

Montville Township Trustees
December 8, 2009

Present:

Trustee Ron Bischof, Chairman
Trustee Jeff Brandon
Trustee Jeff Shuran
Fiscal Officer Mary Pawlowski
Zoning Inspector Judy Emrick
Police Chief Tom Acklin
Roads Superintendent Dennis Clapper

Also Present :

Bob Sackett, Resident
Jeff Russell, Resident
Rich & Judy Reese, Residents
Sally Gardner, Medina Township
Steve Huszei, Post Reporter

Trustee Bischof opened the regular meeting of the Montville Township Trustees, which came to order at 7:30 p.m. The Pledge of Allegiance was recited. Trustee Shuran offered a prayer. Trustee Bischof welcomed residents to the meeting and stated that the meeting is being recorded for transcription purposes only.

PUBLIC RECOGNITION:

Mrs. Sally Gardner introduced herself to the Board. She is a newly elected Trustee for Medina Township and was attending this evening's Montville Township meeting to observe.

Mr. Rich Reese, a Harbor Lakes resident, asked the Trustees what it would take for his community to become a public road. He said that they pay the same taxes and do not receive the same services. Trustee Shuran explained that the road specifications for Harbor Lakes do not meet County standards so it would not be qualified to become public.

Mr. Reese said that they were in Phase 1 of the community, and asked if Phase 2 could go in meeting County zoning requirements for public roads. Zoning Inspector Emrick said that, when this area was approved, it was approved to be private street only.

Resident Jeff Russell of Highland Meadows asked about the parking regulations in Montville Township. Chief Acklin explained that each road and each subdivision is different, but if there is a no parking sign in place, motorists are not permitted to park there. You are also not permitted to park within 2-1/2 feet of a fire hydrant or private driveway.

Mr. Russell asked about the rules for putting no parking signs in place in the township. Chief Acklin said that putting up any no parking sign in the township is decided by the Board of Trustees, once the recommendation is given to them by the Police Department, Roads Department or a citizen. This power is given to the Trustees by the State of Ohio.

Mr. Russell said that the subject was brought up at the last Trustees meeting about putting in a no parking zone at a curve in a residential neighborhood in Blue Herron. After the motion was made and seconded, discussion had changed to speaking

with the engineer. Mr. Russell said that it stuck in his mind about the engineer and what the procedure actually is for putting in the signs.

Trustee Bischof said that the Trustees are not required to call in an engineer. The Trustees could arbitrarily put up a no parking sign. More than 99% of the time, the sign goes up because of an initial request from the Police Department or the Roads Department.

Mr. Russell felt that he could see no logical placement of no parking signs in the township and no consistency. Trustee Shuran said that Chief Acklin may think a sign is needed in a specific location for safety, and would have to bring that to the Board to approve before the sign would be installed. He said that the discussion about bringing an engineer in was brought up because of the way that road in Blue Herron was designed. Trustee Shuran said he was the one who had made the comment because he wondered why the County engineers didn't consider the way the curve was designed before they constructed it. Also, why was this missed by County Planning.

Mr. Russell said that he understands Trustee Shuran's explanation tonight. His point was that it seemed like the vote was taken prior to knowledge of all the circumstances around the situation. He said that a motion was put up and seconded; is that how the decision was to occur? Trustee Shuran said that, if a motion is made and not seconded, it dies on the floor. If a motion is made and seconded, the Board can have discussion and then votes on the motion.

Mr. Russell appreciated understanding the way it is supposed to work. He went back to his notes from a July Trustees meeting, when the Chief was not in attendance, and Mr. Clapper brought to the Board Chief Acklin's request to put no parking signs on Highland Meadows Drive. No motion was made and nothing was voted on at that time by the Trustees. The signs still did appear on Highland Meadows. Mr. Russell wondered what the issue was for putting up the signs, perhaps a resident's complaint. There has never been a parking issue on the street and residents live on the side with the no parking signs have to cross the street and feels that is dangerous to the kids. There is well documented high volume traffic and speeding issues on Highland Meadows Drive and this is now a safety issue for the residents of Highland Meadows Drive.

