

**WESTFIELD TOWNSHIP BOARD OF TRUSTEES**  
**NOVEMBER 3, 2008**  
**REGULAR MEETING**

As Amended 12/15/08

Chairperson of the Board of Trustees Carolyn Sims called to order the regular meeting of the Westfield Township Board of Trustees to order at 7:05 p.m. Trustee Sims, Likley and Kratzer were present. (See attendance sheet for complete attendance of audience).

**Public Comments**

Mr. Stan Scheetz addressed the Board and stated he received a fax of an e-mail that Trustee Sims sent to Trustee Likley and Bill Thorne and copied to the Townhall which was broadcasted to Trustee Kratzer who supplied it to him in regards to a potential meeting to discuss any potential alternatives in relation to the zoning of the Kratzer property. He added they would be open to a discussion in relation to that zoning in the next 17 days. We have 18 days to file a motion for reconsideration. He asked if there was a draft available from the October 22, 2008 Trustee meeting as he needs it to append to his motion. He would also like the record corrected on two things Trustee Likley said (which Trustee Likley stated he would amend) from the hearing which were:

1. The zoning of the Lodi Outlet Mall and the procedure that was utilized
2. The reference to the ACME being in Montville Township when it is actually in the City of Medina.

Mr. Scheetz stated they were looking at 9 different options in relation to this Township i.e. everything from potentially creating a new village within a 2 sq. mile radius including the Highway Commercial District up towards Gloria Glens, an option with the Township Association in Columbus to reconfigure the Township boundaries, and discussion with 3-4 attorneys about litigation. After all those options have been looked at, we will make a decision as to what items will be filed and within the next 17 days a motion will be brought forward. Mr. Scheetz stated they were open for discussion and even the possibility of throwing out the Declarations and Covenants as Trustee Sims stated she was not comfortable with them. We would be happy at this point with the LC zoning classification. We would then have 100 other uses available, other than the retail, which we could be exploring at this time.

Trustee Likley stated the correction Mr. Scheetz was requesting was the referendum vote for Harrisville Twp. His understanding was the Trustees voted it down, it went to a referendum vote and, through that process was approved. The correction is the Trustees voted to approve it and after their approval, it still went to a referendum by the citizens. Mr. Scheetz stated the Zoning Commission, County Planning and the Trustees all approved the zoning in Harrisville Twp. for the Outlet Mall. Trustee Likley stated he spoke with Bill Thorne and was of the understanding that it went to referendum after the Trustees decision to deny. Trustee Likley stated the other correction was that he

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understood ACME was building a grocery store at Rt. 162 and Rt. 3 and in actuality it is further north on Rt. 3 in the City limits of Medina.

Trustee Sims stated that she did not know when the draft meeting minutes from the October 22, 2008 Trustee public hearing would be completed. Mr. Scheetz stated he would then request a CD to have his Secretary duplicate the meeting. Trustee Sims stated the Fiscal Officer was not doing the minutes and did not know if she would be and hoped Fiscal Officer Evans was present this evening to address this. Trustee Sims continued that she did send out an e-mail the day after the public hearing to Bill Thorne and Trustee Likley for all of us to meet with you and your client Mr. Kratzer for a brain storming meeting on how to proceed if there was common ground. Mr. Scheetz interjected that was with a caveat of a much smaller scale development which was not their interest. Their interest is in the entire acreage being zoned LC and then working forward. Trustee Sims stated the response back from the Kratzer family was that there will be no more public hearings and they felt they have given more information than any other applicant. Mr. Scheetz stated there are no more public hearings. Trustee Sims stated the request was for a public meeting. Mr. Scheetz response if in fact there was a negotiation on the LC zoning than he was certain with his advice the Kratzer's would proceed. We have 30 days from the 22<sup>nd</sup> of October and 12 days have passed so we have 18 days remaining. Trustee Sims stated she was getting conflicting information from the applicant Mr. Kratzer and his attorney Mr. Scheetz. Mr. Scheetz stated Mr. Kratzer confirmed that he would take his attorney's advice on how to proceed. Mr. Kratzer stated yes. Mr. Scheetz stated they would be glad to meet with one Trustee for such a brain storming meeting and then that information could be taken back to the Board and presented in a public meeting so as not to be in conflict with the Sunshine Laws. The meeting would take place at the Medina County Pros. Office. Mr. Scheetz stated that he has proceeded in this manner in numerous communities and they have been receptive. I have never had anyone receive information I prepare ahead of time and then be instructed by Trustees that they should not look at it because it might prejudice their decision i.e. the 20 page example PUD language I prepared. Trustee Sims asked if that was the PUD language that was sent to Chair Kemp, who selectively sent it out to the pro-voting members on the Zoning Commission. Mr. Scheetz stated he also provided it to Fiscal Officer Evans to put in everybody's box the same day. Trustee Likley stated he did receive a copy by e-mail. Mr. Scheetz stated he did not send a copy to Trustee Sims as he has been instructed not to e-mail her directly. This was also requested by ZC member John Miller and he has respected those requests. Trustee Sims stated for clarification she said if she is to be contacted by e-mail Mr. Scheetz was to send it to the [info@westfieldtownship.org](mailto:info@westfieldtownship.org) web address which is broadcast. Mr. Scheetz stated he did send it to that address as well as faxed it to the Township. To date she has not received a copy from Fiscal Officer Evans.

