

WESTFIELD TOWNSHIP BOARD OF TRUSTEES
OCTOBER 15, 2009
Public Hearing-Zoning Text Amendments-Article IV. Section 406
Section 407 and Matrixs-Regular Meeting
7:00 P.M.

Chairperson Jim Likley called to order the continuation of the public hearing of the Westfield Township Board of Trustees at 7:00 p.m. Trustee Sims, and Likley were present. Trustee Kratzer was absent. Other individuals in attendance were: Tim Sims, Heather Sturdevant, Ron Oiler, Linda Pavlick, Hadley S, Theresa O'Malley, Mike Carson, Joe Augustine, Daryl Kubilus, John Miller, Michael Maloney, Mike Salay, Todd Bergstrom, Sean Markey, the Drakes and Mac Vance.

Chair Likley stated the Trustees have pretty much finalized our proposed amendments to the signage language but have not yet heard back from legal counsel for his review at this time. Therefore, Chair Likley asked that the public hearing be continued until the next Trustees meeting scheduled for November 5, 2009.

Trustee Sims made a motion to continue the public hearing on the proposed text amendments to Section 406 and Section 407 and the accompanying matrixes until the next regular Trustee meeting on November 5, 2009 at 6:30 p.m. It was seconded by Chair Likley.

ROLL CALL-Sims-yes, Likley-yes. Motion carried.

Chairperson Jim Likley called to order the regular meeting of the Westfield Township Board of Trustees at 7: p.m. Trustee Sims and Likley were present. Trustee Kratzer was absent. Other individuals in attendance were: Tim Sims, Heather Sturdevant, Ron Oiler, Linda Pavlick, Hadley S, Theresa O'Malley, Mike Carson, Joe Augustine, Daryl Kubilus, John Miller, Michael Maloney, Mike Salay, Todd Bergstrom, Sean Markey, the Drakes and Mac Vance.

Public Comment

Mr. Bergstrom from URS represented CSX regarding the National Gateway project, which includes the replacement of the Mudlake Rd. Bridge over the CSX railroad. Mr. Hoey gave a brief presentation about the project. In sum he stated the following:

Most efficient way to move is by train and by containers i.e. double stacking the trains.

This takes the traffic off the highways especially trucks. Those responsible for the highways endorse this idea because it will mean less maintenance of the highways due to

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less truck traffic. This in turn would leave more highway dollars to deal with the general vehicular traffic on the roads. In 2015 the Panama Canal will be widened and the containers will be unloaded on the east coast instead of the west coast. For CSX in the mid Atlantic area, there is not the clearance required to run the double stacked trains. The bridges are too low and do not provide the adequate clearance. This National Gateway project will build two intermodal facilities and we have to clear 61 locations in Ohio, North Carolina and Baltimore. That would consist of a pedestrian bridge in Western PA all the way to a tunnel under Virginia Ave. right outside the Capital. There are 17 locations in the State of Ohio, 8 of which are overhead highway bridges. One of these bridges is located in Westfield Township. In order to get clearance, in 2007 a study was conducted to assess the feasibility of completing this task. Some of the bridges are 100 yrs. old so the best way for this to be done is to replace the bridges so double stacked trains could be utilized. This was good for the community as they would get a new bridge that would last at least 50 yrs. In 2009 stimulus money became available and therefore the project has become fast tracked to be completed.

Mr. Todd Bergstrom from CSX then addressed the Board. He stated the Mudlake Bridge is very narrow and very old with a low load capacity so it was limited in what it could be used for. A new bridge has been designed to replace the old bridge that will better utilize different traffic vehicles. The bridge would now give the railroad 23 ft. of vertical clearance. In order to do this, the bridge would be raised which would also require new road way approach work leading up to the bridge. The overall length of approach work will be about 700 ft. The proposed bridge would be free span. The materials and such would be determined by the contractor and his design team. CSX was completing all the preliminary design work. The profile grade, bridge width and design loadings would be determined by CSX staff in conjunction with the Medina County Engineer's Office as well as the Ohio Dept. of Transportation District 3 office. Since the Mudlake Rd. is a Township road solicitation by the Township would also be warranted. A scope of services would be prepared and when the contractor bids on the job the destiny of the project would be coordinated. Mr. Bergstrom continued that they hoped the design portion of the project would be completed the first part of February/March 2010. Also in the schedule would be the discussion of the potential flooding of adjacent roadways at certain times of the year in Westfield Township as this road would then become the only way in and out. A schedule would then be worked out with the contractor as best as it could be based on the driest months of the season to have the bridge taken down and a new bridge constructed.

Once work begins to remove the bridge it must come down completely and cannot be done in phased. Therefore a detour route must be in place prior. The detour route proposed is 3 mile run around i.e. Westfield Rd., Seville Rd and back down Daniels Rd. This is open for discussion based on how the local residents feel about this proposed detour route.

