

WESTFIELD TOWNSHIP TRUSTEES

Regular Meeting

June 6, 2011

7:00 pm

Trustee Oiler opened the meeting at 7:00 pm by asking those in attendance to stand and Pledge Allegiance to the Flag.

Trustees present: James Likley, Ronald Oiler, Gary Harris.

GUESTS WELCOMED

1. Linda Paulick from the auditor's office had one announcement. There are data collectors going around the county taking pictures of property. They will not enter the home, will have picture ID's, they should announce themselves before measuring buildings and there will be a van with a camera on top taking pictures every 15 feet or so.

CEMETERY/PARK – Trustee Likley did not have anything to report

FIRE DEPARTMENT – Chief Fletcher reporting. (A report is attached)

- ❖ 43 runs for the month of May
- ❖ Department has experienced several runs in the past couple of weeks causing a high level of stress for some of our members. A representative from the area Critical Incident Stress Management Team will hold a debriefing session.
- ❖ The shooting range at the bottom of Friendsville Rd near the I-71 bridge will be used for training by the Medina County Deputies and other law enforcement personnel. The Fire Chief met with a group to go over a pre-plan, policy procedures should an incident occur during training.
- ❖ Chief Fletcher is a recipient of an Ohio Fire Chief's Association Scholarship program. The scholarship will provide the cost of the conference, 4 nights stay at the hotel hosting the conference.
- ❖ Explorer program going strong.
- ❖ Family and friends CPR classes free of charge the first Monday of the month
- ❖ Proposed MVA billing information and sample resolution provided. We had 39 MVA's last year. At the customary rate the billing would be \$46,000 and possible collection would be 50-60% of that amount. The chief would put that money collected into a vehicle replacement fund. The company that does the billing adds a fee into the bill that is sent to the insurance company, we do not pay a fee for the service. We only bill the at fault individual.
- ❖ The Fire Association provided wireless headsets in the new fire truck and is working fine. It allows communication with the pumper and others and eliminating the noise.
- ❖ The air conditioning in the front part of the building is out. A HVAC company has been scheduled to look at it.

Trustee Likley asked if the chief had the up to date amounts that have been billed and collected. The chief did not as Heather is working on that project. The amount that we send in as billable Life Force possibly adjusts because of Medicare and/or Medicaid.

Heather explained the EMS revenue status report that will be in the trustee's mail boxes tomorrow morning. The report will show what has been collected beginning January 2011 through current. The information was provided by Life Force and by our receivable journal. We have collected 1 from 2008 and 1 from 2009, many 2010 as well as 2011 bills. You will also see the amount of resident collections as well as our portion or non-resident collections.

## ROADS

Trustee Oiler reporting:

- Took down 3 ash trees on Mudlake Road this morning
- Shimming on Garman, Kennard and N. Leroy Roads
- Tractor is waiting to have lower right window replaced. A stone was picked up in the mower and broke the window. Lee has fabricated an additional shield to prevent that from happening again the future. Mowing will be resumed as soon as the window is replaced. Trustee Likley asked if Lee has a map as to where he has been and what still needs to be addressed. Mr. Likley has driven the roads and some look like they haven't been done. We should keep a tally of the progress. Trustee Likley asked if Lee could contact the county that Kennard Road at the intersection of Kennard and Westfield Landing and Kennard & Lake to have the roadsides mowed as it is difficult to see when approaching those intersections.

## ZONING

Matt Witmer reporting: ( report and letter attached)

- ✓ 2 permits issued
- ✓ Attended the 8 hour Ohio Planning Association training and attended the Medina Co. Planning BZA training
- ✓ Attended a hearing with the Medina Co. Health Dept. and Morning Star Farm Ministries, Inc. It was determined they were a "Day Camp" per the Ohio Department of Health definitions and are satisfied what he is doing. I am hoping that he provided them with a site plan. Once they are satisfied it comes to us and then it goes back to the health department for final approval.
- ✓ May 23<sup>rd</sup> met with Assist. Prosecutor Bill Thorne, Mike Sweeney (North Coast Soccer) and Trustee Oiler to discuss e-mail received from Mr. Sweeney 4-15-2011.
- ✓ Received an e-mail from Assist. Prosecutor, Brian Richter in reference to the Shepperita letter. He made one minor adjustment on a sentence and that letter has been sent.
- ✓ 2 complaints recently: 1. Mowing of the vacant land known as Westfield Terrace at the corner of Eastlake and Lake Roads. By the agreement he has until July 1<sup>st</sup> to get that done and he has called to remind him. 2. Water issue May 26, 2011 (exceptional rainfall) on 7853 Garman Road in Westfield Township however that is a county road. Resident, John Walker was in attendance