Trustee Sims asked about the litigation option mentioned by Mr. Scheetz. He said he did not litigate but had 4 attorney's evaluating that option. Trustee Sims stated given Mr. Scheetz's demeanor she felt this Board has met its obligation with that application. If

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there were to be a brainstorming meeting it would be a public meeting. One Trustee cannot make any decision and added she felt the Zoning Commission should probably be involved as well. Mr. Scheetz stated he would consider that if it is within the 18 day window. Trustee Sims stated given the threat of litigation here again this evening, she did not know if she had an interest here at this point. Mr. Scheetz stated he believes Trustee Sims has not had an interest since January 2007. Trustee Sims stated she did ask Mr. Thorne to advise the Board of Trustees of the viability of the "Kratzer Village" proposal. She commented that she was acutely aware that any email she sends out as Chair to the Board of Trustees Mr. Kratzer receives a copy of and can forward to Mr. Scheetz immediately.

Mr. Scheetz stated he was exploring the option of creating a village as well as annexing the land to three villages. Trustee Sims asked what villages. Mr. Scheetz stated it was not rocket science as there are three villages contiguous to the Kratzer property. Trustee Sims stated she was disappointed Mr. Scheetz did not recognize a good faith effort to work with the Township and the Trustees especially given the e-mail she sent out the day after the public hearing. Mr. Scheetz stated that he would look forward to hearing from the Trustees or not hearing from the Trustees but, be assured the Trustees would be hearing from him within the next 18 days. Trustee Sims again reiterated with the threat of litigation she was not sure it would be appropriate to now set such a meeting. Mr. Scheetz stated litigation was not a threat it was an option.

Mr. Mark from the Medina County Auditor's Office addressed the Board. The message was from Auditor Kovack's office. There are 11 levies on the ballot (2 will effect Westfield Township and the Cloverleaf School District). One can see the potential effects on property taxes by going to the Auditor's website.

**FISCAL OFFICER REPORT**

Fiscal Officer Evans was not present this evening. Trustee Sims stated she did however leave a report which listed the bills to be paid, the supplemental appropriations, and the fund status is on the table as well as the bank statement and UAN system reconciliation. Gloria Glens Rescue Agreement expires December 31, 2008. Trustee Sims then read correspondence:

1. Public comment/public hearing on draft Solid Waste Management Plan.
2. A letter from Tom Bombard regarding the zoning violations at 6015 Greenwich Rd.
3. Any/all corrections to the minutes beginning with August 27, 2008 through October 20, 2008 special meeting must be in writing and signed by the Board. Please use the form that has been provided to you.

Trustee Sims stated she was disappointed that the Fiscal Officer was not present this evening as she felt the issues regarding the Fiscal Officer needed to be addressed. Trustee Kratzer stated he felt they were addressed at the last Trustee meeting and that is the reason the Fiscal Officer was not present. Trustee Sims stated she has been contacted by

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two newspapers who have asked her if Martha Evans has resigned as the Fiscal Officer of Westfield Township. She told them she did not know. She added that she has learned not to believe the Fiscal Officer has resigned until the Board of Elections is notified. Trustee Sims asked the other two board members if she was to understand that the Fiscal Officer was no longer going to do Trustee meeting minutes. Trustee Likley stated he believed the Fiscal Officer has resigned from doing the meeting minutes but added he felt there was a responsibility to be present for the Fiscal Officer's Report to answer any questions the Trustees may have regarding bills, fund status etc. Trustee Kratzer stated Trustee Sims appeared to have no remorse about what happened with Fiscal Officer Evans and wondered why she thought Fiscal Officer Evans would be present this evening given the events that have taken place. Trustee Sims stated she felt that Fiscal Officer Evans broke the Sunshine Laws by not providing her with the draft meeting minutes for over 3 weeks on disc. Trustee Sims stated she took the comments made by Fiscal Officer Evans at the last meeting as she was resigning her position as Fiscal Officer not from doing meeting minutes. Trustee Kratzer stated he really did not know what happened as the conversation seemed to be one sided and monopolized by Trustee Sims. He added he told a resident he would not stoop to Trustee Sims level and felt the Board should move on with the meeting.

