

BATH TOWNSHIP BOARD OF TRUSTEES

April 21, 2021

This regular meeting of the Bath Township Board of Trustees was held at the Bath Township Hall and live-streamed on Facebook Live-Bath Township, Greene County, OH. Mr. Pitstick called the in-person meeting to order at 7:00pm with the pledge and roll call. Other township personnel in attendance were Mr. Ross, Mrs. Lester, Mr. Bales, Mr. Miller, and Mrs. Brown on Zoom.

Mrs. Lester made a motion to approve the agenda; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Mrs. Lester made a motion to approve the minutes of the April 7th meeting; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Mr. Ross made a motion to approve the payment of bills totaling \$62,539.74; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried.

Mr. Pitstick opened the Public Hearing on Zoning Case #2021-001-Z. The purpose of the hearing is so the Township Trustees may review and act on a request to rezone a parcel of land on National Road in Bath Township. The applicant is requesting an amendment to the township zoning resolution. The request is that lot #18 in the Alois F Zink All Plat which is Parcel #A01000100050001800 and currently owned by Le Tai be rezoned to B-1 Business from the current zoning of R-2 Low Density Residential. Mr. Pitstick swore in all those planning to speak on the case. Michael Conway, Sharp Conway Architects LLC, spoke about the suitability of the parcel for a food truck court. Plans are for 12-15 food trucks and an outdoor park-like eating area. Patron parking would be on the adjacent parcel that is in the City of Beavercreek. Mr. Miller, Zoning Inspector, reported that the neighboring property owners had been notified of the Zoning Commission hearing, but none had attended. Both Greene County Regional Planning and Coordination Commission and the Bath Township Zoning Commission recommended that the Bath Township Board of Trustees legislatively rezone said parcel to B-1 Business. A condition of the Zoning Commission was that the applicant apply to the Board of Zoning Appeals for a variance to B-1 Business road frontage requirement upon the rezoning of the property. There being no more comments, pro or con, Mrs. Lester made a motion to adjourn the Public Hearing; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. There were no further questions from the Board concerning the rezoning. Mr. Ross did have some questions about the business model itself and Beavercreek's parking lot requirements. Mr. Ross made a motion to approve rezoning as requested in Case #2021-001-Z; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried.

INVITED GUESTS: none

STAFF REPORTS:

- Mr. Pete Bales, Township Administrator, reviewed several items in his report to the Trustees, dated April 19, 2021. (See attached.)
 - He has completed about half the NatureWorks Grant application for the fitness course and six benches for the park. The total cost is \$57,123 with a grant request for \$42,000.
 - A picnic pavilion project has been submitted to the Priority Development and Advocacy Committee for funding consideration. This was a \$80,825 funding request to Representative Turner.
 - He reported that Cincinnati Bell intends to begin providing fiber optic video services to Bath Township.
 - He had attended the Miami Valley Regional Planning Commission Technical Advisory Committee meeting. Two of the three projects recommended by TAC to the Board of Directors are in Greene County.
 - He also attended the Greene County Township Association hosted by Greene County Engineer Stephanie Goff. She provided a comprehensive overview of her operation and planned projects. Funds have been allocated for studies in 2021 to address traffic at the intersections of Byron Road and 235, Trebein Road and 235, and Garland Road at Trebein.
 - **Road Department report:** The park has been mowed weekly. Several days were spent removing two large downed trees and tree and other roadside debris. A large amount of trash was picked up on Lower Valley Road. Mr. Bales urged residents to contact the Sheriff's Office if they observe littering. Some guardrail was damaged along Armstrong Road. We will be working on an insurance claim.
 - **Cemetery report:** There have been 8 burials since last report and two pending as of April 19. Section 15 has been opened.
 - **Questions** from the April 7th meeting:
 - Mr. Bales provided the names of the vendors and their service/supplies. Resolutions will be posted on the website.

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Concerning odors from the Pitstick farm, he noted sections of the ORC and the Bath Township Zoning Code pertaining to Agricultural Districts. He stated that Ohio EPA responds to odor concerns. He also noted that Bath Township is in a lawsuit against Renergy Dovetail.