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Mr. Augustine (6550 Mudlake Rd.) asked how his property would be affected by this project as his home was directly to the east of the bridge especially in regards to the weight of the double stacked trains proposed in terms of the vibration he feels in his home. Mr. Bergstrom stated the project would end right before that property. Mr. Augustine asked how many trees would be removed? Mr. Bergstrom stated he could not answer that question but added they would not widen the approach that much. He stated the road could go anywhere from 20 ft. wide to 22 ft. wide. The minimum would be 18 ft.

Mr. Augustine stated he has lived next to the railroad for the last 16 yrs. and CSX does not do a good job maintaining the tracks. He added if the project goes forward he should just knock down his house because his home will become un-saleable. Mr. Augustine showed where the signal tracks were. They were then moved 50 ft. behind his home. There should only be two joints in each track and since it was moved there are 11 joints in the tracks. This is knocking his house off its foundation. Mr. Hoey interjected 39 yrs. ago there was probably a joint every 9 ft. This is quite an improvement from then with the existing use of insulated joints. He added he could take a look at the joints as these were mainline tracks and were still probably in pretty good shape. Mr. Augustine stated his house shakes like crazy and somebody from CSX has to be accountable. The amount of noise and vibration is unbelievable. Mr. Hoey stated if there is a signal out there, there needed to be insulated joints.

Mr. Hoey continued that double stacked trains would be heavier but they were not the heaviest in operation. Grain trains and coal trains were probably one of the heaviest. When double stacked trains are used, it actually reduces the number of trains that would come by Mr. Augustine's property. A lot of this depends on the economy the volume of traffic. He added he was willing to look at the insulated tracks. Mr. Augustine stated he asked CSX through local politicians that they not be put in as they could not be any closer to his property if they tried. The problem is the train engine weighs 400 tons. That is 400 tons hitting the tracks by his house every day. He added his house rattles and the light bulbs come out of their sockets. Mr. Augustine continued that if the tracks were maintained it would probably not be that bad but that has not been the case. Mr. Hoey stated they would take a look at the issues brought up this evening by Mr. Augustine.

Trustee Sims stated she asked Road Superintendent Lee Evans to contact Mr. Augustine regarding the approach near his home. Mr. Evans responded there is a community gas line that runs on the north side of that road and half the time it is laying on top of the road. He added when this project is put out for bid those involved better make sure the line is located and marked. This line goes clear down to Daniels Rd. Mr. Evans continued he would do some site work at the approach prior to the project getting started. Mr. Evans stated there is flooding that occurs in that area that would have to be kept in mind during the rainy times of the season. Chair Likley stated it was mainly Westfield Rd. that floods

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and Mudlake Rd. is used as an alternate way so this needs to be kept in mind when scheduling this project as previously stated.

Mr. Augustine reiterated his concerns about the maintenance of the tracks. Mr. Hoey stated he would look into the issues and if CSX could resolve them we will. He added however if it is an insulated joint and it is being properly maintained, then there was not much that could be done but again he would look into it.

Trustee Sims stated Mr. Bergstrom has supplied Resolution language in support of the National Gateway Initiative Transportation Capacity Improvements. She added that she would defer the proposed statement in the draft resolution that read, "Westfield Township supports local and public ownership of the new Mudlake Rd. bridge structure upon completion of all construction related activities" to the County Engineer's Office and the County Pros. Office and asked that wording be stricken from the Resolution. Trustee Sims stated she would also defer a Resolution until a full board of Trustees was present.

Mr. Mike Salay from the County Engineer's Office addressed the Board. He stated that the Township's involvement is the approach work that is outside the railroad right of way which would be considered a Township road improvement. Therefore, under the ORC the Trustees need to approve that work before it could take place in the scope of this project. Mr. Salay encouraged Mr. Bergstrom to come back after the project is sent out for bid to go over the details more in depth than were available this evening. He continued the Township would not have any liability of the structure because it is a railroad structure. The question that remains is who's responsibility the bridge will be once completed. Presently the County Commissioners have not indicated a willingness to accept ownership of the bridge. That is still under discussion. Trustee Sims stated the Trustees could move forward with a resolution supporting the project, minus the language she previously mentioned.

Mr. Bergstrom stated they would not be providing final detailed plans. The as-builts would be done at the very end. The plans he sent the Board would however be more fine tuned before the project goes out for bid. The specifics of the bridge type would be worked out by the contractor and his design team. The Trustees would see final plans before construction began.

Ms. O'Malley stated when the bridge comes down if anybody wants it would be open for salvage or historical preservation of some kind. There will be information on ODOT's website regarding this and that information would probably be put in the newspaper closer to the project beginning.