and expressed his concerns. A letter and pictures were provided. Residents were stranded and safety vehicles could not get through. Asked the township to assist in getting some help to relieve the water problem. Trustee Oiler attended a meeting at the Emergency Management today and the subject of flooding and health came up. One of the key issues was an early code red alert vs. what we have today. Our sirens go off about a minute to 1 ½ minutes ahead of time. If it is switched over to the code red alert we would have a 15 minute warning. Trustee Likley mentioned that we (township) has looked at funding for additional sirens for this purpose, we have only one at the fire station. Trustee Oiler reported there may some grant money that is available for townships. Trustee Likley: We have information on the zones and topography of the area. Mr. Walker did speak and asked for the trustees help. It seems Killbuck Creek is obstructed with fallen trees and debris and needs to be cleaned. Trustee Likley advised that the township cannot expend taxpayers' money on private property such as cleaning the creek but possibly the Muskingham Watershed may be able to advise or give assistance. Trustee Likley stated we should be able to communicate with Muskingham Watershed and see if there may be some resources available for this purpose. Each landowner has the responsibility to keep their section of the creek maintained.

- ✓ Idle Aire- I have been almost in constant communication with their attorney. The original site plan was for 2 acres and now they are looking at the 15 acres and making it a much larger facility with some type of food service (like a subway not a sit down restaurant) and restroom facilities. They are aware of the driveway concerns and relocating it possibly down the street across from Pilot. They will contact Mike Salary, County Engineer, County Planning Services and the Sanitary Engineer's Office. We have the fee but no site plan.
- ✓ Received a letter from Mr. Lesiak (on file) on Seville Road it reiterates in writing what was discussed at the last meeting. Trustee Likley asked if the process on our end has been started in case Mr. Lesiak does not uphold his end of the agreement and Matt stated it was low on his priority list but will get the letter done.

Heather reporting:

- Zoning Commission recently voted on the Comprehensive Plan. In speaking with Mark Majewski we are relatively close to our quota for copies. Kim and I took the PDF file and converted it so we can make the copies ourselves and whatever you decide then we can go back to Mark for our final set of copies at no charge. It would be cheaper still instead of making copies of the entire document if we could get back the document that you have and just add the three (3) changes plus the deletion of any names that people wanted to be deleted. Trustee Likley would be satisfied with the changes, I don't need another book. If each trustee would get your book to the office Kim and I can get those changes made and then be certified to you by the next meeting.
- Zoning commission is back to regular business. Swimming pool language will be reviewed at our next meeting and if it passes the board will be sending it to planning services and the

prosecutor's office. Next meeting will be June 12, 2011 at 7:30 pm. The topics may seem dry but we still invite the public.

Trustee Oiler: It was brought to my attention today that the prosecutor's office recommended to the zoning chair that at one of their regular meetings that they do a site plan review for North Coast Soccer and at the same time later in the evening the BZ A would hold their meeting regarding variances for North Coast Soccer. I believe his recommendation was in putting forth good faith etc. also to expedite getting the site plan completed and also get the variances established and get the conditionals done to get this thing off the plate. The zoning commission is behind in the things they are trying to do and they are in turmoil as to what would be right thing to do. I am bringing this to the board so we can give them a recommendation and a decision.

Heather: Prosecutor's office recommended we do this on a regular meeting night which would mean the act of good faith on the part of the township is that the applicant would not have to pay for the site plan. Number one we are behind but number two we have had a meeting with the BZA following on the same night and it is very difficult to do just one thing on the same night as the BZA. If we are in a regular meeting we have other things to discuss we would be here all night. The BZA must take their time to make decisions on variances, they can't rush that. I did not think that was a great idea and I also didn't feel it was our place to say whether or not an applicant should not pay the normal fee. Normally we don't do things like that on a regular meeting night. I know everyone wants to get this situation resolved but we could be setting a precedent.

Trustee Oiler: It would be a regular meeting but for a specific purpose

Trustee Likley: Are these applications submitted for the site plan review and variances. Are we at a point when we can be setting a meeting?

Matt: The applications have not been submitted. They gave me a site plan that corrected the acreage. Bill was going to talk with Mike Schmidt as to the intent on some of the possible variances. I was at the meeting when Tom Micklas made it clear that new grindings was to go down, he didn't specify that it should cover the entire width of driveway. When they put the grindings down they didn't put it on the entire width of drive just down the middle. They (North Coast Soccer) need to submit applications for the front and back site plans and/or a variance for the back. At the very least he has to submit a back site plan (which was approved but has changed) or a variance. They also have to submit a front site plan review and I am 99% sure they will ask for a variance because that is in Local Commercial and everything is supposed to be paved and it is not. I have told them they need to file the applications.

Trustee Likley asked if Matt's interpretation of their needs was clear.

Matt: In the meeting with Bill it seems it got muddy. My interpretation at the very least they need a variance for parking area to be less than the required width in certain areas and for the surface to be other than gravel, grindings etc. They got an approval for grindings especially back by the Chippewa Creek but if they want to leave it as it is now they have to ask for a variance for it. I think it is pretty simple. Then you have the front parcel which is done by the Zoning Commission and the back is by the BZA. They also do not want to take care of the mound which is part of the conditional which needs a meeting.

Trustee Likley is not willing to waive the fees. Trustee Oiler stated it seems to be very simple. Matt will communicate with them they need to get the applications, site plans, fees to move forward and the time frame shall be 2 weeks.

#### FISCAL OFFICER

- Bills in the amount of \$16,207.29 **Trustee Oiler made a motion to pay the bills as submitted, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**
- Fund status    Checking            \$288,642.52    Investment        \$516,696.26
- Correspondence:
  1. Certificate of Estimated Property Tax Revenue for the Fire Levy has not changed since the beginning of the year.
  2. Letter from County Treasurer they will be re-launching the Fix-It-Fund Home Improvement Loan Program
- **RESOLUTION 2011-14 A RESOLUTION TO PARTICIPATE IN THE ADVANCE OF REAL ESTATE TAXES FOR THE SECOND HALF COLLECTION 2011** **Trustee Oiler made a motion to adopt Resolution 2011-14, seconded by Trustee Harris. Roll call: Oiler, aye; Harris, aye; Likley, aye.**
- County Planning had a zoning inspector's workshop here. The township provided coffee and Matt bought bakery in the amount of \$16.85 and has asked for reimbursement. **Trustee Oiler made a motion to reimburse Matt \$16.85, seconded by Trustee Harris. Roll Call: Harris, aye; Likley, aye; Oiler, aye.**

#### MINUTES MAY 16, 2011

Trustee Harris had an amendment on page 5 and 7. **Trustee Likley made a motion to approve the May 16, 2011 meeting minutes as amended, seconded by Trustee Oiler. Roll call: Likley, aye; Oiler, aye; Harris, aye.**

#### NO OLD BUSINESS

#### NEW BUSINESS:

Cell Tower Lease contract expired March 2010 and is renewed every five years with a 15% increase to be renewed 5 times (25 years). We are now collecting \$1,058 which is correct. The gentleman that Trustee Likley spoke with did not send an offer to purchase the lease just marketing information. Trustee Harris felt we should not sell the lease. Trustee Oiler suggests we stay with the lease. **Trustee Likley made a motion to that we continue with our lease agreement and not to pursue the sale of our lease on the cell tower, seconded by Trustee Oiler. Oiler, aye; Likley, aye; Harris, aye.**

#### POLCIES

Credit Card Policy that was presented needs to be studied, re-evaluated, list the holders of each card, where the card is kept and should agree with the requisition policy as to the limit. Trustee Likley had a concern about the limit. Credit card policy will be tabled until further language can be adopted.

Hall Rental Policy Trustee Likley would like to see #17 to state: Rental fee may be waived for the employees of Westfield Township but the \$100 deposit fee and application is required (refundable if hall is left clean and without damage). It has been the practice of previous boards to waive the rental fee for the employees of Westfield Township. There is still some clarity needed for nonprofit organizations. This policy is tabled until further language can be adopted.

Related travel expense and employee/official reimbursement policy was approved as written and will be incorporated into a resolution. **Trustee Oiler made a motion to approve the above mentioned policy, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**

#### ANNOUNCEMENTS

Zoning Commission Regular Meeting	June 14, 2011 @7:30 pm
Trustees Regular Meeting	June 20, 2011 @7:00 pm

#### PUBLIC COMMENT

Bill Thombs, resident read a statement (attached to minutes) except for item #5 under the trustees heading which was read but not on the statement. Mr. Thombs expressed his thoughts concerning the zoning commission and trustees actions. Mr. Thombs was asked to be a part of the Citizens Advisory and also involved with the referendum.

#5 There was a thought to re-evaluate a zoning request that all of you basically said no until after the referendum. At the last meeting Mr. Harris brought up that we ought to look at it again at the beginning of July. I think it will only lead to some type of spot zoning. Any zoning at this point time should be totally held until after the referendum and done as a complete plan not individual sections.

Carol Rumburg:

Requested that something is put together that explains the fire levy thoroughly and be on the web site. Noticed the fire committee meeting minutes are not current and in the 2009 fire committee meeting minutes section the steering committee meeting minutes were there.

Nothing has been addressed by the steering committee concerning the removal of names. Trustee Oiler thought there was to be a letter sent to each one asking them if they wanted their name removed. Ms. Rumburg asked that Heather be contacted concerning this and if the trustees were going to have a public hearing on the comprehensive plan. The answer was yes.

If there is not anything else to come before this board **Trustee Oiler made a motion to adjourn the meeting at 9:05 pm, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**

Approved June 20, 2011