

**Montville Township Trustees**  
**March 9, 2010**

**Present:**

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

**Also Present :**

Deryl & Sally Albrecht, Residents  
Jeff Russell, Resident  
Ray Seaman, Resident  
Mikki Paul, Resident  
Karen Poliak, Resident

Trustee Brandon opened the meeting of the Montville Township Trustees, which came to order at 7:00 p.m. The Pledge of Allegiance was recited. Trustee Shuran offered a prayer.

Trustee Brandon turned the meeting over to Police Chief Tom Acklin for the swearing in of Montville Township's new police officer Justin Bennett.

Chief Acklin welcomed Justin Bennett and his family. He thanked the other police officers of the department for coming to the swearing in ceremony, which shows their interest in the township and in helping Justin train and become a good police officer for Montville Township. Chief Acklin thanked Mr. Bennett for having served our country in the military. Chief Acklin introduced the Board of Trustees to the Bennett family.

Trustee Brandon swore in Justin Bennett as a Police Officer of Montville Township.

Trustee Brandon opened the regular portion of the meeting at 7:30 p.m. Trustee Brandon welcomed residents to the meeting and stated that the meeting is being recorded for transcription purposes only.

**PUBLIC RECOGNITION:**

Resident Mikki Paul asked if there was an ordinance requiring Montville Township residents to clear the snow from their sidewalks. Trustee Brandon replied that this issue comes up every year. The prosecutor has said that, if the sidewalk is in the right-of-way, the township could choose to plow them but would then incur liability if someone should fall. Trustee Shuran agreed; whoever plowed it then has created the condition rather than nature. Trustee Brandon said that the law allows for the natural accumulation of snow. Homeowners Associations can encourage people to shovel their sidewalks.

Mrs. Paul asked about the lighting for the new baseball fields. Trustee Bischof said that he had brought the lighting up at the last Trustees meeting. A lighting company that was interested in putting in lights at the Cobblestone Park baseball fields gave Trustee Bischof information about their work. Lighting for baseball fields typically costs \$80-90,000. Rather than conventional payment, this company offers to put in the

lighting and then charge \$5,000/year for twenty years. Trustee Bischof brought this to the Board for information only. Trustee Bischof clarified that the Trustees have not decided when or if they would be putting lighting in. Lighting would likely be the very last item on the agenda, if it is even on the agenda for Cobblestone Park.

Resident Ray Seaman is a member of the Medina Chamber of Commerce. They have begun a new program called the Champions in the Townships. The idea of the program is to become informed with what is happening in the townships surrounding Medina, and particularly how they may help businesses in some way. Mr. Seaman or another member of the Chamber will likely be attending future Montville Township Trustees meetings.

Resident Jeff Russell said that, with the weather changing, he would like to see a proactive move to control speeding on Highland Meadows such as the monitors that have been used in the past, just as a reminder that there are kids out playing. Chief Acklin said that the monitor could not be used in the winter. Trustee Brandon asked if Mr. Russell saw more speeding during specific hours. Mr. Russell said he did see more speeding between 6 and 7 a.m. and between 4:30 and 6:30 p.m.

Mrs. Paul mentioned that there are more motorists out now in the afternoons, including many new drivers, because of no busing to the high school.

Resident Karen Poliak said that speeding and more traffic is also bad on Saturdays, and that is when there are a lot of children out playing. Mr. Russell acknowledged the police presence he has seen and very much appreciate their work.

Mrs. Poliak asked if the Trustees will make it known if and when they begin talking about lighting for the baseball fields. She wants the residents in her development to be able to voice their opinions on this issue since they will be most impacted by the lighting decision. Trustee Bischof said that he brought the lighting issue up before the Board because it is his job to bring all the information he can about the park for the Board to be able to consider.

Trustee Shuran said that he could not think of a reason to discuss lights for the baseball parks, even if the lights were donated. Discussion ensued. Mrs. Paul said that the HOA will continue to be interested in issues pertaining to the park, particularly because she felt they had been uninformed about various issues pertaining to the school and the roadway in the past.

