



**Minutes of the Village Council Meeting
September 23, 2019**

On Monday September 23, 2019 the Village of Galena Council meeting was called to order at 7:28 p.m. in Council Chambers of the Village Hall, 109 Harrison St., by Mayor Thomas Hopper.

Roll Call

Tom Hopper, Mayor (Present)
Bob Molter, Council Member (Present)
David Simmons, Council Member (Present)
Todd Musacchio, Council Member (Present)

Jason Hillyer, Council Member (Present)
David Walker, Council President (Present)
Kathy Krupa, Council Member (Present)
Suzanne Rease, Fiscal Officer (Absent)

Also Present

Ken Molnar, Solicitor
Levi Koehler, Zoning

Michelle Dearth Asst. Fiscal Officer
Jeffrey White, Village Administrator

A List of those in attendance is attached at the end of the minutes.

Minutes of August 26, 2019

David Simmons made a motion to approve the minutes as corrected (punctuation on page 5). Jason Hillyer seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Minutes of September 5, 2019

David Simmons made a motion to approve the minutes. Jason Hillyer seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Resolution No. 2019-33 (3rd Reading, Emergency)

A Resolution Authorizing A Pre-Annexation Agreement Between Groezinger Golf Enterprises, Inc., An Ohio Corporation, And John D. Wright, Land Owners, (Land Owners), Blackhawk Endeavors, LLC, An Ohio Limited Liability Company (Developer) And The Village Of Galena, Ohio, A Municipal Corporation (Village) Regarding 260.56 Acres, More Or Less, And Declaring An Emergency.

Mayor Hopper read the Resolution. Dave Walker made a motion to adopt Resolution No. 2019-33 as an emergency. Bob Molter seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Ordinance No. 2019-14 (3rd Reading, Emergency)

An Ordinance Accepting The Annexation Of 260.56 Acres, More Or Less Being the Lands Of Groezinger Golf Enterprises, Inc. And John D, Wright To The Village Of Galena, And Declaring An Emergency.

Mayor Hopper read the Ordinance. Dave Walker made a motion to adopt Ordinance No. 2019-14 as an emergency. David Simmons seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

At 7:41 p.m. on September 23, 2019, A Public Hearing before Council was called to order, in the Council Chambers of the Galena Village Hall located at 109 Harrison Street in Galena, Ohio re: the application of Blackhawk Endeavors LLC for a change in zoning district classification from Berkshire Township Agricultural (A-1) and Berkshire Township Planned Recreational District (PRCD) to Village of Galena Planned Residential District (PRD) and Planned Commercial and Office District (PC), and approval of a development/subdivision plan, as recommended by the Village Planning and Zoning Commission, for the following described property: Pursuant To the Provisions of Ordinance No. 2019-16.

Situated in the Village of Galena, in the Township of Berkshire, in the County of Delaware, and the State of Ohio.

Being known as: Blackhawk Gold Course 8830 Dustin Rd., Parcel numbers 41743006001001 and 41743006002000

And

The John Wright farm 8131 Plumb Rd., Parcel number: 41734004039000.

Anyone who wished to speak was sworn in. Dave Walker Council President read the rules for the meeting process.

Brian Yeager, CEO of Champion was sworn in and spoke about the proposed development and he addressed some of the false assumptions that are floating around about the development.

Representing Champion Companies, David Fisher of Kephart Fisher LLC was sworn in and gave a slide presentation showing the proposed development.

Levi Koehler was sworn in. He presented the zoning inspector's recommendation for the proposed development.

Mark Ruffner from K.E. McCartney, the Village's Engineer, was sworn in and said that they had reviewed what was presented by Champion.

Mayor Hopper read letter from Delaware County Engineer for the record.

Chief Kovach, Fire Chief for BST&G, was sworn in and spoke about the services that they provide to the community and addressed that the fire department is already preparing for growth with increased staff.

Brad Schneider, President of the Big Walnut School District was sworn in and spoke about how the potential impact the development will have on the schools. The school district is appreciative of the NCA that the Village has created. The 4 mills generated will not have significant impact on the growth proposed of this scale. The district has had a 32% enrollment increase in the last decade, and the district is approaching the 10 year anniversary of the last request for additional operating revenue. The growth will impact the district, and there will be future requests for new operating money.

Jeff Fishel, Director of Delaware County EMS was sworn in, he commented that he was asked to come in by Chief Kovach in partnership with BST&G. His department hasn't had any questions or concerns about the proposed development. Response times for EMS is 6 minutes or less for the District.

