

## WESTFIELD TOWNSHIP TRUSTEES

### Regular Meeting

July 19, 2010

7:00 pm

Trustee Oiler opened the meeting at 7:16 pm.

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

Pledge of Allegiance to the Flag was recited.

### GUESTS WELCOMED

Bryan Robbins, Boy Scout from Troop 454 Westfield Center, working toward his Eagle Scout Badge.

- Made a presentation and presented the trustees with a plan for the Friendsville Cemetery. The plan proposes a lighted memorial flag pole, brick walk around flag pole, and refurbishing and relocating the present sign. A copy of the design is on file at the fiscal officer's office. There are a few volunteers willing to give of their time to help install the flag pole. He has pavers for the brick walkway. Would like to complete this project over the next few months.
- Currently in the process of raising funds needed to purchase the flag pole and materials. The amount of funds will determine the size of the walkway.
- Trustee Likley has pursued and located a solar lighting package for approximately \$200. Trustee Likley stated the township would purchase the solar light.
- Trustee Harris asked: As part of the funding for the brick walk are you planning on selling individual bricks to raise money? Bryan answered; yes I am depending on the amount of donations that I get. I will sell bricks engraved as a memorial to those buried in the cemetery. Trustee Harris asked has be thought about the cost per brick? Bryan answered; about \$50.
- Trustee Likley provided Bryan with the individuals that own lots at the cemetery. It would be cumbersome using the book that he provided so they thought running some sort of advertisement in support of this project. Trustee Likley offered to put the advertisement on the township web site.

Jim DeLucas, representative from Burnham & Flower Insurance Agency and OTRMA.

- Presented a package for the renewal of property and liability insurance, which will be due August 12, 2010. The renewal cost for the year is \$4,707. They now cover cyber liability. The township has been a member since 2004. OTRMA insures 955 out of the 1,308 townships. In 2004 for \$1,000,000 per occurrence of liability the township paid \$6,175.

The board increased the per occurrence limit in 2006 to \$2,000,000. 2010 per occurrence limit is \$3,000,000, no aggregate.

- The Ohio Plan had given a quote for the same coverage.
- The trustees will look over the information, and make their decision at their next regular meeting August 2, 2010.

#### FISCAL OFFICER

BILLS that were presented in the amount of \$12,746.10 were approved.

**Trustee Likley made a motion to approve the bills for payment, seconded by Trustee Oiler.**

**Roll call: Harris, aye; Likley, aye; Oiler, aye.**

The fund status: Checking \$395,369.98      Investment      \$536,862.88

#### CORRESPONDENCE

- ❖ Farm Bureau breakfast Friday, July 30, 2010 @ 8:00 am
- ❖ Medina Co. Planning: August 4, 2010 will review and prepare a recommendation for a Zoning Text Amendment adding a new Section 308 General Business District/General Business District Planned Unit Development.
- ❖ Ohio Dept. of Transportation: District 3 requesting that the billing for electrical energy for the low-mast highway lighting that was installed along US 224/176 be transferred to the township. This has been e-mailed to Bill Thorne. The plan sheet 674 has been given to Bill Thorne. Trustee Oiler stated that Bill did say that there is nothing legal or binding on the plan sheet 674.
- ❖ Notice from Liquor Control as to the procedure to object to an application for a liquor permit. Trustee Likley suggested the Sheriff's Office be contacted to see if there are any issues with liquor sales in the township.

#### MINUTES

June 22, 2010 combined meeting with the zoning boards

Trustee Harris: Last page adjournment: Should be Mr. Anderson and Mrs. Kemp seconded the motion. Trustee Likley discussed page 2 5<sup>th</sup> line from the bottom of the page but determined that it reflects what was on the DVD but thought it referenced east Greenwich through the dialogue.

No change.

**Trustee Oiler made a motion to approve June 22, 2010 as amended, seconded by Trustee Harris.**

**Roll call: Oiler, aye; Harris, aye; Likley, aye.**

July 5, 2010 regular meeting

Trustee Oiler: Page 2 5<sup>th</sup> line from the bottom strike the word *and*. Page 3 middle of page add the word *be* a separate entity.....

**Trustee Oiler made a motion to approve July 5, 2010 as amended, seconded by Trustee Harris.**

**Roll call: Likley, aye; Harris, aye; Oiler, aye.**

### CEMETERY/PARK

Trustee Likley reporting:

- Have received a total of 3 bids for the cemetery excavation on the hill side.
- Baratko Excavating submitted an estimate of \$2,200 to grade & re slope hillside; \$350 for erosion fence.
- Majestic Excavating \$2,920 to grade & re slope hillside; \$2,300 to rock-hound, seed, fertilize and install straw and net matting.
- Ag Design \$3,800 to grade & re slope hillside, all debris such as sticks, rocks will be removed from the site and the soil will be prepared to receive sod. \$4,000 to place 1,000 sq. yards of sod. Staples shall be utilized to keep the sod in place in the event of a downpour.
- Trustee Likley will ask Lee to inquire if Baratko can give an estimate to seed, straw and netting for comparison.

### FIRE

Trustee Oiler reporting:

- This evening the final interview of 2 excellent candidates for fire chief. Later this evening we will get together and try to decide what we want to do.
- Next fire committee meeting: Thursday, July 22, 2010 7:00 pm at the Fire Station

### ROADS

- ❖ Buffham (Westfield Rd to Lake Rd); Ballash (Kennard to Buffham); Kings Creek Drive; Mudlake (Hulbert to Daniels); and Township parking lot was chipped and sealed. 4 foot edges on Stuckey and South Daniels Rd.

Lee has been mowing but this extreme heat limits his mowing ability on the chipped and sealed roads. He has been cleaning a few ditches when he can get a truck driver.

### ZONING

Matt Witmer reporting:

- Issued 1 permit on Kennard Road. \$25,000 over budget on the driveway. Starting construction in a couple days. The driveway was checked to make sure there were adequate pass by areas in place. Matt wasn't sure about the end T if a fire truck could turn around and the fire chief was asked to check it.

- New building on Mudlake Road without a permit. One story from the contractor that the building will be used for the owner's son to play basket ball. The owner stated it would be an agricultural permit (storage of Ag equipment). Owner Sean Hughes. The building is not where he lives.
- Greg Sailor from ODOT wants to meet with the zoning commission to explain the usage of the lighted signs that they are putting up (how long it would take you to get to Akron, Amber Alert etc.) According to Mr. Sailor, it is in the Federal Code as a traffic control device; therefore, we do not have any jurisdiction. Mr. Sailor's plan is to attend the August meeting.
- Trustee Harris asked about the Hulbert Rd. damaged house. Matt has not heard anything. Trustee Likley had been past there 2 nights ago and it is still status quo.

### OLD BUSINESS

**RESOLUTION 2010-18** A RESOLUTION CREATING A FIRE DISTRICT OF THE UNINCOPROATED AREA OF WESTFIELD TOWNSHIP CONTINGENT ON THE VOTERS PASSING A 2 MILL LEVY TO SUPPORT THE OPERATION OF SUCH A DISTRICT

**Trustee Oiler moved the adoption of Resolution 2010-18, Trustee Harris seconded the motion.**

Discussion: Trustee Oiler looking at the facts and figures the actual amount of money that the taxpayer would be spending on an annual basis. Per the auditor the old levy which is 1.5 mills costs the taxpayer \$30.83 per \$100,000 property value or \$2.57 per month. The new levy for 2 mills will cost the taxpayer \$63.00 per \$100,000 property value or \$5.25 per month. We desperately need to pass this levy and we need to give our fire people support and a new chief. We also need to keep the coverage that we have today. Trustee Likley stated as we have reviewed this, a district is a requirement or a need to pursue to maintain the other two entities funding to the department. It is unanimous that this board supports this direction.

**Roll call: James Likley, aye; Ronald Oiler, aye; Gary Harris, aye.**

**RESOLUTION 2010-19** A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION. IT IS FOR THE BENEFIT OF THE SOUTH CENTRAL FIRE DISTRICT 2 MILLS FOR A CONTINUOUS PERIOD OF TIME.

**Trustee Oiler moved the adoption of Resolution 2010-19, Trustee Harris seconded the motion.**

Discussion: Trustee Likley stated we have had several discussions in the past in review of the numbers. It is presently operating on 1997 money, we have to go to the voters, there is no option or choice and hope they can approve this millage. I think it is obvious to all of us that this economic time is a hard time for us to be knocking on the door and asking the residents for this levy. We have been very frugal with the money since it was last passed in 1997. Even at this 2

mills we are at least 1.5 mills and in some cases 2.5 mills less than surrounding departments. We are operating this department on \$208,973 for 2010. We are not looking to expand that considerably but in order to start planning for the future and future purchases of needed equipment, we have to be able to start to set money aside. We will have a small carryover from 2010 to 2011 but that carryover gets eaten up very quickly in 2011.

Question: What will happen to the present 1.5 mill levy?

Trustee Oiler: The 1.5 mill levy that is presently being collected will be abated IF the 2 mill levy passes. Trustee Likley: We will no longer collect the 1.5 mill levy. Trustee Oiler: We will not double dip. Trustee Likley: In the past the levy read renewal with an increase. Those words are not used in this new resolution. This 2 mill levy is not a renewal it is NEW LEVY to operate the NEW South Central Fire District.

Question: What will the ballot say as far as Westfield Township or South Central? That will be confusing. Trustee Likley: That has been one of the issues that need to get out to the residents not only the district name but also the millage. Westfield cannot be used in the name of the fire district per the ORC. But the fire truck etc. will still say "Westfield Fire & Rescue". The funding for the township side will go into the South Central Fire District. This will be a separate entity and income and expenditures will all go through this entity.

**Roll call: Harris, aye; Likley, aye; Oiler, aye.**

#### Upper Chippewa Creek Land Use and Development Plan

A meeting has been set for July 29, 2010 @ 3:30 pm at the County Administration Building 3<sup>rd</sup> floor Balcony A. Trustee Oiler will ask Trustee Likley's question as to what happens after the 5 year well head protection area. Trustee Likley: Some additional answers need to be made in the final presentation. I don't know that I have any issues of it being a proposed property as long as the criteria that have been established and some of those concerns that were raised through the meetings are addressed. Many communities that are participating are not present at the meetings. As long as it is a proposed property and as long as the answers are given, sewer availability, some of the concerns that have risen in the past are pump stations, low lying areas. These need to be addressed and understood; additional requirements and/or standards should be reviewed and looked at.

#### North Cost Premier Soccer

Trustee Oiler talked with Willie Carrasco. Is there something all of us can do for this corporation and being a business in our township to help them out just a little bit? The road is blocked off in two spots, Matt are you satisfied with that?

Matt: He has two entrances to that front property. According to our zoning (I went over it with Bill) he can't have two entrances but he certainly can ask for a variance. I spoke with them when they were discussing the back portion of the property that a letter will be coming about the front portion of the property. Both Willie and Mike asked for hat? You have two entrances and you do not have a site plan. They knew it was coming. At one time they had a site plan but it wasn't correct and nothing ever happened with it. Since then they have 2 entrances to the property, they either have to block one off or come for a variance. Bill suggested at the time, start siteing them. Trustee Likley-I think the main thing is that during tournaments they have traffic control and most of it that I've seen has been off the new road (Westfield Valley). I see no problem in this letter that you have sent. This isn't new. Matt- Everything that I have read in the past minutes, there is nothing new about this at all. Parking area around the building is crumbling and needs some repair work. They had a site plan done at one point, somewhere somehow somebody has a copy of that and they just need to make modifications to make it correct. That should be very easy. As far as the drive way is concerned, I told him 7 days and it has been well over 7 days. I even talked to Willie this morning and gave him sort of a deadline here but I'm still going to work with him. If he says he will go for a variance, and let's work with him and go from there. Willie doesn't know what they are going to do. Mike Sweeney was supposed to call Matt last week and never heard from him. Trustee Likley stated if a variance application is applied for, then we move ahead with that application. Site plan review again that's not anything new. Trustee Harris asked: Will there be any other variances when they present the site plan? Matt: Paved parking and trees. It will be very similar to the other one but this one originally was to have paved parking around the building. There is some paved parking on the east side but as it goes around to the other side it is nothing but gravel. That is not how it is supposed to be. He should get a variance for it or pave it. Trustee Harris' concern is the traffic flow. It appears the way it is now it flows pretty well and if we force them to close it off we may end up with traffic issues. Trustee Likley: that would be the decision of the BZA with the variance request. That argument could be very well established and presented that he uses one entrance for in traffic and one for out traffic. Matt stated in his observation that Westfield Valley is truly the best area to come out on to Lake Rd. because it is away from the waste collection facility. Collection day and tournament day is always the same day and there is always a traffic jam right at the two drives. Matt suggested going in at the drive across from the Waste Facility drive and out on Westfield Valley to Lake Rd. Trustee Oiler asked if they could block off on Westfield Valley. Matt answered they could back beyond the cul-de-sac on their property. Trustee Harris asked if the campground is in operation. Matt answered, yes. Trustee Oiler stated he has heard they may have to go out of business and if he does he will sell it and we would have to watch about some of the other things we have in our zoning. Matt mentioned he went in the back and they were to expand the parking to 63 feet wide and he has

everything done except along the creek. I told him before he started tearing things up he needs to talk to the engineers office, soil and water conservation district to make sure that they are OK with the plan. If they aren't, come back and let me know and I'll go to the board and tell them they won't let him do this what can we come up with. He is making progress on that back portion.

#### NEW BUSINESS

We had 1 bid on the tables that are no longer needed. The bid was submitted by Melinda Lewis. Ms. Lewis bid \$3 per table or \$36 for all 12 tables.

**Trustee Likley moved to accept Melinda Lewis' bid as presented, seconded by Trustee Oiler.**

**Roll call: Harris, aye; Oiler, aye; Likley, aye.**

#### ANNOUNCEMENTS

Continuation of Public Hearing Zoning Commission	July 27, 2010 @ 7:30 pm
New regular trustees meeting	Aug. 2, 2010 @ 7:00 pm
Zoning Commission regular meeting	Aug. 10, 2010 @ 7:30 pm

**Trustee Likley made a motion to go into executive for employment hiring of fire chief at 8:50 pm, seconded by Trustee Oiler. Roll call: Likley, aye; Harris, aye; Oiler, aye.**

Trustee Oiler asked Martha Evans, Rick Robbs, Pat Edington, and Mark Williams to be present during the executive session.

**Trustee Oiler made a motion to come out of executive session at 10:29 pm, seconded by Trustee Likley. Unanimous**

**Trustee Oiler made a motion to offer the fire chief's position to the individuals discussed in executive session based on salary ranges and benefit package, seconded by Trustee Harris.**

**Roll call: Oiler, aye; Likley, aye; Harris, aye.**

Discussion: Who will make the offer? Call the person first and then send information.

Rick Robbs: 50/50 split on chief salary until a levy is passed; chief will be employed by the township; once the levy is passed the chief's salary will go to whatever percentage that is agreed upon; all employees will be transferred to the township once the chief starts; all department expenses will be split whatever the percentage that is agreed upon. Bill Thorne: the key is the yearly department budget to be based on township certificate of estimated resources and one fund everything else will fall into place.

Trustee Oiler asked Trustee Likley to make the phone call to make an offer for the fire chief's position. Trustee Likley accepted.

No other business to come before this board.

**Trustee Likley made a motion to adjourn, seconded by Trustee Oiler. Unanimous**

Approved August 2, 2010