

# RECORD OF PROCEEDINGS

## MANTUA TOWNSHIP TRUSTEES

### REGULAR MEETING

Held February 20, 2014

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The Board of Trustees of Mantua Township convened in regular session from 7:45 p.m. to 10:27 p.m. in the Mantua Township Hall. Chairman Jason Carlton called the meeting to order with the following member and visitors present: Jason Carlton, John Festa, Victor Grimm, Trustees, Marie Stehli, Fiscal Officer. Brian Tayerle, Road Supervisor. Keith Barton, Kathy Kelley, Bob Stehli, BZA. Lynn Harvey, Zoning Commission. Susan Skrovan, Zoning Commission Secretary, Betsy Woolf, BZA Secretary, Chuck Cassilichio, Shalersville Fiscal Officer. Chris Craycroft, Portage Park District.

#### Introduction

The Pledge of Allegiance was led by Marie Stehli.

The minutes of the last regular meeting were discussed. John Festa wanted his comments regarding Lynn Harvey's letter from January entered into the minutes in its entirety. **RES 40-14** Motion to approve the minutes of the February 6, 2014 regular meeting as corrected and suspend the reading by John Festa, seconded by Jason Carlton. Vote as follows: John Festa yes, Jason Carlton yes, Victor Grimm, yes.

Chris Craycroft gave a brief synopsis of the upcoming park district levy.

#### Financial Report

The Fiscal Officer presented the following correspondence:

- Western Reserve Land Conservancy newsletter
- Chagrin River Watershed Partners conflict of interest policy acknowledgement for trustees
- Letter from Prosecutor on Zoning violations-Confidential
- 2 letters from Health Department on condemned properties
- Frank Gates update on their company
- Ohio EPA permit
- 2 letters from Building Department on same condemned properties
- Chagrin River Watershed annual report

**RES 41-14** Motion to transfer \$1000 from Equipment Repairs to Garage Repairs in the Road & Bridge fund by Victor Grimm, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Victor Grimm, yes.

**RES 42-14** Motion to approve payment of a December bill for Automatic Door Company for \$126 by Jason Carlton, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Victor Grimm, yes. A purchase order had not been obtained for this end of the year expense.

The Fiscal Officer presented the following financial report:

2014 Permanent Appropriations:	\$	901,304.54
2014 Payments:	\$	77,156.74
Encumbered, not paid:	\$	52,435.24
2014 Receipts:	\$	28,555.96
Cash balance:	\$	517,450.01 with
	\$	500,945.54 invested

#### Main Meeting

#### Road Report

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Brian Tayerle reported that they have been plowing a lot of snow. Victor Grimm asked Brian to put out reports on road repairs so that the Trustees can respond to complaints. John Festa asked Brian if he is planning to work on the hillside east of State Route 44. He complimented the road crew on the snow plowing and was echoed by Jason Carlton on this.

#### **Zoning Report**

**Zoning Commission** none.

#### **BZA:**

Bob Stehli announced the organizational meeting of the BZA resulted in him being Chairman and Joan Martin being Vice Chair. The BZA is very concerned about the zoning book. At the All Boards Meeting some changes were discussed. The BZA has had 3 hearings under the new book with new problems coming to light with each hearing. He said that they find the new book to be unwieldy and it is hard to determine violations. Definitions are unclear. They are different in different parts of the book and also with the ORC. He asked about going back to the old book until the book is fixed. The average citizen should be able to refer to the zoning book-if the Zoning Inspector and BZA can't understand it, how can the average citizen?

Vic asked if the BZA has gone through mock hearings? Not yet.

Jason noted that Randy had said that everything has to be absolutely correct. Bob is concerned that they will be picked apart. Keith Barton echoed this thought. Keith is concerned about lawsuits. He stated that if an applicant wanted to challenge, the book would be "ripped to shreds." We need to address issues with the book. It is hard to find these issues unless they are facing the problems.

John Festa was concerned with Bob's statement that even the Zoning Inspector is making mistakes. Is the book totally unenforceable? Bob expressed concern, and noted that although he is not an attorney, there are two on the BZA (Keith and Theresa Nielsen), and they are concerned. Bob again asked about reverting to the old book until the new one is cleaned up. He thought Regional Planning could fix it. John asked if Regional Planning and our legal counsel hadn't worked on the book? Keith said that they are not suggesting throwing out the book, but we are taking a gamble the longer it goes on. We need to go through it ordinance by ordinance.