- **Zoning Report:** Mr. Miller briefed the Board on the Joseph Sunday property on Bath Road. Wright-Patt Credit Union is willing to pay for demolition of the house. Whether they can authorize demolition has not been determined. The Greene County Prosecutor's Office has not been able to reach Mr. Sunday by certified mail and will be resending the 30-day notice of violation to a different address. If no response, Mr. Miller suggested that the Prosecutor cite him into court. In the meantime, Mr. Miller will obtain Health Department reports to prepare for a public nuisance hearing before the Board of Trustees in case the Prosecutor cannot contact him. Concerning the rezoning of 1900 Spangler Road, Regional Planning has tabled their recommendation until there is more information about the easement to the property. The May 3rd Zoning Commission hearing may need to be postponed or continued. Mr. Pitstick suggested that the Prosecutor send a registered letter and a regular mail letter at the same time.

OLD BUSINESS: none

NEW BUSINESS:

- Mr. Ross made a motion to approve Resolution 27-2021: Supplemental Appropriation in the General Fund Other-Professional & Technical Services \$6500, Medical/Hospitalization \$5700; in the Road Fund Medical/Hospitalization \$8800; and in the Cemetery Fund Medical/Hospitalization \$20,700. Mrs. Lester seconded the motion. Roll call: three ayes, no nays, motion carried.
- Since the cemetery crew is short two workers, one until midsummer, Mr. Bales obtained a quote from Joe's Landscaping to mow the 22.3 acres at Byron Cemetery once a week (\$1770 per mow) and trim once a month (\$700 per trim). He requested a motion to hire Joe's Landscaping to do 14 mows and 3 trims in an amount not to exceed \$26,880. The Trustees discussed the need for weekly service once the new hire is on board. Mr. Bales stated that the contract with Joe's could be terminated at any point. Mr. Ross made a motion to contract with Joe's Landscaping; seconded by Mrs. Lester. Mrs. Lester expressed concern about spending money now that should be conserved to hold down future price increases. Mr. Bales will talk with Joe's about schedule flexibility. Roll call: three ayes, no nays, motion carried.
- Mr. Bales provided information on a pet waste station "bundle" of three stations (dispenser, sign, and trash can) for \$926. The general sentiment was that signs and trash barrels could be done in-house. The Board agreed that Mr. Bales should get prices on the pet waste bags and dispensers.

CORRESPONDENCE:

- Judge Beth Cappelli, Fairborn Municipal Court, 2020 Annual Report was received.

TRUSTEES' REPORTS:

- Mr. Ross noted that the Board received the 2020 Trauma Annual Report from Premier Health. He also complimented Engineer Goff on her meeting.
- Mrs. Lester reported that Fairborn Fire Chief David Reichert is retiring after 30 years of service. She congratulated him on his retirement and ask others to thank him for his service. Assistant Chief Williams will be taking his place. She noted that she and Mr. Bales had attended Greene County Auditor David Graham's Tax Incentive Review Council meeting today. Mr. Bales had requested that while Bath Township's five TIFs are not active, they be continued for potential future projects. Mrs. Lester concluded her report stating that some emails from the Township Office do not necessarily reflect her opinion.
- Mr. Pitstick reported that he had also attended the County Engineer's meeting, noting that she had provided a good review of her various programs. He noted that the Regional Planning Executive Committee had met and tabled the request for a recommendation on the 1900 Spangler Road rezoning.

Audience Comments:

- Lorie Venable asked about mowing contracts and the seasonal employee. She presented property tax figures on Herr Road properties and road repair costs for the

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road. She questioned why Mrs. Lester was not copied on certain emails and why there were emails sent to certain parties.

- Gary Goldblatt had additional suggestions about the pet waste stations. Concerning the walking path that Mr. Goldblatt mentioned at the last meeting, Mr. Pitstick noted that a sealant is usually placed on new paving the following year.
- Jake Fulton spoke about the spill in Morrow County. He asked why the Board did not ask for reports from EPA and the Morrow County Sheriff instead of Renergy.
- Karla Sams asked what can be done about the smell.

Mrs. Lester made a motion to adjourn to executive session Per ORC 121.22(G)(1) To consider the appointment of public employees; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Time 8:05pm. Mr. Bales noted that there may be additional business following the Executive Session.

Mr. Pitstick called the regular meeting back to order at 8:32pm.

Mr. Ross made a motion to offer the cemetery position to Charles Gannon; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried.

Mr. Ross made a motion to adjourn; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried. Time 8:33pm.

Elaine M. Brown, Fiscal Officer

Tom Pitstick, Chairman