Trustee Sims responded she did not feel Trustee Kratzer's comments were appropriate and felt this issue needed to be addressed because it was becoming toxic. She added she had prepared some things to say to Fiscal Officer Evans that she hoped would amend their relations. (Karen Fischer had a copy of Martha Evans resignation as Fiscal Officer). The letter from Fiscal Officer Evans stated that the statements she made between 9:00 and 9:45 during an open Trustee meeting were: "I knew this was coming. I resign. The Fiscal officer's duties are keeper of the Township records keeping of financial records for the Township and taking the minutes to the Trustee minutes. It is in my best interest and yours to resign from my portion of the job that you have elected me to do preparing of the Trustee meeting minutes beginning with the October 20, 2008 regular meeting. Because of an open public Trustees meeting on October 20, 2008 between 9-9:45 p.m. accusations from the Trustees bench were made that the minutes I prepared were bias, not accurate and any information I give cannot be relied on. Please listen to the recording of the meeting if there is any doubt I am doing the right thing. I am sorry and ask your forgiveness that I have disappointed you and have not lived up to my oath of office. Thank you and I hope in the future it will be better with this decision." Signed Martha Evans.

Trustee Sims stated she could not continue to function like this. Since she has been a Trustee this is the second clerk. She added she was acutely aware Fiscal Officer Evans hand picked and trained the former clerk Kelly Gregoire. Kelly herself resigned several times during her term as Trustee. Trustee Sims continued she did so 4 times that she could recall, put it in writing and then showed up at the next meeting. This seems to be the mode of operation of Fiscal Officer Evans as well i.e. saying she is resigning. Trustee

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Sims stated she was aware that Fiscal Officer Evans has quit the Township several times before. The issues between the Trustees and the Fiscal Officer are not unique to Westfield Township. However she added that she believed Fiscal Officer Evans meeting minutes have been clearly inaccurate and was prepared to sit here this evening to review the revisions she made to the September 5, 2008 meeting minutes that she e-mailed to the other Trustees that need to be made to accurately reflect the public record. Trustee Kratzer stated he has not seen an e-mail with those revisions. Trustee Sims states she could make him a copy.

Lynn Methlie asked if the meeting minutes were required to be transcribed word for word. Trustee Sims responded that meeting minutes are to reflect the business of the Board and any decision making. They are not required to be verbatim but should clearly and accurately reflect the actions of the Board.

Mr. Lee Evans asked if the Trustees could move forward with their agenda as he has worked many hours and needed to be back in early the next morning for voting. He asked that the agenda be followed or he had to leave. Trustee Sims stated this was a meeting of the Board of Trustees and if he could not stay for the meeting that was his decision.

Lynn Methlie asked about the storage of documents and the reproducing of documents. Trustee Sims stated that the medium the Township documents are stored on is the medium they can be requested to be duplicated to. Lynn Methlie stated if the other two Trustees are o.k. with a paper copy why can't Trustee Sims. Trustee Sims stated that she would be o.k. with a paper copy of meeting minutes that did not require a lot of corrections. However the meeting of September 5<sup>th</sup>, as well as, other Trustee meetings have required a lot of corrections and she was entitled, as well as anyone else, to receive them on a format that the Township stores them. Trustee Sims continued that we do have several computers at the Township and recently Fiscal Officer Evans has chosen not to use the Township equipment but to type the Trustee meeting minutes at home which is her option. Regardless of where the minutes are typed they still need to be provided as a public document. Trustee Kratzer stated the Township does not store its minutes on a disc. Trustee Sims stated they are stored electronically. Trustee Kratzer stated no, they are stored in paper form in a binder in the fire proof room in the Township complex. Trustee Kratzer stated his September 5, 2008 meeting minutes were 3 pages long and there were a lot more than 3 pages here now. Trustee Sims stated she left Fiscal Officer Evans original minutes intact and all the amendments are in italics. Items to be removed have been struck through. On the first page it states that Trustee Sims made a motion to direct the County Pros. Office to collect the sum up to \$10,000 from the former Fiscal Officer Kelly Gregoire..." Trustee Sims stated she did not say that. Kelly Gregoire's name never escaped her lips and she felt that Fiscal Officer Evans minutes were bias and she has continued to pit the Gregoire family and herself in uncomfortable situations.