PARKS: Trustee Bischof said that Montville Township will be receiving about \$25,000 for the NatureWorks grant only because Medina County had been allocated that amount and Montville Township was the only applicant. Trustee Bischof said that he is also working on another larger grant for Cobblestone Park.

Trustee Bischof has a meeting with Elyria Fence Company in the morning to get a quote for fencing on each of the ball fields. He would like to know how far our money will go with a breakdown of the fencing costs.

Trustee Bischof discussed an option for restroom facilities at Cobblestone Park. The Rainbow Company charges \$75/month for one port-a-potty, and two port-a-potties

would cost \$70 each per month. These are cleaned every week and so they need to be located near the parking lot to be accessible to the trucks and the hoses to reach them.

Trustee Bischof and Roads Superintendent Clapper met with a company called Play World to discuss options for a playground at White Tail Park. They measured off approximately 47 x 30 as an area available for the playground. Trustee Bischof is looking for some playground equipment to possibly include some swings, a slide, something to climb, and a bridge. Play World will design something to fit the space available at White Tail and bring it to the Board for consideration.

Playgrounds begin at \$20,000 and work on up. Trustee Bischof would rather not spend \$20,000 for a playground out of township funds. There are companies that donate, and Trustee Bischof received a book of companies in Ohio that donate. Trustee Bischof will look into Federal grants as well.

Mrs. Paul commented that the township should look into liability for children playing on the playground equipment, especially for enclosed type structures. Also, Mrs. Paul said that port-a-potties would definitely be needed at the baseball fields so that the woods do not become a potty.

Trustee Bischof is concerned with aesthetics when putting in port-a-potties; he would prefer them out of sight but we will need to be concerned about them being emptied each week. Mrs. Poliak asked that the Trustees put a priority on locating the port-a-potties where they would not be intrusive to the homes that are near the park. Trustee Bischof said that his concern about the aesthetics when putting in the facilities would also mean having some sort of fencing around them or another way to make it look decent.

Mr. Russell said that he appreciated the very beautiful park we have at White Tail, but that it is right in the middle of a neighborhood. Cobblestone Park will certainly be a very nice park as well, and it is also located in the middle of a neighborhood. He does not feel these type parks should not have lighting; that should be reserved for parks that are not in residential areas.

Trustee Bischof brought up the plant material that could be purchased from the county to start a nursery in the park where there is irrigation. He found out that there is another company where the county gets the plants from that is less expensive. He will bring this information to the next meeting.

#### APPROVAL OF MINUTES:

**Trustee Shuran made a motion to approve the minutes for the February 23rd Regular Trustees meeting. Trustee Bischof seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

#### DEPARTMENT REPORTS:

LST & FIRE: Trustee Brandon presented a copy of the fourth quarter 2009 fire runs from the City of Medina. Montville Township's total was \$9,222.46. There were

42 incidents in the township. There were 4 mutual aid incidents and 6 medical assist incidents. Trustee Shuran asked if Montville Township was being overcharged as we had been in the past for the mutual aid incidents.

Trustee Brandon replied that he thought Trustee Shuran was talking about the duty crew assists on the LST calls. He explained to the residents that the duty crew is part of the Fire Department, and the Trustees have had discussion on whether or not the duty crew is needed on an LST medical emergency. The problem continues to be that, since we contract with the City of Medina for fire, the incident response criteria that the city uses for duty crew assists for medical LST emergencies is the same set of procedures that they are using for the township.

Trustee Shuran said that there is a contract in place between the Fire Department and Montville Township, and his main concern is whether the contract is being adhered to by both parties, and is Montville Township being overcharged per the contract.

Trustee Brandon said that he does not believe the contract even addresses the duty crew. Fiscal Officer Pawlowski offered to make copies of the contract for each of the Trustees to review and she would not pay the invoice until the Trustees decide what should be paid.

