

Westfield Township Board of Trustees

Regular Meeting
October 21, 2019

Trustee Schmidt called the meeting to order at 7:00 PM with the Pledge of Allegiance
Roll call: Schmidt – aye, Likley – aye, Horner – aye.

Comments

- Randy Miller – Planet Aid (Solon, Ohio) - Planet Aid is a non-profit that collects shoes & clothes in donation bins. There are currently 4 in the Lodi area. Mr. Miller is asking that a bin be placed near the recycle bin at the Township Hall. Drivers collect the contents of the bin weekly or monthly. If residents place items outside the bin, a call for a non-scheduled collection should be placed. There is a 1 page agreement that needs to be signed by the Trustees.
 - Collections are distributed to textile suppliers and funds go back into Planet Aid's mission.
 - Trustees will review the information and will make a decision

Minutes to be approved

- *Schmidt makes a motion to accept the October 7, 2019 meeting minutes as corrected; seconded by Likley. Roll call: Horner – abstain, Schmidt – aye, Likley - aye. The motion passes.*

Roads Report

- Roads Supervisor Evans was not in attendance.
- Brining tanks are on site and plumbing will be installed this week.
- A load of salt from Cargill was received. The cost was \$76.32 per ton.
- The Ballash Road guardrail issue has been resolved.
- The E-poke system will be stored outside on a stand.
- Salt contract commitments will need to be verified for the 2019-20 season.

Cemetery

- N/A

Zoning

- 7 new home certificates were issued to: 4 new homes, 1 deck, 1 car port & 1 Pole Barn
- 2 ongoing violations.
 - 7845 Buffham Road. – Stockade style fence is installed beyond the front of the existing house exceeding height requirement for fencing installed in the front “yard”.
 - Deer Pass Golf Course – (property not in use – listed for sale) Not in compliance with Zoning Commissions Approved site plan and/or set conditions, including shed structure erected prior to Zoning Certificate/MC Building Dept approval.
- BZA public hearing dates set
 - October 29th - Morning Star Farms Ministries Conditional Use located 9241 Friendsville Road renewal application. The previously scheduled meeting on October 8th was cancelled due to lack of a full board. Applicant exercised the right to a full Board. Zoning Secretary has stated that both the Public Legal Notice and resident letter have been completed.

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- November 6th – Area Variance Public Hearing – 7845 Buffham Road stockade fence installed beyond the front of the existing house exceeding height requirement for fencing installed in the front “yard”; resident is pursuing an Area variance as a remedy. The neighbor is leaving for the winter and asked if she could send a representative. ZI Sims will consult with Asst. Prosecutor Lyons.
- Westfield Lakes/Terrace subdivision
 - MC Planning Services Mtg November 6th regarding proposed RePlat #3: Comments requested and are due October 23rd. Sims met with MCPS on October 17th.
- 9241 Friendsville Road – A proposed AT&T cell tower will be referred to as the property owned by Terry L. Bower. GPD Group consultant may pursue an area variance. An e-mail is part of the record.
- Greenwich Road Overlay Zoning District – a) zoning inquiry for proposed project in discussion phase including County agencies b) Associated Zoning Fee schedule review
- Miscellaneous Zoning inquiries.
 - Amazon Lockers – County Prosecutor Mike Lyon consulted and Amazon to provide more information
 - IHOP rebranding the Country Pride space at Truck Stops of America. Due to the change in flow of traffic, facility entrance change and signage a site plan review is needed
 - Speedco is requesting a change in signage. Sims will check on activity observed by Trustee Horner at Speedco’s driveway.
- ZI Sims may not be in attendance at the next regular meeting.
- Resolution 2006-13 addressed abandoned cars within the Township
- Clarification on email received between records request and meeting notification upon a specific request. This is identified within our Open Records and Sunshine Law.

Likley makes a motion to accept the Fee Schedule Amendment Section 308 PRD or OIPD; seconded by Schmidt. Roll call: Likley – aye, Horner – aye, Schmidt – aye. The motion passes. This is to be added to Township Fee Schedule and updated on web site page. This will be forwarded to Zoning Secretary to be implemented.

Safety Services Building

- 80% of the roof on the main apparatus bay is installed.
- Trustee Likley received a call from Boyerts regarding landscaping options. The meeting scheduled on Wednesday is postponed due to the \$50/hour consultation fee. This item will be decided after construction is complete.
- Information for a lighted sign and lettering on the building has been reviewed.
 - 3 driveway signs = \$759.30
 - Main yard sign = \$2,479.60
 - Sign at building face is \$1,150.00 and \$610.00 for installation
 - There will not be a sign on Leroy Road.