Vic asked Lynn Harvey if the book wasn't approved by Regional Planning and Chris Meduri? Yes. Lynn said that Bob Harris and Lynne Erickson (Regional Planning) did a lot of work on it. The Zoning Commission wanted to implement the Land Use Plan. The Zoning Commission reviewed it several times after Regional Planning sent it on, and kept sending it back. After the BZA's first hearing there were problems and it was sent back to Regional Planning. John Vechery loved the book and thought it was a "piece of cake" to use. Lynn thinks it is a training issue. Claudia James (Regional Planning) has been through it several times. She felt it would be good to have a joint meeting. There are a lot of changes between the 1960's version and the new version. John Dickey has also had issues. Notices must be given in writing.

Keith gave an example of setbacks from the last hearing. They had a major problem at the last hearing. Jason agreed that they need joint meetings. John said that the hearings need to be cut and dry. Kathy Kelley said that if the BZA doesn't know what to do they might have

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to continue the hearing. Vic suggested involving either/or Todd (Peetz) or Chris Meduri.

**Cemetery Report** none.

#### Club & Committee Reports

Sue Skrovan said that the Garden Club has not met.

Sue said that the LCA will meet next week to install officers.

Mark Hall said that the Restoration Society is planning for its annual meeting.

John Festa asked who spoke for the Township at the last meeting, since neither he nor Marie had attended? Carole Pollard said that she had given a report. John said that only WE (Trustees and Marie) are to speak for the township and he will notify the President of the Chamber accordingly. Also, the DMRC is having a reverse raffle.

#### Trustee Reports

Jason Carlton said that Todd Peetz will be at the next meeting on Friday, March 7. His report was not completed for tonight. The survey that Todd had sent to the Chamber got linked to the Record Courier and the results were not, as intended, reflecting the responses of the businesses. Marie said that she had looked at the survey but was unable to fill it out since the multiple choices were not numbered, but were supposed to be on a scale of 1-5. Keith confirmed this.

Jason said we can close the \$1200 purchase order relating to Regional Planning, as the only charge will be in hours.

The Mennonite and Herman Road properties were discussed. The Fire, Building and Health Departments have all issued new reports. All 3 entities state improvements to the properties. Jason doesn't feel the need to tear them down. John and Vic agreed. John said that the Herman Road property doesn't have electric service. Vic said that the owner has made major improvements. **RES 43-14** Motion by Jason Carlton to grant an extension to the owners of 3581 Herman and 3967 Mennonite to the end of summer to evaluate the properties, seconded by Victor Grimm. Vote as follows: John Festa yes, Jason Carlton yes, Victor Grimm yes.

John Festa said that John Dickey had sent a "fact sheet" for agricultural exemptions and asked for the trustees to review. Chris sent agricultural forms by email.

John Festa has provided John Dickey with his own camera and has an SD card for him.

Victor Grimm said that the electric will be worked on this week. There is a 20° difference between the south and north bays. Another heater would cost between \$600-700. Jason said that the guys don't use the south bay much. John agreed-stick with a single heater.

#### Old Business

There are no Townhall updates.

The insurance company is still reviewing the rental agreement.

The Bogden rental mess was discussed. He left a big mess and made a big delay for the next renter. Chris Meduri said that small claims court will not be worth it, but Vic still wants Chris to send a letter.

John Festa had a mock up newsletter. He picked up a copy of Mantua Matters. Marie suggested piggybacking on Mantua Matters.

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#### Public Comments

The following spoke during public comments:

Mark Hall said that the survey results shouldn't have value. The newspaper article was misleading and the survey was thus directed to the wrong audience.

Carole Pollard asked about the internet at the school. John Festa said that Windstream doesn't service the school and cable is most expensive. Carole also talked about the newsletter and expenses. John Festa said that the residents are the most important.

Lynn Harvey said that the Zoning Commission will send the Trustees minutes. She asked John Festa to read the part to be inserted into the last minutes. She noted that the commission is mostly retired people and that two are in Florida with the full knowledge of the Trustees.

Dawn Pechman said that the Zoning Commission is not a Board, it is a Commission. She read from the 12/19/11 minutes.

Dave Pollard talked about a house being grandfathered in. The website was to get communications out. Jason said lots of people don't have computers.

Steve Zielinski had no additional comments.

Dale Zullo said lots of people don't have email.

#### Finale

**RES 44-14** Motion by Jason Carlton to pay the bills seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Victor Grimm yes.

