

Westfield Township Board of Trustees

November 3, 2014
Regular Meeting

Trustee Likley calls the meeting to order at 7:00 PM.

Roll call: Schmidt- aye, Likley- aye, Thombs- aye.

Comments from the Floor

Olivia Houck- Medina County Health Department- Explains to the trustees how the township could provide medications to the township employees if there is a Medical Emergency. Closed Pods would be set-up to dispense antibiotics or vaccines to a group of people (staff and families) and the township would keep records of this process. The benefit to the Medina County Health Department would help lessen the amount of people who the Health Department would need to cover if an emergency occurs. The benefit to the township would be the administration of medications to first responders and other staff members. The trustees accepted the sample memorandum templet from the MCHD and the form that the employee would fill out.

Likley asked about how many family members would be acceptable to being part of the Closed Pods. Ms. Houck stated the household are all that live under the same roof as the participant. Forms will be filled out in advance so the MCHD would know the amount of medications needed.

Thombs- asked about whom would be responsible for paperwork at the township level and if there is a change in household. Only one person per household will need to pick up the medication from the town hall and a designated person would keep the records for the township. Closed pod township employee refers to anyone who provides a service for the township. No decision was made at this time and the trustees will discuss this further.

Fiscal Officer's Report

- Payments in the amount of \$ 1,569.18

Likley makes a motion to approve paying of the bills in the amount of \$1,569.18 as submitted; seconded by Thombs. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

- Fund Status in the amount of \$572,646.22. Likley would like the money to be spent out of the Fire Levy Fund.

Correspondence

- Northern Ohio Damage Prevention Council- OSHA correspondence on December 5, 2014

Minutes to be approved

Likley makes a motion to accept the October 20, 2014 meeting minutes as corrected; seconded by Schmidt. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

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Likley makes a motion to accept the October 20, 2014 Solar Energy Public Hearing meeting minutes as submitted; seconded by Thombs. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

Likley makes a motion to accept the October 27, 2014 Special meeting minutes as corrected; seconded by Schmidt. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

Roads Report

- Kennard Road project is completed with a couple of minor issues still need to be finished. Walk through with Thombs on Wednesday, November 5th at 1:00 PM. A problem with the asphalt needs to be addressed.
- Striping has been laid out but not yet started by the county. They should be in Westfield Township soon.
- No information about the plow but we have a back-up.
- Deerfield swale and grading (need more dirt and top soil). Resident will take care of putting the fence back up.
- Fall clean-up at the cemetery will be done by Evans.
- Thombs will contact the mower and thank him for his service and a job well done.

Zoning Report

- **8514 Friendsville Road (Kristen Lenart - "Fix-A-Fence" home occupation/business owner)**
 - The 2nd official Zoning Violation notice was reissued by signed certified mail, regular mail and hand-delivered to the residence's address. However, once again certified letters went unclaimed after multiple days attempt to deliver, and hand-delivered violation was returned to the town hall.
 - ZI Contacted the County Prosecutors Office for guidance. The Zoning Department will reissue a "final" violation notice - with a 10-day notice to comply. If FINAL violation notice letter is not responded to, the violation will be turned over to the Prosecutors Office for action.
 - Background: Property owner/business owner previously stated the intention to pursue a variance in order to keep the fence. Granted 30-days to pursue variance or remove fence expired. Owners had not pursued a Variance for the stockade style fence constructed in the front yard. Issued a 10-day notice of Zoning Violation. Post Office attempted delivery for multiple days unsuccessfully – LETTER UNCLAIMED. Zoning Violation reissued.
- Public Presentation was held on October 27, 2014 host by the Westfield Township Trustees as a Special Meeting. The township's professional land planner, Mr. Mark Majewski of Northstar Planning gave a Public Presentation on the 2014 Comprehensive Development Policy Plan, highlighting the proposed possible future land uses for Highway Commercial Zoning District and along East Greenwich Road. The Presentation was well attended by approximately 50 people.

Kratzer Lawsuit Update: 14 CA0069-M: (9th District Court of Appeals)

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- The Kratzer's appealed Judge Collier's ruling remanding the Use Variance back to the Westfield BZA for a rehearing - appealing the Judge's decision to the 9th District Court of Appeals.
- Medina County Prosecutors Office filed a Notice of Cross-Appeal
- The Appeal(s) was referred to "Mediation" by the Court
- A Mediation Conference was held at the Westfield Townhall in Special Meeting of the Board of Trustees on October 8th, 2014. Mediation did not produce an agreement or terms of consensus, therefore litigation will proceed as scheduled, at this time.
- The Kratzer's Merit Brief was due on Oct 20, 2014 to the 9th District Court, however Kratzer's delayed filing – rather requesting an extension of time. Time extension granted until Oct 30th, 2014.
- Kratzer's Merit Brief filed on Oct 30th 2014 with the court
- **Case #14 CIV 0173 (2506 Appeal/BZA):**
 - No updated information available
- **Case 13 CIV 0971:**
 - Lead Council for the Township, Attorney Dave Mathews filed a "Notice of Service of Discovery..." to the Kratzers whereby requiring documentation and to answer fully and completely under oath within 28 days to request.

- Map Resolution text (and 3 different maps) Natural Hazard's Map and the FEMA Flood Plains Map are provided to the trustees. Likley discussed with Planning Services that the map is not correctly titled to match the zoning text as we move forward.
- ZI Sims thanks Trustee Likley for the prompt response he received from Planning Services and moving forward with the maps.
- BZA does not have any business at this time but there are meeting minutes that still need to be approved. ZI Sims requested that the trustees ask the BZA to approve the minutes. Likley wishes for the BZA to meet before the year is up to finish all 2014 business.
- Implementation Schedule- Trustee Thombs provided the old schedule and the new schedule to the board. Thombs rechecked his minutes (focus of the meeting was to determine the Zoning Tasks) and Thombs did not have any notes on changes with the planning tasks above. The confusion may have been with page 60 of the comp plan regarding East Greenwich Road, #4 joint planning efforts. Likley clarifies that the Implementation Plan has been approved, adopted and accepted by the trustees. There are no supporting documents that would change the board's determination at this time. West Greenwich was only mentioned as the Neighborhood Business Amendment.
- ZC Chair Sturdevant addressed the board regarding the illustration of the table that was labeled and Jill Kemp addressed the East Greenwich that was on this table. Schmidt stated that this was not the document that was provided to him at the last Zoning Commission meeting and what was discussed at that ZC meeting by the board. Sturdevant admitted that the wrong table may have been addressed. Likley and the board feel the Implementation Action and Responsible Persons' Table at the work session did not open up the chart that Sturdevant mentioned. (The chart is a visual tool and the Implementation Table is the board approved reference document.)

Old Business

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None

New Business

Packet of Zoning Text Amendment and Map- Resolution 2014-25 states that the Westfield Township Trustees are initiating a text and map amendment to address the following:

- 1) Update Zoning District Map and parcel boundary lines including the state purchased property
- 2) Proposed adopting a new digitally created Natural Hazard Overlay Zoning District Map to replace hand shaded velum map. Including updated FIMA flood plain boundaries of 2013 and soil types
- 3) Natural Hazards Map

Packet will be given to Zoning Secretary Porter with the correspondence from Rob Henwood, Director of Planning Services, which will include his supporting documentation and sources that was used to generate the map information. A note will be included to the Zoning Commission stating that Medina County Planning Services have prepared these maps on behalf of the township. In the packet is also the identification of the referenced Article III, Section 302, Natural Hazards' Overlay District B1 and supporting documentation.

Likley makes a motion for the Westfield Township Trustees to initiate a zoning text and map amendment resolution 2014-25; seconded by Thombs. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion passes.

Discussion: Likley reads the resolution in its entirety.

ZI Sims would like the record to reflect that these new digital maps will be replacing the old velum map that was created with markers and hi-lighters. Planning Services can reproduce the map at a larger size for the district.

Announcements

Zoning Commission regular meeting on November 11, 2014 @ 7:30 PM

WFRD regular meeting on November 17, 2014 @ 6:30 PM

Trustee regular meeting on November 17, 2014 @ 7:00 PM

WFRD Breakfast with Santa on December 6, 2014 from 9:00- 11:00 AM @ the Town Hall

Likley makes a motion to adjourn at 8:20; seconded by Thombs.

Likley makes a motion to re-open the Regular November 3, 2014 Board of Trustees meeting to make a correction in the payroll; seconded by Thombs.

Zweifel explained that the original payment listing today was \$1569.18 the listing should be changed to include the payroll of \$7450.23.

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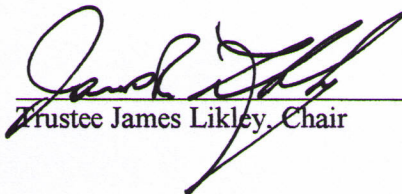
Likley makes a motion to re-open and approve a payroll payment register in the amount of \$7450.23; seconded by Thombs. Roll call: Likley- aye, Thombs- aye. The motion passes.

Likley makes a motion to adjourn; seconded by Thombs.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

Date approved: Nov. 17, 2014


Trustee James Likley, Chair


Trustee William Thombs


Trustee Michael Schmidt