

**RECORD OF PROCEEDINGS  
MINUTES OF REGULAR MEETING  
MARCH 29<sup>th</sup>, 2012**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on March 29<sup>th</sup>, 2012, to conduct the business of the Township. Chairman Todd called the meeting to order at 7:10 pm with the following Trustees in attendance: Michel D. Todd, Ray Jarrett and Ken DeMichael. Also in attendance were the Fiscal Officer, Police Chief, Fire 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 and overseas.

**SITE PLANS**

**Clarity Hear, LLC – 3443 Medina Road, Ste 101A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the Change of Use for Clarity Hear Hearing Aid Centers to be located at 3443 Medina Road as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael

**Clarity Hear, LLC – 3443 Medina Road, Ste 101A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a tenant panel for Clarity Hear Hearing Aid Centers to be placed on the existing pylon sign not to exceed 1.84 square feet as presented. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

**Clarity Hear, LLC – 3443 Medina Road, Ste 101A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a directional sign for Clarity Hear Hearing Aid Centers not to exceed 3.95 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

**OTHER BUSINESS**

**Steve Dryer – Concession Trailer at Ballfields**

Steve Dryer, Representative of Medina Gridiron Football, discussed the possibility of running a concession trailer at Blakslee Park. They run the MYBA concession stand at Reagan Park and they share part of the proceeds with the Baseball Association. Volunteers would run it from A to Z with a percentage of the profits going back to the Township. The trailer is approved by the Health Department. The profit margin is 25%. They are a 501C3. The Trustees will look into the cost of running the electricity. Mr. Todd will talk to Tim Swanson.

**Approval of Revenue Adjustments for the 2012 Budget**

**Resolution No. 03292012-014**

Mr. Todd motioned to adjust the revenue and increase them in the amount reflected by this document titled Revenue Supplemental and dated 3/21/2012, for the appropriate line items. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

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**OTHER BUSINESS CON'T**

**Approval of 2012 Budget**

**Resolution No. 03292012-015**

Mr. Todd motioned to approve the 2012 annual budget and appropriations and incorporate the document by reference and I am going to put on here document A just so we know what document I am referring to for the meeting. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

**Approval of Appropriation Changes for 2012 Budget**

**Resolution No. 03292012-016**

Mr. Todd motioned to approve the 2012 appropriation change to correspond with our permanent budget and incorporate the document and I'm going to put B at the top of our copy. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

**Approval of January and February 2012, Bank Reconciliations**

Mr. Todd motioned to approve the bank reconciliation for January 2012, and incorporate by reference document dated March 24, 2012, at 8:06 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Mr. Todd motioned to approve the bank reconciliation for the month of February and incorporate the document dated March 24, 2012, at 9:19 pm. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

**Approval Accounts Payables**

Mr. Todd motioned to approve warrant #22840 to #22888 in the amount of \$64,986.05. 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 #15858 to #15880 total amount of \$27,642.51 with \$3,739.86 going to Deferred Comp and OPERS. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

**Approval of Minutes**

Mr. Todd motioned to approve the minutes for the March 25, 2012, Regular Meeting. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

**PURCHASE ORDERS AND TRAINING REQUESTS**

**Fire Department Instructors Conference**

Mr. Jarrett motioned to appropriate \$3,000.00 for the Fire Department Instructors Conference located in Indianapolis, Indiana for dates of April 16<sup>th</sup> through the 21<sup>st</sup>, 2012. This is for the Fire and EMS Training, Tools and Equipment (Service) and something specifications. Mr. Todd seconded the motion. Mr. Jarrett said Kasson, Browne, Vargo, Miller and Mummert would be attending this national conference. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

**Blue Card Testing and Final Certification and Conference**

Mr. Jarrett motioned to appropriate \$3,570.00. This is for the Blue Card Testing and Final Certification and Conference at Notre Dame University on the dates of 10/11 through 10/17, 2012. And this is to complete the training that began last year for Lt. Lee Hlas and Lt. Scott Vargo. Mr. Todd seconded the motion. Chief Crumley explained that this is training for the Officers to help them when handling fires or Haz-mat spills, etc. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

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## **PURCHASE ORDERS AND TRAINING REQUESTS CON'T**

### **Treemasters Tree Service-Weymouth Cemetery**

Mr. DeMichael motioned for a purchase order requisition for the Service/Cemetery Department for Treemasters, is the vendor actually, to remove 2 trees, clean up the dead branches and smaller leaning trees at Weymouth Cemetery for the amount of \$2,150.00. Mr. Jarrett seconded the motion. Mr. Todd asked if that was to prevent the trees from falling on the headstones and was told yes. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr., Todd.

