that are already there need to be protected in writing. Mr. Hart said that if the current Zoning Commission feels that they want to stick with one district for commercial and business he

would prefer that they clear up some of the issues that he has concerns with and that the county is pointing out.

After hearing the testimony Mr. Hart made a motion to deny the proposed amendment from the Zoning Commission. Mr. Miller seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, yes.

Dale Wise mentioned that they do need to address the commercial section in the zoning regulations because there are standards that are not in there. It leaves it open for anyone to build anything they want. He asked the Trustees if they would support multiple districts because it is hard to put everyone all under one district. Mr. Hart wants to take the input from the Zoning Commission and if they think that the township would be better served by multiple districts that he would if they were structured correctly. Mr. Miller and Mr. Acord agreed with Mr. Hart.

The Public Hearing was finished at 7:18pm.

The Trustees took public input regarding the possibility of contracting for a single source residential trash pickup for Licking Township at 7:25pm.

Mr. Hart mentioned that Ed Monroe brought the issue to the township.

Mr. Hart said, according to the Prosecutors Office, that we can remain status quo, create a trash district which would exclude Harbor Hills Homowners Association (they are in contract as an association and we can't make them join), we can ask for a district wide trash hauling but we can't preview it and accept it later and it was recommended to hold a public meeting for input.

Jerry Workman, from Edgewater Beach, said that if it isn't broke why fix it. He asked what brought this about. Mr. Hart mentioned, based on information from Ed Monroe, the overall reason is reduced individual cost for the residents and the possibility of saving on the wear and tear on the roads. Jerry mentioned that the trash amount isn't going to change so if you go with one source they will have to still take out the trucks to haul the trash. Mr. Miller mentioned that four trucks go down his road.

Sean Adhern, from the Oakwood Addition, and speaking for three other people, mentioned that they are against a single source carrier. He doesn't like Waste Management and would like to bargain for their rates. He asked who would bill and Mr. Hart said that the company will.

Dale Wise mentioned that some areas are not accessible to a garbage truck.

Richard Wade, from Dorsey Mill, mentioned that he is in favor of free choice. He asked where the residents would go if there was a problem and would the township need to hire someone to take care of it. Mr. Hart said no and that it is his understanding that there is a performance clause.

Larry Gerlach, from Kindle Road, asked what happens to those who have already paid for their trash removal for the year. Mr. Hart said that they will be reimbursed. Larry said that if it is cheaper he is for it.

Paul Short, from Misty Meadows, said that he is in favor since it will be cheaper.

Forest Rose mentioned that the only good thing is that it limits the trucks on the road but is not for it and that there is too much government. He asked if they can do this by law and Mr. Hart said yes. It will cause layoffs and companies to fold. It takes away the rights of an individual. He also said that Waste Management takes everything and there be a limit on what the trash hauler take.

John Freas, from Jacksontown, he is 100% against it. You need free enterprise. He asked what would happen if they contract with someone that he doesn't like and decides to go with someone he does. Mr. Hart said that it hasn't been determined at this time and that he wouldn't attempt to try and give him an answer. Mr. Hart said that he knew John enough to know that he will do what he wants. John said that he was upset with the slanderous comment made about him doing what he wants to do. He has never broken the law intentionally, has never been to the trustees for anything that wasn't legitimate, has never done anything against the zoning laws and thinks that he is owed an apology. Mr. Hart mentioned that he was just going off of his comment that he was going to hire who he wanted and if he took that

the wrong way that he apologizes. John said that he said what if just as an example.

Seth Ellington, from Lexington Avenue, and works for Big O, mentioned that competitiveness is what the county is based on. He mentioned that the perception of the trucks being heavy is true but that Tim Lollo, the County Engineer said that the slow rate of speed that garbage trucks travel doesn't cause road deterioration.

Ed Monroe, from Dogwood Lakes in Bowling Green Township, mentioned that rates will be good for 3 years and there would be a reduced rate. You can recycle from your home, the air and noise pollution will go down and the wear and tear of the road will be reduced. You will also be able to regulate the pickup times.

Brian Moore, from Somerset Road, mentioned that 4 trucks go down his road on Monday and that he is in favor of it. Can they bill recycling into the contracts? Mr. Miller said that he has talked to other townships and they do have recycling programs but it is voluntary.

Sean Nicholson, from Somerset Road, mentioned that 3 years is too long for a contract. What if there is a complaint and can you get out of the contract? Mr. Hart said that there would be a performance clause.

Carol Kristopher, from Somerset Road, said that there are too many different rates.

Daniel Shackelford, from CMI Waste, is opposed and likes competition. He went over his company information.

Larry Gerlach mentioned that they should see if other townships have problems. Mr. Miller has talked to McKean Township, Granville Township, Franklin Township, Union Township and Bowling Green Township. Each has a three year contract but the prices per township vary because of the number of residents.

Mr. Acord said that there are 6 homes on his street and 3 trucks go down it.

Richard Wade asked when the second meeting will be. Mr. Miller said maybe next month.

John Holman, from Licking Trails Road, thanked Ed Monroe for initiating this. He said that he has done some research. He said that you can have reduced rates at 40% - 50% savings per month, you have negotiated rates for three years, the availability for recycling, reduction of heavy trucks and duplicating routes, less noise, less air pollution, less traffic, less wear and tear on the roads and less frequent need to resurface the roads. He mentioned that Union Township collection is done in one day. He mentioned that the Trustees can negotiate the pickup times and rates. He mentioned that other municipalities are doing this for a reason, not to dictate who the trash collector is but it makes sense environmentally, financially and every way you look at it.

Mike Payne, from Zanesville Avenue, said to stay competitive and he is against it.

There was a break at 8:44pm.

The Regular Meeting began at 8:55pm.

The financial reports were given to the Trustees.

Mr. Miller made a motion to approve the expenditures totaling \$31,649.09. Mr. Acord seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, yes.

There are funds on hand or in the process of collection to pay the attached listed bills. \_\_\_\_\_, Fiscal Officer.

The Fiscal Officer mentioned that the township will be receiving \$3,034,434.36 in estate tax which we will be receiving with the August settlement statement.

Mr. Hart authorized the Fiscal Officer to amend the Official Certificate to \$4,800,835.25. Mr. Acord seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, yes.

#### CORRESPONDENCE:

1. Received Resolution 65-425 from the Licking County Commissioners.

Mike Wilson gave the Fire Co. report. There were 82 runs in the month of June. Austin Bragg passed his Firefighter II class and Jamey Sickles passed his Firefighter I Class. They sold the dive rescue truck for \$900.00 and gave the title and money to the fiscal officer. The remodeling is done. They will be receiving a \$4500 EMS Grant for equipment and training. They were sized for the gear from the FEMA Grant and they are still looking for a washer/dryer.

There was no Zoning Report. Joe Walker was absent.

Mr. Miller mentioned that the mowing was done and he is working on a road list. A discussion took place regarding road and the finances that may be available. He mentioned that the cemetery in Harbor Hills wasn't mowed. Bill Ours said that it is mowed now. Mr. Hart will call Rob Miller to make sure that the cemeteries are mowed.

The fiscal officer will run an ad for a Zoning Commission member and an alternate member.

Minutes of the February 22, 2011 meeting were read, approved and signed by the trustees.

Minutes of the March 7, 2011 meeting were read, approved and signed by the Trustees.

Mr. Miller made a motion to adjourn the meeting at 9:30pm. Mr. Acord seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, yes.

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Attest

July 5, 2011 Minutes