

Westfield Township Trustees

Regular Meeting
May 21, 2012 7:00pm

Trustee Harris opened the meeting by asking those in attendance to stand and Pledge Allegiance to the Flag.

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

WELCOME GUESTS

FIRE DEPARTMENT REPORT

Trustee Likley reporting

- ✓ The first responder vehicle is scheduled to go in for lights and siren installation sometime this week and it is anticipated that this process will take several weeks. The chief anticipates that the vehicle will be back and hopefully in service by the end of June.
- ✓ The new Expedition has been added to the insurance policy.

Cemetery and Parks

Trustee Oiler reporting

- ✓ Lee will be working to get the old sign out which was concreted in. He tried to hand dig the bulletin board out but it was like digging in asphalt so he will need to use a backhoe to get the old sign out. He will then move the holes over so that he has fresh holes to set the new sign in. The bulletin board will be moved over by the flagpole and faced towards the driveway. The new sign will be located where the bulletin board currently is. Mr. Evans stated that the post of the new sign will be high enough and that the sign is big enough that it will be visible from the road.
 - Trustee Likley asked if it would be feasible to move the sign closer to the road as he was unsure if moving it to where the bulletin board was would make it visible from the road the way he feels it should be. He gave some suggestions as to a few locations that it could be placed to be more visible. Lee will see if he can use one of the suggested locations without creating a narrow spot for the mower.
- ✓ Lee will be doing some maintenance work on the flag pole as the steel braided rope is getting worn. This is a cumbersome process as he will have to take the truck out and put the ladder in the back to get up there to work on it. He has already replaced the flag.
- ✓ Trustee Oiler had a deed to the cemetery that needed to be signed.
- ✓ Trustee Oiler gave copies of several quotes on the painting of the gazebo to the board members for review. (Copies of the quotes are attached).

Westfield Township Trustees

a) Rescue Painting & Decorating, Inc.	\$ 900
b) Independent Painting	\$1,936
c) Oberli Painting	\$ 700
d) Bertemes Painting & Decorating, Inc.	\$ 475

Trustee Oiler then went through the terms and conditions of the quotes. The quotes do not include painting the floor of the gazebo.

- ✓ Trustee Harris stated that the biggest difference in the quotes was that some were for one coat of paint and others were for two coats. They all quoted to spot prime the area to be painted.

Trustee Likley made a motion to accept the quote from Bertemes Painting and Decorating Inc. to do the painting of the Gazebo at a cost of \$475.00. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Oiler-yes, Trustee Likley-yes, Trustee Harris-yes.

Trustee Oiler will sign the contract on behalf of the board as per their request and permission to do so.

Roads:

Lee Evans Reporting

- ✓ The White Road project is almost completed. It has been asphalted and striped. Now the berming needs to be completed and the signs need to be placed.
- ✓ Deerfield Drive and Fox Hollow are in the process of being motor paved. Lee anticipates that work to be completed by this evening or tomorrow morning. Mr. Evans explained that motor pave stays soft so it is important to work from the furthest point back so that the trucks are not impacting the work that has already been done.
- ✓ The Buffham Road project will be starting on Friday the 25th of May and the signs for the road closing are up. Mr. Evans anticipates having to spend quite a bit of time overseeing the project as the contractor has already tried to add on to the current price even though they haven't started the work yet.
- ✓ Mr. Evans has been mowing when time has allowed and will try to keep up with that the best that he can with the current projects that are in process.
- ✓ Mr. Evans was contacted by Ruhlin regarding the closure of Mudlake Road for 120 days between Daniels Road and Westfield Road for bridge work.

Trustee Oiler offered Resolution 2012-13. A Resolution to close Mudlake Road (T.R. 116) located between Daniels Road (T.R. 246) west to Westfield Road (C.R. 15) in Westfield Township, Medina County, Ohio beginning June 11, 2012 for 120 days. The closing is necessary due to the replacement of the CSX Bridge. Trustee Harris seconded.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

- ✓ We received a letter from Pat Crouch regarding striping under the county's contract.(letter is attached with pricing) Mr. Evans stated that the roads we will need to have done are the main roads that we are resurfacing this year such as North and South

Westfield Township Trustees

Leroy, Garman Road, etc. He will look into when they are coming to this area so he can have the work scheduled to be done.