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Trustee Sims played her tape recording of the September 5, 2008 meeting minutes which stated, "I make a motion to collect the sum of up to \$10,000 regarding penalties and interest. Is there a second?" Trustee Sims stated her (Kelly Gregoire) name never escaped her lips. That is inappropriate. Trustee Kratzer stated he talked to the County Prosecutor about this and Bill Thorne stated it did not matter either way. Trustee Sims stated the minutes were of the Board of Trustees and not the County Pros. office and they should reflect what was said. Trustee Sims continued playing her recording on the Zuber violation. The tape reflected the following, "regarding the settlement agreement of the zoning violation on the Zuber property at 5833 Greenwich Rd. it appears there is a cleanup schedule that is acceptable and aggressive to the Board of Trustees. She asked Fiscal Officer Evans to attach the clean up schedule to the minutes. The property has been divided up into 4 quadrants and each quadrant has 45 days to be cleaned up. The fourth and final quadrants are to be cleaned up by March 15, 2009. Any failure to clean up the four quadrants could result in a contempt of court. We appreciate Mr. Zuber cooperating with the clean up schedule. Trustee Likley stated the start date for the cleanup schedule is September 12, 2008. " What Fiscal Officer Evans wrote for the minutes was, "the clean up schedule was prepared by Trinna Devanney Medina County Assistant Pros. and filed with the Medina County Court and agreed to by Glenn Zuber and his attorney which was acceptable by the Board of Trustees. The time-line begins September 12, 2008 and a copy of the agreement is in the Fiscal Officer Office for review. Devanney said: "any failure to complete any of these time lines listed in the agreement could result in a contempt of Court action." Trustee Sims stated Trinna Devanney was not even present at the meeting; she left during our executive session on the IRS penalties.

Trustee Sims continued that Fiscal Officer Evans also wrote, "...after the two variance decisions on Westfield Landings the plat goes to the Planning Services. The Planning Commission may ask to update the perk tests. If there are lots that need to be reconfigured because of the perk tests the subdivision will need the Trustees and Zoning Inspector approval on the amended plat." Trustee Sims stated what was actually said in the meeting was, "The Board of Trustees had a general discussion with the Pros. Office on how to calculate the building setback line regarding the Grubbis variance application on subplot 11E on behalf of applicant's concern that would be presented to the Board of Zoning Appeals for consideration. Bill Thorne confirmed that zoning language calls for a 100 ft. from the road right of way; the furthest most point in a normal cul de sac (pie-shaped) the center of the arch radius may be the furthest point in the road right of way. However 11 E is an irregular shaped cul de sac lot and the furthest most point into 11 E is the lot line. Trustee Likley confirmed that the building setback line for 11E should be calculated coming 100 ft. from the adjoining lot line across the lot line with and at a 90 degree angle. Therefore the lot would require a 50 ft. variance." I'm sure Lynn Methlie would like to know what we discussed and to how calculate the width of her variance the BZA was going to be advised of. Trustee Sims asked to confirm the proposed process the Grubbis subdivision replat should follow. Should the variance be granted by the BZA the replat would be resubmitted to Planning Services for a major subdivision replat review.