Chief Acklin acknowledged that he was not at the meeting where the stop signs for Highland Meadows Drive were discussed. However, he had multiple complaints from police officers that people were parking on the street parallel to each other and there was not room for safety vehicles to pass safely. That was the reason for his request to make one side of Highland Meadows Drive a no parking area.

Discussion continued. Trustee Bischof asked Chief Acklin if it continues to be his recommendation to keep the no parking signs on the hydrant side of Highland Meadows Drive. Chief Acklin responded that it is. Fiscal Officer Pawlowski said that she has just reviewed the motions for 2009 and does not see a passed motion for the stop signs. This issue may have been tabled for the next meeting and not followed up. Trustee Bischof asked if Chief Acklin was aware of any citations from the stop signs; Chief Acklin was not aware of any citations issued.

Trustee Bischof requested the records of the Board meeting minutes be researched for the procedure followed for the no parking signs on Highland Meadows Drive. Secretary Elaine Klafczynski agreed to follow up for the next Trustees meeting on December 22.

Mr. Russell asked for a list of the complaints that actually were at the root of driving the conversation of putting up stop signs on Highland Meadows Drive. He is aware of one complaint involving him, but wondered if other residents had complaints because the Chief said that there were multiple complaints. Trustee Bischof said that he did not know if there were specific complaints; the Police Department felt that there was a safety issue in general on Highland Meadows, but we could certainly look into it.

APPROVAL OF MINUTES:

Trustee Brandon made a motion to approve the minutes for the November 24th Regular Trustees meeting. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

DEPARTMENT REPORTS:

LST & FIRE: No report.

ZONING: Zoning Inspector Emrick commented that she had appreciated being able to attend the Zoning class at Akron University. It gave a lot of history of zoning and how it has evolved over the years. Mrs. Emrick is hoping that they offer the second half of the class so that they could finish the book; she said you need to know where you've been so that you know where you want to be.

Mrs. Emrick said that the Zoning office is still waiting for Judge Kimbler to rule on the Overholt deadline to appeal the decision of the Board of Zoning Appeals. Mrs. Emrick gave her report (attached). Included: a new business will be coming to Buehler's River Styx; the Medina County Prosecutors office stated the time period is over and we must move forward on the Kunkel situation; a Ham Radio antenna in Emerald Lakes subdivision is interfering with area internet, television reception and cell phones; and termites were discovered in a home inspection on a Guilford Road residence.

ADMINISTRATION BUILDING: Last Friday, yesterday and this morning, the temperature in the zoning office was very cold. Mrs. Emrick believes that the Police Department is experiencing the same. When they do not work, they turn them down, wait and then turn them up again but it takes a couple hours to get warm again. Mrs. Emrick asked the Roads Superintendent to have someone come out to take a look at the furnaces.

Mr. Clapper said that we have had many problems with the furnaces in the last two years. They have been fixed but they do not always come on. They seem to not stay permanently fixed; the heat exchanger seems to be the problem. Last year, the recommendation was to replace both furnaces. They are approximately 20 years old.

Mr. Clapper said that we have talked about waiting for the remodeling, but we may need to do something sooner.

Trustee Bischof said that we don't know how much renovation will be done to the building, or whether one furnace could handle it. He suggested checking with Yorktown to see if a band-aid could be put on them again, and if it would work for a couple more years. Mr. Clapper will also work on receiving price quotes for replacing the furnaces.

POLICE: Chief Acklin expects a police officer's resignation tomorrow. When testing is done, each applicant is charged \$25 but we need Clancy & Associates to begin the process. Chief Acklin requested, and **Trustee Shuran made a motion hiring Clancy & Associates for police examination, not to exceed \$900. Trustee Brandon seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

The Police Department received a letter from the Department of Agriculture on November 24th stating that our loan for \$3,531,000 has been approved. The interest rate has dropped for a third time to 4.25%. We are locked into that rate, but it can still go down.

