

Westfield Township Trustees  
Regular Meeting  
June 3, 2013

Chairman Harris opened the meeting by asking for those in attendance to Pledge Allegiance to the Flag.  
Roll call: Trustees Harris, Likley, and Oiler present. (Sign in sheet attached to minutes)

Guests were welcomed.

Lisa Nichols from the auditor's office reporting:

1. Homestead applications were due today but they still may be submitted. It was clarified that one homestead exemption for one person on one property only.
2. Will replace outdated brochures

CEMETERY AND PARK

Lee reporting:

1. All graves have been leveled and seeded.
2. One foundation for a monument
3. New light installed on the flag pole
4. Trustee Oiler and I walked through the park but will wait for another 2 weeks for final approval due to the grass is coming up spotty. Even though the fire department has watered the seeded area it is not like rain. If needed I (Lee) will get the seed and reseed, keep track of my time and deduct it from the final bill.
5. Trustee Harris asked about the change order for the AED's at the end of each sidewalk. Lee had photos showing what the individual bricks will look like in time (uneven and grass growing up in between the bricks). Lee's point was being able to change the mat if it was damaged without making a major project out of it. The pictures were taken on Guinness Court in Westfield Center. The composite mat is engineered with a stainless steel lag so it can be replaced. Lee stated as far as cost, it was more expensive and the contractor added new curbing at his expense which was not in the specs so it was a wash. Trustee Likley agreed that it was a good move if it was a wash.

ROADS

Lee reporting:

- Waiting for Lytle Construction to do the chip and sealing
- Stripping will be done in the fall after all road projects are finished
- Will be starting the crack sealing soon as soon as Seville can find the time for one of their employees to help him. Trustee Oiler will be driving the truck, Lee and the other person will be applying the sealant. This is a cost saving to us.
- There are culverts still to be done and mowing in between everything else.

## ZONING

Zoning Inspector, Matt Witmer reporting: (report attached)

- ❖ Lesiak case has filed for federal bankruptcy
- ❖ Zoning Commission and Matt will meet with Bill Thorne later this month to discuss the North Coast Soccer site plan (as built) issue
- ❖ Sean Hughes sent pictures and questions that Matt must confer with Assistant Prosecutor, David Folk to have answered.
- ❖ Truck Wash had permitted and collected revenue from the state crew that is working on the Daniels Road Bridge to park their equipment on their property. They will be out by Wednesday. They (state crew) stated they would not have parked there if they knew it wasn't permitted. This the third time that Riccardi has done this.
- ❖ Stop Order was issued to Kettle Korn on the Pilot property. They were told last year that they could not set up there. They were in the road right-of-way, which is just one of the other zoning violations.

## FISCAL OFFICER

- ✓ Bills in the amount of \$4,982.55 were presented. **Trustee Harris made a motion to pay the bills as presented, seconded by Trustee Likley. Roll call: Oiler, aye; Harris, aye; Likley, aye**
- ✓ Correspondence:
  1. A letter from the Medina Co. Sanitary Engineer giving an update on the possible waterline extension on Lafayette Road from Friendsville to Kennard and on Kennard from Lafayette to Friendsville Road. At this time the majority of property owners along the project route did not submit petitions in favor of the project, therefore the extension will not be pursued at this time. (letter in file)
  2. Medina Commissioners sent a letter concerning gas aggregation. They are asking for feed-back if the townships and villages would be interested in putting this on the ballot. This is similar to the electric aggregation that was implemented a few years ago. Trustee Likley will attend the June 4<sup>th</sup> meeting at 7:00 pm to get information concerning this topic and report at the next meeting.
  3. Fiscal Officer reported there was one (1) resume` by Kimberly Craig submitted for the fiscal officer position. The trustees discussed if they wanted to advertise again. Trustee Likley stated he did not believe the advertisement should be made again. The reason being is he feels the decision should be left up to the voters and also if a fiscal officer has started to be trained and doesn't win the election that is a waste. The Board decided that the fiscal officer should send a letter to Kimberly Craig stating they would not be appointing anyone to the fiscal officer position and if she wanted to run for the position in November she could file a petition with the election board by August 7, 2013. The new fiscal officer would take office the day after the vote is certified. The trustees would appoint Martha Evans as interim fiscal officer prior to August 1, 2013.

- ✓ The fiscal officer announced she would not have regular office hours until further notice and asked that the trustees amend the open records policy to reflect her request. Trustee Likley asked if there is a reason. Fiscal Officer replied it is because when I am here I can't get any work done and have to work at night anyways. Trustee Likley asked how the fiscal officer would receive the e-mails. Fiscal officer replied the mail and all communications will be checked daily and the work will be kept up to date.

**Trustee Oiler made a motion to amend the open records policy to read records shall be requested in writing, either by e-mail, postal service, left in drop box in the rear of the building by office door or by oral request, seconded by Trustee Harris. Roll call: Harris, aye; Oiler, aye; Likley, no**

Fiscal officer reminded Trustee Likley that by statute she is not required to have regular office hours. Trustee Likley stated he knew that but it is for the convenience of the residents.

**RESOLUTION 2013-11 A RESOLUTION TO ESTABLISH QUALIFICATIONS TO BE ELIGIBLE TO PARTICIPATE IN WESTFIELD TOWNSHIP'S HEALTH/MEDICAL INSURANCE PROGRAM LIFE AND SHORT-TERM DISABILITY INSURANCE BY AMENDING EMPLOYEE HANDBOOK SECTION "MEDICAL, LIFE, AND SHORT-TERM DISABILITY INSURANCE"**

This resolution was required by the Obama Healthcare Law to establish the number of hours an employee must work to be eligible for health care (30 hours) and to establish a Section 125 document required by IRS. **Trustee Likley moved the adoption of Resolution 2013-11, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye**

**RESOLUTION 2013-12 A RESOLUTION AUTHORIZING THE MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES TO FILE AN APPLICATION WITH THE OHIO ATTORNEY GENERAL'S OFFICE, TO PARTICIPATE IN THE MOVING OHIO FORWARD GRANT PROGRAM**

The trustees have a few buildings that need to be demolished and desires to help the residents to obtain funding to defray the cost of demolishing the buildings that are not inhabited and in a condition that the buildings are beyond repairing. **Trustee Likley made a motion to adopt Resolution 2013-12, seconded by Trustee Oiler. Roll call: Likley, aye; Oiler, aye; Harris, aye**  
Trustee Harris has 6 houses that could possibly participate in this program.

MINUTES- May 20, 2013

**Trustee Likley made a motion to approve the May 20, 2013 minutes as amended, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye**

OLD BUSINESS

- ✚ Cell Tower – Trustee Likley stated "Status Quo" for the American Tower contract. Fred Boreman is to be surveying the American Tower lease site. American Tower is compromising with our removing the first right of refusal in the contract. We are in the running with both contracts (American Tower and Verizon Wireless).

- + Section 125 – Now that Resolution 2013-11 has been passed we can proceed with the application to get the Section 125 document in place. This plan is required by IRS because we require our employees to pay a portion of the premium. **Trustee Likley made a motion to proceed with the online Core Document for the POP Section 125 document, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**
- + Barking Dog issue – Trustee Harris secured 3 barking dog resolutions from 3 neighboring townships (Montville, Wadsworth and Sharon). Trustee Harris spoke with 9 townships – 3 do have resolutions; 1 is interested; and 5 do not have anything. The townships that have resolutions they reported they are working and are very successful. Must notify Wadsworth and Medina Court that we have a resolution and the Sheriff is the enforcement official. The 3 resolutions were given to the board for review with possibly using those as a reference as the trustees consider a resolution for Westfield Township. Chatham is interested if we create a resolution.
- + Upper Chippewa Creek Watershed Balanced Growth  
Trustee Harris explained that at the May 20<sup>th</sup> meeting the Upper Chippewa Creek Watershed Balanced Growth topic was discussed and a motion was made and voted on and a resident that requested to be notified if that topic was discussed was not notified therefore, upon recommendation from Assistant Prosecutor, David Folk **Trustee Harris made a motion to vacate the previous motion and open the topic back up tonight concerning the Upper Chippewa Creek Watershed Balanced Growth recommendation by a Westfield Township resident, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye.** Trustee Oiler asked Carolyn Sims to give her presentation.
  1. Carolyn Sims came to the podium to speak.
    - a) Requesting Gary & Ron’s e-mail be attached to the minutes
    - b) Purpose and reason behind the clarifying of #7 criteria. Read the plan, understand and rationalize #7 is considered a primary development area and it is not easy to understand and is not consistent with other plans. This plan is the only one in the state in Rocky River Watershed.
    - c) The amendment should read #7 Criteria (in conjunction with Criteria #1 and #2)
    - d) May 20<sup>th</sup> meeting Gary and Ron voted no
    - e) By adding #1 and #2 to #7 criteria is logical clarification
  2. Trustee Harris stated he had talked with Jeff Van Loon and there is no action needed by this board just the balanced growth planning committee.

**Trustee Likley made a motion to add to #7 Criteria (in conjunction with #1 and #2 criteria)  
Motion dies for lack of second.**

#### NEW BUSINESS

There was a discussion/debate between resident Carolyn Sims and Assistant Prosecutor Bill Thorne concerning the BZA May 22, 2013 Use Variance (Kratzer) about the documents presented at the hearing then taken back for the defending attorney. Bill stated they even took his copy and they can do that if

they are not finished with presentation. Trustee Likley asked how does the board know the integrity of that document. Bill stated: they have to be compared or they could withdraw.

#### ANNOUNCEMENTS

June 11, 2013 Zoning Commission regular meeting 7:30 p  
June 17, 2013 Trustee Regular Meeting 7:00 p  
June 18, 2013 BZA Public Hearing Use Variance (Continuance) 7:30 p  
June 20, 2013 WFRD Special Mtg. Executive Session (Contract) 4:00 p

#### PUBLIC COMMENT

- Bill Thombs- As a reminder the referendum said what the residents want and you as trustees represent the township as a whole
- Carolyn Sims – BZA members and the secretary need to be educated; public documents need to be categorized, labeled and open to public inspection. Bill mentioned to Carolyn that she can ask to see the documents during the hearing. Carolyn stated she is just protecting the township. Bill stated the board should ask questions.
- Heather Sturdevant announced that the public hearing scheduled for June 11<sup>th</sup> was cancelled because it was not advertised properly. Heather stated that Sherry should have some formal training in advertising. Trustee Likley asked what would be best. Bill Thorne stated they (the prosecutor’s office) used to have a binder that had all the information and examples to be followed. We can go over with her in a training session. Bill will have David Folk forward what information that they have at the office to her. Trustee Likley encouraged any training that the Planning Services may have.
- Trustee Harris asked if there is a time limit on records requests. Bill answered, promptly. Trustee Likley asked what is reasonable. Bill answered 7-10 days.

**Trustee Harris made a motion to adjourn at 9:21 pm, seconded by Trustee Oiler. Unanimous**  
Approved June 17, 2013