

WESTFIELD TOWNSHIP TRUSTEES

Special Meeting/Add on Equipment for new truck
Upper Chippewa Creek Balanced Growth Initiative
February 14, 2011
7:00 pm

Trustee Oiler opened the meeting by asking those in attendance to stand and Pledge Allegiance to the Flag. Trustees present: James Likley, Ronald Oiler, and Gary Harris. There is an attendance roster attached of other attendees.

The fire department water bill was paid in the amount of \$16.80.

Newell's quote for the equipment for the new truck that was ordered. It is under the state bid contract number 515/8038. Total for the equipment package is \$38,252.15. The reason I did not bring this up at the last meeting was I needed to discuss a few things with Lee and he assures me everything we have here is what he needs.

Trustee Oiler made a motion to purchase the equipment package from Newell Equipment in the amount of \$38,252.15 under state bid contract #515/8038, seconded by Trustee Harris.

Roll call: Harris, aye; Likley, aye; Oiler, aye.

UPPER CHIPPEWA CREEK BALANCED GROWTH INITIATIVE

Trustee Harris: (A copy of Mr. Harris' statement is attached.)

At our last trustees' meeting we discussed the Upper Chippewa Creek Watershed Balanced Growth Initiative. The plan was prepared by Medina County Soil and Water, Medina County Economic Development and others. The plan is not mandated and is at no cost to the participants. By adopting the plan it is designed to give the landowners incentives at the time of development. The plan took over 1 year to complete at a cost of about \$90,000. There were five (5) amendments discussed. By approving these and changing PDA & PCA and overlays, landowners could lose these incentives which I don't think is fair to the landowners or the partnership. At this time I cannot support the amendments and at this time I will rescind my yes vote for amendments 1, 2, 3, and 5.

Trustee Oiler: After a lot of thought and consideration for everything that I went through this last week and reviewing all the materials and the private notes that I took while attending these meetings and listening to the experts I feel the very same and I will change my vote on the amendments 1, 2, 3, and 5 at the February 7th, 2011 regular meeting to no. Item 4 can remain as it is. A signed statement was presented to the fiscal officer as an attachment to the minutes.

Trustee Likley: I think you are in error in thinking that this takes away the opportunity for any landowner, future landowner, developer whatever as far as these incentives package. The point in the amendments is that those amendments will require that the zoning be implemented, passed and approved by zoning commission and

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trustees. Designation of PDA and PCA's are just that. Designations, recommendations from the criteria established from this committee and zoning changes still have to be implemented. This is not a zoning change. All the amendments offered were stating was that prior to that designation of a PDA that it has to go through the zoning steps of our zoning board and the trustees. By the fact that it's established or designated a PDA until that zoning change is in effect they are not eligible to participate or apply for any incentives; still requires a zoning change. The amendment clears that language and the fact that the PDA and PCA overlays are in direct conflict with our zoning regulations regarding the natural hazard overlay. That is our zoning resolution that is our code now unless the two of you are purposing the resolution of amendment to the zoning natural hazard overlay and that text is the zoning regulation that is in force. It is our responsibility to enforce that zoning code It is our zoning code.

Trustee Oiler: I for one am not purposing a change to our zoning code nor does this program propose a change to our zoning code, it's only there as a recommendation if and when sometime in the future our zoning code might change. Our zoning code supersedes anything in this document. It is only for the future if we do any kind of changes in this township and it happens to be within one of those areas anywhere in our township then our residents could apply.

Trustee Oiler made a motion to rescind motions 1, 2, 3, & 5 made February 7, 2011 regarding the Upper Chippewa Creek Initiative, seconded by Trustee Harris.

Roll call: Harris, aye

An audience attendee asked if there was going to be public comment and Trustee Oiler stated, No.

Likley: You took public comment at the last vote when you voted unanimously.

Roll call continued: Likley, No; Oiler, aye.

Trustee Oiler made a motion to appoint Heather Sturdevant as the chair for the fire levy resident committee, seconded by Trustee Harris. Roll call: Oiler, aye; Likley, aye; Harris, aye.

