

Westfield Township Trustees

Regular Meeting
November 5, 2012

Trustee Harris called the meeting to order at 7:00pm.

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

Attendance: See sign in sheet attached.

Trustee Harris led the attendees in the Pledge of Allegiance.

Department Reports:

FIRE: Chief Fletcher reporting.

- ✓ October was a busy month with several safety events.
- ✓ October 11 the department had over 60 high school students for CPR training. It is the first of three classes they will teach at the high school.
- ✓ October 22, 2012 was the first safety day at the new elementary school. 5 different fire departments participated with over 1100 children.
- ✓ Students in grades K through 5 participated in the state fire marshal's safety poster contest. There were about 100 posters to be judged. The results will be announced soon and there will be a semi-finalist pizza party.
- ✓ Last Thursday and Friday the department did tours for the Leroy Methodist church. There were 41 preschoolers and it was nice to work with them on Stop Drop and Roll.
- ✓ The new billing agent Medicount Management is working out well.
- ✓ There are two new applications to the department. The chief is awaiting their background checks.
- ✓ The first responder vehicle is working out well. It enabled the chief to arrive on scene at three calls to an emergency three minutes before the squad where he could begin to administer treatment. There is also the savings to the township in gas and mileage that used to be paid out for the use of the chief's personal vehicle.
- ✓ The chief is working on the bill for the squad that was in the accident earlier this year. We still owe \$500.00 which represents our deductible. He has contacted the at fault person and left a message. He is going to send a certified letter. Bill Thorne told the chief that we are ultimately responsible for that \$500.00 but that we can try to collect it from the at fault person. Trustee Likley asked what our insurance company responded to this. The chief stated that they made the payment less the \$500.00 deductible. This bill is outside the insurance. We can submit the bill to the at fault party or their insurance carrier.
- ✓ In 2014 the t14 light bulbs will no longer be made so we have begun to replace them now. He has an estimate of \$3000.00 to do the whole station. In working with Lee Evans, if they were to replace the bulbs in the front bay for \$500.00 they would be able to use the bulbs they removed in the other areas of the station for about 2 years. The 8 foot lights in the middle bay will need to be replaced as they start to go out. There is no sense in replacing them all at once. The savings in doing this upgrade will be about ¼ of our energy bill and the upgrade should pay for itself within a year to a year and a half.
- ✓ The chief gave out a copy of the reverse 911 procedure for people to sign up. EMA has put out the information flyer. The name of the company is Everbridge and they have

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gone through the white pages and signed everyone with a landline up for this service. Not everyone however has a land line. If you would like your cell phone signed up, it is very easy to go to their website and enter your personal information and then answer how you want to be notified. We can have these flyers available at the town hall if anyone has questions. Trustee Oiler signed up and he said it was very easy. There have been a few notifications that have gone out in other areas and they have gone smoothly.

- ✓ The clam bake was a success. There were 330 meals served and they made a profit of \$4500.00 which is more than they have ever made before.
- ✓ The chief has an agreement for the driveway project they had discussed. The property is owned by a couple that lives behind and catty-corner to the station. The owners were very receptive in saying they do not mind us parking a vehicle there. He did want us to put something in writing in case he sold the property that if the new owners did not like it we would return it back to normal. The department is also putting up a privacy fence for aesthetics. Now we have a written agreement that has been prepared by Bill Hudson. Trustee Likley stated that he would sign the agreement.

Trustee Likley stated that they had a fire advisory board meeting two weeks ago. They were having meetings every quarter and have decided to only have three meetings next year and the dates are February 28, 2013, June 27, and October 24, 2013. Everyone feels comfortable with the communication that is taking place between the chief, the Village and the Township on the running of the fire department. It was also brought up that Mrs. Edington stated that the Village had a printer that was out of date that may be available for a very reasonable cost to the fire department. The township will look into this. The advisory board went over the budget and it will be contingent on the results of the election Tuesday evening.

