

WESTFIELD TOWNSHIP TRUSTEES

Regular Meeting

May 20, 2013

Trustee Harris opened the regular meeting with the Pledge of Allegiance and roll call.

Trustees present: James Likley, Gary Harris, and Ronald Oiler. Also present: Zoning inspector, Matt Witmer, Heather Sturdevant, resident Shelly Britenbucher and Martha Evans.

FIRE DEPARTMENT

Trustee Likley mentioned the sale of the fire apparatus 161-2 that is sitting by the township garage. This piece of equipment has been deemed of no use to the fire department. There was a small amount of discussion on the disposal with all trustees and the fire chief agreeing it should be sold. With that in mind, **Trustee Likley made a motion to put the vehicle on e-bay with a minimum bid to be determined later, seconded by Trustee Oiler. Roll call: Likley, aye; Harris, aye, Oiler, aye**

CEMETERY AND PARK

- Trustee Oiler reported that he and Lee would tour the park next week to see how the grass is coming up and an overall inspection of the sidewalk project. In this evening's bill another 45% will be paid but the township will hold the 10% until after final inspection.
- Councilwoman, Nancy Powell presented Trustee Oiler with a drawing showing a possible planter to be placed in each quadrant. The Village of Westfield Center recognizes the township may not have the funds this year to help with the planters and are willing to wait until next year if need be. Trustee Oiler suggested placing the planter in front of the stop sign and possibly removing the mulch and place washed gravel in place of the mulched area. Trustee Likley asked how much do we have left in the park improvement appropriation. Fiscal Officer reported \$1,130. Trustee Oiler stated Nancy thought the barrels may be about \$30 each. Trustee Likley does not have a problem with the beautification project. **Trustee Oiler made a motion to pay \$300 for the beautification (planters, stone and flowers) for the township park, seconded by Trustee Harris. Roll call: Harris, aye; Oiler, aye; Likley, aye.** Trustee Oiler will call Nancy. All trustees agreed to just send the village a check for \$300.
- Trustee Likley asked if the fiscal officer responded to Village of Westfield Center's fiscal officer's e-mail concerning the cost of the sidewalk project that the village had appropriated funds to pay half of the sidewalk project. Answer, yes.
- Today Lee installed a monument foundation at the cemetery. Trustee Likley asked if the mowing is being kept up at the cemetery. Trustee Oiler stated he had not been out there but he thought is because Lee hasn't complained. Trustee Likley noticed the lawn was not mowed for election day and noticed round-up needed to be applied around the township building. Trustee Likley stated "let's keep up with the weeds". Trustee Harris uses a total vegetation killer from TSC.

## ROADS

Trustee Oiler reporting:

- The berming is completed
- Next project is the crack sealing and chip and seal Ballash, Mudlake, Daniels south of Mudlake
- The tractor is here and the mowing will begin soon
- Trustee Likley stated a contractor that bid on the sidewalk project concerned the AED's at each quadrant were changed from brick as stated in the specs to one piece mat. The contractor bid the brick and was inquiring how much of a cost difference there was and was there a cost change in the final invoice. Trustee Likley stated let's understand what the cost savings were to the contractor. Labor and cost should be acknowledged.

## ZONING

Matt Witmer reporting:

- April report was given 2 pool permits (attached to the minutes)
- Lesiak – He has 30 days to comply with the court order
- Heather and Matt met with Assistant Prosecutor's David Folk and Bill Thorne on the North Coast Soccer site plan for the front parcel. Some things on the site plan are not correct. They were instructed that the some of the violations cannot be enforced until the site plan is approved. There was a discussion of the zoning violations etc. No decision at this time. Our zoning language and definitions need to be cleaned up. The front lot is a very unique piece of property. If they don't want to do anything about the trees or paved driveways, they must go to the BZA for a variance. Violation for parking in the back lot can be addressed.
- Hughes – A letter from Sean Hughes' attorney, affidavit and agricultural exemption is attached as well as a letter from Assistant Prosecutor Brian Richter responding to Sean Hughes attorney's letter(attached). We can't accept this agricultural exemption.
- Matt reported there is about 30,000 yards of dirt being hauled in at 5818 Buffham Road to fill what could possibly be a flood plain. All construction activity is halted until there is a ruling. They are working with Mr. Wilhoite from soil and water. The owner was instructed that they may go off the new FEMA flood plain map that will be effective in August 2013. They could possibly want to build a barn on the fill.
- The solar light on the flag pole at the cemetery does not seem to work.
- Trustee Harris reported he had spoken with Rob Henwood from the Planning Commission about the "Moving Ohio Forward" (demolition grant). If anyone wants to apply for this funding, the trustees' need to pass a resolution. They will take down old barns as long as there is a house on the property. Trustee Likley asked if the fiscal officer would prepare a resolution for the next meeting. A template was provided.