Trustee Oiler will be attending the annual Health Dept. Advisory Council meeting Feb. 23, 2011 @ 5:30 pm

Trustee Likley:

- Feb. 10, 2010 Zoning Commission meeting that was cancelled. I have the notice that was sent to the Gazette. Trustees and fiscal officer had not received anything prior to the meeting other than what was presented at the meeting. E-mail Feb. 10, 2011 at 4:30 pm stating Ms. Ferencz could not make the work session that evening because of family obligations. It was sent to Mr. Oiler, Harris and Likley. Likley needs clarification of why the meeting was cancelled on the 9th and then on the 10th Ms. Ferencz sends an e-mail that she cannot attend. Mr. Harris, can you tell us if the BZA Feb. 23rd meeting has been properly noticed and would you confirm that before the 23rd so that we have a legal public hearing on the 23rd. Kim should be able to send a copy of what was sent to the paper and a confirmation. The zoning commission chair was not notified that the meeting was cancelled. Heather talked to Kim and it

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was a mistake. She was at our meeting, she misunderstood that we were going to hold that meeting even though Bill Thorne could not attend. She noticed to the Gazette not to run that meeting notification. Most of us were not aware of it until we got here that evening and Mr. Miller brought a copy of the e-mail. Why the e-mail wasn't forwarded to all of us I don't really know. We asked Mr. Likley if we could still have the meeting and he said, no. At some point in time, Bill said if it is on the web site and out front that is still good enough to have a meeting.

- Likley suggested that the secretary always copies her notices to the paper to the board that it pertains to.
- Likley requested that Mr. Oiler provide all boards his new e-mail address.
- Likley stated that the Upper Chippewa Creek Balanced Growth Initiative amendments that were voted on unanimously was given to the zoning commission February 8, 2011 and asked that Mr. Oiler do the same with the amendments that were rescinded this evening. Also send to the committee members of the Upper Chippewa Creek Watershed Balanced Growth Initiative Plan Partners.
- Likley requested a copy of the Local Government query that went to the County Commissioners. A copy will be given to the other 2 trustees.
- Likley asked that the letter from the county commissioners be scanned and sent to Don to put on the web site. Apparently some residents are not seeing the electric aggregation value in their bills. This shows a sample bill of what you can be looking for. Fiscal officer will make copies and put on the table in the meeting room.
- Likley: Letter from the county prosecutor's office concerning sheriff's sale on the 7611 Greenwich Road property. This is the property that the township cleaned up at a cost of \$7,062.98 for safety purposes. This was to be put on the tax duplicate for collection. I would ask that this board contacts the county prosecutor's office if the expenses that the township spent will be included in the estimated lowest bid and if we will be recouping those expenses. Is the township interested in the purchase of this property? In a resolution a while back we may have the option to purchase. Trustee Oiler will contact Bill Thorne. The appraisal value is \$18,250.66 our portion is about one-half of that amount. The date of the sale is March 10, 2011.
- Life Force sent a contract. It has been sent to the Fire Advisory Board, Bill Hutson and to the trustees. What they want to know is who would be responsible for writing off on what seems to be non collectible ambulance billings. Heather: Offered the following advice:
 1. It has been the fire chief in the past. If the information is left out of the chief's office that has personal information and it is a public record we could be subject to huge fines. Based on the privacy act it is best to leave this to the fire chief. The trustees agreed. The contract will be offered to our legal counsel for his review before the fiscal officer signs. The chief will review all the collection efforts and then makes a determination.
- The fiscal officer will ask if the village has signed the fire contract.
- Trustee Likley asked for a copy of Exhibit A and B for the fire contract. Exhibit B has been given already and the fire chief is working on Exhibit A.

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- Trustee Likley asked the fiscal officer to update the Roster and e-mail addresses for the boards and for the web site.
- Oiler: Talked with the fire chief today in regards to Lodi Mutual Aid. There hasn't been anything more but we need to be prepared with all the possibilities.
- Likley: The February 23rd BZA application is for a use variance. Question: Can a use variance have a time frame set to it? The application says a temporary use variance and does our zoning code refer to a temporary use variance. The board needs to be aware of what they can or can't do. I don't know that we can do that with a use variance.

Trustee Oiler made a motion to adjourn at 7:55 pm, seconded by Trustee Harris. All signified by saying aye.

Approved March 7, 2011