Discussion ensued. Chief Acklin maintained that the township should pay only for services that we asked for. The duty crew should assist on Montville Township calls only when asked to assist by the police or by LST. The fire department should not be making the decision to come to assist. This is how it has been done for years, and it should continue in this way.

Trustee Shuran said that there is a contract in place and either the contract is being adhered to or it is not. Since the contract does not address it, the township cannot pay for it under Ohio Revised Code.

Trustee Brandon wants to see the best protection available to residents by having the duty crew respond. Chief Acklin replied that the duty crew is responding only during six hours of the day; it is not 24 hour coverage and that fact is indicative that the service is not needed.

In response to a resident's questions, Trustee Bischof said that the duty crew was told by the director of EMS to respond to calls using a criteria list and/or if they were called out by the Police Department and/or LST. Trustee Bischof read the criteria list. He felt that we should tell the Fire Department not to come on this criteria list unless they are requested by the Police Department and/or by the LST, and we should pay for the calls that they are requested to come on.

Trustee Brandon thought that the Trustees should get the opinion of the Prosecutor's office before taking action. Zoning Inspector Emrick suggested getting the Prosecutor's opinion in writing. Trustee Bischof read part of the Fire contract and summarized by saying that it deals with fire, checking fire codes in schools and restaurants, and things of that nature.

ZONING: Zoning Inspector Emrick requested the leasing contract with MT Business Technologies be approved for the copy machine. Instead of getting a new machine, the zoning office will keep the current machine which does everything that is needed in the office. **Trustee Shuran made a motion approving a contract with MT Business Technologies, Inc., and authorizing the Zoning Inspector to sign the contract for the copy machine lease agreement in the zoning office. This contract is for 39 months with a total monthly cost of \$410.90. Breakdown of monthly cost: lease agreement \$299 including black and white copies; color copies adding \$111.90. Trustee Bischof seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Mrs. Emrick gave the zoning report. The school board will sign off on the JEDD on March 15<sup>th</sup>, after which it will be filed with the County Commissioners. The donation agreement for White Tail Park Block H was sent to the Prosecutor's office. Mr. Thorne had a few suggestions on the agreement. The contract should be all wrapped up and ready to be signed by the next Trustees meeting.

Montville Township will be featured in the Gazette on April 2, and Mrs. Emrick requested the Board give her any ideas on what they would like people to know about Montville.

Year-to-date, Montville Township has written 8 new home permits, which is down from 11 during the same period in 2009. Overall permits are also down by 12 and income is down by about \$1,200.

POLICE: Chief Acklin requested a motion hiring Mr. Riachi for Phase 2 for the construction of the Safety Services building. Trustee Shuran thought the Board should extend the RFC contract into a phase two, as was done for the White Tail Park project. Trustee Shuran said the Department of Agriculture has to say what his contract will be; Mr. Riachi can't just decide what it will be and the Trustees vote on it. Chief Acklin said that the Dept. of Agriculture did approve it. Discussion ensued.

**Trustee Shuran moved Resolution 030910.01 extending RFC Construction s contract as the Construction Manager for the Safety Service Building at \$123,585. Trustee Bischof seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.**

Chief Acklin asked the Trustees to resign the architect's contract. He said their architect wants to be able to sign it and so there is a new signature page. Nothing changed in the contract except for moving paragraphs around.

Chief Acklin said that there is an issue on the water tank with the Sanitary Department and the Health Department. The entire building permit is being held up on which Department needs to sign off on the water tank. Chief Acklin said that he will be getting together with GPD tomorrow to figure out how to resolve the issue.

ROADS: Roads Superintendent Clapper gave the roads report (attached). Mr. Clapper said that the Roads Department has been doing clean-up work and taking care of some plow damage such as mail boxes.

Mr. Clapper requested, and **Trustee Shuran made a motion to have Montville Township continue with ODOT's cooperative purchasing program and approving the annual fee of \$100. Trustee Bischof seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Bischof said that an Emerald Lakes Drive resident sent an e-mail thanking the Roads Department for their snow removal work. Because the plow turns the bend and dumps the snow on the sidewalk, the resident asked if there was another way to plow to keep the pile of snow off of the sidewalks.