## **OLD BUSINESS**

### **LST Contract**

Mr. Todd spoke with Mr. Thorne and he said there has been no progress.

### **Status of Flag Day and Community Pick-it-up-Day**

Mr. Todd said Flag Day was on track and Community Pick-it-up-Day is set for May 12 at 8:30 am at the Service Department Building on Weymouth Road. For more information both events are on the website. The Reserve has put pick it up day on their website.

## **NEW BUSINESS**

### **Update of Website**

Mr. Todd spoke with Webmaster, Melanie Miguel, and she would like to change the format of the website and to also allow the Township Departments to have remote access to put and remove the information without having to send it to her first. The Trustees agreed with this.

### **Township Clean-Up-Day**

Mr. Miller asked if the Trustees were interested in doing a Township Clean-up-Day a week or two after Pick-it-up-Day. The cost of a dumpster would be \$150 per 40-yard dumpster and we would start with 4 dumpsters. Residents will be able to bring unwanted items except for paint, tires, refrigerators and batteries or hazard waste materials. Mr. Miller spoke with Bill Strazinsky, Coordinator for the Solid Waste District and he said he would give us a lower rate. Sally Gardner (3333 Foskett Road) said they would be taking money from the Solid Waste District. Mr. Miller said the trash, etc. will be taken to the Solid Waste District. It is a service for the Township residents. Mr. Todd said to just monitor it. Mr. Todd said to get a purchase order and bring it to the next meeting.

## **NEW BUSINESS**

### **Letter of Resignation from Mary Ann Heiss**

Mr. Todd read Mary Ann Heiss's letter of resignation effective March 29, 2012.

Mr. Todd motioned to accept the resignation of Mary Ann Heiss and determine that she did give us sufficient notice to be an employee that is leaving the Township in good standing. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. a thank you for service letter will be sent.

### **Weymouth Preservation Society Signs**

Susan McKiernan (3306 S. Weymouth Road) said the Weymouth Preservation Society is about 6 months old and they would like be a more cohesive neighborhood group and have identifying signs as you approach the village. They wanted permission from the Trustees to put the signs up. Mr. Todd asked that she get with Denny Miller, Road Foreman, to be sure the locations of the signs are acceptable.

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**ADDITIONAL DEPARTMENT HEAD COMMENTS**

**Road Side Mowing**

Denny Miller, Road Foreman, rode with Billy Hudson, Road Foreman, of Brunswick Hills regarding their request for our Township to handle their roadside mowing and said the roads are so spread out it would take too much time from our Township. Mr. Jarrett will contact the Trustee he spoke with and Denny will contact Mr. Hudson and tell him they will be unable to mow their roads.

**NEW BUSINESS**

**Destruction of Old Zoning Commission, Board of Zoning Appeals and Administration Date Stamps**

Mr. Todd motioned that we destroy the old Zoning Commission, BZA and Admin received date stamps. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

**Wine Reserve Liquor License Hearing Request**

After discussion the Trustees stated that it was not necessary for a hearing for the liquor license for the Wine Reserve, LLC DBA Wine Reserve of Medina.

**PUBLIC COMMENT**

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

Susan McKiernan (3306 S. Weymouth Road) stated that there are two stones in the Weymouth Cemetery that are leaning forward near the driveway and the tree company should be careful when they enter the driveway. Mr. Miller said he is closing the road while the trees are being taken so the driveway won't be used.

Robin Gray (4074 Remsen Road) gave the Trustees an update on Hydro-fracking.

Don Kuenzer (4591 Marks Road) asked if the concessionaire has liability insurance. Mr. Todd said they will ask him.

