

WESTFIELD TOWNSHP TRUSTEES

Regular Meeting

July 5, 2011

7:00 pm

Trustee Oiler opened the meeting at 7:03 pm by asking for audience to stand and Pledge Allegiance to the Flag.

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

Guests welcomed

Linda Paulick from the Auditor's office:

- 2013 reappraisals that are presently being conducted. There will be a van taking pictures as well as other information collected. The individuals have royal blue shirts, have identification, signs on their car doors and they will identify themselves.

Department reports

- Fire (Fire chief is not present this evening)
 - a) Trustee Oiler reporting. The June fire/EMS run report for a total of 35. (see report attached)

Mr. John Miller was recognized as he has another appointment. Mr. Miller speaking: I travel a lot with my work. Last year I missed several zoning commission meetings and this year will probably be more. I am going to step down from the zoning commission and you can fill that position with another person. Trustee Oiler stated he has enjoyed his service, ideas and contribution to the board. Trustees Likley and Harris also thanked Mr. Miller.

- b) Resolution 2011-16 A RESOLUTION TO RECOVER FEES FOR VEHICULAR ACCIDENTS,HAZARDOUS MATERIAL SPILLS, AND STRUCTURE FIRE
Trustee Oiler: There was a correction made in paragraph #4 and with the board's approval I would like to take this to an Assistant Prosecutor because as it is written now it is misleading. "Whereas the board of trustees desires to implement a fair and equitable procedure by which to collect said fees for MVA accidents, hazardous spills and structure fires involving criminal intent." Trustee Oiler stated "Criminal intent" is where I am having a problem. It doesn't have to be criminal intent if someone accidentally struck a structure. I would like to hold off on this until we can come up with some better wording or simply leave out "criminal intent" and leave it as it was. Trustee Harris suggested "could we add anything caused by criminal intent". Trustee Likley: When this was originally proposed structure fires was part of the listing and I questioned it and felt that this needed clarification. I understand your concern "criminal intent" as

it might not be criminal intent. But to just remove involving criminal intent it might warrant additional review from legal counsel for better language. Trustee Oiler: I will do my best to make an appointment with the prosecutor's office next week. The board agreed to get legal counsel.

- c) With chief absent this evening the EMS proposal will be addressed when the chief can present it and discuss it with us.

CEMETERY AND PARK

Trustee Likley did not have anything to report.

ROADS

Lee Evans reporting:

- ❖ We haven't heard from the county on the Buffham Road project
- ❖ Chip and seal Kennard Rd. between Westfield to Friendsville \$20,359, we can move forward without putting it out for bid because it is under \$25,000. Trustee Oiler asked about the culvert replacements. Lee does not know when Lytle is coming but will try to have them in before the chip and sealing. We have to give Lytle leave way when he is in the area and the weather is suitable to chip and seal. **Trustee Oiler made a motion to approve the chip and sealing of Kennard Rd. between Westfield to Friendsville in the amount of \$20,359 from Lytle Construction, seconded by Trustee Harris.** Discussion: Trustee Likley asked what culverts need replaced. Lee: a big 54" about mid-way that keeps spreading apart. Trustee Likley asked what would be the cost. Lee: I am not sure what material I will need because of the size. **Roll call: Harris, aye; Likley, aye; Oiler, aye.**
- ❖ I have been to Newell equipment and set where I want the controls in the new truck. Within a couple of weeks we should have it. The bed and pump is on. There are more lights to be put on.
- ❖ At the end of Buffham Rd and Ryan the trees need to be trimmed and one taken down. Lee will try to contact the gentleman in the evening. It really is the county's responsibility but the people that are complaining that they cannot see are creating a safety issue.
- ❖ Crumbly has most of the trees down along the railroad track on Buffham Road and has sprayed. I am waiting to see if all the brush dies before we send him the money.
- ❖ I have sent e-mails and phone calls to TAPCO (solar school signs) and they haven't gotten back to me. I will stay on this.
- ❖ Second pass in mowing: Buffham down to Westfield, Ryan, Eastlake, Bugsville. I am working around the north part and then head south again as long as it doesn't get too hot.

ZONING

Matt Witmer, Zoning Inspector reporting: (report attached)

- ⊕ Boat ramp for the Medina County Park at the end of Westfield Landing Rd. on Chippewa Lake. Mr. Tom James, Park District Mgr. a property owner, Mr. Demscheck is present. There are drawings in the zoning office. After much discussion:
 1. Park District would build a road from the curve to the end of Mr. Demscheck's property according to county highway specifications about 400 feet with a cul-de-sac at the oil well for township maintenance vehicles to turn around
 2. Township and county would have a contract/agreement that the 400 feet of road way and cul-de-sac would be maintained by the park district
 3. The road from the edge of Mr. Demscheck's buildable lot to the lake would have a road way of lesser standards such as gravel to the parking area and boat ramp and would be maintained by the park district
 4. A gate will be only for safety and welfare. At the gate there must be a turnaround big enough so people with a boat and trailer will have ample room.
 5. Would like to get started in September.
 6. Township will wait for direction from legal counsel.
- ⊕ 3 permits issues in June
- ⊕ Reviews of D.E.F. tank at Pilot with amendments that was approved June 28, 2011
- ⊕ Natural gas dispenser has been tabled until the zoning commission's next meeting.
- ⊕ Letters were sent to: Lesiak on Seville Rd.; Hughes on Mudlake Rd.; Rhoades on Greenwich Rd.
- ⊕ Morning Star Farms moving forward with Medina County Health Department
- ⊕ North Coast Soccer BZA hearing July 13, 2011 (back portion) Matt must check on why we had an incorrect address for a contingent property owner. Hanna property is in foreclosure. There hasn't been anything submitted on the front portion of North Coast Soccer. Matt found a site plan dated 2008 that is in need of revision.
- ⊕ Idle Aire-sounds like it is going to be tough for them to get financing. Matt will be in touch with him (the attorney).

Heather reporting:

- The changes have been made to the comprehensive plan. An e-mail is being sent out to the comprehensive plan steering committee members to see if they want their name removed. Then Kim will be certifying it to you.
- Update on the liquefied natural gas- Buck Adams would like to see the drawings for that project. We are also going to provide him with the safety booklet that we have for fire inspectors. I have contacted the EPA and they will be sending me all the information they have as well as contacting other states that have these stations. This will be the first station in the State of Ohio. The fire chief has been contacted by them and they asked about the vent stack for a horizontal tank.
- Matt and I put on a training last month from the Akron all day training that he and I attended. The nice thing about this training is they provide you zip drives with all power point presentations. It encompassed zoning commission and the BZA and several things that we are

discussing. It was relatively well attended with most of the zoning commission members here as well as Kelly Courie and Kevin Daughtery from the BZA. Planning Services have 2 left maybe 3.

- In recognition of John's service I would like to give him a certificate and maybe a snack at our next meeting or the trustees meeting. The board gave Heather permission to plan a recognition for John Miller.
- Next zoning commission meeting will be July 12, 2011 @ 7:30 pm. We will be discussing language on outdoor wood burners and wind energy. We will be setting a date for site plan review on the liquefied natural gas.

Matt stated that he sent a regular letter to the Sherpittas as the certified letter was not picked up. I e-mailed Brian Richter's office and said here is where we are at now and where do we go next.

OLD BUSINESS

1. **RESOLUTION 2011-17 A RESOLUTION TO ESTABLISH CREDIT CARD USAGE, HALL RENTAL AND TRAVEL EXPENSE REIMBURSEMENT POLICIES**

Trustee Oiler made a motion to adopt Resolution 2011-17, seconded by Trustee Harris. Roll call: Harris, aye; Likley, aye; Oiler, aye.

NEW BUSINESS

1. **RESOLUTION 2011-18 DEPOSITORY RESOLUTION ESTIMATING AGGREGATE MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE AWARDED AS ACTIVE AND INTERIM DEPOSITS**

Trustee Likley made a motion to adopt Resolution 2011-18, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye.

2. A scanned copy of the proposed Creston annexation by detachment was sent to Bill Thorne and asked what can be done to stop this. Bill did return a call to Trustee Oiler but Ron was still out of town.

MINUTES

June 20, 2011 Corrections Page 1 next to last sentence Cost \$16,000-\$18,000; page 3 D.E.F. tank; page 4 – 9th line omit individuals and add zoning members attended. **Trustee Likley moved to accept the June 20th minutes as corrected, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye.**

Trustee Likley mentioned a letter from the Medina County Engineers regarding the Walkers on Garman Rd. I spoke with a gentleman from Muskingum Watershed Conservancy District. They do have a program that they are working on language regarding clearing of tributaries and streams that feed into the Muskingum Watershed. The language anticipates to be completed within the next 60 days and he forward information to Trustee Likley. They call it "Snag and Clear". They do not do dredging.

Trustee Oiler mentioned at the last Fire Advisory Board meeting the end of June the fire department budget is about half way but keep in mind we do not have to the Sheriff's dispatch, Emergency Management, and Insurance the second half of the year.

ANNOUNCEMENTS

Zoning Commission	Regular Meeting	July 12, 2011
BZA	North Coast Soccer	July 13, 2011
Trustees	Regular Meeting	July 18, 2011

FISCAL OFFICER

- Bills in the amount of \$24,561.17. This includes the 2nd Qtr. Fire volunteers and zoning boards.
Trustee Oiler made a motion to pay the bills, seconded by Trustee Likley. Roll call: Harris, aye; Likley, aye; Oiler, aye.
- Fund Status- (report attached)
- Letter from Prosecutor's office "Facts, Material, Right Procedure to Change Parcels from RR to LC on North Side of Greenwich Road". A copy is on file and attached to the minutes.
- Annexation: Financial impact on township will be \$400 General Fund and \$2,200 Fire Levy. This will stay Medina County. Annexation took place 1995 and until last year when Canaan Township called Medina. Mary Beth explained it was an oversight that Westfield Township had not received any general fund or fire levy funds until last year. Fiscal officer would like to see the township get this back revenue. We have no idea where it went to or if it was even collected. Trustee Oiler will ask Bill if the township can challenge this annexation and if we can recoup the lost funds.

Discussion was held on the procedure to change the zoning on the north side of Greenwich Road east of Hulbert Rd. **Trustee Harris made a motion to pass a resolution to amend Westfield Township zoning map from Rural Residential to Local Commercial on the following described parcels and refer to the zoning commission to review, consider and recommend the zoning map amendment (included is the parcel numbers, names, and distance back of 530'), seconded by Trustee Oiler.** Discussion felt this is premature and what if the referendum does not pass. I don't support the proposal as it is premature. Trustee Harris stated he is responding on the homeowners' request. Trustee Harris will check with Mr. Thorne on several of the questions Trustee Likley had. **Trustee Harris withdrew his motion.**

Proposed 2012 Budget:

Trustee Oiler made a motion to approve the proposed 2012 budget as prepared, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.

Trustee Oiler called Bill Thorne early last week on the SOG's for the fire department and I also left a message for Mr. Karris that he is delinquent in getting a letter to us.

If there isn't anything more to come before this board **Trustee Likley offered a motion for the board of trustees and fiscal officer to go into executive session to provide confidential information regarding cell tower lease/purchase information at 9:00 pm, seconded by Trustee Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye.**

Trustee Oiler made a motion to come out of executive session, seconded by Trustee Harris at 9:36 pm. Roll call: Oiler, aye; Likley, aye; Harris, aye.

No decision made.

Trustee Oiler made a motion to adjourn at 9:37 pm, seconded by Trustee Harris. Unanimous

Approved August 1, 2011