Medina County Auditor's report:

- ✓ In the wake of Hurricane Sandy which may have had some impact on properties around the county with the high winds and rain, property owners may be able to claim a reduction in taxable value for any structural damage from the storm. Anyone who needs information can call the Auditor's office at 330-725-9139. The property owner would need to request a destruction of property form which is available on the website at www.medinacountyauditor.org. Any forms for structural damage caused by this storm must be turned in by January 31, 2013.

Trustee Likley asked if there is an outbuilding that is damaged from the storm, is this reduction only for owners who choose not to rebuild? Ms. Lisa Nichols stated that the property owner could claim the loss in taxable value for the year 2012 while it's destroyed or until the structure is rebuilt. This all depends on when the property owner pulls a building permit.

Cemetery and Parks

Ron Oiler reporting:

- ✓ Trustee Oiler reported that there was an opening and closing of a grave a few weeks ago.

Roads

Trustee Oiler stated that Lee Evans would be giving a full report at the next meeting.

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- ✓ Trustee Oiler stated that we will need to chip and seal on Mud Lake Road, Daniels and Ryan Roads next year.
- ✓ There is a culvert that needs to be replaced on Kennard road next year.
- ✓ Trustee Oiler stated that we will have to look at replacing the bed on the big truck as well.
- ✓ They were pouring the cement for the roadway for the Mud Lake bridge project. We extended the date on that project to December 10, 2012. The bridge top has already been poured. It looks like the December 10th deadline will be met.
- ✓ All of the equipment is ready for winter.

Zoning

Matt Witmer reporting:

- ✓ There were no permits issued in the month of October.
- ✓ There is nothing to report on the Lesiak property. That has been turned over to Bill Thorne's office for prosecution.
- ✓ The Hughes case is set for hearing in the Medina County Court of Common Pleas for November 15, 2012 at 8:45am.
- ✓ The Smith Variance is set for a BZA Hearing on November 15, 2012 at 7:30pm. He is asking for a 20 foot variance to be 5 foot from the property line. Trustee Likley asked if it was feasible for the property to relocate. Mr. Witmer stated that it was.
- ✓ North Coast Soccer has violated their conditional use for the back property. They placed a concession stand on their fields and they directed traffic to park on the grass areas along with the parking lot. Mr. Witmer showed photos of the Mobile Home with decking they have erected as a concession stand. Mr. Witmer stated that he contacted the health department and that North Coast Soccer never contacted them to obtain permits or to even see if they needed permits for the selling of food. The photos were taken about a week after the last tournament of the season. Trustee Likley asked if any of the rerouting of parking was due to the flooding. Mr. Witmer stated that the flooding took place after the last tournament so that is not the case. There is another smaller concession stand further back that is in violation. Trustee Oiler stated that they should know better than that. Trustee Likley stated that Mr. Witmer has every right to contact them in regards to these violations.
- ✓ Mr. Witmer stated that the site plan review for the front property has stalled as he found a map that they had given in 2003 that showed areas of parking but not all of the ones that have been created since then that are out of compliance. Trustee Likley asked if this was not to be adopted as a base line to move forward from. Mr. Witmer stated that the problem with that was that Bill stated that the reason we could not site them for the parking violations was that we had no proof that they were not there prior to the sale of the property. Now we have proof that they were not there. This map was never approved by the board but shows what was there at that time. In addition to that when reviewing the minutes form when the zoning change was requested, they were told numerous times that they had to come back for a site plan review and they never did. Trustee Likley stated that he would like to move forward in some of these issues and he felt that was happening but that now it had stalled again. He would be happy to touch base with Mr. Thorne to see the relevance of the new findings. Mr. Witmer stated that he would be contacting Mr. Thorne. Mr. Witmer explained that there was some

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question brought up at the Zoning Commission meeting where Ms. Kemp and Mr. Anderson remembered placing restrictions on the property several years ago and those restrictions were never complied with. There was a large concern that by simply allowing what has already been done would send a message to ask forgiveness and not permission.

- ✓ Trustee Harris asked if Mr. Witmer had been by the old truck wash on the south side of 224. Mr. Witmer stated that they are still open even with the damage and that he would stop in and talk to them.
- ✓ He contacted the property owner over the Tree Trimming Trucks that had been stored there and told them that they had to be moved. They did remove the trucks but they left their personal vehicles there while they went to New Jersey to help in the Hurricane relief effort. Mr. Witmer stated that he told them that once they returned no vehicles could be parked there overnight.