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The Trustees thanked all those present this evening to address the project of the Mudlake Rd. bridge and asked that an open line of communication be maintained for this project with the Township.

Mr. Daryl Kubilus, Cloverleaf School Superintendent and Mr. Maloney school communication coordinator addressed the Board. Mr. Kubilus stated he was not present this evening requesting a school levy. The District was able to cut 1.5 million dollars from their budget this year to operate within our means. Mr. Kubilus stated he was present this evening to present the Districts strategic plan for the next 5 yrs. and the ground breaking of the new elementary school.

Mr. Kubilus stated the District has developed a new mission statement to meet the current needs desires and future of the School District and the education of its students. The first goal addresses funding and increasing our financial efficiencies and to promote and apply for grants. Second, Cloverleaf schools were rated effective. Our resolve is to be rated Excellent will not be deterred. The steps to achieve this excellence are literacy across the subjects, optimize instructional technology and differentiated instruction. In order to achieve these goals our staff will be qualified, taught crisis management, and have to keep up with certification requirements. Lastly the goal to increase community support, community programs and communication were to be part of this plan.

Mr. Kubilus then presented the model of the new K-4 elementary school that would be built without the District coming to the public with a bond issue. The cost of the building is estimated to cost approximately \$25 million dollars but he was happy to say that bids for the school have come in 30-40% lower in price than what was predicted. The new school is being funded regardless of the fact of not being able to utilize the government stimulus loan. Proceeds from the County sales tax are going to fund the new school and a small portion of the District's permanent improvement levy will be used as well.

Mr. Kubilus stated the location of the new school would be on the north side Buffham Rd. east of Friendsville Rd. The school would house 1200 students and consist of 130,000 sq. ft. There were however some obstacles that had to be overcome in being able to construct this new school. First there is a high pressure gas line goes through the site. Asphalt can be put over it but not a building nor can buses be located on top of it. Mr. Kubilus asked if the gas line could be moved to which Columbia Gas responded to him yes for \$1 million. As one can imagine the school is going to be built around the gas line.

Mr. Kubilus stated buses would come in off of Friendsville Rd. and parents dropping their children off at school would enter in off of Buffham Rd. The result is for the buses and cars to be separated for pedestrian and vehicular safety. The doors of the school will lock 5 minutes after the attendance bell rings and then there would be only one entrance into the school, which makes this the safest building in the school district.

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Mr. Kubilus stated the gymnasium proposed to be built would be a full size gym. The reason is so there could be middle school sport activities held as well as the public's ability to use the facility. There will also be dining area known as a "cafetorium." This is because Ohio Schools Facility Commission does not fund the building of auditoriums so this is "cafetorium" concept will be utilized. This area will have a stage with two music rooms behind it. In the south portion of the building would be the media room i.e. library with computers and computer carts. The two art rooms would overlook the woods on the property.

Mr. Kubilus concluded that the ground breaking ceremony for the new school will take place this Sunday October 18, 2009 at 2:00 p.m. at the new site and everyone is invited to attend.

Mr. John Miller read a letter about the Comprehensive Land Use Steering Committee, which he was a member of and the fact that the Township is undergoing the task of updating the Comprehensive Land Use Plan. He thanked the Committee for their time and effort in moving forward and preserving during this Plan update. Mr. Miller continued he would like to apologize for the small faction of people who were trying to undermine the process and its validity and discredit the Committee. He asked that they re-channel their efforts to be part of the community and planning for its future in a positive manner. Lastly he thanked those who responded to the resident survey that was part of this planning process. He added he wanted to apologize for the breach of unintended breach of confidentiality of the surveys as a direct result of Mr. Kratzer's public records request. (See letter attached to the approved minutes).

Trustee Sims stated she appreciated Mr. Miller's comments.

Auditor's Office-Linda Pavlick left the County Auditor's newsletter and some maps for the Township and stated the County Auditor has received the above and beyond award for his participation with the ESOP program.

Fiscal Officers Report

Fiscal Officer Evans presented the bills to be paid in the amount of \$140,126.41. Of that amount \$125,257.15 was for the road work done by Lytle Construction and another \$11,000 for the stripping.

Trustee Sims made a motion to approve the bills as presented. It was seconded by Chair Likley.

ROLL CALL-Sims-yes, Likley-yes. Motion carried.

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Fund Status

There is \$189,479.90 in the checking account after the bills were paid and \$811,178.16 in the investment account.

Fiscal Officer Evans presented a letter of notification for the Fire Dept. about the False Alarm Policy for Chair Likley to give Fire Committee. Chair Likley asked that a copy of the Resolution on the False Alarm Policy be given to him as well to give to interim fire chief Carson.

Correspondence

- Fiscal Officer Evans stated she also had Resolution for the Township to participate in a Balanced Growth Initiative for the Upper Chippewa Creek Water Shed. Trustee Sims asked that the Resolution be postponed until Trustee Kratzer was present as she understood he had some concerns about it. Chair Likley stated that resolution needed to be sent to them by November 6, 2009. This would be tabled until the next Trustees meeting scheduled on November 5, 2009.
- Consumer Notice of Tap Water Results and the amount of lead in the water. The water at the Townhall has been tested and is under the levels that would cause concern or issues.

Supplemental Appropriations

Fiscal Officer Evans stated she was requesting to add \$200 to Gas Tax Dues and Fees from Gas Tax other expenses for the CUE dues for the year 2010.

Trustee Sims made a motion to approve the supplemental appropriation as presented. It was seconded by Chair Likley

ROLL CALL-Sims-yes, Likley-yes. Motion carried.

Copier Purchase

Fiscal Officer Evans stated she would be looking to purchase a copy machine comparable to the model and make at the Township currently. Trustee Sims stated if Fiscal Officer Evans could get more of a machine for the \$900 approved then it would be feasible for her to do. Chair Likley agreed.

ROADS

Mr. Evans stated regarding the bills for Lytle Construction mentioned previously, Lytle billed \$404.00 over on White Rd. but it was a bit wider than 20 ft. However Lytle was under bid on the other three roads by \$575.80. He continued it was too late in the year to chip and seal Buffham Rd. so that would have to wait until next year. Mr. Evans stated he has contacted Medina Paint Stripping and it would cost \$800 for them to put the double yellow lines on White Rd., the edge line and the stop bar in at the railroad track. Trustee Sims asked about the railroad crossing on the pavement on White Rd. Mr. Evan stated that was done this summer.

Mr. Evans stated that berming would be done by Lytle Construction on Daniels Rd. and Eastlake weather permitting. Mr. Evans added he also included White Rd. as it needed to be done as well.

Comp Plan Meeting Feedback

Chair Likley stated during the public presentations of the Comp Plan, Mr. Majewski the Planner received some feedback on the Plan from property owners and the Zoning Commission. As a result this feedback, this information would be discussed at the next Comp Plan Steering Committee scheduled for October 22, 2009 @ 7:00 p.m.

Fire Report

Interim Fire Chief Carson stated the Fire Dept. Clambake would be held on October 16, 2009. Trick or Treat would be held on October 31, 2009 from 6-9 at the Fire Station. The status of the new fire truck was that it was scheduled to be delivered around January 10, 2010. The chassis would not go into production until November. CPR classes were held for the 9th graders at the high school.

Chair Likley stated he e-mailed IC Carson today that the website has a fire department page and would like him to provide some general information for the home page.

Trustee Sims asked about the status of the Fire Station interior wall needing to be modified for the new fire truck? IC Carson stated they were still waiting for the engineer to come in and look at it and make that determination. The engineer is aware that if anything had to be done it had to be completed by December before the new fire truck arrives.

Trustee Sims stated an ODNR dedication ceremony was held and IC Carson was present gratis to provide emergency service if needed. The Trustees thanked IC Carson for his time and participation.

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Meeting Minute Approval

Trustee Sims and Likley agreed to table the approval of the outstanding meeting minutes due to the absence of Trustee Kratzer this evening.

Old Business

A Resolution of Reciprocal work agreement with Lafayette Township for shared maintenance was signed by Trustee Sims and Chair Likley.

Trustee Sims stated she would like Fiscal Officer Evans to prepare a Resolution of Reciprocal work agreement with Seville for shared maintenance. She asked Fiscal Officer Evans to follow up with Trustee Kratzer as she believed he presented something to the affect to Seville. Fiscal Officer Evans stated she would follow up with the Fiscal Officer of Seville accordingly.

Announcements

Regular Trustees Meeting -November 5, 2009 @ 7:00 p.m. with continuation of public hearing to take place at 6:30 p.m.

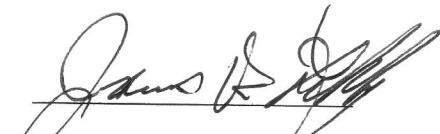
Zoning Commission Meeting-November 10, 2009 @ 7:30 p.m.

Comp Plan Steering Committee Meeting-October 22, 2009 @ 7:00 p.m.


Having no further business before the Board, **Trustee Sims made a motion to adjourn. It was seconded by Chair Likley.**

ROLL CALL-Sims-yes, Likley-yes. Motion carried.

The meeting was officially adjourned at 8:17 p.m. Respectfully Submitted, Kim Ferencz, Westfield Township Admin. Assistant



Jim Likley, Chairperson



Carolyn Sims, Trustee