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Should Planning Services approve the replat it would then be presented to Board of Trustees as an amended replat. At that point the Trustees would enter into a discussion and negotiation regarding the proposed vacation of the road and repayment and contracting of the road construction if the Board of Trustees wanted to pursue that. Trustee Likley asked about the past repavement discussions. Trustee Sims and Bill Thorne commented that time has passed since those discussions. The Trustees and Bill Thorne have been made aware that the parcels have been transferred into a revocable trust. Trustee Sims cautioned that enough time has passed that the issue should be discussed again because of the changes of people involved. Trustee Kratzer needed to leave the meeting for another appointment. Trustee Kratzer left his micro recorder on to record the meeting and to be put in his inbox by Ron Oiler." Trustee Sims stated she mentions this because if/when the BZA members came for information regarding this all the minutes would state per Fiscal Officer Evans would be, "after two variance decisions on Westfield Landings the plat goes to the Planning Services. The Planning Commission may ask to update the perk tests. If there are lots that needed to be reconfigured because of the perk tests the subdivision will need the Trustees and Zoning Inspector approval on the amended plat..." Trustee Sims added that this summary does not do the BZA justice in understanding the discussion had by the Trustees or give Lynn Methlie justice in understanding the project she is involved in. Trustee Sims continued that there was even a discussion if Lynn Methlie could even represent the Grubbis variance request with the fact that this property is in a revocable trust. Trustee Sims commented that an individual should be able to pick up the meeting minutes and understand what the Board of Trustees discussed. On a one on one personal discussion Trustee Sims stated she tried to discuss this with Mrs. Evans but the meeting minutes are still wrong. She added she has read meeting minutes Kelly Gregoire did as Clerk, and she was not even noted as physically being at the meeting or making motions. Trustee Sims continued that meeting minutes could be done verbatim but did not know if that was necessary. What was necessary is what is discussed by the Board must be reflected in the minutes. Trustee Sims stated she would give Trustee Kratzer the opportunity to review her corrections to the meeting minutes. She added she has provided them to Trustee Kratzer electronically and encouraged him to listen to the meeting minutes and make whatever corrections he had to the record as well.

Trustee Sims stated this is not the first time Fiscal Officer Evans has resigned or resigned from doing the meeting minutes. Fiscal Officer Evans submitted a memo dated March 18, 2008 asking the Trustees to hire someone to transcribe their meeting minutes. "Do not try to drag your feet or sweet talk me again as it is not going to work. Be prepared for your meeting on March 28<sup>th</sup> to talk about this and be prepared to give your recording to the person if they cannot attend." Fiscal Officer Evans again resigned from the meeting minutes regarding Ms. Fischer's comments during this March 18, 2008 memo. Ms. Fisher criticized Fiscal Officer Evans meeting minutes and that is what made her write this memo. Fiscal Officer Evans stated in the memo, "I do not have a problem with corrections, additions or amendments, but the last two meetings border on being

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ridiculous. You cannot cater to one resident or two and completely ignore requests from others. Please accept this announcement as a good working tool between the Fiscal Officer and you. You will now have to think about funding this addition. Sorry about your luck but one can't say I didn't try. Just too old, too set in my ways not a suitable secretary to take minutes. Thanks for at least giving me a try for a year and 3 months to do the job. Been there done that. If I cannot do it right within reason find someone who can. My office is not required by law to take the meeting minutes and transcribe them. Just the keeper of the records and financial matters which you haven't had a problem with yet." Trustees Sims stated she did not appreciate opening up and reading in the Trading Post that Martha Evans had resigned. She added she also received a call from The Gazette about the resignation which she too felt was inappropriate. Trustee Sims stated this situation is chaotic and toxic to the Township as well as ridiculous. The minutes should reflect the actions of the Board; nothing more nothing less.

Ms. Fisher asked Trustee Sims if she felt this was appropriate in making amends with the Fiscal Officer. Trustee Sims stated her intention was for Fiscal Officer Evans to see her corrections and where her (Fiscal Officer Evans) meeting minutes were lacking.

Ms. Fisher stated that when Marlene Oiler was Secretary she could read the meeting minutes from the zoning boards and understand them. The last time the Trustees were in executive session and then came out of executive session it was apparent something was said to Mrs. Evans that upset her greatly. Ms. Fisher stated that apparently you (Trustee Sims) must have really laid into her (Fiscal Officer Evans). She added that Fiscal Officer Evans must have thought that I (Karen Fisher) was in on this too. I was not. Trustee Sims stated she did not know what Ms. Fisher was referencing but that was not even the discussion here this evening. What we are here to discuss is the approval of pending meeting minutes. Ms. Fisher then asked, "Are we to assume your corrections are unbiased and accurate?" Trustee Sims stated this was not a Carolyn Sims/Karen Fisher debate this is a Trustee discussion. Ms. Fisher stated Trustee Sims ignores her and this is the only way she can get Trustee Sims attention.

Trustee Likley stated accuracy of minutes is crucial and this has been a struggle every step of the way. The Trustees should each have the opportunity to make corrections to the minutes without conflict or arguments. The minutes do not need to be verbatim but the generalization of the discussion of the Board is not sufficient in many cases. If any Trustee wants to review the record... there are now 5 recorders recording the meetings and that is unfortunate for this Board and our residents. In order for us to insure the public is getting accurate meeting minutes this is what we have to do. If our statements are not sufficient to reflect the record of what was discussed than any one of the Trustees have the right to make corrections. It is important that the operations of the Township are open to the public. If the meeting minutes are 50 pages I'm sorry that you have to print them out. If they are two pages and they are insufficient then that's a shame to each and every one of you. It has been the process since I have been involved that attachments are



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attachments and our meeting minutes are our meeting minutes. Letters are an attachment to the meeting minutes. They are attachments that will be on file with the meeting minutes.

Trustee Sims stated she asked Kim Ferencz to transcribe the meeting minutes from the October 22, 2008 Trustee public hearing because she felt at that time Martha Evans had resigned her position as Fiscal Officer entirely. Trustee Likley stated a copy of the disc will need to be forwarded to Mr. Scheetz as requested. Trustee Likley stated he would like to ask Kim Ferencz to transcribe the meeting minutes but will give due consideration to the fire her home sustained and the medical needs of her husband and children. He added that the Township would appreciate understanding of that schedule.

Trustee Sims stated that Fiscal Officer Evans has decided not to keep regular office hours and that was one reason the Township hired a Township Secretary. Mr. Lee Evans stated he spoke with Kim and her husband has two infection sites and she had to take him back to Metro Hospital. The Trustees explained the events that have taken place with Kim and her family and stated they would give her flexibility in her schedule and her intention is to continue her employment with the Township.

Trustee Likley stated going back to the Fiscal officer's report, he would make a motion to pay the bills as presented. It was seconded by Trustee Kratzer.  
ROLL CALL-Likley-yes, Sims-yes, Kratzer-yes.

### Supplemental Appropriations

\$500.00 moved from General Bldg. Fund to Building Repair and Maintenance General Fund

\$1,000.00 moved from Fire Levy Capital to Fire Levy Repair and Maintenance

Even though the details for the supplemental appropriations were lacking due to the absence of Fiscal Officer Evans, Trustee Sims made a motion to approve the supplemental appropriations as written by Fiscal Officer Evans in her report. It was seconded by Trustee Kratzer.

ROLL CALL-Likley-yes, Kratzer-yes, Sims-yes.

Trustee Likley stated a copy of the bills and fund status should be on the table per Fiscal Officer Evans.

### IRS Update

Trustee Sims stated in an attempt not to pursue Kelly Gregoire's bond, the Pros. Office has come up with a way to possibly pursue our OTARMA insurance for the full amount of \$39,000 and change. The Trustees are awaiting a letter from the Pros. Office so that penalty payment can be paid back to the Westfield Township taxpayers. Trustee Likley

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stated he felt as Fiscal Officer, Martha Evans should be present at these meetings to answer any questions or update the Trustees on such matters.

### **Fire Committee**

Fire Chief Jack Snoddy addressed the Trustees. Trustee Sims asked if they were doing the repairs as they go or was the Fire Committee going to prioritize after receiving all of the punch lists on all of the equipment. Trustee Likley stated the next truck to go in was #164 and they were looking at what the limit was that we would be willing to invest in that. However the Fire Committee has decided to wait until tomorrow (election day) to see if the levy passes and then determine if and how much money we want to put into that vehicle (#164). The new tanker pump #162 will go in after #164.

Trustee Sims asked if Chief Snoddy has completed her request to have an inventory file of the trucks and all the various apparatus on the vehicles. She stated she would like it for the Westfield Center Village discussion so she is confident when talking about the vehicles/equipment. Trustee Likley stated a joint meeting is really dependent on tomorrow's vote. The Trustees feel the Committee should review some of the concerns and issues and bring them back to the respective bodies so when the Trustees and the Village meet there could be some ground work laid as to the future of the Dept. location, equipment and investment. The Fire Committee is planning on meeting on November 18, 2008 at 7:00 p.m. They will then come back to their respective board with a report and then a joint meeting between the Township and Village will be held after that.

Regarding the Standard Operating Guidelines, Chief Snoddy stated he would have to type them up as they were not given to him electronically. Trustee Sims stated he could scan in the notes and get them to Bill Thorne for review. Trustee Likley asked Chief Snoddy to give Bill Thorne a call to see if he would be willing to sit down and review the handwritten information if not Chief Snoddy should pursue Mike Karson Ass't Fire Chief, to get them electronically ASAP.

Position of Vacancies-Chief Snoddy stated they were waiting for the Standard Operating Guidelines to suggest how to handle the position of vacancies. It has been discussed but a specific process has not been set.

Chief Snoddy stated he would have an inventory booklet of the trucks/equipment by the next Trustees meeting.

### **ZONING**

Trustee Likley stated he received a call from a contractor who is planning on doing some work at Speedco. ZI Harris stated he asked him to provide a site drawing of what they are planning on doing.

Zuber Quadrant A Status-ZI Harris stated it was not completed. He said he sent a letter to Mr. Zuber giving him 5 more days then he would be cited.

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Westfield Terrace Mowing-Completed. Trustee Likley asked that a calendar be set and a letter sent as to the days for completion for the spring mowing and fall mowing.

ZI Harris stated Tom Bombards' motion for reconsideration of his variance request was turned down. Regarding the zoning violation at the Bombard property at Lake and Greenwich Rd., ZI Harris stated he talked to Mr. Bombard and his tenant and progress has been made with the cleanup. He is now in compliance. Trustee Likley stated there appeared to be some communication issues between the Township and the tenant. He then asked, if there has there been clarification as to what vehicles were titled and licensed and those that are not, and have they been removed? ZI Harris stated the tenant told him everything that is licensed and titled in his name but he has not run it through the BMV. The vehicles are his and they all run. Regarding his personal items that are scattered in the yard, ZI Harris stated he did not feel the Township should beat him up about that. If he keeps everything cleaned up and the grass mowed he should be fine. Trustee Likley stated it was important to keep communication open with Mr. Bombard and his tenant but they still have to follow the zoning regulations.

### **Joint Board Training with Zoning Commission and BZA**

Kim Ferencz was to contact Bill Thorne for tentative dates and location. The majority of BZA members present stated Tuesday's would not work for the Board.

### **Comp Plan**

Mr. Mark Majewski from Northstar stated he wanted to meet with the Zoning Commission at their next regularly scheduled meeting. Trustee Likley stated he e-mailed Zoning Chair Jill Kemp with the request and did not receive a response. He stated he then called her and she said she does not check her e-mails. Chair Kemp stated she would give Mark a call tomorrow to schedule him to address the Commission at their November 11, 2008 meeting. Those Commission members present stated they were agreeable for Mr. Majewski to come to their November meeting date.

### **ROADS**

Trustee Sims stated regarding the letter Lee Evans sent regarding the Issue 2 money for the Buffham Rd. improvements, she spoke to Mike Salay from the Engineer's Office and it is Issue I money. He also requested all three Trustees sign the letter. Trustee Sims stated as a result she amended the letter to read Issue I and needed the other Trustee's signatures. It is a long procedure and if the Township was granted the money would not receive it until 2010. It will cover 80% of the cost of the project. Trustee Sims asked Lee to make copies for all the Trustees, Fiscal Officer and Kim Ferencz and make sure it gets mailed or faxed out tomorrow.

Lee Evans stated Buffham Rd. was done in regards to the ditch enclosure. Regarding White Rd. the railroad crossing sign and yield signs were up. Trustee Sims asked the status of the White Rd. repairs. Lee responded at the last meeting you (Trustees) decided

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you were not going to do them. The cost was \$17,000. Trustee Sims stated she thought there was a previously approved motion to topcoat after the haul road repairs were finalized. Mr. Evans stated there was not going to be any repairs made to White Rd. per the last Trustee meeting just a little shimming on the westside.

### **Smith complaint**

Trustee Sims stated she had conversations with the Highway Dept and the County Engineering Dept. They are willing to do a ditch profile along Westfield Landing Rd. to indicate whether or not our ditch could use additional widening or increase in depth since the County has widened their ditch to hold a lot of the headwater. Lee Evans stated the Engineer's Office would probably want a letter to the effect with two or more Trustees signatures on it. Trustee Sims stated she did not feel a letter was necessary but just a consensus or agreement in a motion.

Trustee Sims made a motion to approve the County Engineer's Office complete a ditch profile of Westfield Landing Rd. area opposite Mr. Smith's property due to the residents complaint to review that information. It was seconded by Trustee Likley.

Trustee Kratzer stated he did not feel it was necessary. He added that if the Township widens the ditches the water will just get down to Kennard Rd. quicker. Lee Evans interjected that he tried to explain about the phone line. If the Township rips it out (he knew the line would need to be ripped out) Verizon would need to be called to put a new phone line in. Trustee Likley stated he hoped this would support the Township's stand on that. Lee Evans again stated he knew the line would need to be ripped out. Trustee Sims stated the stand of the Township on this issue has waffled for a long time. She added that if the Engineer's Office completes a ditch profile than that info can be directed to the homeowner.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-yes.

