

Westfield Township Board of Trustees

Special Meeting

June 1st, 2020

Trustee Schmidt commenced the Trustee meeting via Zoom on June 1st, 2020 at 7:01pm. Roll call: Patterson- here, Horner- here, Schmidt- here.

Comments from the floor

- Fred Herrera, developer, with Milestone Trailers is in attendance.
 - Milestone Trailers would like to be invited to the upcoming stakeholder's meeting. The Ricardi Truckwash proposal was discussed. The address in discussion is 8686 Lake Road. The developer would like to reserve highway commercial and discussed the ability for the parcel to have mixed use with an industrial overlay. ZI Sims is requesting the board of trustees to review the proposal at this time. Per Mr. Herrera, Milestone Trailer is reaching a critical point in time and would like to know what needs to be done to move forward with their proposal. They would like to have an engineer draw up the proposal if approved by the board of trustees. Sewer remains to be of concern. Currently, Medina County controls the sewer up to the Lake and Greenwich road intersection. ZI Sims would like the board to consider that the Welser project may require a turning lane on Lake Road to accommodate new semi traffic onto Greenwich road. Trustee Schmidt questioned if the Zoning Commission (ZC) could approve the proposal. ZI Sims states that both the ZC and the board of Trustees will need to approve. A special zoning meeting is scheduled for Thursday, June 4th, 2020.

Minutes to be approved

- N/A

Roads Report

- RS Lee Evans not in attendance.
- Construction of turn lanes is complete on 224.
- Paperwork for the new gas connection is complete and ready to be mailed.
- Ditching on various roads whenever time permits.

Zoning

- ZI Sims in attendance.
- ZI Sims is requesting the board of trustees to approve (tonight and physically sign when available) the proposed lot split of the Steppenbacker-Hanley and Sales property on Kennard Road. (tonight and physically sign when available)
 - Steppenbacker-Hanley and Sales lot reconfiguration:
 - Received UPDATED and revised plat and legal descriptions since last trustee meeting discussions.
 - Sent for Legal review and received approval to move forward as presented from Prosecutor's Office

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- See Mike Lyons (Email dated 6.01.2020)

Trustee Schmidt makes a motion to approve the Steppenbacker-Hanley & Sales lot split; seconded by Horner. Roll call: Horner-aye, Patterson-aye, Schmidt-aye. Motion passes.

- Zoning Certificates issued: 5 (five)
- 7915 Chesterfield - New home
- 5810 Stuckey - above ground pool
- 5647 Burlington – New Home
- 5615 Burlington – New Home
- 5607 Burlington – New Home

Cloverleaf School Signage request: digital sign proposal - will discuss with Legal Counsel on how to proceed.

Zoning Violations / Inquiries:

- **Deer Pass Golf Course:** (property not in use - listed for sale)
- · **UPDATE:** potential development inquiry for residential housing under Article III, Section 308 Greenwich Overlay for Residential Planned Development. Potential developer inquiring about Medina County sewer extension from Lake Rd connection and is requesting invitation to Medina County Sanitary Engineer/ Stakeholder meeting (previously scheduled for March 24th 2020 – canceled due to COVID-19) Rescheduled date yet TBD.
- · **NO UPDATE:** Current property owners not in compliance with the Zoning Commission's last preliminary Approved Site Plan (and/or ZC set conditions -in order to a add/operate a Mexican restaurant); including but not limited to the construction of shed structure prior to the issuance of an Approved Zoning Certificate and MC Building Dept inspection or approval.
- **7552 Seville Rd:**
- **NO UPDATE** Trustee Patterson and Zoning Inspector performed a site inspection (2/02/2020). Reviewed site inventory and observations with Ast County Prosecutor Mike Lyons (2/10/20). As per Ast. Prosecutor's review: the property would not be considered in violation of a previous Court Order/Judgment Entry at this time.
- · Trustee Patterson and Inspector Sims will work with the land owner while the owner is attempting to create rear yard storage for certain items, including commercial vehicles, which have intermittently been known to be parked in the front yard offset which has caused resident inquiries.
- **Violation observations:**
- · **Friendsville Rd:** UPDATE: Zoning violations RESOLVED. Truck on blocks removed.
- · **Lake Rd (old truck wash)** UPDATE: MC Health Department inquiry on vagrant RESOLVED and semi-trailer is a violation of Trustee Resolution and Zoning Resolution.
- · **East Greenwich Road:**
- 1) Agriculture building being constructed – no ag exemption filed for observed improvement
- 2) House remodel - No Zoning Cert on file for observed improvement