Zoning

Heather Sturdevant reporting:

- ✓ Ms. Sturdevant stated that in regards to North Coast Soccer the Zoning Commission had spoken with Bill Thorne and that he said the Township was looking to establish a baseline. When asked why we were doing this, he stated that as we had no proof of when the things in violation were put in we would lose if we called an administrative review so instead we needed to move forward from this point. Two Zoning Commission members were on the board through this entire process with North Coast Soccer and their biggest concern was we have an owner that continues to violate Zoning Code and Conditional Uses and every time we give an inch, they take a mile. Ms. Kemp told the Zoning Commission that she remembers that compliance has always been an issue with this property and that it is in the minutes and we should be able to prove it. Ms. Kemp provided Mr. Witmer all the dates that needed to be reviewed so that he could review them and submit them to Mr. Thorne. The concern of the Zoning Commission was that we can't justify passing this when by giving them another inch they would continue to violate our codes even more. This was before we found the concession stands. Now we see that and know that our concerns were justified. Sturdevant stated that this is not picking on a property owner, we all like this property owner, but if we allow the violations to continue here, how can we justify making others comply.
- ✓ Ms. Sturdevant stated that she had a call from one of the board members that in being paid quarterly, there was a non-activity fee of \$6.00 charged to their OPERS account. This constitutes around 1/3 of the money contributed on the employee's behalf for an average year. This board member would like to be paid monthly instead in order to avoid this fee or would like the township to look into seeing if they could have this fee waived. The OPERS policy states that if there is no activity on account for 90 days they charge this fee. Because the deadline was October 1, 2012 and our contributions were made on the 6th of October, we were charged the fee. Fiscal Officer Evans stated she would look into it.

Fiscal Officer Report

Martha Evans Reporting:

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- ✓ Mrs. Evans stated that if the fire levy passes she will be requiring that all members go on direct deposit.
- ✓ Mrs. Evans presented the bills to the Trustees. She asked if there were any questions. Trustee Likley asked if the training was for a training she attended. She stated that it was and explained the charges in detail for him.

Trustee Likley made a motion to pay the bills as submitted. Trustee Oiler seconded the motion.

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

- ✓ Mrs. Evans stated that there was no correspondence.
- ✓ Mrs. Evans stated that Westfield Bank is offering a 13 month CD. At the meeting in Hudson, they repealed the limit of a one year CD. The Township is now permitted to go longer. Westfield Bank has a 13 month CD at .8 percent. The maximum that can be put in is \$250,000.00. On December 3, 2012 they are coming out with a \$50,000 maximum for 7 months at .77 percent. With these two CD's it would cover our \$300,000.00. Any addition could be placed in the checking account. These percentages are well higher than the .1% that we are receiving now.

Trustee Likley made a motion for a 13 month CD with Westfield Bank with a maximum of \$250,000.00 to be invested at .8 percent. Also to withdraw the remainder of the money from investments and to put it in the checking accounts at .25 percent to be invested at a later date. Trustee Oiler seconded the motion.

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

Meeting Minutes:

Trustee Harris made a motion to accept the October 15, 2012 public hearing meeting minutes as submitted. Trustee Oiler seconded the motion.

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

Trustee Oiler made a motion to accept the regular meeting minutes from October 15, 2012 as submitted. Trustee Harris seconded the motion.

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

Old Business:

Trustee Likley asked if they had heard anything back from Creston regarding the invoice we had sent them. Fiscal Officer Evans stated that she had no response as of yet but that she would follow up.

New Business:

There was no new business to discuss.

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Announcements:

November 13, 2012 7:30pm- Regular Zoning Commission Meeting

November 19, 2012 7:00pm- Regular Trustees Meeting

November 15, 2012 7:30pm- BZA Hearing

Trustee Harris made a motion to adjourn the meeting. Trustee Oiler seconded the motion.

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

Approved November 19, 2012