

Westfield Township Board of Trustees

October 6, 2014
Regular Meeting

Roll call: Schmidt- aye, Likley- aye, Thombs- aye.

Comments From The Floor- None at this time

Costco Representative- New membership opportunity for employees of Westfield Township. Membership Specials: Personal- \$55.00 for 2 cards and a \$10.00 gift card and Executive- \$110.00 for 2 cards, 2% back on purchases and a \$20.00 gift card. If the card holder does not receive \$110.00 back through their purchases then Costco will mail a check for the difference.

Costco also guarantees their products and services and the township will receive tax exempt on their purchases. Products may also be ordered online and shipping is free. Thank you to Costco and Wendy for the delicious pie samples.

Fiscal Officer's Report- Fund Status is in the amount of \$593,757.00 and payments in the amount of \$39,672.74. This includes the quarterly payroll for all zoning boards.

Likley makes a motion to pay the bills in the amount of \$39,672.74 as submitted; seconded by Thombs. Roll call: Likley- aye, Thombs- aye, Schmidt- aye. The motion passes.

- Appropriation Status is up to date as of today.
- Trustees are to make appointments with Kathy to go over the final Amended Certificate of Estimated Resources.

Correspondence- None at this time

Likley shared that the HRA fee for insurance has increased (family is \$300.00 and Individual is \$100.00) per month. Schmidt would like to look at new policies prior to the renewal date.

Likley makes a motion to approve the September 9, 2014 meeting minutes as corrected; seconded by Thombs. Roll call: Thombs- aye, Schmidt- abstain, Likley- aye. The motion passes.

Likley makes a motion to approve the September 15, 2014 Solar Language meeting minutes as submitted; seconded by Thombs. Roll call: Thombs- aye, Schmidt- aye, Likley- aye. The motion passes.

Likley makes a motion to approve the September 15, 2014 regular trustee meeting minutes as submitted, seconded by Thombs. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

Likley makes a motion to approve the September 26, 2014 special meeting minutes as submitted; seconded by Schmidt. Roll call: Likley- aye, Thombs- aye, Schmidt- aye. The motion passes.

Road Report-

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- Kennard Road Status- Rebar today.
- Trustees will be discussing new policy regarding the ditch enclosures for residents and if there will be a future cost to the residents for this service.
- Evans will be helping Lafayette Township to lower drives.
- Evans will get ahold of a representative regarding the plow being replaced (covered by warranty). Likley would like pictures to be taken prior to the season starting.

Cemetery and Park- None at this time

Zoning Report-

- Lot Splits-(pp#041-15D-17-015) 9.7919 acres from Leslie Prochaska to a lot combo for Daniel Naftzger and Erin Knapp on Seville Road (approved and signed).
- Lot Split review- (pp#041-15B-21-030)-additional information is needed prior to a lot split being approved.
- BZA- No public hearings at this time
- Comp Plan Presentation- by Mark Majewski of North Star Planning will be on Monday, Oct 27, 2014 at 7:00 PM at the town hall. The trustees are actively seeking input from the public regarding implementing the recommendations of the Comp Dev. Plan. Copies of the Comp. Dev. Plan may be viewed free of charge on-line at the township web site www.westfielddtownship.org under "Planning" or may be viewed during normal business hours at the town hall. Colored hard copies are also available for purchase.
- 8514 Friendsville Road is in violation per section 205.B.1; have not pursued a variance for the stockade style fence constructed in their front yard. Zoning Violation has been reissued.
- **Kratzer Lawsuit Update: Case #14 CIV 0173 (2506 BZA Appeal)** The Kratzers and their attorneys chose to file an appeal of Judge Collier's Court Order that remanded the Use Variance Application back to the Westfield Township BZA for a rehearing. Judge Collier's judgment entry also further set certain and heightened standards for BZA board members for the rehearing.
 - On Aug. 27, 2014 Westfield Trustees made a motion not to appeal Judge Collier's decision, and to comply with the judge's ruling and move forward with the rehearing process of the Use Variance Application as ordered by the Judge, however at that time the County Prosecutor informed the Trustees that the Kratzers are appealing the Judge's order, the Trustees decision is a moot point at that time. Township action was delayed while the Kratzers Appealed Judge Collier's ruling to the 9th District Court of Appeals.
 - Since that time, and the advice of the County Prosecutor's Office and Attorney Al Schrader, the township's legal representatives have filed a cross appeal of the Kratzers' Appeal.
 - As part of the litigation proceedings, a Mediation Conference (Trustees' Special Meeting) is being held on Wednesday October 8th at 9am at the Westfield Town Hall. The Mediation Conference is being conducted by 9th District Court of Appeals' Attorney Jennifer Krieger.
- **Case #13 CIV 0971**-No new information at this time (since last reporting).

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- Bench Trial set for March 11, 2015 (see Civil Scheduling Order on file for additional deadlines).
- Westfield Terrace required mowing (July 1st and Sept. 15th) ZI Sims will be contacting Mr. Bennett to follow up on the required Sept. 15th mowing.

Attorney Schrader explained that the Court of Appeals has assigned a full-time mediator to try to resolve the Kratzer Lawsuit. Mediator, Attorney Jennifer Krieger agreed to meet at the town hall. This may be a series of mediations as everyone goes through the process that the Court of Appeals has set-up.

Old Business

- Trustee Schmidt read the Press Release that was prepared by ZI Sims and released by the Board of Trustees on October 6, 2014. The Press Release was regarding the upcoming Mediation with Attorney Jennifer Krieger set-up by the Court of Appeals regarding the Kratzer Lawsuit.
- Thombs announced the meeting with Norstar and Mark Majewski regarding the Comp. Dev. Plan and the upcoming meeting is on October 27, 2014 at 7:00pm to talk with the public and to have input by the citizens at this time. Schmidt will have a flier available to give to the public at the WFRD Clam Bake coming up. ZI Sims will prepare a press release and a flier.
- Truck Stops of America are looking to expand their use and hold a farmer's market in the parking lot of their training facility. They will have to contact ZI Sims since they presently hold a Conditional Zoning Certificate and one of the conditions is to have no outside activities.
- ***Thombs makes a motion to adopt the Comprehensive Development Plan, Table of Implementation, from the September 9, 2014 Joint Work Session; seconded by Likley. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.***
Discussion: Plan for the township and ZC to hold everyone accountable. Porter will add Joint Meeting minutes to the ZC files and both boards will receive a new copy.
- Emergency Siren Grant- Christina Fozio will be the township's new contact. Nothing has changed at this time.
- Thombs met with the representative of the Red Cross to review and update the present agreement to provide the town hall facility as a shelter if needed during an emergency. An added request from the Red Cross is to have an outside area provided for animals or pets. The resident will provide shelter and food. Thombs recommends that the township renew this agreement with the Red Cross.
Thombs makes a motion to continue offering the town hall under the care of the American Red Cross as an emergency shelter; seconded by Likley. Roll call: Schmidt- aye, Thombs- aye, Likley- aye.

New Business

- Schmidt talked with Linda Bowers regarding the pipeline coming through part of the county and the upcoming informational meetings for the residents on Thursday, October 9 at the Medina Rec Center at 5:00pm. Likley explained that the Township and the County do not have any authority over this process because it is interstate commerce.

Announcements

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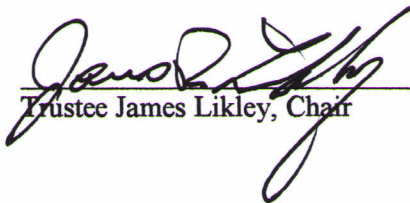
- October 7, 2014 ODOT Safety Meeting (Evans and Thombs) @ 1:00pm
- October 8, 2014 Trustee Special Meeting Mediation Conference with Executive Session @ 9:00am
- October 18, 2014 WFRD Clambake from 4:30-7:00pm (\$25.00 for one and \$45.00 for two)
- October 20, 2014 WFRD reg. mtg. @6:30pm
- October 20, 2014 Trustee reg. mtg. @ 7:00pm
- October 29, 2014 Comp. Dev. Plan meeting with Mark Majewski @ 7:00pm

Likley makes a motion to adjourn at 8:25 PM.

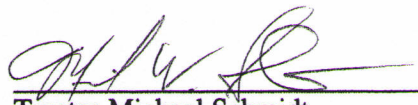
Respectfully Submitted by:

Cheryl Porter, Zoning Secretary

Date Approved: 10-20-04


Trustee James Likley, Chair


Trustee William Thombs


Trustee Michael Schmidt