The bid packages are completed and Chief Acklin said they are hoping to go out to bid. A special meeting needs to be set before Christmas so Mr. Riachi could explain and discuss the bid process, and the options of a general contractor or project manager and perhaps individual contractors for plumbing, electric, floors, etc.

Chief Acklin said that our contract with the City for dispatching will be up at the end of the year. They are asking for a 3% increase over last year, but nothing else has been changed. LST gets its own bill from the City this contract is for police dispatch. The new contract may be ready for the next Trustees meeting.

ROADS: Roads Superintendent Clapper read his roads report (attached). Mr. Clapper said that he is scheduled for surgery on December 31 and will likely be unable to drive for two weeks. Trustee Bischof recommended further discussion in Executive Session at the end of the meeting.

Mr. Clapper said that the new pick-up truck was back with the plow on. He expects the larger truck to be ready by the end of this week. Trustee Bischof asked about the plans to get rid of the other truck. Mr. Clapper suggested using e-Bay.

PARKS: Mr. Clapper said that the Roads Department had obtained prices for remote door locks for the restrooms at the park. Sgt. Grice had suggested the idea to prevent the nighttime vandalism problems. The remote locks could be set and changed to open and close at certain times and still be overridden with a key. One quote is \$1,680; the other is \$2,190.

Trustee Brandon asked what the current procedure is. Mr. Clapper says that the doors stay open 24 hours/day in the summer. Trustee Bischof said that there has been minimal damage this past summer compared with the summer before. No further discussion or decision had been made on this issue.

Mr. Clapper received some prices on a chipper. This would be valuable to have for the parks as well as use out on the roads. Currently, we are picking it out and

hauling it down to Westfield. This would be a timesaver to have our own, and we could use the woodchips for mulch. A small 6 gas chipper, Vermier has a 6 x 6 box lists at \$18,000; our price through State purchasing would be \$11,012.82. We would need to chase down the gas for this chipper since we do not have it on site. An 8 diesel chipper, Reyco has an 8 x 14 opening, lists at \$25,000; our price through Federal purchasing would be \$18,275. Mr. Clapper said that this larger chipper would probably work better for us.

Trustee Bischof said that he has a request through Grant Resources who are looking to see if we could receive grant money for park equipment. The chipper and the lawnmower fall under this grant money available, and Grant Resources is working on this. It may be several months to find out about this grant money for equipment.

Trustee Bischof has a scout interested in doing a project for the township. His first idea to build a pavilion seems to be too big for one scout; perhaps two scouts could do the project. Trustee Bischof spoke with the scout leader to see if there is another scout interested in doing this project.

This past Sunday, Trustee Bischof met another scout at the park who was bringing in four trash containers for the pavilion. They are very nice, as trash is dropped into a hole from the top. They may need to be put in the barn for the winter; Mr. Clapper will take care of them.

Trustee Bischof received the final bill for excavation from Bontrager Excavating. The cost is being paid with grant money. The final draw of \$45,606.80 has been approved by Lewis Land; the draw appears to be accurate and the construction on the site appears to be completed per project specifications. If certain grasses are not growing in the spring, the contractor is obligated to come back and replant.

Trustee Brandon made a motion to pay Bontrager Excavating Ltd. their final draw request of \$45,606.80 for the excavating of Cobblestone Park. Trustee Bischof seconded the motion. The motion was passed, 2 ayes, 1 naye (Shuran) and 0 abstentions.

Trustee Bischof said that he and John Burkhart from the schools felt that planting trees along the side of the road going back to the school and to the park would help with aesthetics and hiding the road from the residents. Trustee Brandon spoke with Joe Demeter who will plant the donated trees this year. He is waiting to hear from the school s architect to know where to plant them; the area is not yet marked.

