



Minutes of the Village Council Special Meeting January 13, 2015

On Tuesday, January 13, 2015 the Village of Galena Council Special meeting was called to order at 7:10 p.m. in Council Chambers of the Village Hall, 109 Harrison St., by Mayor Tom Hopper.

Roll Call

Tom Hopper, Mayor (Present)
Dave Adams, Council President (Present)
Joe Stoll, Council Member (Present)
Chrissy Fuller, Council Member (Present)

Nancy Feole, Council Member (Present)
David Simmons, Council Member (Present)
Grace Piper, Council Member (Present)
Marty Mazzie, Fiscal Officer (Present)

Also Present

Ken Molnar, Village Solicitor
Michelle Dearth, Assistant Fiscal Officer
Susan Stanton
Lenny Lepola, *Sunbury News*
Thomas Gallick, *This Week News*
Darrel Gagne
Violet Carpenter
Charles Chandler
Terrie Bradley
Melinda Simmons
Jane Jackson
Dave & Sandy Walker
Jan & Dwight Adkins
Wilber VanHouten
Stan Swisher
Debbie Georgiton
Phil Craig
Lisa Jerome
Tommy Hatfield, Sunbury Mayor
Sara Keogh
Robert Mazzie
Neil Van Voorhis
Chris Underwood
Jamie & Lucy Boudinot
Tom & Linda Paul

Jeanna Burrell, Administrator
Heather Adams
Shawna Burkham
Dustin Ensinger, *Delaware Gazette*
Pamela Hamilton
David & Rosie Miller
David LaValle
Rodney Myers
Alison Hillyer
Kathy Krupa
Fred Fuller
David O'Neil
Tom & Ellen Ebe
Sam SanFillipo
Nancy Murphy
Don Wood
Craig Ebersold
Joey Jerome
Todd Rostorfer
Howard Feole
John Krause
Rita Garling
Debbie Georgiton
Alice & John Nicks

Merger Overview

In the interest of informing the village electorate, Mayor Hopper provided the legal background for the merger discussion and covered the series of events and meetings that have preceded this meeting. It was explained to those present at the council meeting by the mayor that the Village of Galena has been approached by residents

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of Berkshire Township to form a commission, following the framework under the Ohio Revised Code, to discuss a merger of the two governments and replace them with a new, presently undefined government.

The first step in the merger process is circulating a petition that must be signed by 10 percent of the registered voters who cast ballots in the most recent gubernatorial election in both the township and village. The petition—which calls for the formation of a merger commission—is then submitted to the Board of Elections. Once the petition is filed, all annexation filings immediately cease. Just 133 signatures are required to form the commission—110 from Berkshire Township and 23 from Galena. The process calls for a merger commission that consists of five township residents and five village residents. A vote to form the merger commission could be on the ballot as soon as November 2015. If approved, the commission would study the issue and make recommendations about the new political entity. Those recommendations could be on the ballot by 2016.

Susan Stanton and Shawna Burkham from Berkshire Township approached the mayor and asked to meet. A meeting was held with Mayor Thomas Hopper, Administrator Jeanna Burrell, and Councilperson Nancy Feole on November 3, 2014. Council requested an emergency special meeting to discuss the issue on Friday, November 7, and to obtain possible names of Galena residents to serve on the proposed merger commission. Ron Lehman, Mark Brooks, Stan Swisher, Dave O'Neil, Heather Adams, Deborah Georgiton, Neil Van Voorhis, and Terry Bradley expressed their willingness to serve, and the names were submitted to Ms. Stanton. Following this meeting, council members expressed an interest in meeting with the two ladies in an open, public meeting to learn directly from them what they were suggesting. That led directly to this meeting, in which, in addition to the two proponents, village residents, county officials, Sunbury officials, township officials, and everyone on the village's newsletter email lists were invited.

Public Input

Susan Stanton (240 Domigan Rd., Berkshire Twp.) and Shawna Burkham (1575 Rome Corners Road, Berkshire Twp.) addressed council regarding the proposed merger between Berkshire Township and Galena. They told council that the motivation for the merger proposal is to strengthen the community values of both Galena and Berkshire Township by preserving the building density and zoning that allows for responsible and sustainable growth. They felt the combination of the two governments would create a stronger entity than they currently have separately. Both indicated that there had been difficulty communicating through email with village officials, which the mayor attempted to clarify. They indicated they had tried to contact several of those identified as potential candidates for the commission but were told that council had directed the candidates not to individually discuss the merger with Stanton and Burkham. Both indicated they had hoped to speak with the potential commission members to determine their capabilities and knowledge and understanding of the process. Council president Adams explained that the commission members had been well informed of their potential responsibilities and had been asked not to speak with proponents to avoid their being individually influenced without the benefit of the entire group's involvement. When questioned by several council members for specifics on how the merger would accomplish their stated goals, apart from the mention of the township's need for "stronger zoning" and expanded finances for Galena, they were unable to provide convincing ideas. Stanton and Burkham indicated that a commission would be formed of equal representatives from both the township and village. Council members responded that it was not the merger commission that concerned them but a potential larger governmental entity in which village residents would represent only 19 percent of the registered voters. The mayor expressed a concern that a merger petition was being proposed prior to any meaningful, open discussions. Councilperson Feole commended the altruism of Stanton and Burkham, apologized for miscommunications, but explained that the village felt small and threatened and was suspicious of the secretive nature of the merger process. Councilperson Fuller suggested the village felt bullied by the timeline and the way the merger had been approached.

Following a break at 8:24, the meeting was reconvened at 8:33 for additional public comment.

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Heather Adams (138 N. Walnut St., Galena) expressed a concern over the short timeline that required the initial emergency meeting on Nov. 7, but that the intention of the meeting was to inform residents about the proposal. She also urged concerned residents to read the merger regulations as outlined in Ohio Revised Code 709.45 and 1701.82. The village already has zoning to control and protect against high-density housing, so we should not fear township developments. Township officials have not invited village residents to meetings. In light of the fact that Stanton and Burkham had acknowledged receiving the message that the village was dead set against a merger and the fact that their suggestion that they would cease merger activities was greeted with widespread applause, Ms. Adams asked them officially if they would still pursue the merger? Ms. Burkham chose not to directly answer the question at this time, although she indicated she did not have the will or heart to pursue something so strongly opposed.

Ellen Ebe (8020 Holley Woods Dr., Berkshire Twp) asked Stanton and Burkham for the names of the five people that had volunteered to serve on the merger commission from Berkshire Township. Ms. Stanton was reluctant to give the names. When pressed, Ms. Stanton indicated that there were representatives of the trustees and zoning board but that without their permission, she declined to release their names. They indicated the names would be released later as part of the merger process.

Councilperson Fuller felt the unwillingness to provide the names made the merger activities seem very shady and as if the village was being bullied. Those in Galena who put their names forward for consideration were standing up because of their love and commitment to the village, and it was disappointing that those in the township could not do the same.

Debbie Georigton (189 Harrison St., Galena) volunteered to be a commission member to an “anonymous group” and, to her, the fact that the Ohio Revised Code indicated there was no obligation to use her name gave the proposed merger the feeling of a “hostile takeover.” So when the proponents contacted her, she felt she was definitely being “vetted.”

Alison Cherubini-Hillyer (527 Melimare Dr., Galena) was concerned about the procedure for stopping a proposed merger. Ms. Stanton responded by referring to the Ohio Revised Code and that the decision to stop was in the hands of the commission itself. If the commission voted to proceed with the merger, then residents would have the option of voting it up or down.

Tommy Hatfield, mayor of Sunbury, was pleased to see the community discussion of an issue but that he would be unhappy to see the Village of Galena go away. He views himself as part of the Big Walnut community, not any smaller entity. Sunbury tries to protect the residents of Sunbury and the Big Walnut school system, as everyone does for their own community. Sunbury has no intention of approving high-density developments, even though their zoning allows it. There are ways of reducing the overall densities with open space requirements. He is concerned about the transportation plan that only gets people into the outlet mall but does not provide for getting them out. Everyone hopes to do what’s best for their own community. We can’t stop change as much as we would like.

Chris Underwood (61 N. Walnut St., Galena) asked whether the petition was ever circulated and was told it had not been.

Tom Paul (4936 Miller Paul Rd., Harlem Twp. and owner of 505 N. Walnut St., Galena) praised the wisdom shown by both Galena and Sunbury during the evening’s proceedings. He suggested the proposed commission could be redefined as a civic association to discuss some of these issues relevant to all the communities involved and recommended the community-minded women form such a group. In his mind, the approach to the idea of a merger had been wrong and unlawful.

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John Nicks (10933 Vans Valley Rd., Berkshire Twp.) was concerned about how to keep Columbus out of our backyard, but to do it we all need to get along. We need to grow or die. We can survive as the “Rockwell America” that we are.

Darrel Gagne (355 N. Walnut St., Galena) felt the merger was presented badly. She worked for some time to find a house in Galena and enjoys being able to walk down the street and talk with anyone. The proponents gave absolutely no reason to the village to support the merger. She was disappointed that they say it’s a dead issue but will not formally make such a commitment tonight.

Joey Jerome (4783 Wilson Rd., Kingston Twp.) recommends going to all the local governmental meetings in order to be well informed. An important thing that has not been stated tonight relates to his in-laws who live on South Galena Road in the heart of the proposed development. The merger that would have controlled the annexation process in the township while destroying the village of Galena would also have negatively impacted the private rights of long-term property owners. It is a huge power grab for the benefit of a few at the expense of private property rights and the residents of Galena.

When Mayor Hopper gave council a final opportunity to respond to the evening proceedings, Councilman Stoll commented that he felt that Galena’s plan for good, controlled growth was far preferable to the proposed merger, which would have been too fast and too soon. Council President Adams said each entity has a different vision of what is best for its community. When you come into a community and try to take what they have, it creates strong emotions and he was glad Galena was willing to fight for what it has and apologized to Ms. Stanton and Ms. Burkham if that strong emotion was offensive.

Ordinance 2015-02 (1st Reading, Emergency)

An Ordinance Authorizing The Village Solicitor And Mayor To Submit A Petition To The Board Of County Commissioners Of Delaware County, Ohio Pursuant To The Provisions Of Ohio Revised Code Section 503.07 For An Order Changing The Township Lines Of Berkshire Township, Ohio By Erecting A New Township Out Of That Portion Of Berkshire Township Within The Limits Of The Village Of Galena Changing The Boundaries Of Berkshire Township To exclude The Village Of Galena.

Mayor Hopper read the Ordinance.

Solicitor Molnar pointed out that the decision to allow the village’s withdrawal from the township, since the village is not a city, was purely at the discretion of the county commissioners. It would place Galena in the same position as Sunbury, which withdrew from the township some time ago.

Council members Simmons and Adams indicated that the withdrawal was a way to strengthen the village.

Adjournment

Nancy Feole made a motion to adjourn. Grace Piper seconded the motion and the motion passed unanimously in a 6-0 voice vote. The meeting adjourned at 9:16 p.m.

Next Meeting

The next Council meeting will be held January 26, 2015, 7 p.m., in Council Chambers at the Galena Village Hall.

Respectfully submitted, Marty Mazzie, Fiscal Officer

Fiscal Officer _____ Date _____

Mayor _____ Date _____