Old Business

- Recycle Center – Trustee Likley will attend MCSWP Meeting 10/31/2019 at 9:30 AM
- Hall Rentals
 - November 1 – Department of Agriculture Soil & Water
- Ken Beckman – 7583 Greenwich Road asked if the Board of Elections pay for Hall Rental on Election days. The answer is yes, \$30 per day.

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- He also asked about the Village of Westfield Center's voting rights. The Village's residents are able to vote for and run for a Trustee office. You must be a resident of the Village to run for Village council or Mayor's office.
- The Lease Agreement between WFRD & Township of the Safety Service Building was submitted to the Prosecutor's Office for review utilizing their Work Order Portal. Follow up with the Prosecutor's Office is needed.

New Business

House Bill 291 allowing the option to use an Employee Dishonesty and Faithful Performance Policy instead of an individual surety bond. Currently a Surety Bond for a Fiscal Office is charged based on budget. A Faithful Performance Policy with \$195K coverage is \$260. This coverage needs to be on both the Township & WFRD. The Fiscal Officer's policy will be in effect on April 1, 2020 with the swearing in of the candidate. The present Surety Bond continues until office term expires.

Schmidt makes a motion to authorize 2019-15 authorizing the option availability of an Employee Dishonesty and Faithful Performance Policy and individual surety bond through Otarma effective March 2019 in accordance with House Bill 291; seconded by Horner. Roll call: Horner -aye, Schmidt -aye, Likley – aye.

- Trustee Horner attended the Medina County Township Assoc. meeting on October 17th. The MC DEA office reported that a dead deer was found with a kilo of fentanyl near its carcass.

Correspondence

- Trustee Horner presented a letter that he received from Mattew Wittmer registering a complaint against ZI Carolyn Sims on 10/8/2019 alleging zoning violations not being addressed. Correspondence attached to the record.

The allegations of zoning violation were not provided to ZI prior to the meeting.

- ZI Sims provide limited documentation in response within the time provided. Additional documentation will be provided at future meeting.
- Wittmer is requesting disciplinary action against ZI Sims as a comparison of recent written disciplined action taken on Road Supervisor Lee Evans.
- Sims expressed her concerns that this was a retaliatory action as a result of Roads Supervisor Evans' recent disciplinary action by the Board.
- ZI Sims will provide all related documentation on the zoning issues raised and asks that Trustees prepare a written response to Mr. Wittmer on his allegations.
- ZI Sims requested an Executive Session with the Trustees regarding the retaliatory nature of Wittmer's e-mail.
- Trustee Likley read his response to Mr. Wittmer's e-mail. Within the letter he stated that all employees of the Township are held to the same standard.
- ZI Sims reiterated comments made to Trustee Horner previously. That she feared retaliation and now we're seeing it. That there has been a history of retaliation. That she will not come to the township hall if there is a possibility of being alone with one of our employees and feels that this a hostile work environment.

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- NOTE: All communications and documents are included with the minutes and available for review.
- A letter from County Prosecutor Forrest Thompson was received advising that no one should pursue any of the class action lawsuits relating to the Opiate Litigation.
- SPCA Medina County stated that 49 animals were addressed in Westfield Township costing \$9,415.35. A donation is made annually in the 1st Quarter of the year.

Announcements

- November 4, 2019 – Trustees Regular Meeting – 7:00 PM

Fiscal Officer's Report

Likley makes a motion to pay the bills in the amount of \$269,453.77 as submitted; seconded by Horner. Roll call: Schmidt – aye, Horner – aye, Likley - aye. The motion passes.

- Simmons Brothers Construction - \$244,735.84 – AIA Draw #6
- Duro Mark, Inc - \$9,250.00 – Road striping

Fund Status

- \$878,093.25 Checking
- \$103,290.62 CD
- \$1,581,579.62 – Bond Checking

Appropriations Reallocation

- \$100.00 to 2021-330-221-0004 Life Insurance from 2021-330-222-0000 Medical Deductible

Likley makes a motion to adjourn at 9:43 PM; seconded by Schmidt. All said aye.

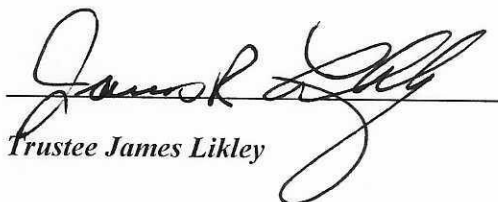
Respectfully submitted by:

Michelle English

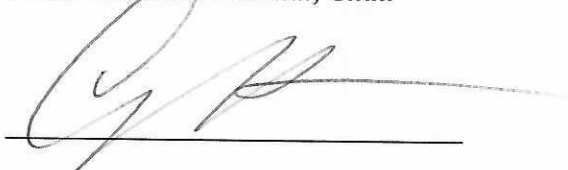
Date approved: 11-4-19



Trustee Michael Schmidt, Chair



Trustee James Likley



Trustee Craig Horner