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8686 Lake Rd/ Old Truck Wash parcel:

- · Jason Lavor proposed development phone conference with Zoning Inspector
- · Suggested setting Trustee meeting: Topics to be discussed:
- ○ Proposed Text/Map Change Application with Mr Lavor and the owners of the Old Truck Stop property: Topics: Sewer Concerns, Possible Overlay Zoning, Internal Road, Turn lane possibly needed for Lake Road: 1) related to the Welser/Kratzer parcel pending application and 2) possible internal access road for the proposed Lavor development

BZA: NO meetings scheduled at this time

- (Welser/Krater parcel pending Application is proposing a height Area Variance – no application filed at this time)

Welser/Kratzer parcel - proposed development

- MCEDC initiated Zoning Application for Industrial Use under Article III, Section 308 OIPD optional overlay district.
- 1) **Conflict of Interest Letter:** No official response from MC Prosecutor Forrest Thompson (to date)
- 2) **Special Prosecutor** from Lorain County, Gerald Innus agreed to represent Westfield Township (as in the past) due to Prosecutor Thompson's declared conflict. Medina County Assistant Prosecutor Mike Lyon's also contacted Special Prosecutor Innus to inquire if Lorain Prosecutor's office could represent other Medina County agencies (ie Sanitary Engr, Highway Engineer, ect) as needed that involved in the Kratzer parcel and or the Kratzer parcel proposed development and or improvements for Welser project, due to conflict. The Lorain Prosecutor's Office agreed.
- 3) **Zoning Commission:** Next meeting scheduled for June 17th 2020 at 6:30
- Pending OIPD Application: Welser/Kratzer parcel Application for Office/ Industrial Planned Development (OIPD)
- (TBD if meeting will be in-person or virtual via ZOOM due to COVID-19)
- 4) **Sewer Discussions:**
 - a. The Sanitary Engineer canceled the Trustee Special meeting last week.
 - b. Rescheduled Special Meeting for June 4th 2020 at 3:30.
 - i. Sanitary Engineer requested to have a NOACA representative attend meeting as well
 - ii. Requesting County Commissioner involvement:
- For understanding consideration - Bill Hutson possible conflict of interest examples: As Westfield Center's legal representative and attorney (potential conflict: Village Sewer proposal for Welser's application may require CEDA/JEDD Negotiations between Township and Village to review Village Sewer extension in to Township for sewer proposal to Kratzer parcel AND require a non-annexation negotiation agreement between Township and Village) Medina County Commissioner (potential conflict: County Commission support normally requested to pursue 208-plan amendment (for NOACA) needed for Village sewer proposal) and NOACA

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officer/representative (NOACA approval would be required for Village Sewer proposal to amend 208-water quality plan sewer planning territory (change to Westfield Center from Medina County) and/or 208-plan change Medina County Prescription on area to be “on-site” sewer - current prescription).

