

WESTFIELD TOWNSHIP TRUSTEES

Regular Meeting
September 3, 2013
7:00 pm

Chairman Gary Harris opened the meeting by asking those in attendance to stand and Pledge Allegiance to the flag followed by roll call.

Trustees present: James Likley, Gary Harris, and Ronald Oiler as well as Fiscal Officer, Sandra Tryon and Assistant Fiscal Officer Martha Evans. Assistant Prosecutors William L. Thorne and David Folk were also in attendance. There is a sign in sheet attached to the minutes.

Trustee Harris made a motion to go into executive session with legal counsel for the purpose of pending litigation at 7:06 pm according to ORC 102.03B, seconded by Trustee Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye

Trustee Harris made a motion to come out of executive session at 7:55 pm, seconded by Trustee Likley. Roll call: Oiler, aye; Likley, Harris, aye.

Decision as follows:

Trustee Harris made a motion to hold special meetings September 12, 2013 at 4:00 pm and September 17, 2013 at 6:30 pm in executive session with legal counsel for the purpose of pending litigation, seconded by Trustee Likley. Roll call: Likley, aye; Harris, aye; Oiler, aye

- Trustee Harris shared with the board a letter from the Medina County Planning Services concerning Moving Ohio Forward Demolition Grant stating that there is a resident on Elm Street that wants the building demolished but cannot afford the \$750 fee required by the State to move forward with the demolition. The Medina County Commissioners and the Medina County Planning Services have refused to pay the \$750 therefore, the board asked Bill Thorne and David Folk if the township could pay the fee and have the building removed. Bill Thorne stated two ORC statues could be merged together and have the property owner sign a waiver and the fee could be attached to the property's taxes or the township could get an estimate to remove the building, have the property owner sign a waiver, get a statement from the fire department that the building is a nuisance or a statement from the health department stating it is a health hazard and then attach the cost to the taxes of the property. After much discussion, it was decided to have Lee give the board an estimate to demolish the building, remove debris and clean up area. Then the cost could be attached to the property's taxes with the property owner's signed waiver. This will be discussed when Lee gives the board an estimate, a written statement deeming this building is either a nuisance or a health hazard and a signed property owner waiver.
- Cell Tower: David Folk reported the American Tower Extension is at a stand-still. American Tower will not bend on the right of first refusal or the reservation of the right to use the property for public purpose. The existing contract is active.
- Verizon Cell Tower: David Folk stated the offer is still being reviewed.

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Guests were welcomed.

From the auditor's office, Lisa Nichols gave a brief report:

- ❖ The reappraisals for 2013-2014 have been completed and Westfield's should be mailed soon
- ❖ If a property owner has an issue with the new appraisal, you may come to the township hall Oct. 10, 2013 between the hours of 11 am and 8 pm, go to the auditor's office, use the online service or phone.
- ❖ There are mortgage assistance programs available. Call 330-725-9137

CEMETERY & PARK

Trustee Oiler reported there was one cremation burial and Lee poured a 54"x18" foundation for a monument

ZONING Matt Witmer, zoning inspector was not present. Trustee Harris stated Matt's report was given to each trustee and it will be attached to the minutes.

- ✚ North Coast's site plan was approved by the Zoning Commission and there are several issues that require a variance.
- ✚ September 4th, 2013 the Medina County Planning Commission will review the revised Highway Commercial District and the error that was discovered and needed to be corrected
- ✚ September 12, 2013 the Medina County Planning Commission will hold a workshop entitled "Sunshine Law and Open Meetings."