- ✓ Cloverleaf Schools would like a crosswalk to their tennis courts across the street from the high school. Mr. Evans will meet with Rusty from Ground Maintenance to see what needs to be done and he will get a cost to the Trustees in the near future so that the work can be done.
- ✓ Trustee Oiler stated that Buffham Road from Ballash Road east to Lake Road will be closed from May 25, 2012 through August 23, 2012 for culvert replacement and realignment of the curve. It will be opened to local traffic only.
- ✓ Trustee Oiler also stated that there was an accident on Buffham Road at the intersection of Westfield Road in front of him today. He feels that the crown in the road is dangerous and would like to see something done about it. Mr. Evans said they could ask but that the theory is that because the distance is so short between 224 and the intersection at Buffham that traffic cannot get moving that fast by the time they get to the intersection. Mr. Evans felt they would have a better chance of getting a caution light put up as opposed to having the asphalt removed and the grade lowered. There are certain criteria involved in getting things done and unfortunately sometimes it warrants death before lights go up or stop signs get placed.

Zoning Report

Matt Witmer reporting:

- ✓ Mr. Witmer stated that there is no update on the Lesiak and Hughes properties as he has not heard back from the prosecutor's office or the railroad.
- ✓ A new site plan for Northcoast Soccer has been received but there are some concerns as there needs to be a key indicating what symbols stand for and there is still parking located five feet from the property line which will require a BZA hearing. In speaking with Chair Sturdevant of the Zoning Commission the site plan could be signed at the review by the applicant stating what the symbols indicated and the Zoning Commission could look at the site plan and only approve parts of it. Mr. Witmer asked the trustees if new trees had to be planted or if the township could accept trees that are already there as part of the forty trees required for the new parking. Trustee Harris stated that he believed that new trees had to be planted and that existing trees should not be accepted.

Mr. Witmer indicated that he has had no direct communications with Mike Sweeny. All communications that he has received have come from the Prosecutor's office. Trustee Likley asked if it was just one or two parking spots that were five feet from the property line. Mr. Witmer explained that it was an entire row of parking that would need to either be eliminated or approved by the BZA. Trustee Likley stated that as long as we have a site plan that was submitted in 1996, and the new site plan has major changes to it then as per our Zoning Code the applicant needs to pay all applicable fees for a new

Westfield Township Trustees

site plan review. The other Trustees agreed. Trustee Oiler stated that it was imperative that we treat everyone the same.

- ✓ Zoning Inspector Witmer stated that he was able to make contact with someone from the railroad museum and that he was very happy to hear from the township. The burnt out vehicle that is there belongs to a museum in PA and they have been asking when they can get in to remove it. The gentleman felt that the township's visit would encourage getting things moved along a little faster. The only vehicles there that actually have wheels on them are a flatbed truck and a tanker that is set down the rail that you can't see. The rest of the vehicles are sitting on pallets. The first two are theirs and they are going to remove them from the site, the ones owned by the PA museum will be removed and then there are two or three that they are going to scrap out right there on site. Their goal is to have that all done by the end of the year. They will be adding over 1000 feet of new track with power poles to have a car to take people up and down through that area. They are also going to be replacing a bridge and culvert that was washed out by a flood a few years back. They will also be working on some of the existing track to loop it around so it can be utilized.
- ✓ The Zoning Inspector has received numerous calls for permits and applications. There is one that he feels will need a variance and that is a home on Lake Road that the property wants to build a 16'x16' addition onto the back of the home. With all of the measurements, this addition will only be about 47" from the right of way which will require a variance. Trustee Likley stated that although he understands the Zoning Code, he would not support requiring a variance for that. He felt it should somehow be grandfathered. Mr. Witmer explained a similar situation also in the township in which Bill Thorne stated it would need a variance and asked how they could require it in one instance and not the other. The difference is in the example scenario, the porch will be added on the front of the house going further towards the road and in the case on Lake Road the addition would be added to the back of the house going further away from the road. The board agreed that they did not support requiring a variance for this instance on Lake Road.

Trustee Likley made a motion that the property at 8240 Lake Road that wished to put an addition on the back of their home would not be required to obtain a variance in order to do so as the addition would not make the home more non-conforming than it already is. Trustee Oiler seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

- ✓ Zoning Inspector Witmer notified the board of a BZA hearing on May 23, 2012. Trustee Harris asked Mr. Witmer about the trailers and boats up by the road at the soccer fields. Mr. Witmer stated that although one has been sold, the others are still there. He asked if the board would like him to investigate it. They stated that they thought it was allowed as long as there were signs on all of them that stated that they were for sale. The property is in the Local

Westfield Township Trustees

Commercial District and items for sale are supposed to be located inside. The Trustees felt that as this was an effort to clean up some of the issues back in the campground that they should give some leeway and allow the items to be placed where they are temporarily for sale.

- ✓ Mr. Witmer sent a letter out to 6881 Buffham Road. He spoke with Wayne Savings Bank who was the listed owner. They stated that PNC bank bought the property on March 15, 2012. He will get information from PNC bank and send them a letter. He has heard nothing back from the real estate agent.

Fiscal Officer

- Fiscal Officer Evans stated that each board member had a detailed expenditures report for their review totaling \$16,126.87. (See attached report)

Trustee Harris made a motion to pay the bills. Trustee Likley seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

- All trustees received a letter with agenda from the Medina County Department of Transportation for May 25, 2012.
- Trustee Likley asked if there had been any correspondence between the township and Creston regarding the taxes for the annexed area. Fiscal Evans stated that there has not been any correspondence as of yet.
- Trustee Likley stated that he felt Fiscal Officer Evans should ask the Medina County Auditor's office to calculate the taxes for that area and if she hasn't heard from Creston within thirty days, to submit an invoice for the taxes due to the Township.
- Fiscal Officer Evans sent an e-mail to the Trustees regarding an individual wanting to borrow or rent 40 folding chairs from the township for a reunion. Trustee Likley stated that he felt they should set a \$100.00 deposit fee for the rental. If all the chairs come back in good condition the renter would get their deposit back. If not money is taken from that fee to replace the broken or unreturned chairs.

Trustee Likley made a motion to allow the rental of 40 folding chairs for a class reunion with a \$100.00 deposit and no rental fee. Trustee Oiler seconded the motion.

The trustees stated that this was a one-time motion and that every request would need to be looked at on a case by case basis.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Oiler wished to add that he recently read in the Gazette that the County Commissioners were planning to reactivate the group that monitors the water quality across the county. Much of the concern was to protect the county's water, including that of the aquifer in Westfield Township from contamination from natural gas drilling and fracking. He was pleased that the Commissioners took this action. Trustee Harris agreed. Trustee Likley stated that he e-mailed the Commissioners upon reading the article in the Gazette to state that he would like to see a diligence in ensuring participation of all of

Westfield Township Trustees

the surrounding communities, not just Westfield Township. He will be watching to see how the Commissioners move forward and is pleased that they are taking this initiative as well.

Meeting Minutes:

Trustee Oiler made a motion to approve the May 7, 2012 Public Hearing meeting minutes as presented. Trustee Harris seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, trustee Harris-yes.

Trustee Likley made a motion to approve the May 7, 2012 regular meeting minutes as submitted. Trustee Oiler seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Likley made a motion to approve the May 14, 2012 Continuation of Public Hearing meeting minutes as submitted. Trustee Oiler seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Likley made a motion to approve the May 14, 2012 special meeting minutes as submitted. Trustee Oiler seconded the motion. ROLL CALL: trustee Likley-yes, Trustee Oiler-yes, trustee Harris-yes.

Old Business:

The Township currently has three different suitors for the cell tower lease. Upon review Trustee Likley stated that all the offers were in the same vicinity as far as what they were offering. He felt that some of the language in these offers was concerning such as the wording "perpetual" which means indefinite. He felt that any interest in the marketing of our cell tower lease warranted a full review by legal counsel. Trustee Harris stated that he hasn't seen any offers that have been better than what the Township already has in its current lease. Trustee Likley stated that his concern with the current lease has always been that with thirty day notice they can pull out of the lease leaving the Township with nothing. If the Township were to consider the current offers, the Township would get that money up front instead on a month to month basis. Trustee Harris felt that if the current lease holder were to pull out, that one of the other three suitors would step up with an offer and that he personally liked receiving the money on a month to month basis. The majority of the Board decided not to pursue the sale of the cell tower lease at the current time.