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

**Executive Session – Service Department Employee Compensation**

Mr. Todd motioned to go into Executive Session to discuss compensation for Service Department employees with the Board of Trustees, at 8:20 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Mr. Todd motioned for the Board of Trustees to reconvene from Executive Session. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. The Board of Trustees reconvened at 8:35 pm where they discussed employee compensation for the Service Department. No decisions were made during that meeting.

**Executive Session – Land Acquisition**

Mr. Todd motioned to go into Executive Session to discuss potential land acquisition for Medina Township with the Board of Trustees, Fiscal Officer, Linda DeHoff and Police Chief, David Arbogast at 8:36 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

**Executive Session – Land Acquisition Con’t**

Mr. Todd motioned for the Board of Trustees to reconvene from Executive Session. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. The Board of Trustees reconvened from Executive Session at 8:59 pm where the Board of Trustees were present with Fiscal Officer, Linda DeHoff and Police Chief, David Arbogast to discuss potential land acquisition for the Township. No decisions were made during that meeting.

**Executive Session – Personnel Matters**

Mr. Todd motioned to go into Executive Session to discuss personnel matters as it relates to compensation with the Board of Trustees, Fiscal Officer, Linda DeHoff and Zoning Inspector Elaine Ridgley at 9:00 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Mr. Todd motioned for the Medina Township Board of Trustees to reconvene from Executive Session at 9:15 pm. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett. The Board of Trustees reconvened from Executive Session where they were present with Zoning Inspector, Elaine Ridgley and Fiscal Officer, Linda DeHoff where they were discussing compensation for the Zoning Inspector. No decisions were made during that meeting.

**Compensation for Elaine Ridgley, Zoning Inspector**

Mr. Todd said the directive to put it in the minutes is, Elaine Ridgley can work 35 hours per week 9 to 4, she can attend the meetings during the week and get paid for those meetings, but if she has to go beyond 5 extra hours in any given week she has to advise the members of the Board that she is only available for a certain amount of time because she cannot go over 40 hours during that week. Mrs. Ridgley agreed.

**OLD BUSINESS**

**Temporary Inflatable Sign-Zoning Text Amendment**

Mr. Todd said he incorporated the information that all the Trustees agreed upon, typed it up and sent it to the Township e-mail (see attached). If they disagree on anything the changes can be made at a later date. The Board then discussed the document.

**RECESS**

Mr. Todd motioned to go into recess at 9:35 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. Mr. Todd motioned for the Medina Township Board to reconvene at 9:39 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

**Temporary Inflatable Sign- Zoning Text Amendment Con’t**

Mr. Todd said the three Trustees all have different views on the proposed amendment and they agree and disagree on some of the portions of the document but, all they are doing is sending it to the Zoning Commission. The public will ultimately have a say in this matter. This isn’t a final document. This isn’t what is ultimately going to come back. He expects there to be changes and that all they (Trustees) are saying is let’s start the discussion by sending it to the Zoning Board.

Mr. Todd motioned to propose an amendment to the Township Zoning Code to include the addition of 603I and 605N and incorporate these 2 pages by reference that we discussed previously. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

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**OTHER BUSINESS**

**LST Budget**

Mr. Jarrett said the Trustees need to move forward on the LST Budget as it stands right now, for 2012.

Mr. Todd motioned to approve the 2012, proposed budget for the Medina Township Life Support Team service of \$336,860.00. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Mr. Jarrett said he is working with the Fire Chief Mark Crumley and they are looking at options regarding LST.

Bill Ostmann (3670 Hamilton Road) said this seems to be the operating procedure of the LST, they just ignore it and work without a contract.

Mr. Jarrett said he will inform Gene Sulzener that the budget was approved.