The following people were sworn in and spoke against the Blackhawk Development plan-
Chris Durrence-328 Hawking Dr.
Michelle Parsons-115 Middle St.
Jill Love-311 Caleb's Ct.
Brian Stentz-311 Caleb's Ct.
Danielle Hamer-477 Melimare Dr.
Sandy Young-7700 Plumb Rd.
Nicole Walker-6023 Red Bank
Deb Jewett-3390 Copthorne Dr.
Jim Wood-2711 S. Old 3C Rd.
Annette McMurray-3690 Worthington Rd.
Mike Bodak-13567 Woodtown Rd.
Dan Custer-9120 Dustin Rd.

Their concerns included increased traffic, stress on the schools with overpopulation and costs, concerns about possible TIF's, and a general dislike of apartments.

Noah Hostetler-224 Hawking Dr. was sworn in and stated that he has a personal relationship with Dan Hunter, Chief Financial Officer for Champion Company. Because the developer was looking for property, Mr. Hostetler relayed the golf course owners contact information to Dan Hunter. Mr. Hostetler stated, "In May of this year, after or before he opposed this plan; he offered me \$10,000.00 to side with Champion." (Referring to Mr. Hunter)

The following people were sworn in and spoke that they were either neutral or for the proposed Development Plan-
Zachary Hopper-275 Harrison St.
K.C.Murphy-271 Neilson Ct.
Bill Kuhar-7639 Presidium Loop
Chad Osborne-6277 Sherman Rd.
Todd Sandler-Chandler Ct.

Dave Walker stated the desire is to continue the hearing into the October meeting.

David Fisher on behalf of Champion Companies requested a continuance.

At 9:17 Bob Molter made a motion to continue the hearing until the October 28, 2019 meeting. Dave Walker seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Public comments are closed. Letters written to council but not read were entered into the record.

Ordinance No. 2019-16 (First Reading)

An Ordinance Accepting The Recommendation Of The Galena Planning And Zoning Commission For The Re-Zoning Of The Lands Of Groezinger Golf Enterprises, Inc., An Ohio Corporation, And John D. Wright As Land Owners Consisting Of 260.56 Acres, More Or Less From Berkshire Township Agricultural To Planned Residential District (PRD) And Planned Commercial And Office District (PC).

Mayor Hopper read the Ordinance.

Administrator's Report

Village Administrator Jeff White's report stated that in Arrowhead Estates Pulte has initiated the process for joining the Village's New Community Authority (NCA). Construction is progressing on the Galena Brick Trail Phase 3. The easement has been secured from the developer Arrowhead Lakes Ventures, LLC for constructing the trail connector to Zoar Street. Workman Industrial Services is revising the as-built plans for the Wastewater Treatment Plant. The final as-built plans will ultimately need to be approved by the Ohio EPA. Installation of the overhead bridge crane is complete, pending final inspection by the county. Mr. White has been working on developing a bid document for the Village's solid waste contract. The current contract with Waste Management expires at the end of the year.

Kathy Krupa asked about the utility co-op that was discussed at a previous meeting. Jeff said he would look into it more and get back with Council.

Fiscal Officer Report

Asst. Fiscal Officer Michelle Dearth reported that 30 late notices were sent out to delinquent sewer residents. The first grant reimbursement through ODNR has been requested. Numerous records requests for the Champion Development Plan, updated plan and the economic development and C.D.'s of the meetings have been completed.

Approval of Financial Statements

David Simmons made a motion to approve the financial statements. Kathy Krupa seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Payment of Invoices for September

David Simmons made a motion to approve the invoices for September (need to include the Void for OPERS that was missing). Dave Walker seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Dave Walker made a motion to pay K.E. McCartney \$4,460.85 for the Galena Brick Trail Phase 3 after we receive the advance from our trail loan. David Simmons seconded the motion and the motion passed unanimously in a 6-0 voice vote.

Code Compliance Report

Levi Koehler report stated that construction is underway at the Retreat at Dustin , and a building permit has been issued by the county for the lift station. At Arrowhead Lake Estates Pulte has submitted construction drawings for Phase 2 and Village officials have returned comments. Construction is ongoing at Blackhawk Phase-D. Homewood representatives from Miller Farm have been in communication with the Galena United Methodist Church regarding an entrance and sewer access. The lot split has been approved for The Ross Estates Subdivision and the house has been sold.

Wastewater Treatment Report

Brian Rammelsberg's report stated that there were no violations for the month. Six new sewer taps at Arrowhead Lakes Lots 325, 369, 370, 358, 385, and 320. The crane is now installed at the sewer plant.

Maintenance Report

Josh Cherubini's report stated that the maintenance staff has been working on mowing and weeding and Village clean-up. The staff prepared the square and parks for Summerfest and assisted as needed.

David Simmons asked if anything has been done about the issues about the street that Michelle Parsons at 115 Middle St. brought up at the August meeting. Administrator Jeff White responded that he has contacted pavement companies for an analysis and costs for the road and is waiting for more information.

Jason Hillyer mentioned that there are some broken items at Miller Park that need some attention. Administrator Jeff White stated he will look into it with the maintenance department.

Resolution No. 2019-32 (3rd Reading, Emergency)

A Resolution Authorizing The Village Administrator To Solicit Bids For the Collection, Recycling, And Disposal Of Municipal Solid Waste Within The Municipal Limits Of the Village Of Galena And Declaring An Emergency.

Mayor Hopper read the Resolution. David Simmons made a motion to adopt Resolution No. 2019-32 as an emergency. Bob Molter seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Administrator Jeff White asked for any comments about the bid package be sent to him by September 30. Mr. White is also going to talk to Waste Management to see what they would charge for an extension of the Village's contract for a few months.

Resolution No. 2019-35 (First Reading, Emergency)

A Resolution Transferring Funds In The Amount OF \$4,000.00 From Repairs And Maintenance Account Number 1000-730-430 To Ohio BWC Account Number 1000-790-225 (\$1,000) And Advertising Account Number 1000-410-325 (\$3,000) And, Declaring an Emergency.

Mayor Hopper read the Resolution. David Simmons made a motion to suspend the second and third reading. Jason Hillyer seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Todd Musacchio made a motion to adopt Resolution No. 2019-35 as an emergency. Bob Molter seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Resolution No. 2019-36 (First Reading, Emergency)

A Resolution Accepting The Amounts And Rates As Determined By the Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor And Declaring An Emergency.

Mayor Hopper read the Resolution. David Simmons made a motion to suspend the second and third reading. Jason Hillyer seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Dave Walker made a motion to adopt Resolution No. 2019-36 as an emergency. Bob Molter seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Resolution No. 2019-37 (First Reading)

Resolution Determining The Sufficiency Of The Application To Add Certain Parcels Of Real Property To The Galena New Community Authority District; To Amend The Petition For Establishment Of The Galena New Community Authority As A New Community Authority Under Chapter 349 Of The Ohio Revised Code; And Setting A Date For A Public Hearing On The Application As Required By Law.

Mayor Hopper read the Resolution. David Simmons made a motion to suspend the second and third reading. Bob Molter seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Dave Walker made a motion to adopt Resolution No. 2019-37. Todd Musacchio seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Krupa-Yes Walker-Yes Simmons-Yes Musacchio-Yes Molter-Yes Hillyer-Yes

Delaware County Regional Planning Commission Report

Mayor Hopper had nothing to report.

BST&G Fire Board Report

Bob Molter reported that the Chief and the Trustees discuss area growth at every meeting. Mr. Molter got to watch the fire department burn down a house, as part of the fire departments training.

Zoning and Planning Commission Report

Mayor Hopper reported the hearing on the subdivision code and the hearing for the Galena Commerce Center were both continued.

Mayor Hopper for the record stated that he is not an owner of the Galena Commerce Center or a secret partner.

MORPC Report

David Simmons reported that the annual salary and benefits survey of Villages, Cities, and Townships was to be available by mid-September. Galena was included this year. A Resolution was passed to establish priorities for the 2019 Transportation Review Advisory Council (TRAC) projects. The Delaware Point was the third priority of six total after an I-70 and US33/SR161 exchange. The I-71/Big Walnut Road interchange received almost a hundred comments, three fourths of which were negative. So an effort is being made to address the comments as the project is designed. A Resolution was passed recognizing September as Safe Driving Awareness Month. A Study of auto crashes from 2013-2017 indicates that youth and distracted driving are the largest causes of accidents. The removal of red light cameras resulted in an 11% increase in crashes and a 20% increase in fatalities. Red light running is still a major issue. MORPC has encouraged the governor to promote Distracted driving legislation.

Electronic Media Committee

David Simmons reported that the committee hasn't met. Jeff White said he is looking into a cloud base way to hold data, and a government version of Microsoft 365.

Other Business

Jeff White gave Council a Call To Action handout that came from the Ohio Municipal League (OML) that pertains to a bill about Municipal Eminent Domain.