Trustee Oiler made a motion to stay with the Township's current Cell Tower lease that continues for the next twelve years. Trustee Harris seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Westfield Township Trustees

Trustee Likley met with Jeff VanLoon and they began at the Township's west boundary line and walked back to the creek on May 11, 2012. They then continued east along the creek to the curve across the street from the Walker property where it gets very wet and swampy. The evidence shown by Lee Evans was reiterated to Trustee Likley and Mr. VanLoon. As they encountered log jams and blockages, they marked them on an aerial map, photos were taken and they were categorized as minimal or major. Mr. VanLoon will summarize the information and put it into a packet so that it can be presented to Boris Slogar at the Muskingham Watershed for review prior to filling out an actual application to gauge their willingness. Trustee Likley did note that at low flow, the water was flowing and that at its current state; the blockages were not creating an increase in depth as you went from one side of a blockage to the other. The areas by Garman Road that sit in water from last spring do not seem to be impacted at this time from those blockages. It appears to be more of a drainage issue. Trustee Harris will remove the item from the agenda until Trustee Likley gets additional information on the subject.

New Business:

The Trustees received a letter from Valley View Spray Service, LLC regarding mosquito spraying. The cost is \$50.00 per application. Fiscal Officer Evans stated that the Trustees in past years usually sprayed once per week from June 1st through mid-September.

Trustee Likley made a motion to support the bid by Valley View Spray Service for mosquito control in the Clayton Road area at \$50.00 per application for a period between June and September, four times per month. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Fiscal Officer Evans stated that as of the end of April, the Township's revenue from non-residents utilizing the EMS service is \$3,594.00 less than last year at the same time.

Announcements:

Trustee Wind Energy Public hearing has been continued until June 18, 2012 at 6:00pm.

BZA hearing will be held on May 23, 2012 at 7:30pm.

Next Trustees meeting will be held Monday June 4, 2012 at 7:00pm.

Trustee Public Hearing for motor Vehicle Tax will be held June 4 and June 11, 2012 at 7:00pm.

Next Regular Zoning Commission meeting June 12, 2012 at 7:30pm.

Trustee Swimming Pool Public Hearing will be held June 18, 2012 at 6:30pm.

Memorial Day Parade will be held May 28th 2012 at 11:00am in Westfield Center.

The Farmer's Market will begin on May 28th and continue on Thursdays through October 27, 2012.

Trustee Oiler will be the Grand Marshall at the Memorial Day Parade this year.

Trustee Harris opened the floor to Public Comment:

Westfield Township Trustees

Bill Thombs of 8189 Friendsville Road: Mr. Thombs stated that he is part of a Political Action Committee called the Family and Farm Alliance. They began as a group called Citizens against fracking. As that group had a conflict with the Parks District and was planning to picket, about fifteen to twenty members backed out of that group and began this new group called The Family and Farm Alliance. Most of their members are from Harrisville Township, Lodi and Westfield Townships. They have taken the attitude to get out of the mindset of whether or not they are for or against fracking. They instead are trying to look at what is best for Medina County. The main focus of this group is to assist and motivate the leaders in the County to begin preparing for potential outcomes of fracking. This group feels that there is a need for education and action. They began by sitting down with Commissioner Pat Geisman to discuss what the County needs to do to ensure a safe environment for the citizens within the county. Commissioner Geisman was supportive of the group's efforts. The second part of their movement is that there is a gentleman by the name of Doug Shields running a group called Citizens Environment Defense Fund. He is a former council member from Pittsburgh, PA. His basic philosophy is that we don't have an oil problem, we have a government problem and that the rights of citizens are being taken away. Commissioner Geisman took the information back to the Board of Commissioners and reported that all three Commissioners have agreed to participate. Jim Troike will be writing the invitations to several Townships and Cities in the Southern part of the County for a meeting. The other issue presented was that Doug Shields will only come in to help communities if it based on a certain population. By getting together this consortium and the Commissioners together, they will have the population to get Mr. Shields to come in. Mr. Thombs then asked the three trustees to participate and take a proactive approach to preparing for fracking and its possible impacts. Mr. Thombs made information available on upcoming meetings and speakers along with pictures of fracking in our area.

The Trustees thanked Mr. Thombs for the information.

Trustee Harris made a motion to adjourn the meeting at 8:40 pm. Trustee Oiler seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Approved June 18, 2012