- Overview recap of concerns discussed recently:
- Westfield Township supportive of Welser/Krater parcel Application.
- Project progressing on schedule until the Westfield Village Sewer proposal and COVID-19.
- Township not consulted or informed of Village Sewer discussions in advance by MCEDC or the Sanitary Engineer until invited to a Village meeting. This came as a surprise.
- The Sanitary Engineer drafted the attached "memorandum" based on that Village meeting (dated March 4, 2020 on file). The memo proposes to allow Westfield Center Village to provide sewer service to the Welser/Kratzer project site, (instead of Medina County Sewer or pursuing the on-site system permitted by zoning). The memo proposes a pump station on the Welser/Krater parcel and an 8" force main sewer installed along Greenwich Road, from Kratzer parcel to the Village limits.
- Medina County Sanitary Engineer proposing to agree to Medina County paying the long-term costs to maintain the proposed pump station on the Kratzer parcel, however the pump station and sewer line would be dedicated to the Village of Westfield Center.
- The Trustees related concerns:
- -The Village Sewer proposal will slow-down and perhaps complicate Welser/Kratzer parcel Zoning Application PROCESS, because it would require a 208-Plan amendment to the Waste Water Planning Territory and NOACA approval. The amendment is proposing transferring Greenwich Road from Medina County Territory, to the Village planning area, within the Township (see Westfield Center FPA transfer proposal – on file)
- The proposed FPA 208-plan amendment would not be consistent with our Township Zoning Resolution intent (Highway Commercial Zoning District), or the Township Comprehensive Development Plan goals/policies, or the current 208 Medina Sewer planning prescription. Related concerns exclude Deer Pass golf course, who has expressed interest to receive Medina County Sewer.
- The 208-Plan transfer request is specifically for the Welser Application on the Kratzer parcel. However the Trustees must consider the "larger impact to the Township" including the commercial landowners along Greenwich Road, for additional concerns:
- 1) The County Sanitary Engineer’s memo grants authority to the Village to deny commercial wastes for commercial “USES” that are otherwise permitted "Uses" by Township Zoning, like restaurants or automotive services. In essences, the Village would control Township commercial land “uses” by sewer approval/denial, in a way contrary to the current Township Zoning and zoning intended commercial uses. Whereby limiting those commercial landowners development options because sewer is required by the Township Zoning for new Highway Commercial Development.
- 2) The proposed Village sewer line is a pressurized force-main, therefore the commercial landowners along Greenwich Rd could not directly or readily tap into the sewer line in the

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properties frontage along Greenwich Rd, yet the sewer-line would be installed in their front yard in the road-right-of-way.

- The Township anticipates commercial land owners to challenge the engineering or County proposed agreements with the Village that would limit or deny their commercial zoning land uses, rights or expectations under their current zoning. That is a problem the Township wishes to avoid.
- 3) Should the Village Sewer option continue to be pursued for the Welser project; The Trustees would need to consider attempting to negotiate a CEDA or JEDD, including a Non-Annexation agreement. Bill Hutson, legal counsel for Westfield Center has verbally stated the Village has no interest in annexing Township land and not suggesting a JEDD/CEDA agreement the last time talking to the Zoning Inspector. These negotiations or even discussions will slow-down and impact Welser's application process, if pursued because they would require additional agreements to be negotiated successfully and NOACA processes.
- 4) Separate but related concern brought to light by the pending Welser application sewer proposal:
 - Sanitary Engineer recently announced intention to modify the current 208-plan Waste Water Planning Territory as an "administrative action", whereby deleting all of Greenwich Road properties from the Medina County Territory, including lands East, West and South of the Greenwich / Lake intersection currently zoned Highway Commercial Zoning.
 - Sanitary Engineer announced intention to downgrade Chippewa Sewer plant (Kennard rd) into a pump station and pump sewage to Valley City - Liverpool waste water treatment plant, north of the Continental Divide. Whereby limiting the sewer availability in Westfield Township and the surrounding areas.
 - Township concern: (see "NOACA FPA Demonstration closeup" – on file) Proposal undermines current township's commercial zoning and future development potential. Township had not been consulted on the potential to cut off of Medina County Sewer available to the commercially zoned properties. Furthermore sewer is required for new development under the HC and I zoning. Township properties have been in Medina County Planning Territory for decades. Property owner should be consulted
 - Other and past sewer options to consider: Welser asked the Sanitary Engineer to consider allowing a sewer tie in to Medina County Sewer at Lake Rd by Pilot, (which is also where they are tying into the County Water line). MCSE said no – not willing to extend the Medina County Sewer past Lake and Greenwich Road during the last discussion. Trustees want to discuss that concern. meeting scheduled for 6.04.2020.
 - Past Sanitary Engineer Troike said those options were feasible in the past, as well as past discussions to allow sewer under the highway bridge (224) to the campgrounds (pump station/private).
 - The Township would like the Commissioners to be fully informed and assist in guiding these major decisions that impact the sewer for the Township and surrounding region served by the Kennard Road Sewer Plant (Chippewa Sewage Plant). Plus assure Welser that the pending zoning application process is not only a Westfield Township priority but to the county as well.

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Old Business

- Safety Service Building- received the final bill in the amount of \$4,684.09 from Simmons' Bros. They spread the grass seed.
 - Fast Signs sent another statement/invoice for payment. No payments will be made until the signs are up.
- Solid Waste District- the district should be holding a meeting later this month. No new updates.
- Internet upgrade at the township building- No new updates.
- Hall Rentals- FO Kurtz questioned how to move forward with hall rentals because rentals are being requested. The rental scheduled for June 27th, will be canceled and refunded. The cleaning and disinfecting is of utmost concern to the board of Trustees. The board agrees that all scheduled hall rentals will be cancelled and no further rentals will be accepted until further notice. This was covered by the blanket statement issued by the Board of Trustees in March, 2020.
- RS Evans forwarded the contracted mow bills to the FO. FO Kurtz requested clarification if the TWP was paying for the mowing or the WFRD. It was determined that the contracted mowing was budgeted under the WFRD.

New Business

- Chief Fletcher received a Medicare/Social Security Administration correspondence. Chief will reach out to the Social Security Administration for clarification.

Announcements

- WFRD and TWP Trustee Special Meeting June 15th, 2020 at 6:30pm.

Fiscal Officer Report

- FO Kurtz in attendance.
 - Payment Listing- totals \$16,693.41. (See Attached)
 - Trustee Schmidt questioned the payment to EJI Material & Supply. This was for the road saver/sealer in the amount of \$2,182.50.
 - Trustee Horner questioned the payment to Cargill. This was for storage of remaining road salt totaling \$459.15. Will hold off on this payment until clarification is received from RS Evans.

Trustee Schmidt makes a motion to pay the bills totaling \$16,234.26 (less the Cargill payment listing); seconded by Patterson. Roll call: Horner-aye, Patterson-aye, Schmidt-aye. Motion passes.

- Fund Status (See Attached)
 - Secondary Checking- \$104,738.42 (now a *money market*)
 - Primary Checking- \$688,530.60
 - Total Fund status- \$793,269.02

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- Cash Summary by Fund (See Attached)
- Receipt Detail (See Attached)
- Revenue Status (See Attached)
- Appropriation Status (See Attached)

Fiscal Office Correspondence

- N/A

Trustee Schmidt makes a motion to adjourn at 8:25 pm; seconded by Patterson. Roll call: Horner-aye, Patterson-aye, Schmidt-aye. Meeting adjourned.

Respectfully submitted by:

Amy M. Banfield

Date approved: 7/16/20

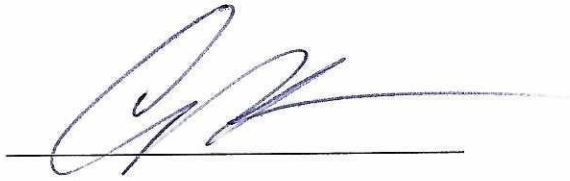


Trustee Michael Schmidt, Chair



Trustee Kent Patterson

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Trustee Craig Horner

