

Westfield Township Trustees

Regular Meeting
August 6, 2012 7:00pm

Trustee Harris opened the meeting by asking those in attendance to stand and Pledge Allegiance to the Flag.

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

Also in attendance were: Gayle Foster, Jeff VanLoon, Boris Slogar, Jill Kemp, Nancy and Ken Powell, Matthew Witmer and Heather Sturdevant. (See attached sign in sheet)

WELCOME GUESTS

Trustee Harris welcomed Jeff VanLoon from the Medina County Department of Soil and Water and Boris Slogar from the Muskingham Watershed Conservancy District.

Trustee Harris asked that as the Fire Chief had training this evening that he give his department report first on the agenda.

FIRE DEPARTMENT REPORT

Chief Richard Fletcher reporting: (See attached report)

- ✓ There were 28 total runs for the month. 19 were squad runs, 6 were fire and 3 were MVA's.
- ✓ The vacant building across from the Travel Centers of America is now being used as a training facility by the Travel Center. The chief was there for the installation of their alarms and had them tested on Friday. Today is their first day of operations at that site.
- ✓ The new billing system will begin this month. The last day of our contract with Life Force is August 13. Medicount Management is the new billing company.
- ✓ The chief announced that three members have completed EMT Basic School. One is new member Sarah Sitko, Explorer member Austin Rych and long-time member Eric Martin. The department is also pleased to welcome new member Lauren McDermott. While she currently has no certifications, she is in the process of signing up for classes at the Medina County Career Center.
- ✓ The first responder vehicle is now in service. The chief is pleased with the new lettering and cabinetry.
- ✓ The squad that was in the accident on June 22, 2012 is back in service. There are a few parts that are on order and they will be installed as they arrive.
- ✓ The department has decided to replace their cutters for extrication. The total for that purchase will be \$4200.00 if prepaid.
- ✓ The Fire Association has agreed to purchase a Foam Pro Pack. Which is a handy tool used for vehicle or liquid petroleum fires. The cost is \$925.00 of which the association has agreed to pay \$800.00. The Association also sold root beer floats at the Lodi Corn

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Festival and made around \$300.00. The car show is coming up on Labor Day and the Association will be selling their floats there as well.

- ✓ The chief announced that he is very proud of the Explorer members. They held a car wash recently that made \$300.00 for their treasury. That money will be used to enrich their training.
- ✓ The chief stated that the department would be flushing hydrants once the weather cools down.

Guest Speakers:

Jeff Van Loon from the Medina County Department of Soil and Water and Boris Slogar from the Muskingham Watershed Conservancy District introduced themselves. Mr. Van Loon stated that at the request of Trustee Likley on April 12, 2012 it was decided to see if he could determine the cause of the flooding that has occurred on Garman Road. VanLoon walked about 3000 feet of the Killbuck Creek on May 11, 2012. In doing this he noticed a total of 17 log jams. When he looked at the size and scope of them, ten (10) were rated small, five (5) were rated medium and two (2) were rated medium plus. There were none that were rated large or huge. Therefore he concluded that this was not the specific problem that exists in that area. Mr. VanLoon then showed the trustees a wetland map. There are some wetlands in this specific area that could be a possible cause of some of the problems. He also showed the trustees floodway maps which are different than floodplain maps. Floodways are areas where the water is predicted to go when there is an extremely large storm event. Mr. VanLoon stated that some solutions to resolving the flooding problem in this area could be as follows:

- Removing Log jams is an option, but in his opinion while this may help, he does not believe it will resolve the problem.
- Run a ditch lateral towards Garman Road where there is a culvert to give the water a chance to get away faster. In order to do this the Township would have to work with the EPA and county and state agencies which could be a difficult task. In doing this one must realize that this would be a two way ditch. This solution could help in some instances but be a deterrent in others.

Mr. VanLoon stated that Mr. Slogard was there to speak on what programs are available to help offset the cost of these possible projects.

Mr. Slogar stated that the district has a series of grant programs called The Partners in Watershed Management Program which are used for local projects that have a positive impact on water quality or flood control. Mr. Slogar was approached to look into the issue in this area. He did visit and review the site. One of the grant options is a partnership with the local County SWCD office in which they set aside a block of money each year to work on smaller projects like this one. Mr. VanLoon has an application process to apply for those dollars through ODNR which then comes into the grant process. A second way is the open application process which occurs on a yearly cycle with applications due the first week in November. There is a cost share requirement associated with this method and that amount would be determined by the information on the application. With this option, some of the cost burden would be on the township. If the trustees choose to undertake this project, they need to understand that it could

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be a lengthy process due to the permits that would be required to work in a Floodway and Wetland area. Mr. Slogar also cautioned the trustees in making certain that the project would not cause a worse problem to someone else in the general vicinity.

Mr. VanLoon also pointed out that last year the area had over twenty-five (25) more inches of rainfall than in a regular season and water in this case would be expected in areas that it would normally not be seen in. He felt this needed to be considered as well in order to determine how big the problem really is. He then explained that in this area the creek, due to the flat grade of the landscape has moved around quite a bit over the years. This often happens as the water tries to slow itself down by widening out the area in which it travels. He then showed the trustees another map that showed the entire Killbuck Creek.

Road Supervisor Lee Evans cautioned that all of the area the township is looking at is on private property and those property owners would have to be worked with in doing that project. He also stated that if the project caused any type of problem, those same owners would most likely complain.

Trustee Likley stated that when they walked the area, there was significant water flow through the Killbuck Creek. None of the jams that were present were three to five feet above moving water. There was even some water still sitting in the wooded area that had backed up. He felt that they could possibly direct some of the water out of the wooded area but that the scope of the work would definitely involve the Army Corps of Engineers. Any of the existing log jams would not only need to be cleared but removed from the site as well. There is a nationwide permit that the township can get to do that.

Trustee Oiler asked Mr. VanLoon what he felt the primary cause of the problem was.

Mr. VanLoon stated that he felt that a big part of the problem was the large amount of rainfall last year in the area. He stated that the channel in that area is fifteen to twenty feet across. He stated that in his opinion as the log jams that he saw were not that large, in order to get a contractor to come in and work this type of project he anticipated a cost around \$250 to \$400 to remove each jam plus the cost to get to the jam and to remove the material.

Trustee Likley stated that due to the problem last year, there were several property owners that were stranded during the flooding. The Medina County Department of Engineers is not interested in raising the elevation of Garman Road with the realization that in doing so water would back up in another area thus not resolving the problem but moving it. He stated that while this effort was to look at an overview of the whole area, he did not feel that the Trustees could move forward with any corrective actions that are going to be beneficial in the long run.

The Trustees thanked Mr. Slogar and Mr. VanLoon for their time and stated that the board would look at trying to resolve this issue without creating an issue elsewhere and if it could be done they would work through the appropriate agencies for available grant funding.

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Cemetery and Park

Trustee Oiler stated the following:

"I have a request regarding Cemetery and Park. Not to be argumentative, diminishing or derogatory, when it comes to being the trustee who is in charge of Park and Cemetery, all I ask and request is to please let me do my job. I do not know how the Village of Westfield got involved with what we are working on as we have made no real decisions but one of their councilman came to me and told me what we had decided which we have not in fact decided. What I would like to do is be able to do my job and if I am not doing that job I will come before this board and we will discuss it and get it ironed out. If I have a problem, I will bring it to this board and we will discuss it and will go forward with it. Please in the future, let me do my job. Even though my masonic duties as the Chaplin fall on the same night as when the Village Council meets, I can get excused if I need to go before the Council to present something or I can pick up the phone and call the Mayor and inform him and keep him informed of what we are trying to do. That is my request. Thank you".

- ✓ Mr. Evans stated that the scope of work at the park went to a larger scale and he would request that all bids that were gathered be thrown out. He did put together a bid spec sheet for the Trustees to decide when they want to advertise it and take the bids. He requested a sealed bid process to be opened at a meeting. Any and all bids may be rejected. If the bidding company does not provide proof of liability and workers compensation insurance, they will be automatically rejected. As the repair that they started with has turned into a complete replacement, Mr. Evans felt that the Trustees should completely start over.

Trustee Oiler made a motion to throw out all quotes received for the Park Repair due to incomplete specifications and to advertise the competitive sealed bid for the replacement of the sidewalks in the Park. The bid specifications are available for review and the bid process will be advertised.

Trustee Harris seconded the motion.

Trustee Likley stated for discussion that he was concerned that bids have already come in for the project. He stated that while they have not necessarily been public knowledge they did come in unsealed and were opened for review. While he does recommend that they set a standard for the bids, they must realize that bids for similar work have been received and opened. He stated he would move ahead with the motion as presented for sealed bids but with concern.

ROLL CALL: Trustee Oiler-yes, Trustee Likley-yes, Trustee Harris-yes.

- ✓ Mr. Evans stated he would add time to complete work to the specifications.
- ✓ The Trustees will look at the written specifications and table the issue of sidewalks in the park to the next meeting.

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Roads:

Lee Evans Reporting

- ✓ Mr. Evans requested that the contract from North American Railway Foundation for the addition of gates and lights at the railroad crossing on Buffham road be signed and returned. (See attached contract) Trustee Likley stated that there is a valid concern with lights and gates at this railroad crossing especially as the Cloverleaf school campus is on that road and many parents travel that path to take their children to and from school events. That number could increase if the school levy does not pass and bussing is halted.

Trustee Oiler made a motion to proceed with the railroad crossings on Buffham Road based on getting funds from the North American Railway Foundation in the amount of \$15,000.00.

Trustee Harris seconded the motion.

ROLL CALL: Trustee Oiler-yes, Trustee Likley-yes, Trustee Harris-yes.

Trustee Oiler stated he would contact County Commissioner Pat Geissman tomorrow and notify her of the board's decision.

- ✓ Mr. Evans stated he has been having issues with a front tire on the tractor. He has attempted repair which has been unsuccessful. He is going to replace the tire at this point. Trustee Oiler stated that the tires that run along the ditch area are being torn up due to debris and trash that has been thrown there by residents and passing motorists.
- ✓ Mr. Evans is still waiting to hear from Lytle construction regarding having Westfield Landing repaired. The township will receive an invoice for signage on that road. We requested that the suggested speed be lowered to 15MPH and are waiting for a speed study to be completed.
- ✓ Mr. Evans is waiting to get the cost of his striping project back from the county.

Zoning:

Matt Witmer Reporting:

- ✓ There were three permits issued for the month of July.
- ✓ Bill Thorne is still trying to get a date set for a meeting with Mike Sweeny of North Coast Soccer for the site plan on their front lot.
- ✓ Letters were sent out on the Lesiak and Britt properties.
- ✓ In regards to the Lesiak property, Mr. Lesiak has contacted the Zoning Inspector and notified him that he is working on the paperwork for the Zoning Certificates on the additions that he built. Mr. Lesiak has cleaned out some of the items from his business but there is still more work to be done. He has notified the Zoning Inspector that he will continue to work on getting the area cleaned up.
- ✓ Mr. Witmer has not heard back from the prosecutor's office regarding the Hughes property.

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- ✓ Mr. Witmer has updated the Agriculture Exemption form. Bill Thorne stated that the Township should only be using that form in the future and not the form that has been in use. Bill Thorne also stated that we cannot require a site plan.

Trustee Likley stated that the concern he saw with that was if a property was less than five acres, it could still be agricultural use and they have to comply with the setbacks. He would therefore use the other form in those instances and tell the property owners that they needed to comply with those setbacks. Mr. Witmer stated that he would ask Bill Thorne about properties on five acres or less and which form they should use.

- ✓ Mr. Witmer worked with the sign company for the new TA Training Facility located on Lake Road. He is satisfied that their sign complies with our Township Zoning regulations.
- ✓ Mr. Witmer stated he is working on a lot split on Kennard Road. The property owners are looking to split a 17 plus acre parcel on the west side of the railway. The Railroad Museum is looking to purchase that.

Fiscal Officer Report

- ✓ There are bills to be paid in the amount of \$43,526.08. The reason they are so high is due to the \$29,000.00 for the Garman and North and South Leroy Road projects.

Trustee Likley inquired on the bill from John Deere Landscapes. Ms. Evans stated that bill was for disks for mosquito control. Lee Evans placed them in the retention pond at the boat ramp. Mr. Likley stated that he thought they could be obtained from the County Health Department at no charge. Ms. Evans stated that the Road Supervisor would look into that.

Trustee Likley made a motion to pay the bills as presented. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

- ✓ All of the Trustees received an invitation to the County Engineer's annual meeting.
- ✓ A message was received from ADT stating that their name may be changed internally but that all systems would remain the same.
- ✓ Ms. Evans received correspondence from the National Fallen Firefighters Foundation. They are looking for the name and address of our fire department and for the Trustees to provide a notarized statement which states that Westfield Fire and Rescue is a unit of Township government using volunteer firefighters. The board gave Trustee Likley permission to sign that statement on their behalf.

Trustee Oiler offered Resolution number 2012-18, A Resolution to Appropriate Funds from the Cost /Recovery, Fire/Accidents Fund, Cemetery and General Fund.

Trustee Oiler made a motion to proceed with Resolution number 2012-18 as stated.

Trustee Harris seconded the motion.

Trustee Likley stated that his only concern was that the Village of Westfield Center has committed to half of that expense and the highest bid that they have seen for the Township's portion has not been anywhere near \$20,000.00. Ms. Evans stated that they Township had to pay the bill and then could invoice the Village so the money had to be appropriated in order to do that.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

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Meeting Minutes:

Trustee Likley made a motion to approve the July 12, 2012 budget workshop meeting minutes as submitted. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Likley made a motion to approve the July 16, 2012 regular meeting minutes as amended. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Old Business:

Trustee Harris asked if Fiscal Officer Evans had heard anything on the collection of taxes for land annexed to Creston. Ms. Evans stated that she has not yet heard anything back from the Auditor on the amount of taxes owed.

New Business:

The Trustees received certification packets on Outdoor Wood Fired Boilers from the Zoning Commission.

The Trustees set the public hearing for Outdoor Wood Fired Boilers for August 20, 2012 at 6:30pm.

Zoning Chair Sturdevant stated that there is a letter in the Trustee's packets regarding EPA regulations. According to the Prosecutor's office and as confirmed by the Ohio EPA, there are currently no EPA guidelines for Outdoor Wood Fired Boilers. The EPA did send their suggestions to the township and they are available for viewing on the township computer however those suggestions cannot be written into the code as they cannot be enforced.

Announcements:

Zoning Commission Regular Meeting is August 14, 2012 at 7:30pm.

Trustee's Regular Meeting is August 20, 2012 at 7:00pm.

Trustee's Regular Meeting for September will be September 6, 2012 at 7:00pm.

The annual car show will be September 3, 2012 at the Westfield Township Park.

Trustee Harris made a motion to go into executive session at 8:50pm first for the purpose of employee compensation and to invite Martha Evans into that session and second for the purpose of Investigating a complaint against a public employee and to invite Zoning Inspector Matt Witmer into that session. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Oiler made a motion to come out of executive session at 9:24pm with no decisions made.

Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Harris made a motion to adjourn the meeting at 9:25pm. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Approved August 20, 2012