MANTUA TOWNSHIP PAID BILLS		2/20/2014
20190	MICHAEL RICHARDS	FEBRUARY 1-14, 2014 977.06
20191	BRIAN TAYERLE	FEBRUARY 1-14, 2014 1,168.80
20192	DANIEL WYSZNSKI	FEBRUARY 1-14, 2014 1,025.94
20193	JAMES ALDRICH	FEBRUARY SALARY 264.54
20194	JASON CARLTON	FEBRUARY SALARY 515.36
20195	JOHN DICKEY	FEBRUARY SALARY 527.38
20196	JOHN FESTA	FEBRUARY SALARY 738.60
20197	VICTOR GRIMM	FEBRUARY SALARY 529.46
20198	RHETTA HALL	FEBRUARY SALARY 132.26
20199	SUSAN SKROVAN	FEBRUARY SALARY 253.44
20200	MARIE STEHLI	FEBRUARY SALARY 1,050.00
20201	BETSY WOOLF	FILING PROJECT 170.00
20202	JOHN FESTA	REIMBURSEMENT 116.20
20203	VICTOR GRIMM	REIMBURSEMENT 228.13
20204	OBWC	2013 WORKER'S COMP 3,291.45
	PORTAGE CTY REGIONAL	
20205	PLANNING	ANNUAL DUES 3,420.78
	CHAGRIN RIVER WATERSHED	
20206	P'TR	ANNUAL DUES 1,041.00
20207	TREASURER, STATE OF OHIO	NPDES PERMIT 100.00
20208	POSTMASTER	PO BOX RENT 60.00
20209	OHIO INSURANCE SERVICES	DENTAL, VISION, LIFE INS 366.11
20210	RECORD PUBLISHING	LEGAL AD 9.75
20211	DOMINION EAST OHIO	JANUARY SERVICE 2,287.74
20212	OHIO EDISON	JANUARY SERVICE 723.41
20213	MILLER & COMPANY	JANUARY SERVICE 69.00
20214	SUNBURST ENVIRONMENTAL	JANUARY SERVICE 45.35
20215	CLEARWATER SYSTEMS	JANUARY SERVICE 28.50

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20216	MARATHON	FUEL	199.94
20217	WESTERN RESERVE FARM COOP	FUEL	3,167.76
20218	MANTUA HARDWARE	MAINTENANCE ITEMS	58.68
20219	MANTUA AUTO PARTS	MAINTENANCE ITEMS	313.49
20220	F&S AUTOMOTIVE	MACK REPAIRS	324.74
20221	BDI	MAINTENANCE ITEMS	191.00
20222	CHROME DEPOT	MAINTENANCE ITEMS	55.00
20223	VALLEY FREIGHTLINER	MAINTENANCE ITEMS	249.05
20224	SIDLEY	MAINTENANCE ITEMS	10.32
20225	DEXTER COMPANY	PLOW PARTS	240.00
20226	MCMASTER CARR SUPPLY	MAINTENANCE ITEMS	182.60
20227	HOME DEPOT	MAINTENANCE ITEMS	509.32
20228	CP ELECTRIC MOTOR REPAIR	FURNACE REPAIR	1,232.00
20229	MORTON SALT	170.97 TONS ROAD SALT	4,701.67
20230	OSCAR BRUGMANN SAND & GRAVEL	6.93 TONS ICE GRITS	76.01
			30,651.84

**RES 45-14** Motion to go into executive session on matters required to be kept confidential under ORC 121.22 by Jason Carlton, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Vic Grimm yes. Meeting recessed, 10:10 and reconvened, 10:25.

**RES 46-14** Motion to reconvene by Jason Carlton, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Vic Grimm yes.

**RES 47-14** Motion to allow Marie Stehli to follow up with the Auditor of State and make a decision on the auditor for the coming year's audits by Jason Carlton, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Vic Grimm yes.

Victor Grimm passed out the new zoning fee schedule.

**RES 48-14** Motion to adjourn the meeting by Jason Carlton, seconded by John Festa. Vote as follows: John Festa yes, Jason Carlton yes, Vic Grimm yes.

The meeting was adjourned till March 7, 2014 at 7:00 p.m. for the next regular meeting.

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Victor Grimm

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Jason Carlton

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John Festa

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Marie Louise Stehli, Fiscal Officer

All formal actions of the Board of Trustees of Mantua Township concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.