FISCAL OFFICER

- ✓ Bills to be paid in the amount of \$19,346.61. **Trustee Oiler made a motion to pay the bills, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye**
- ✓ Fund Status: Investments \$301,503.61 Checking \$474,221.79
- ✓ Correspondence:
 1. Letter from Assistant Prosecutor, Bill Thorne giving his opinion on OPERS determination that anyone paid on per item basis is not eligible to participate in OPERS membership. It was suggested the employees that are paid per item (Zoning Commission and Board of Zoning Appeals) will receive a refund of their contributions and will then be subject to Social Security Tax.
 2. E-mails from Medina County Planning announcing the meeting Sept. 4th to hear Westfield Township's amended Highway Commercial language and the error that was discovered. Planning Services will be holding a workshop Sept. 12, 2013. RSVP by Sept. 9, 2013

ROADS Lee reporting:

- ❖ Garage floor drains have always plugged up and they wouldn't flow the way they should. Joe Lewis and I dug up the drain outside the building. We found the 4" tile on the inside went to a 6" tile with a 90 degree angle going to the tank but the 90 was lower than the tank. We

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installed a Y at the edge of building and two 45's and made sure the fall was correct. It works now.

- ❖ Crack sealing on the west end of Buffham and Ryan between Eastlake and Kennard
- ❖ Seals were bad on the mower. They are repaired
- ❖ Mowed on Buffham
- ❖ I went to Lafayette Township and asked if I could buy their berm box. They didn't know they had one. Lee pointed out the item in the weeds and said they didn't know what that was. They would rather have Lee show them how to operate it and they will share that piece of equipment with Westfield Township than sell
- ❖ The hoist on the dump bed for the Peterbilt had burned seals. Lee instructed the manufacturer to put a new one on for \$1,496 since we sold the old bed for \$1,500.
- ❖ Trustee Likley asked Lee to check a drainage ditch in Westfield Farms as a resident had an issue with that ditch. Lee stated he would go and check it out.

MINUTES August 5, 2013 **Trustee Oiler made a motion to approve the August 5, 2013 minutes as submitted, seconded by Trustee Likley. Roll call: Harris, aye; Likley, aye; Oiler, aye**

Martha pointed out that we should change the date from 1996 on page 2 to Jan. 10, 2003. All agreed.

August 8, 2013 **Trustee Oiler made a motion to approve the August 8, 2013 minutes as submitted, seconded by Trustee Harris. Roll call: Harris, aye; Oiler, aye; Likley, aye**

OLD BUSINESS – None

NEW BUSINESS –

- ✓ Trustee Likley gave the fiscal officer information from Barb Beach on information about the new health care system. Prior to 10-1-13 there was information that should be given to each employee that has township health care. Martha stated she would read it and determine what needs to be done and report at the next meeting.

ANNOUNCEMENTS

Sept. 10 th	Zoning Commission regular meeting	7:30 pm
Sept. 12 th	Trustees Special Meeting (Executive Session)pending litigation	4:00 pm
Sept. 16 th	Trustees regular meeting	7:00 pm
Sept. 17 th	Trustees Special Meeting (Executive Session)pending litigation	7:00 pm
Sept. 18 th	BZA public hearing for Clean Energy	7:30 pm

PUBLIC COMMENT

- John Minor a Buffham Road resident complained about the flooding of his basement. John claims the water runs down the roadway, into his driveway then into his basement. John claims this issue was caused by the township putting in a 36" culvert pipe replacing a 20" a few years

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ago. He was asking for a resolution to stop the water from coming across the road. Trustee Oiler suggested that Lee call Dan Becker to help resolve this issue. Lee stated he would work on it.

- Heather Sturdevant, zoning commission chairperson asked if the trustees would get some training for the zoning secretary. She has great minutes but there are too many errors in advertising and getting things done in a timely manner. The township is spending too much to have the zoning commission meet and then the items aren't done so they have to meet again. Trustee Likley said he would touch base with the Planning Services to see if they have some training for zoning secretaries.
- Heather – it maybe nit- picky but the trustees were never served with the language for wood burners. Now we must have another public hearing and try to get her to certify it to the trustees for their consideration. It is costing us money. The training is so we can work effectively. It's up to you.

There being no further business to come before the board:

Trustee Harris made a motion to adjourn at 9:00 pm, seconded by Trustee Oiler. Unanimous

Approved September 16, 2013