

**German Township Trustees
Meeting Minutes
September 23, 2013**

The German Township Trustees met in special work session on Tuesday, September 23, 2013 at 6:00 p.m. at the German Township Office at 3940 Lawrenceville Drive, Springfield, Ohio. The meeting is called into session by Charles Metzger, President.

Roll Call: Mr. Metzger – present; Mr. Kaffenbarger – present; Mr. Erlewine– present
Also present: Mike Stitzel, Police Chief; Tim Holman, Fire Chief; George Degenhart, Zoning; and Fiscal Officer, Angela Griest.

This purpose of this special meeting is to discuss the Creekwood Court Annexation by the City of Springfield.

Those present from the City of Springfield: Leslie McDermott, Assistant to the City Manager’s Office; Tom Franzen, Assistant City Manager & Director of Economic Development; Andy Burkholder, Assistant Law Director.

Mr. Burkholder :

- The proposed annexation area is the commercial area along Upper Valley Pike, which is currently on City water and sewer.
- Their benefit to annexation will be the lowering of rates.
- Territory will remain a part of the Township as well as a part of the City.
- Type 2 Expedited Annexation – ORC 709.023 part H
- Subject to real property taxes of German Twp and City.
- City will provide following services: Water/Utilities/Police protection/Fire & Ems services Road maintain
- Zoning will require a buffer inside the area to coordinate between Township & City zoning issues.
- The Township can consent or object with a reply to the annexation
- There is no hearing concerning the annexation by the County Commissioners however, the final decision is with the County Commissioners.

Maps were passed out to the Trustees, and a few were distributed through the audience.

Ms McDermott:

- The area contains approximately 25 acres – 10 parcels – 8 businesses
- Following are reasons annexation will be beneficial to the businesses:
 - Attached to the City
 - Eligible for the City Business Loan programs
 - Inside rates for City water/sewer - 50% less than current costs
 - No DIA agreement which contains additional fees (i.e. they currently pay a yearly fee equal to 2% of their yearly payroll expenses, less any credit for employees currently paying the 2% city income tax.)
 - Springfield City Fire , EMS - Station #5 is on Commerce Road – fulltime – 24 hour coverage - response times of 4 minutes
 - ISO protection they have a 2 due to having City fire hydrants. German Township has a 5. This ISO number gives them a discount on their fire insurance.
 - Police Protection – response times of 9 minutes
 - Infrastructure – City would maintain the roads, signs, etc..
 - Help in gaining new business for the area
 - Covered by City building regulations and codes
 - Rezoned to City zoning with similar attributes as the Township Zoning Regulations
 - School District Boundaries do not change

Questions from the Trustees & Departments:

Q- Mr. Kaffenbarger: Why is Mi Jalapeno not being annexed?

A- Ms. McDermott: Can’t reach owner.

Q- Mr. Metzger: What is the advantage of being in the City.

A- Ms. McDermott: No DIA Agreement is needed. It saves the 2% fee and the rates that are higher.

Q- Mr. Metzger: Have all the property owners agreed to annexation?

A- Ms. McDermott: All the purple highlighted properties that have signed the DIA agreement.

Mr. Franzen: The City is looking to make the area more attractive to businesses by lowering the fees.

Q- Police Chief Stitzel: The City police will be responding to this area?

A: Yes. But there is nothing to prevent the City and the Twp from agreeing to dual coverage between both departments.

Q- The length of time for the annexation process

A- Mr. Burkholder – 45 days to finalize.

Comments from Fire Chief, Tim Holman:

- Your response times are not reasonable. No way can the City Fire Department respond from Commerce Road to Upper Valley Pike in 4 minutes. It takes a minimum of 1 minute to put on gear and load personnel into vehicles. He would challenge that they could respond in that short of time frame, and believes their Fire Chief would agree.
- There was a car fire at the shopping center on Upper Valley and it took 17 minutes for them to respond. They responded from the Lagonda Avenue station. .
- Due to the city running combo units, if the EMS is out, then the fire response would have to come from somewhere else.
- We also have 24 hour coverage, and our ISO is a 5 in the hydrant areas. Our average call is at 7 minutes.

Response- Ms. McDermott- The numbers she has came from the Fire Chief and represent the City's system as a whole. The average for this area alone is 8 minutes.

