

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, February 18, 2020
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, February 18, 2020, at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller, Chairman	Staff:	Dave Pribulka, Township Manager
	Laura Dininni		Centrice Martin, Assistant to the Manager
	Lisa Strickland		Dave Modricker, Public Works Director
	Patty Stephens		Jenna Wargo, Planning/Zoning Director
	Prasenjit Mitra		Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Doug Erickson, Patton Township Manager; Susan Werner, Schlow Library; Betsy Boyer, Al Jones, Centre Crest board members; Beth Van Horn; Christine Bailey; Wesley Glebe; Beth Van Horn; David Salva; Pam Salokangas; Susan Toby Evans; David Webster; Terence O'Heron; Dorothy Blair; Deborah Guise; Joshua Potter.

II. CALL TO ORDER

Mr. Miller called the Tuesday, February 18, 2020, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT

Two citizens voiced their concerns regarding the noise coming from the Start Lab near the Stonebridge neighborhood and continued noise in the evenings from the same building on Research Drive. Mr. Pribulka responded to the efforts that the Township has taken to enforce its noise ordinance and the property owner's plans to install further noise mitigation.

IV. SPECIAL REPORTS

- a. Schlow Library. Ms. Werner reviewed strategies for services and the development plan for 2020-2024. History, events and funding opportunities of the library were reviewed along with a new strategic plan anticipated by this fall. Ms. Werner offered to anyone interested, to visit the library for a tour. Go to Schlowlibrary.org for upcoming events.
- b. Patton Township Open Space Preservation Presentation on ABC Essentials. Mr. Erickson started the presentation by stating Patton Township is tree-centered and it shows in the names of its neighborhoods. He reviewed the program's grass-root efforts that initiated with its residents that now has an Open Space Stewardship Committee meeting four or more times a year doing oversight on open space properties in Patton Township. A third-party ecologist does studies yearly to determine goal setting.

Discussion followed on stewardship of the Open Space Plan; Patton properties; and the standing stewardship committee vs. ad hoc committees.

- c. Centre Crest. Ms. Boyer reviewed the changes in Centre Crest. This included the funding source that changed from the county to a newly-created non-profit eight-member appointed board that took ownership of the facility in late 2013 to get the facility back in financial order. With the facility being over 80 years old, new land was purchased a new facility is being built to meet the community needs moving forward. Ms. Boyer discussed the details of the new skilled nursing facility that hopefully will be opened this time next year. It will be called Centre Care. She explained there are

more stringent regulations for skilled nursing facilities than assisted living facilities. Some new enhanced services include in-house dialysis and a high acuity unit; additional rooms; and multiple dining areas just to name a few upgrades. This facility adds an opportunity for employment. In order to raise the funds for the \$45M non-profit 501(c)(3) facility, the Centre Crest board is providing information to the public through these meetings and asking local municipalities to assist with the grass root efforts for matching funds. Noted, no tax dollars are going to this facility.

Mr. Jones discussed the funding structure that included the U.S. Department of Agriculture and over 50 donors that included a significant donation from the Hamer Foundation with a match opportunity through the end of April 2020.

The speakers were thanked for their leadership and all that's been accomplished. Discussion followed on the services. Mr. Pribulka stated he can reach out to the executive director to receive material to share on the Township's web page.

V. APPROVAL OF MINUTES.

Ms. Dininni moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of February 3, 2020, with one correction to add her in attendance. Ms. Strickland seconded the motion. The motion as amended passed unanimously.

VI. UNFINISHED BUSINESS

1. PUBLIC HEARING ON AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 15 MOTOR VEHICLES AND TRAFFIC PART 2.

Mr. Pribulka reviewed the item for adoption. Two noted changes included modifications of the school zone times and parking prohibitions on Rushcliffe Street that was requested by the residents.

Ms. Dininni moved that the Board of Supervisors **adopt** the ordinance amending Chapter 15, Motor Vehicles and Traffic of the Code of Ordinances as described in the advertised ordinance for public hearing. Ms. Strickland seconded the motion.

A resident of Rushcliffe Street voiced his concern on the parking determination; only being allowed two parking permits per resident and that he was not informed. Mr. Pribulka reviewed the residents' concerns, what options the residents favored, the meetings that residents attended to discuss the item. In response to the resident's questions, Mr. Miller noted residents had many opportunities for input at the meetings and that it is up to the Board to approve the reduced parking. Mr. Pribulka noted the street is currently functioning as designed. The Board and staff further discussed the parking permit allowance. Ms. Dininni responded to the resident by requesting him to work with his HOA for determination on the solution.

Roll Call vote on Ordinance #1052: Ms. Dininni – YES; Mr. Miller – YES; Mr. Mitra – YES; Ms. Stephens – YES; Ms. Strickland – YES.

2. PUBLIC HEARING RESOLUTION AMENDING 2020 ANNUAL OPERATING BUDGET.

Mr. Pribulka reviewed the item for adoption. The intent was to free up additional Capital Reserve funds to complete the design and engineering of the Park Hills Drainageway Project as well as to account for the contingency for the construction management services of the new Public Works Maintenance Facility. Noted with this amendment was deferment of acquisition of a bucket truck until 2021.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution amending the 2020 Operating Budget. Mr. Mitra seconded the motion.

Roll Call vote on #2020-08 Mr. Miller – YES; Mr. Mitra - YES; Ms. Stephens - YES; Ms. Strickland – YES; Ms. Dininni – YES.

3. REVIEW DRAFT ORDINANCE ADMENIDNG CHAPETER 1 ADMINISTRATION AND GOVERNMENT IMPLEMENTING PINE GROVE MILLS SMALL AREA PLAN.

Mr. Pribulka reviewed the item for authorization as provided with the agenda. The action requested for tonight was to authorize this item for public hearing at the March 16th Regular Meeting. Discussion followed on the number of members to appoint and what constitutes a quorum. Board consensus was to start with five members.

Mr. Mitra moved that the Board of Supervisors **authorize** advertisement of a public hearing amending Chapter One of the Ferguson Township Code of Ordinances by establishing a Standing Committee for the implementation of the Pine Grove Mills Small Area Plan for Monday, March 16th. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Miller called for a brief recess.

VII. NEW BUSINESS

1. CONSENT AGENDA

a. Board Member Request – Employer Paid Sick Leave

Mr. Miller noted the action was to decide whether to place this item on a future agenda for discussion.

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Ms. Strickland seconded the motion. The motion passed unanimously.

2. PUBLIC HEARING RESOLUTION APPOINTING ACTING MANAGER IN MANAGER'S ABSENCE.

Mr. Pribulka reviewed the item for adoption as provided with the agenda. This was last done in 2017 and needed updated accordingly.

No public comments were noted.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution authorizing the Township Manager to appoint an Acting Manager during his absence in accordance with the Administrative Code, Chapter 1; Part 2, Section 207, Acting Manager and repealing Resolution 2017-22. Ms. Dininni seconded the motion. The motion passed unanimously.

Roll Call vote on Resolution #2020-09: Mr. Mitra - YES; Ms. Stephens; Ms. Strickland; Ms. Dininni - YES; Mr. Miller – YES.

3. CENTRE REGION COMP PARKS REC AND OPEN SPACE STUDY MUNICIPAL COMMENTS.

Messrs. Miller and Pribulka reviewed the item as provided with the agenda. Ms. Salokangas was in attendance to answer questions. Action items were reviewed and commented on. The Board reviewed the document and provided its comments on each component. Following the discussion, Board consensus was to bring this topic back as an agenda item for discussion at its March 2nd Regular Meeting. Ms. Salokangas noted that the Authority anticipates approving their resolution at their March 19th meeting followed by the General Forum anticipated approval on March 24th. In response to Ms. Strickland's question, the Township's Parks and Recreation Committee will be discussing this topic at its next meeting on Thursday, February 20th.

4. TERRACED STREETSCAPE DISTRICT (TSD) ZONING ORDINANCE AMENDMENT DISCUSSION.

Ms. Wargo reviewed the item provided with the agenda. The action requested at this meeting was for the Board to discuss and determine whether to cancel the agreement with Environmental Planning and Design (EPD). The intended goals moving forward were presented and discussed. Discussion followed on redefining boundaries; completion of a Small Area Plan in the corridor; prioritizing coordination with other parties; and suggested zoning changes. For clarification, a detailed review of the TSD followed for new Board members. Another discussion followed on adaptive reuse; demographics in the area; and stakeholders. Following discussion, the consensus was to issue a Request for Proposals with the stated goals including both a traditional and form-based modification.

Ms. Dininni moved that the Board of Supervisors **cancel** the agreement with Environmental Planning & Design for the Terraced Streetscape District zoning ordinance amendment. Ms. Strickland seconded the motion. The motion passed unanimously.

5. APPOINTMENTS TO FERGUSON TOWNSHIP AUTHORITIES, BOARDS, AND COMMISSIONS (ABC's).

Mr. Pribulka reviewed the candidate applications. One application for an alternate position on the Planning Commission was not provided with the agenda that will be shared with the Board. Discussion followed on the applicant interview process. Interviews will be scheduled for one position that Ms. Dininni will chair. Mr. Miller recused himself from the process due to his applying for one of the vacancies. Mr. Pribulka will send out a Doodle Pool for available dates.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Facilities Ad Hoc Committee. Ms. Stephens reported on the update to the Millbrook Marsh boardwalk that will have an upcoming feasibility study; and alternatives to the Code Renovation Project at COG. Ms. Dininni commented on trash haulers loads and impact to roads.
- b. Public Safety Committee. Ms. Dininni reported on points of interest on code Board of Appeals appointment update; software study is underway for Code permitting – the two companies are coordinating with the municipalities to review the software; and update on advertisement on the part-time deputy emergency management coordinator position – applications are due March 20th.
- c. Finance Committee. Ms. Dininni noted a reminder on taking the committee picture; the next meeting date was changed from the 12th to March 5th to allow for a representative to report on the regional parks loan; discussion on irrigation system at Whitehall Road Regional Park;

supported Code Renovation Project; and 4th Quarter Financial update that will be shared with the Board.

- d. Executive Committee. Mr. Miller reported that the agenda's been set for the General Forum meeting that will include the following: report on road and bridge construction projects for 2020, update on 2020 Census; update on Solar Purchase agreement, approval of building renovation contract award; budget increase for alternatives to the Code Renovation Project; and appointment to the Code of Appeals. The committee will meet in an executive session this Thursday for the new executive director followed by a special meeting, dependent on the outcome of the executive session.

2. OTHER REGIONAL REPORTS – None.

3. STAFF REPORTS

- a. Township Manager. The report was provided with the agenda. Mr. Pribulka highlighted some items that included Industrial & Commercial Authority organizational meeting update and welcomed Chris Daher as a new member; and a new part-time recording secretary that will start at the March 2nd Regular Meeting.
- b. Public Works Director. The report was provided with the agenda. Mr. Pribulka reviewed some items from the report. Musser Gap Trail Crossing paint marking update; Public Works Maintenance Facility preconstruction meeting update and a ground breaking ceremony in mid-March; update on Pine Grove Mills assessment on crosswalks; and an email request for speed reduction sign in Pine Grove Mills. Discussion followed on of the location of the speed reduction sign and clarification to warrant reduction of speed. Mr. Pribulka will forward the notes from this discussion to the engineering staff to review.
- c. Planning & Zoning Director. Ms. Wargo reviewed the Commission's discussion on the TSD; map amendments that The Village conversation will be revisited when the PGM's advisory committee is in place; and Zoning Hearing Board agenda items.
- d. Chief of Police. Chief Albright reported on the month of January 2020. Calls for Service (CFS) for Part I and II crimes were down for the month; overall CFS were slightly up; incidents of significance update; current investigations; and arrest numbers update for last three years and victims. Chief Albright noted that the officer that was injured in the line of duty is back to work, no long term damage.

Ms. Dininni thanked the Chief on a recent newsletter article on pet responsibility.

IX. COMMUNICATIONS TO THE BOARD

- a. Ms. Strickland spoke with some students from the elementary environmental club at Ferguson Township Elementary on environmental projects for sustainability efforts and will provide comments and questions from the students to the Board following this meeting. The students were very receptive and it was a great experience. Ms. Strickland thanked Ms. Martin and Mr. Pribulka for their information on sustainability projects of the Township.
- b. Ms. Stephens had a communication sent to her inquiring about the process of citizens input on ordinances that she had forwarded to Mr. Pribulka for feedback and comment.

Discussion followed on normal cracking of the millwork completed at Overlook Heights neighborhood and crack sealing or microsurfacing that can be done in the spring. Mr. Modricker will follow-up on this item.

Ms. Dininni reported at the Public Services & Environmental Committee meeting that the trash collection time discussion was tabled.

- c. Ms. Dininni and Mr. Mitra were contacted by a resident that had ongoing concerns about the construction laydown yard in the TSD and the impact that it has had on the neighborhood. A Consent Agenda item will be forthcoming on this item.

X. CALENDAR ITEMS

XI. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 11:03 p.m.

Mr. Miller noted an executive session followed this meeting.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 03-02-2020