Also, Trustee Bischof was at a meeting where some residents complained about snow removal from the cul-de-sacs, which is the township's biggest complaint on snow removal. The residents would like to have the snow dumped in the middle of the cul-de-sac which they felt could be done if the plow went around the cul-de-sac the opposite way. Trustee Bischof explained to them that, the way the blades are angled, the force of the movement pushes the snow to the outside. Mr. Clapper said that if the island size could be reduced and two passes could be made with the plow, perhaps they could push the snow in between mail boxes and driveways.

Mr. Seaman thanked the township and the Trustees for participating with the City on the JEDD. He felt this was great project and a win/win for everyone. He asked if the JEDD is finished after the school signs off on it. Mrs. Emrick replied that Montville Township's portion is already completed. A representative from City Council will talk with the school board and get them to sign off on Monday. The council clerk and Mrs. Emrick will then present it to the County Commissioners the following week.

Mr. Seaman asked about any economic development with new businesses that is happening. Trustee Brandon said that University Hospital will be building on just over 19 acres at the corner of I-71 and Route 18; this should begin next year and will have 600-700 employees. The SUMMA medical facility across from Lake Medina is also in the works. Drug Mart has a project at Lexington Ridge and Route 3.

UTILITIES: Trustee Bischof said that this morning, the Medina County electric aggregation task force met. On the May ballot, residents will decide to be part of a venture with First Energy that will reduce the electric supply rate by 6% for residents and 4% for businesses. It will cost the township \$150 - \$180 for each of the seven precincts for this election. At the last minute, another electric organization came in to submit a proposal. It was brought before the committee and the committee decided that it was not as good as the First Energy proposal. If the proposal passes in May, rate reduction will begin in July 2010. Residents will also have an opportunity to bow out at any time.

Trustee Bischof recently found out that if a sewer line passes in front of your home, you must tie into it. In Rustic Hills where sewers are contemplated, the county prosecutor passed that ruling on to them.

There are two costs involved for putting sewers in Rustic Hills. The first is the \$10,000 per household for the sewer line. The second is the cost of the lateral line, which is the line going from the house to the street. This varies from house to house, depending on where each home sits from the street. There is stimulus money available that the county is trying to get to help on the cost of the lateral line for the residents;

the application has been filed for the grant. Another question to be answered is whether the lateral line cost could be put on the twenty year assessment fee; the county would have to secure a bond to pay for the whole amount up front.

OTHER BUSINESS:

Fiscal Officer Pawlowski reviewed the February bank reconciliation and financial reports. Copies of February reports provide for each Trustee: Fund Status and Fund Summary; Appropriations Status; Revenue Summary. The Fund Status report as of March 9 was provided to each Trustee.

Fiscal Officer Pawlowski requested, and **Trustee Shuran moved Resolution 030910.02 approving Supplemental Appropriations. Trustee Bischof 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 Lewis Land Professionals \$1,750 for surveying the cemetery. Trustee Bischof seconded the motion.** In discussion, Trustee Bischof asked how the survey was presented. Mrs. Emrick replied that it was a Mylar and it has been taken to Greg Happ for the title search. Trustee Bischof thought it would be ideal if it could be put on the computer for the Service Department. Mr. Clapper said that the old section has about 25 plots left and 100 graves. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Mrs. Pawlowski said that there had been requests for two liquor permits. One was for Blue Herron s banquet and conference center. The other was for Quality Scrub doing business at Medina Interstate Sunoco. The Trustees did not have any objections and did not request a hearing for either request, and Mrs. Pawlowski will sign and mail them back.

**Trustee Bischof made a motion approving BC and PO s as presented and to pay bills totaling \$61,742.93. Trustee Shuran seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

At 9:28 p.m. Trustee Brandon adjourned the meeting.

Respectfully submitted,

Elaine Klafczynski

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Approved by:

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Date

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Attested:

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Date: