

WESTFIELD TOWNSHIP TRUSTEES

Regular Meeting

August 1, 2011

Trustee Oiler opened the meeting at 7:00 pm with the Pledge of Allegiance to the Flag.

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

The guests were welcomed.

FIRE DEPT. REPORT

Chief Fletcher reporting (copy of report on file)

- ❖ Month of July 40 runs and year to date total is 300 runs. Last year we had 400 runs.
- ❖ Received notice today that the EMS grant for year July 1, 2010-June 30, 2011 of \$5,900 was direct deposited into the Village's account. Martha will be receiving those funds shortly. We sent in the itemized paid invoices for the grant. We have been approved for \$4,000 for the year July 1, 2011-June 30, 2012.
- ❖ The Department would like to recognize the efforts of the 16 year old that stepped up and initiated bystander CPR at an incident at Chippewa Lake. The young man stated the CPR class provided by the Westfield Fire Dept. at the High School gave him the know how to assist and provide care for the patient until EMS arrived. "Courage to Act" award.
- ❖ MVA Billing – The prosecutor's office offered changes in the resolution and I have provided those changes and submitted the resolution. Trustee Oiler stated Mr. Thorne will be here this evening and we will ask him to review and if he approves we can pass that resolution this evening.  
Trustee Likley asked if a meeting with Lodi Village and Harrisville Township has been set. The chief has not scheduled anything as it possibly should be scheduled at this board's level. I discussed this with our EMS coordinator at Lodi Hospital as he is also coordinator for Lodi Fire Department. We are not going there as much as we have in the past but I don't see a resolution to the problem. The chief can talk to the Lodi Chief and then he could take it to his supervisors, council, and trustees. The chief stated he feels he is overstepping his boundaries if he goes to the council or trustees.
- ❖ Trustee Likley asked if language for spousal subordinates should be addressed in the SOG's. The chief stated he didn't believe that was addressed now and possibly Bill Thorne could propose some language regarding spousal subordinates. Mr. Likley stated possibly this could be addressed in the appointment process. Chief: Right now we have 4 active couples: The males are fire certified and the females are not fire certified but EMS. The chief has seen problems in other departments but that is when it is a full-time department and they are working side by side. Trustee Oiler talked to Bill Thorne and Brian Richter who are finalizing the SOG's and I will ask Bill again tonight to ask him to get this finalized.

CEMETERY/PARK

Trustee Likley: Nothing

## ROADS

Lee Evans reporting:

1. Trees at the intersection of Buffham and Ryan Roads have been removed. A big difference in the sight distance. Had many compliments and thanks from individuals already.
2. Two (2) estimates to grind seal and coat the front parking lot. Performance Asphalt \$2,495 and PSC Paving \$2,580. Performance Asphalt was going to just level out where the water line has sunk in but PSC will grind out and fill with 2 inches of asphalt and apply two applications of sealant. Lee recommended PSC even though it is \$85.00 more. Lee will re-strip the parking lot himself. Lee just wants to save the parking lot as it is 11 years old.

**Trustee Likley made a motion to hire PSC Paving for \$2,580 to repair and seal front parking lot, seconded by Trustee Oiler. Roll call: Oiler, aye; Harris, aye; Likley, aye.**

3. New truck is at the Medina Auto Mall being undercoated and the running boards installed.
4. Peterbilt truck is at Newell Equipment getting the strobe lights repaired.
5. Lytle will be getting to Kennard Road when weather permits as it may be too hot now.
6. Mowing on Ballash Rd. and then head south.
7. Medina Co. Park is pushing to have the Boat Ramp on Westfield Landing done this year. We need a turn around. Friday Trustee Oiler and Harris attended a meeting where they are still changing the site plan. I back up 1/8<sup>th</sup> of mile just to get to the drive at the well.

## ZONING

Matt Witmer reporting (copy is on file)

- Issued 3 permits last month
- Attended meeting on Clean Energy. It was approved contingent on letters of approval from EPA and PUCO.
- Morningstar Farms Day Camp has submitted their application for a BZA hearing. The date will be set at the BZA's meeting August 3, 2011.
- Idle Aire- I have been in contact with their attorney and the person who is doing the construction. Apparently they are putting up sites in 3 or 4 different states. Bid is out for surveyor and then surveyor will draw up site plan.
- Trustee Likley asked if Matt has seen any progress on Seville Rd. (area where railroad items have been stored). Matt has not been down lately but has talked with the gentleman and he said all the poles have been removed. I have not gotten a copy of the contract yet. Trustee Likley was concerned if the time frame has been started and Matt answered, yes it has been started. Trustee Harris stated things seem to be moving along.

Heather Sturdevant reporting:

- a. Zoning commission finished up pool language and will be coming to the trustees
- b. Wind mill language will be finished and voted on at the August meeting and sent to Planning Services and the Prosecutor's office.
- c. We had all the changes made to the three (3) Comp Plan books but 2 of the books disappeared.

- d. Also at the August meeting we will be discussing and writing language for outdoor wood burners and internet cafes.
- e. Planning Services training starts back up in September.
- f. Next meeting August 9, 2011 which is our regular meeting and August 23, 2011 will be a special meeting to look at Pilot's Site Plan for underground DFT tanks instead of the above ground tanks that were approved a couple of meetings ago.
- g. Clean Energy- There was several conditions placed as the fire chief had some major concerns.
  - 1. Emergency services locally wouldn't be notified unless it was a catastrophic disaster so he told them he would like to be notified of any issues and they agreed they would implement that into their plan.
  - 2. They would notify the fire chief of any issues at all so if they were ongoing little issues he would be aware of it.
  - 3. He also talked to them about a training session for training our personnel on the operation of that tank. They have a local person who is responsible for issues but if for whatever reason the local person wasn't around or wasn't close by the EMS/fire personnel would know how to operate that system so they could step in.
  - 4. They also will provide letters of approval from EPA and PUCO. When speaking with EPA and PUCO they were not aware that Clean Energy wanted to put a station here. There is not any stations like that in the State of Ohio so they trying to find out who had jurisdiction over this. They do not know is they are exempt and if they are exempt it is their responsibility to prove to the State that they are exempt. They will contact the agencies and have us involved in the process.
  - 5. Fire Chief has met with Buck Adams and all the concerns were addressed.

Trustee Likley asked if there has been any communication with the comp plan steering committee. Heather answered there has not been yet but we will be sending them an e-mail and 5 or 6 letters to those who do not have e-mail. That is the last thing we will do. I just have to work out with Kim if she or I will do the letters.

Trustee Oiler stated Mr. Thorne is here now and out of respect for his time and effort to come to this meeting **Trustee Oiler made a motion after a 5 minute recess to move into executive session for the purpose**

- 1. To consider the investigation of complaints against a public employee**
- 2. To review with legal counsel the terms and conditions of a contract and invite Zoning Inspector, Matt Witmer and Fiscal Officer, Martha Evans to be present and information is to be kept confidential according to the ORC 102.03 Section B, seconded by Trustee Harris. Roll call: Harris, aye; Oiler, aye; Likley, aye. Time is 7:40 pm**

**8:20pm Trustee Oiler made a motion to come out of executive session and resume regular meeting, seconded by Trustee Likley. Roll call: Harris, aye; Oiler, aye; Likley, aye.**

AMERICAN TOWER LEASE

**Trustee Oiler made a motion to not consider the contract that was presented due to the contract language that is not agreeable and in the best interest of this township, seconded by Trustee Harris. Roll call: Oiler, aye; Harris, aye; Likley, No.**

FISCAL OFFICER

- Bills were presented in the amount of \$58,195.56. Fiscal officer noted: a refund of \$1,027.95 will be received from OTARMA as a participating member. **Trustee Harris made a motion to pay the bills, seconded by Trustee Likley. Roll call: Likley, aye; Oiler, aye; Harris, aye.**
- Fund Status: Investment           \$517,114.03   Checking           \$382,792.94
- Correspondence: Medina Co. Emergency Management sent a CD of an updated copy of our All Hazard and Flood Mitigation Plan for review and is available here at fiscal officer's office.  
A 4 page letter addressed to Martha Evans from Kathy Zweifel. Martha asked if she should read letter. Trustee Oiler said not until he has had a chance to read it first but should acknowledge that we received it. Trustee Likley stated he was asked to bring this up here as it was dropped off at my house last night in a sealed envelope and I do not know what it is. She dropped it off for our review and for our records; I do not know what it is or what it says. Trustees asked for copies.
- Letter from Prosecutor's office concerning the MVA Resolution 2011-16.

**RESOLUTION 2011-16 A RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO RECOVER USER FEES FOR THE DELIVERY OF EMERGENCY FIRE DEPARTMENT SERVICES FOR VEHICULAR ACCIDENTS, STRUCTURE FIRE and HAZARDOUS MATERIAL SERVICES PROVIDED BY THE WESTFIELD FIRE and RESCUE DEPARTMENT**

Trustee Oiler suggested we move ahead on this resolution as all the changes recommended by Bill Thorne have been made.

**Trustee Oiler made a motion to adopt Resolution 2011-16, seconded by Trustee Harris.**

Discussion: Trustee Likley asked if this has contractual language from the service provider. The contract should be reviewed by legal counsel. Martha will ask the chief about a contract.

**Trustee Oiler amended his motion to adopt Resolution 2011-16 contingent on legal counsel's review and approval of a contract with Cost Recovery Corporation. Roll call: Oiler, aye; Likley, aye; Harris, aye.**

**RESOLUTION 2011-19 A RESOLUTION TO AMEND PERMANENT APPROPRIATIONS FOR FIRE LEVY BY ADDING \$16,500 TO THE 2011 APPROPRIATIONS**

**Trustee Harris made a motion to adopt Resolution 2011-19, seconded by Trustee Likley.** Discussion: Trustee Likley stated he received the information that he requested and sees the increase in our revenue and will support the increase in the budget. **Roll call: Likley, aye; Oiler, aye; Harris, aye.**

**RESOLUTION 2011-21 DESIGNATING FINANCIAL INSTITUTION AS PUBLIC DEPOSITORY**

We received 2 applications for depository contract: PNC and Westfield Bank, FSB. Trustee Likley stated our current depository is Westfield Bank and the reason we chose Westfield Bank 4 years ago was because National City at that time did not submit an application. For the matter of convenience and record keeping that we

continue to have Westfield Bank, FSB as our depository institution. **Trustee Likley moved to designate Westfield Bank, FSB as Westfield Township's depository financial institution from the 23<sup>rd</sup> day of August, 2011 to 22<sup>nd</sup> day of August, 2016, seconded by Trustee Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye.**

Minutes

July 5, 2011 - Corrections – Page 1 5<sup>th</sup> line from bottom add the word “like” to sentence “I would “like” to hold.....and page 3 1<sup>st</sup> sentence under heading Heather reporting change the to “then Kim....

**Trustee Oiler made a motion to approve July 5, 2011 minutes as amended, seconded by Trustee Harris.**

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

July 18, 2011 – Corrections – Page 2 under Fiscal Officer's report – state the fire budget was increased by \$16,500 and eliminate all the calculations. Page 5 last sentence remove second ask. Page 3 Annexation should be re-mapping.

**Trustee Oiler made a motion to approve July 18, 2011 minutes as amended, seconded by Trustee Harris.**

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

OLD BUSINESS

Trustee Harris: spoke with Tom James per Board of Trustees request to explain that the board would like him to go through the motions of the Medina Co. Parks site plan review. I did not send a letter but gave him a call. Mr. James replied he sent a letter last month explaining he does not have to obtain a zoning permit but he is willing to go to the site plan review on August 3<sup>rd</sup> and will make any reasonable changes to the site plan but will not go for variances and anything else that would pop up unless it's reasonable. His superiors are the Park Board Commissioners. Matt- The school board and other government entities have jumped through every ingle hoop that we gave them, they didn't have to but they did and we worked with them. Trustee Likley asked Matt is there are any zoning issues with the site plan. Matt: 1. Crossing property lines with the drive way or if the drive is too close to the Demschk property line. 2. Building a building without a primary residence but it can be gotten around. They have outside legal counsel and he recommends they don't have to apply for a variance. Matt believes he should be a good neighbor by applying for variances.

NEW BUSINESS – None

ANNOUNCEMENTS

BZA Meeting	August 3, 2011	7:30pm
Zoning Commission Regular	August 9, 2011	7:30pm
Trustees Regular Meeting	August 15, 2011	7:00pm

PUBLIC COMMENT – None

**Trustee Oiler made a motion to adjourn at 8:58pm, Seconded by Trustee Harris. Unanimous**

Approved August 15, 2011