### **Parks & Cemeteries**

Trustee Kratzer stated the Ash tree has lost its leaves and the other trees don't have any leaves on them. The Ash tree is probably dead. He continued there was fall cleanup at the cemeteries last week.

### **OLD BUSINESS**

Cell Tower Contract review with Pros. Office-Trustee Sims stated she sent the revisions the Trustees spoke about to the Pros. Office. She asked possibly a special meeting could be set to discuss with the Pros. Office the Policy and Procedure Manual and the Cell Tower Contract. Trustee Likley stated he would probably not be present for the Zoning Commission meeting on November 11, 2008. The Board potentially set the special meeting for November 13, 2008 at 5:00 p.m. Topic-Cell Tower Contract and General Business.

## **Page 13 Trustees Regular Meeting 11/3/08**

Trustee Likley stated the Trustees have been sent info again from Unisom about selling their cell tower lease. Again the Board was not interested in that proposal.

### **Website Update/Contract Software and Training**

Trustee Kratzer stated he did not have the opportunity to contact his lead at this time. Trustee Sims state the current web administrator has agreed to continue but just for a short period of time. Trustee Sims stated Karen Micklas has provided the Township a list of training items regarding the web and software. She added she spoke to others who have said Dreamweaver is easy, operational and an industry standard. Trustee Likley stated timing was of the essence to find someone to maintain and update the website.

### **SOLID WASTE INFORMATION**

Trustee Kratzer stated he hoped to have the information by next meeting. This has nothing to do with sewer only solid waste removal (garbage).

### **NEWSLETTER**

Trustee Sims stated that the printer delivered the newsletter on time but due to the elections it went out later. Trustee Sims stated she heard at the last school board meeting that they had a list they use for their mailers. To mail out the Township newsletter, we use the auditor's mailing list and it appeared many residents do not get it. Trustee Sims asked Mike Schmidt who is on the school board if the Township could borrow or copy the school's mailing address list. We could edit the list down to what would be applicable for Westfield Township. Mr. Schmidt stated the school could be contacted.

Trustee Likley stated the message board was completed by himself and Mr. John Miller. The question for the Trustees is if they wanted to put the existing sign on top of the message board sign. The message board is 33" in height and 47" in width. Trustee Likley stated there would need to be variance requested for the sign. He added that an additional pack of letters needed to be ordered for the message board so he ordered them. The sign may need to be braced due to the area of the sign and weather conditions. Trustee Likley stated they set in two new posts. Trustee Likley stated once the sign is up it can be put in the bylaws to be used for meeting notification. Trustee Sims and Kratzer both agreed they would want the existing sign to be placed on top of the message board. Trustee Sims stated ZI Harris should be contacted to determine if a variance would be required and or if the Township is exempt.

### **Announcements**

November 11, 2008 Zoning Commission Regular Meeting @ 7:30 p.m. (Mark Majewski/Northstar)

November 13, 2008 Special Trustee Meeting Proposed Cell Tower Agreement and General Business (Address outstanding meeting minutes)

November 14, 2008 OPC Planning and Zoning Workshop in Westlake (Ron Oiler and Kim Ferencz to attend)

**Page 14 Trustees Regular Meeting 11/3/08**

November 17, 2008 Trustee Regular Meeting @ 7:00 p.m.

Mike Schmidt asked about alternates for the BZA. Trustee Likley stated one new application was received. Trustee Sims stated a form needed to get out for Steering Committee Members for the Comp Plan. Trustee Likley stated two residents have applied to be on the Steering Committee. The bulletin board could be utilized to attract members. The Board decided to move forward with the applications for the zoning boards. Trustee Kratzer asked everyone to vote for the fire levy tomorrow.

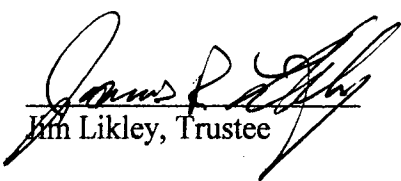
Trustee Kratzer made a motion to adjourn. It was seconded by Trustee Sims.  
ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes.

The meeting was officially adjourned at 9:20 p.m.

Respectfully Submitted,  
Kim Ferencz, Westfield Township Admin. Ass't.

  
Trustee Carolyn Sims, Chairperson

  
Tim Kratzer, Trustee

  
Jim Likley, Trustee