## FISCAL OFFICER

- Checks in the amount of \$66,498.11 (a listing is attached to the minutes in the official file)  
**Trustee Harris moved to pay the bills in the amount of \$66,498.11, seconded by Trustee Oiler.**  
**Roll call: Harris, aye; Likley, aye; Oiler, aye**

- Fund Status
- CPR classes will be available at the fire station. You may call 330-887-5541 the fire chief sent an e-mail that they found a snow plow that was bought to be used on the gator. It does not work with the gator and they would like to sell it. **Trustee Likley made a motion to communicate with fire chief in the sale of the snowplow, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye.**
- May 6, 2013 meeting minutes. **Trustee Likley moved to approve the May 6, 2013 meeting minutes as amended, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**

#### OLD BUSINESS

- ✓ Section 125 resolution – Trustee Likley feels we need to address elected officials and full time employees separately. A discussion was held to try to clean up the language for the employee handbook to address the medical, life and short—term disability. A new resolution will be prepared for the next meeting. Trustee Oiler suggested life and short-disability is available to employees that work a 40 hour work week. No decision made
- ✓ Cell Tower – Trustee Likley reporting: Mr. Folk communicated with Fred Boreman to survey the American Tower leased area. American Tower accepted the township’s removal of the first refusal right. Mr. Folk will proceed with the extension with American Tower. They are a few things that need to be addressed before it will be ready for signatures. Trustee Likley stated he hoped it would be by the next meeting. No decision made
- ✓ Verizon’s offer still stands. Trustee Likley stated as long as the insurance requirement falls within our existing coverage there shouldn’t be an issue. Mr. Folk will touch base with the fiscal officer on the insurance issue. No decision made
- ✓ Trustee Oiler had given the board a copy of the draft minutes from the Upper Chippewa Creek Watershed Balanced Growth Plan. Trustee Oiler read over what was proposed by a Westfield Township resident. Trustee Oiler stated he needed to know how the board feels about the proposal by a township resident. Trustee Harris stated he questioned the purpose of the recommendation and doesn’t feel it isn’t necessary to add the recommendation. Trustee Oiler stated by changing this will cause it to go back to 9 jurisdictions. It seems it will propagate itself and get out of control. Trustee Likley: Criteria 1 (zoning) Criteria 2 (sanitary sewers). It is a logical amendment and Likley referenced page 18 in the Upper Chippewa Creek Watershed Balanced Growth (process for update). What is important is that this criterion #7 will not have an impact on any other community but Westfield Township. Trustee Oiler: All I can do is represent Westfield Township. **Trustee Likley made a motion to proceed with the amendment to add criteria 1 & 2 in conjunction with criteria #7 in the Upper Chippewa Creek Watershed Balanced Growth, seconded by Trustee Oiler. Roll call: Likley, aye; Harris, no; Oiler, no**

#### NEW BUSINESS

Trustee Harris - about 10 days ago I had a complaint about barking dogs and I called the sheriff. A deputy called me back and he couldn’t do anything except ask the individual to keep the dogs from barking because Westfield Township does not have a barking dog resolution. Trustee Harris checked

with Assistant Prosecutor David Folk to look into the situation for us. A letter in reply is on file. A resident was present and read her letter of complaint and requesting the trustees try to do something about the matter. Trustee Harris stated he will check with other townships to see if there is language out there. No decision made.

PUBLIC COMMENT

- ✓ Fiscal Officer, Martha Evans submitted her resignation as fiscal officer July 31, 2013 due to the changes in OPERS’s way of calculating Money Purchase Annuity monthly benefit. She offered to train a new fiscal officer. A new fiscal officer will be appointed but must run for election due to the resignation date being before the deadline for petitions to be filed for the November election. The fiscal officer presented each trustee with a handout “Duties of Fiscal Officer”. The qualifications per ORC 1. 18 years old; 2. Resident of Westfield Township 3. Registered voter 4. Must be able to be bonded. **Trustee Likley made a motion to advertise for the fiscal officer position in the Medina Gazette May 24 and May 28; The Post May 25 and June 1, seconded by Trustee Oiler. Roll call: Oiler, aye; Harris, aye; Likley, aye.**
- ✓ Trustee Harris reported that every member of the zoning commission attended the zoning workshop May 14, 2013.

ANNOUNCEMENTS

May 22, 2013	BZA Public Hearing Use Variance	7:30 pm
June 3, 2013	Westfield Fire & Rescue District	6:30 pm
June 3, 2013	Township Trustees Regular Meeting	7:00 pm
June 11 2013	Zoning Commission Public Hearing Highway Commercial District	7:30 pm

- ✓ Heather stated the zoning commission will tentatively hold a special meeting with Bill Thorne June 25, 2013 to discuss the North Coast Soccer proposed as built site plan for the front parcel.

**Trustee Oiler made a motion to go into executive session at 9:00 pm regarding matters to be kept confidential. Heather and Matt Witmer were invited to be present in the executive session. Motion seconded by Trustee Likley. Roll call: Oiler, aye; Harris, aye; Likley, aye**

**Trustee Oiler made a motion to come out of executive session at 9:14 pm with no decision made, seconded by Trustee Likley. Roll call: Likley, aye; Oiler, aye; Harris, aye**

There being no further business to come before the board, **Trustee Harris made a motion to adjourn at 9:15 pm, seconded by Trustee Oiler. Unanimous**

Approved June 3, 2013