**PUBLIC COMMENT**

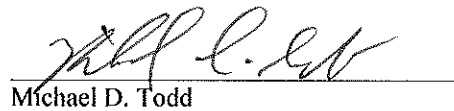
Mr. Todd motioned to open the floor for public comment. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

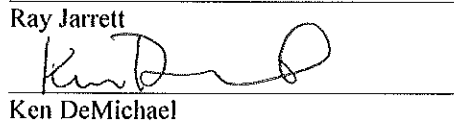
Sally Gardner (3333 Foskett Road) asked what you guys are smoking if you think Bill Doraty is going to adhere to anything that you put in the code because Ray Jarrett sat with him through meetings and offered other options and he declined. Mr. Todd said he is not doing this for Bill Doraty; he has talked about this since 2005, and he does not smoke. Her other question is why they feel he will abide by the rules and Doraty should be sitting up there not Ken DeMichael because he is the one who won the election so why isn't it about him. Mr. Jarrett said whatever the outcome is, if this is the new sign language then we need to enforce it, and it has nothing to do with Doraty or anyone else and it has to be evenly enforced across the board. Mr. Todd asked Mrs. Ridgley and Mr. Jarrett if they ever heard him say not to enforce the Zoning Code and they said no.

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

Mr. Todd motioned to adjourn the meeting at 9:58 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

  
Linda DeHoff, Fiscal Officer

  
Michael D. Todd

Ray Jarrett  
  
Ken DeMichael

**603 I. CONSEQUENCES FOR FAILING TO RECEIVE OR COMPLY WITH TEMPORARY SIGN PERMIT.**

Should a property owner place a temporary sign without a permit, or fail to remove a temporary sign for which they received a permit within ten (10) days of the expiration of a temporary sign permit, they shall be barred from receiving a temporary sign permit from the Township for one year from the date they removed the noncompliant sign.

- a. The Zoning Inspector will send the violating party a notice advising them of their suspension. Said notice shall include, at a minimum, the parcel number, the date the bar begins and ends and notification to the property owner that they have a right to appeal the Zoning Inspector's decision to Board of Trustees within thirty (30) days from the date of the letter.
- b. A property owner may appeal a bar to the Township Board of Trustees by providing written notice to the Township Board of Trustees within thirty (30) days from the date of the Zoning Inspector's letter notifying them of the bar. Upon receipt of said notice, the Board of Trustees must conduct a hearing within thirty (30) days. The Board will make a final determination based on information provided to them during this hearing.

**605 N. INFLATABLE SIGNS.** Are permitted provided they meet the following criteria:

1. Number per Property Owner. Only one inflatable sign shall be granted for a single property at a time.
2. Duration. The permit shall be for no more than thirty (30) days at a time.
3. Size. The size of an inflatable shall not exceed twenty-five (25) feet as the largest dimension in any direction.
4. Placement on Parcel. Inflatable signs may not be placed within ten (10) feet of a road right-of-way, the air-rights of adjoining properties or inside the offset requirements of the parcel.
5. Placement on Rooftops. Notwithstanding other provisions of the sign code, an inflatable sign may be placed upon a rooftop provided the following:
  - a. Area. The area of the roof where the inflatable is placed is flat and the total dimensions of the roof are greater than 1,600 square feet.
  - b. Clearance. The inflatable sign has eight (8) feet of roof clearance in all directions.

- c. Maximum Height. The maximum height an inflatable projects from the ground may not exceed sixty (60) feet in height, measured from the lowest elevation where the ground meets the building to the highest point of the inflatable.
6. Definition. For the purposes of Section 605 N of the Zoning Code an inflatable sign shall only include cold-air, inflatable signs.
7. Insurance. The company that installs the inflatable sign and/or the property owner must provide a copy of a Certificate of Insurance at the time of application for the permit in the amount of two million dollars (\$2,000,000.00) with the Township as a co-insured.
8. Installation. The company that installs the inflatable sign and/or the property owner must ensure that construction, erection, safety and maintenance of any inflatable sign is in accordance with all local, state and federal regulations, including International Fire Prevention Code and the current edition of the Ohio Building Code.
9. Distance from Interstate. Notwithstanding the aforementioned, no inflatable sign shall be placed within six hundred (600) feet of a Federal Interstate.
10. Nuisance. The location of the inflatable sign shall not create a nuisance to adjacent or surrounding properties.

**APPROVED**

REVIEWED BY MEDIN/TWP. TRUSTEES

Date 3/29/12

Trustee Chm. [Signature]

Trustee [Signature]

Trustee [Signature]