

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
OCTOBER 11TH, 2012**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on October 11th, 2012, to conduct the business of the Township. Chairman Todd called the meeting to order at 7:11 pm with the following Trustees in attendance: Michael D. Todd, Ray Jarrett and Ken DeMichael. Also in attendance were the Fiscal Officer, Fire Chief, Police Chief, Road Foreman, Zoning Inspector and the general public.

Roll Call

Mr. Todd asked for a roll call of all members present. Trustees present were Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Pledge

Mr. Todd led the Pledge of Allegiance.

Moment of Silence

Mr. Todd asked for a moment of silence for our military personnel serving at home.

OTHER BUSINESS

Approval of Accounts Payables

Mr. Todd motioned to approve warrant #23440 to #23494 total amount of \$37,648.16. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Approval of Payroll

Mr. Todd motioned to approve payroll checks #16396 to #16457 total amount of \$53,464.64 with \$6267.70 going to union dues, post-tax health, OPERS and Deferred Comp. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Jarrett.

Approval of August 2012 Bank Reconciliation

Mr. Todd motioned to approve the bank reconciliation for the month of August and incorporate by reference document dated September 30, 2012, 12:47pm that's 4 pages long. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Department Reports

Mr. Todd motioned to table departmental reports for 2 weeks. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

OLD BUSINESS

Temporary Inflatable Sign – Zoning Amendment

Mr. Todd said the Zoning Commission will discuss the temporary inflatable sign amendment at their next meeting.

Newsletter

Mrs. Shoemaker gave Trustees a draft of the newsletter. Mr. Jarrett said he asked her for a price on an 8 page newsletter. She asked that Trustees review the draft and send her any recommendations and she will make the changes and send it back for their approval.

Disciplinary Action Form

Chief Crumley presented Trustees with copies of the disciplinary forms used by the Police Department. Mr. Todd motioned to approve the Employee Discipline Notice and the Performance Improvement Plan forms for all departments of Township and incorporate the documents I have, by reference, into the record. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

TM10/11/12

OLD BUSINESS CON'T

Frontier Contract/IT Contract

Mr. Todd said the Intech and Frontier contracts just came in and the Trustees need to review them. Mr. Todd motioned to table the Frontier/IT contract. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

NEW BUSINESS

Resolution Accepting Amounts and Rates of Budget Commission

Resolution No. 10112012-026

Mr. Todd motioned to put forth the following resolution:

RESOLVED, By the Board of Trustees of Medina Township, Medina County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year acommencing January 1st, 2013, and

WHEREAS, The Budget Commission of Medina County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Board of Trustees of Medina Township, Medina County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows: (see attached)

There is a Schedule A, Schedule B and the Certificate of Copy that goes along with it, that is a 4 page document that I'll incorporate by reference. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Medina Soccer Association

Ian Jones, representing the Medina Soccer Association, requested additional space in the Weymouth Community Center of approximately 4,400 square feet to put in 2 additional sports fields. He said they have painted, had the restrooms repaired and functioning, the floors have been done and they put viewing windows in the parents' room. They are 70% finished. Mr. Todd asked what the rental split would be if they sublet to other sports teams. They do have an hourly rate of \$35.00 an hour. Mr. Jones said he would be willing to share the costs associated with the lease and so forth and when they hit that number, using their internal programs, they would do an 80/20 split on anything above and beyond that they would bump it up. Mr. Todd said Brian Richter, Assistant County Prosecutor, is working on the lease for the building. Mr. Todd needed to think about this for a moment and said they would come back to it.

PURCHASE ORDERS AND TRAINING REQUESTS

Perrin Asphalt - Forestview

Mr. DeMichael motioned for a purchase order requisition for Perrin Asphalt Company for \$3,995.15 for additional basin work that had to be done with concrete projects and extra stone for over digs due to poor base under original concrete. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd.

Chris Schneider's Auto – Dump Trucks

Mr. DeMichael motioned for a purchase order requisition for Chris Schneider's Auto on Norwalk Road in Medina, to service 5 dump trucks for winter, numbers 1, 2, 11, 14 and 15, for \$3,000.00. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd.

TM10/11/12

PURCHASE ORDERS AND TRAINING REQUESTS CON'T

Karvo Paving – Hamlin, Pierce and Various Roads

Mr. DeMichael motioned for a purchase order requisition for Karvo Paving Company that we discussed last week regarding 2012, paving, the total amount is \$294,337.25. Mr. Todd seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Todd and Mr. Jarrett.

Chris Schneider's Auto-Emergency Repair – Fuel Pump

Mr. DeMichael motioned for a purchase order requisition for Chris Schneider's Auto. We had an emergency fuel pump that needed to be repaired on truck 12, the 2000, GMC 3500 HD for \$1,700.00. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd.

APA Conference

Mr. Todd said they would like to do one check for that seminar. Mrs. Strogin will ask the Zoning Commission Members if they want to attend. They will inform the secretary.

Perrin Asphalt

Mr. Miller said we should be getting \$2,900.00 from the County Sewer Assessment Fund.

Premier Roofing – Weymouth Building

Mr. Todd motioned to appropriate \$2,025.00 for the roof repair at the Weymouth Building and it's made payable to Premier Roofing. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. Mr. Miller said that this is just to get the drain down into the building. A plumber will be needed to tie the two drains together.

Medina Glass Company – Entrance Door

Mr. Todd motioned to appropriate \$3,648.00 for the replacement of the entrance door into the Medina Soccer Association area to Medina Glass Company. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. Mr. Todd asked Mrs. DeHoff for a copy of the running total on what is being spent on the building.

ADDITIONAL DEPARTMENT HEAD COMMENTS

Firefighters Association Pancake Breakfast

Chief Crumley reminded everyone about the Firefighters Association Pancake Breakfast October 14 from 8am to Noon at Fire Station #2.

DUI Task Force Grant

Chief Arbogast said the DUI Task Force has received a \$170,000.00 grant. There will be 12 checkpoints over the year. Our officers will be working 2 so far this year and our officers will be paid from the grant including wages and benefits plus 5% for the use of the car.

CDBG Grant for Handicapped Restrooms

Chief Arbogast said we were awarded the Community Development Block Grant for handicapped restrooms at the Weymouth Building. Chris Jakobs would like to meet with the architect. The grant does not pay architect fees.

Mr. Todd motioned to appropriate \$3,600.00 to Arnold Architectural for the Community Development Block Grant work to be done at the Weymouth Community Center Building. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Baseball & Soccer

Mr. Miller said baseball and soccer are winding down. He also said paving will begin this coming Monday.

OTHER BUSINESS

Legal Representative for Zoning Inspector Ridgley

The Trustees discussed who would represent Zoning Inspector Ridgley regarding PHN Motors and the Board of Zoning Appeals that is scheduled for October 17, 2012.

Mr. Todd motioned to enter into an agreement with Walter and Haverfield and incorporate by reference this document that I have, it is four pages long and is dated October 9, 2012, to myself and the Board of Trustees from Todd Hunt, at a rate of \$200.00 per hour and \$185.00 per hour for associates that work on the Board of Zoning Appeals appeal with Bill Doraty-KIA temporary sign application denial by Zoning Inspector Elaine Ridgley. Mr. Jarrett seconded the motion. Roll call vote: Mr. Todd aye, Mr. Jarrett aye and Mr. DeMichael no.

PUBLIC COMMENT

Mr. Todd motioned to open the floor for public comment. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

There was no public comment.

Mr. Todd motioned to close the floor for public comment. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

OTHER BUSINESS

Medina Soccer Association Continuance

Mr. Todd said if they put some language in the contract "if the operational cost of the township exceeds a certain amount of money that they renegotiate in good faith the overall contract." Mr. Jones asked how that affects them as the only tenant that has a lease agreement and that pays. Mr. Todd said they are the only ones with a long term lease and he just wants the Township to break even.

Mr. Todd motioned to approve the use of the additional square footage of the Weymouth Community Center or to be named the Hive and incorporate by reference the document, with my notes, that I have in front of me, for the MSA proposal for that portion as an addition to our original agreement and the fee additions are that there would be an increase of about 4,600 square feet in space to be rented by MSA. That the rate per square foot would remain the same in the agreement of 10% during the first 5-years and 5% during the second 5-years and each subsequent year would also still remain in effect for an increase of the fees that the projected first year fees would be \$14, 070.00. That all annual costs covered, after all annual costs are covered the internal program fees related to the use of the Hive will be split 80% to MSA and 20% to Medina Township. That all non MSA facility rentals will be split 60% to Medina Soccer Association 40% to Medina Township. That, should at any time, the actual cost for any 12- month annual period for the operation of the building for electric, gas, water and sewage exceed 150% of the actual collections, for that previous year, from MSA for the usage of the property that, the parties would agree to negotiate in good faith, a new fee arrangement and should they be unable to do so that both parties would agree to go to arbitration to discuss it. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Fire Training

Mr. Miller asked if they could do some fire training in that portion of the building. No decision was made.

Medina Creative Housing – Concrete Floor Drain

Mr. Todd spoke with Dianne Haggerty-DiPasquale from Medina Creative Housing that the cost for the installation of the concrete with a drain was around \$22,000.00. He told said the Township could probably put up \$10,000.00 but Creative Housing would have to put up the rest.

Medina Creative Housing – Concrete Floor Drain Con't


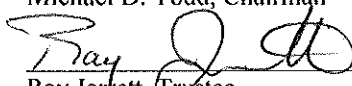
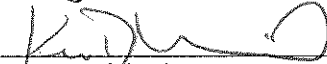
Mr. Todd received an e-mail from Ms. Haggerty-DiPasquale who spoke with her Board and they agreed that if the Township would put in \$10,000.00 they would pay the rest but that they wanted to be the contractor. He told her the only way he would do that is if they worked with Denny to be sure things got done the way we wanted them to get done. Denny asked if they were planning on hiring their own contractor. Mr. Todd believes they want to use their non-profit status to get someone to come in there and take a reduced fee to then be able to use it as a tax write-off down the road which they cannot do with us. Mr. Miller said the \$22,500.00 price he got included the floor drain on their side. It has to be 20 feet by so long and it has to be 6 or 7 inch concrete. Mr. Miller said it is hard to work with those people. Mr. Todd said is he has a problem to call him. Mr. Jarrett said as long as they have a licensed, registered and bonded contractor. Mr. Todd said they will put that in a motion.

Mr. Todd motioned to approve the appropriation of \$10,000.00 to be paid to Medina Creative Housing for the laying of concrete in the garage portion of the Weymouth Community Center Building with the understanding that Medina Creative Housing will engage a contractor to do the concrete work for the building, that there will be a drain that will be on the police department side. That we will pay the first \$10,000.00 they will pay the remaining. That any contractor that does the work is bonded, licensed and insured, and that our Road Foreman will oversee the work. Mr. DeMichael seconded the motion. Mr. Jarrett asked if Mr. Todd was saying we will pay \$10,000.00 but if the cost comes in lower are we still going to pay the ten. Mr. Todd said we will pay up to ten, but it is not going to come in lower. Mr. Miller said that should be for a 30 foot floor trench drain not just a little 4 inch drain in the middle. Mr. Todd said Mr. Miller should tell them. It needs to be at least what the drain is that we have over there. It just needs to be extended out. If there is a problem he is to call Mr. Todd. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Mrs. DeHoff said she needs a purchase order requisition for Medina Creative Housing and Mr. Todd said they will invoice the Township. Mr. Todd told Creative Housing they needed to move their stuff out of Medina Soccer Association area.

Mr. Todd motioned to adjourn the meeting at 9:02 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.


Linda DeHoff, Fiscal Officer


Michael D. Todd, Chairman

Ray Jarrett, Trustee

Ken DeMichael, Trustee