Trustee Bischof had spoken with Fred Hastings about getting pine trees from him. Frank wants \$5/foot and \$5 for each hole made when the tree is removed. He has any size pine trees and many varieties. Trustee Bischof said that perhaps Joe can replace the tree and dirt with the dirt being taken from the park so there would not be a remaining hole on Fred s farm. Trustee Brandon is waiting to get a quote from Joe on what it would cost to get the trees from Hastings.

Grant Resources is once again applying for the grant to get the park close to completion. We had already received \$56,000 for this grant in the past year. Trustee Bischof has asked Dave Lewis to calculate how much more we will need to complete the park so Grant Resources can work on the application.

Trustee Bischof had called several individuals regarding summer help for the park. He has received information from the county on where and how to apply for summer help from all the local high schools.

Trustee Brandon had received a letter from the Medina County Commissioners. The letter contained a proposal for pursuing an electric energy program for residents and small businesses located in Montville Township. The program offers guaranteed minimum savings to all eligible residential and commercial rate users and allow customers to opt out of the program. There is a potential grant to the township government and the county which would be awarded in 2010, pending successful voter approval. In 2000, a similar proposal was on the ballot countywide and Montville Township was one of six townships that had voted in favor of the proposal.

The newest proposal involves the commissioners placing the issue on the May 2010 ballot on a township by township basis. There is a meeting scheduled for tomorrow evening at Lafayette Township hall, and Trustee Brandon plans to attend.

OTHER BUSINESS:

Fiscal Officer Pawlowski reviewed the November Bank Reconciliation and financial reports. Copies of November reports provided to each Trustee: Fund Status & Fund Summary; Appropriation Status; Revenue Summary. The Fund Status report as of December 11 was provided to each Trustee.

Fiscal Officer Pawlowski requested, and **Trustee Shuran moved Resolution 120809.01 approving Supplemental Appropriations as presented. Trustee Brandon seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.**

Fiscal Officer Pawlowski requested, and **Trustee Brandon made a motion to pay the City of Medina \$115,000 for 2010 Stand-By Fee. Trustee Shuran seconded the motion.** In discussion, Fiscal Officer Pawlowski said that the invoice says 2009. We normally pay in the month of December for the following year's stand-by fee. The 2009 on the invoice was adjusted to read 2010. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Fiscal Officer Pawlowski requested, and **Trustee Shuran made a motion to pay Albers & Albers \$1,633.75 for the balance of JEDD services. Trustee Brandon seconded the motion.** In discussion, check amount correct. Also, this uses up the P.O. set up for the original \$30,000. Fiscal Officer Pawlowski created another P.O. for approximately \$800. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Bischof made a motion to pay Medina County Township Association \$200 for elected officials dues. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Fiscal Officer Pawlowski reported the receipt of a Nature Works grant of \$56,560 on November 24th. We also received \$897 for one of the police grants. Both are Federal grants.

Trustee Brandon made a motion setting the pre-organizational meeting for December 22 at 6:30 p.m. and the organizational meeting for January 5, 2010, at 4:00 p.m. Trustee Shuran seconded the motion. In discussion, Zoning Inspector Emrick said that Chief Acklin received word from Mr. Riachi and he will be at the December 22nd meeting at 7:30 p.m. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Shuran made a motion approving BC and PO s as presented and to pay bills totaling \$157,524.63. Trustee Brandon seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

At 9:13 p.m. **Trustee Bischof made a motion to go into Executive Session for the purpose of personnel issues. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

At 9:25 p.m. **Trustee Bischof made a motion to return from Executive Session. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Bischof made a motion to carry forward 40 hours of vacation time into 2010 for Dennis Clapper. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

At 9:26 p.m. Trustee Bischof adjourned the meeting.

Respectfully submitted,

Elaine Klafczynski

Approved by:

Date

Attested:

Date: