

Franklin Township Trustees  
Tuesday, February 15, 2022  
Special Meeting Minutes

At 6:00pm Chairman Scott Swan called the meeting to order. He stated the purpose of the meeting was to discuss a proposal made by the City of Kent regarding the annexation of land owned by the Davey Tree Expert Company and located at 6700 ST RT 43. The land currently lies within Franklin Township.

Assistant prosecutor Brett Bencze was in attendance at the invitation of the trustees. Also in attendance was former trustee and township resident Keith Benjamin. Mr. Swan offered a recap of what has transpired thus far. On October 20, 2021 Mr. Swan received a notification from Mr. Dan Joy of Davey Tree about a pending meeting. At the virtual meeting Mr. Joy informed Mr. Swan that the company intended to seek annexation into the city of Kent and cited concerns about slower than desired response times for emergency services and the need for water and sewer service for the property. Mr. Joy stated that the township would need to respond by the end of that week. After a board meeting held that same week where the board agreed that the township would not support such a request and would work with Davey Tree on finding solutions to their concerns, Mr. Joy was given the board's decision. Davey Tree Expert Company decided to move forward with their intent to ask for annexation.

The proposal made by the City of Kent states that Franklin Township would be reimbursed for a ten-year period as follows: reimbursed real estate taxes for the period of time between approval of annexation and the issuance of a certificate of occupancy and income taxes begin to be collected. The company estimates late 2025 as a target for occupancy. After such time as the company has occupancy and income taxes are collected, the city would then reimburse the township an amount equal to 45% of the income taxes (an estimated figure of \$22,500) annually for the remaining time in the ten-year period.

After discussion, the board agreed to make a counterproposal and ask that the approximately 168 acres of land in question located at 6700 ST RT 43 become a JEDD district upon agreement of the township's agreement to the annexation and Davey Tree join said JEDD, and offer the same terms as those provided in the existing JEDD with the city located along the ST RT 59 east corridor or other terms to be negotiated. The township would also agree to annexation contingent upon an agreement stating the city would receive real estate taxes and the township would receive income taxes collected, with the city providing water and sewer services and the township retaining responsibility for emergency services provision. A question was also raised about whether or not any stipulations agreed to by Davey Tree in 2017 when they sought (and were granted) a zoning map amendment changing the zoning of the land above from O-C open conservation to R-O Research and Office. Mr. Bencze will seek clarification.

Mr. Bencze will convey this counterproposal to the city and report back to the township. In the meantime, a resolution to enter into the proposed agreement is tabled pending discussion.

The trustees asked Mr. Bencze to inquire about when and how the request to annex was initiated and discussed. The board would also like to know what, if any, stipulations or incentives were offered to Davey Tree if the land were to be annexed.

At 7:15pm a motion to adjourn the meeting was made by Kellie Kapusta; 2<sup>nd</sup> Scott swan. All three trustees voted yes.

Date \_\_\_\_\_ Fiscal Officer \_\_\_\_\_

Chairman \_\_\_\_\_