Q- Mr. Degenhart: Has the Engineers office been notified or involved since a part of Upper Valley will be completely bordered on both sides by the City? Does the City plan to annex that portion of the roadway from the County?

A- Ms. McDermott: Unsure.

A- Andrew Pickering- Because it is a County road, nothing would prevent it from being annexed.

Comment – Chief Holman: This could be an issue. It is an issue on Eagle City Road where the City annexed the area. Whenever there is a problem in that area, and they are called, they argue with our Township police and fire departments as to whose area it is and who should respond. When we are dispatched we head that way but call the city dispatchers to notify them it is their territory. The City is getting the income tax for that area, they should provide service.

Mr. Metzger requested to hear from any of the property owners from the proposed annexation area.

Cindy Black – Wesbanco employee opposes the annexation.

Q- Nikki Maynard – Mad River Vet Hospital: We received this letter and it's like they have black mailed us. You must either sign the DIA and annex, or we turn off your water. The city is already getting there 2%. Currently we (the business) pays it as a fee, once annexed the employee will pay it as income tax. I would rather stay with the Township. How do the property taxes work? Do we pay both?

A- Mr. Franzen: Yes. You pay County, City and the Township tax rates.

Q- Dr. Crystal Amos- Community Urgent Care- She has been informed by her attorney, that the Township taxes do not change but will have added City property and income taxes. When you consider all the taxes and fee changes, you basically have a wash. Her main concern is the Fire/Ems and Police services. Based on information she has heard from other businesses, the township would provide the better service. This is a safety concern for their patients. Can we keep the township?

A- Mr. Franzen: - You would have City services , but you may be able to work something out with the Township.

Q- Mr. Metzger: The problem in the City doesn't care about the areas after they annex. Example, they annex Eagle City Road area. Their portion of the road is in the worst shape it has ever been in for the last 20 years. Why do you annex areas then not take care of what you annexed? If you don't gain from it you don't tend to it.

A- Mr. Franzen- the City does care about the areas it annexes. We give it our attention and try to make improvements.

Comment- Chief Holman: The City Fire Department would have a problem in that area (Eagle City Road) because there are no fire hydrants. The City does not have a tanker, or personnel that are trained in how to operate a tanker. We have a tanker, and know how to keep water coming. We have never ran out of water. If there is a large grass fire what would they do? This is a major problem if they keep annexing areas without hydrants.

A- Mr. Franzen: We can call for mutual aid.

Q- Mr. Metzger: Do we lose our levy money from that area?

A- (No one was prepared to answer that question.)

Q- Chief Stitzel: If you are annexing this business area, how far are you going to continue annexing? Is there a projected area you propose to annex? What about the mall?

A- (No answer)

Q- Mr. Kaffenbarger- Isn't there an agreement with the original owner of the mall?

A- Mr. Burkholder – There is a Federated Agreement between the City and the original owner that they do not have to sign as DIA or annex to able to continue having City services. It also extends to the area across from the mall (Springfield Plaza).

Q- Brenda Labonte – Upper Valley Mall: So there would be no DIA agreement or annexation needed to continue our water/sewer services?

A- Correct.

Q-Mr. Erlewine: So who will plow the streets in that area? – the City?

A – Mr. Franzen: Yes the City will plow the streets.

A – Mr. Burkholder- If the Township would rather plow the streets, you can.

Q- Dr. Amos: Can the township also provide Fire, police, and road services? And the water not be shut off.

A- Mr. Franzen: Yes. Arrangements have to be made between you and the Township.

Q- Mr. Erlewine: Rittal Corp. left and went to Urbana due to water and sewer issues.

A- Mr. Franzen: That is not why they left the area. It was not due to the city pressuring to be annexed/ Sprout Bauer also has a DIA in that area.

Mr. Metzger thanked those from the City of Springfield for coming today and answering questions concerning the annexation.

Motion to adjourn: Mr. Kaffenbarger 2nd: Mr. Erlewine Roll Call: Ayes- all

Approved by:

Board of German Township Trustees:

Charles Metzger, President

Rodney Kaffenbarger, Vice President

Robert Erlewine, Member

Recorded in the
Record of Proceedings
September 23, 2013

Angela D. Griest, Fiscal Officer