

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
NOVEMBER 2ND, 2017
7:00 PM**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on November 2nd, 2017, to conduct the business of the Township. Chairman Ostmann called the meeting to order at 7:02 pm with the following Trustees in attendance: Bill Ostmann and Ken DeMichael. Also in attendance were Fiscal Officer Ventura, Fire Chief Painter, Zoning Inspector Ridgley, Law Director Thorne and the general public.

Roll Call

Mr. Ostmann asked for a roll call of all members present. Trustees present were Mr. Ostmann and Mr. DeMichael. Mr. Jarrett was absent due to having hand surgery.

Pledge

Mr. Ostmann led the Pledge of Allegiance.

Moment of Silence

Mr. Ostmann asked for a moment of silence for our service members both here and abroad and for our first responders who risk their lives every day to keep us safe.

SITE PLANS

Panera Bread - Pedestrian Crossing Sign – 4065 Pearl Road

Mr. Ostmann motioned to accept the recommendation of the Zoning Commission and approve the signage for the drive-thru line for Panera Bread located at 4065 Pearl Road with the elimination of the proposed five (5) parameter directional signs and the addition of a pedestrian crossing sign as presented. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Medina Vision Center and Spin Bike Shop – 4463 Weymouth Road - Sign

Mr. Ostmann motioned to accept the recommendation of the Zoning Commission and approve a new thirty-two (32) square foot ground sign for Medina Vision and Spin Bike Shop located at 4463 Weymouth Road as presented. It was so noted, the existing sign would be removed. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Medina Creative Living for Life – 4125 Creative Living Way - Site

Mr. Ostmann motioned to accept the recommendation of the Zoning Commission and approve the site plan creating buildings D & E with each building to contain four (4) units and with the intention of a third (3rd) building to be built for Medina Creative Living for Life located at 4125 Creative Living Way as presented. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

OTHER BUSINESS

Mark Herwick - Homestead Insurance – Health Insurance

Mark Herwick asked the Trustees to approve the Medical Mutual Medical, Dental and Vision renewal and the Humana Life Insurance renewal for the Township for January 1st, 2018. Mr. Ostmann received a letter from Mr. Jarrett who was unable to attend the meeting and it was signed and notarized. Mr. Ostmann motioned that we approve the insurance packet from Homestead Insurance as presented. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael. Mrs. Ventura asked Mr. Herwick if because they switched to the calendar year does that now mean that the open enrollment time to come on is January or is it December. Mr. Herwick said it is December 1st to the 30th and we now have a couple of employees that are making changes.

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OTHER BUSINESS CON'T

Supplemental Appropriations - Grant Expenditures

Resolution No. 11022017-023

Mr. Ostmann motioned to put forth Resolution No. 11022017-023 to appropriate \$25,000.00 from Police fund 2081 to Police Fund 2081-210-190-0000. Mr. DeMichael seconded the motion. Mrs. Ventura said that the Community Relations Grant was extended and we had a little over \$15,000.00 to spend on supplies and equipment and the overtime wages for the second half of the year. We did not appropriate enough to accommodate that so we have to move funds. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Approval of Accounts Payable

Mr. Ostmann motioned to approve accounts payable check#28690 through #28717. The total amount is \$20,767.63. Mr. DeMichael asked Mr. Ostmann to amend his motion to exclude Mr. Thorne's payment until we get a description of what services were provided in the last month. Mr. Thorne said he has not kept those because the Board did not direct him to do that. He said it can be done but the Board has not asked for that in the past. Mr. Ostmann said he did look at copies of the minutes where Mr. Thorne was hired and we did not ask for that. Mr. DeMichael said he has constituents asking for that and he needs to feel comfortable giving them an answer. Mr. Ostmann motioned to approve accounts payable excluding check #28709. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Approval of Payroll

Mr. Ostmann motioned to approve payroll checks #23624 through #23647. Total amount, \$36,360.02 with \$6,983.26 withheld for taxes, union dues, OPERS, etc. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Approval of Minutes

Mr. DeMichael said he had changes he wanted to get to the Secretary regarding the minutes and they can be put on the website pending Trustee approval. Mrs. Goe asked if she could mark them draft before they are put on the website and Mr. Thorne said she could. The minutes were tabled.

PURCHASE ORDERS

COSE of Greater Cleveland Membership Fee

Mr. Ostmann motioned to approve a purchase order requisition. The vendor is COSE of Greater Cleveland and this is the COSE membership fee and the amount is \$412.00. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

Move It – Fire Department Copier

Mr. Ostmann motioned to approve a purchase order requisition and the vendor is Move It and this is for the return of the fire department copier shipping, packaging and insurance and the total amount on that is \$519.92. Mr. DeMichael seconded the motion. Mr. Ostmann said the copier is not needed at the back fire department so we are having it shipped back. Voting aye thereon: Mr. Ostmann and Mr. DeMichael.

DEPARTMENT HEAD COMMENTS

There were no department head comments

REPORT

Office for Older Adults

Sally Gardner said the Office for Older Adults will be closed November 10 to observe Veterans Day. On November 17 there will be a Veterans Tribute Concert with a Veteran pinning ceremony and a Thanksgiving dinner.

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Food Drive

Mr. Ostmann said as of November 2 the food drive has brought in 1,089 pounds of food and \$965.92 in cash. The final tally will be done as of November 4, 2017 per Mr. Jarrett.

SPCA Donation

Mr. Ostmann said this will be tabled until we make the appropriation for it for 2018.

PUBLIC COMMENT

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

Jackie Smith (3902 Fennway Blvd.) asked who okayed the brochure regarding the Safety Services Levy and if someone went to the Board of Elections. Mrs. Ventura and Dave Clardy said they did. Mrs. Ventura said the Board of Elections told her they do not police anything to do with campaigns except for the finance. If a person wants to make a complaint they would have to contact the ohioboardofelections.org or ohio.gov and you have to give specifics and they will investigate it.

Dave Clardy (3497 Old Weymouth Road) said it is from the Citizens for a Safer Community and the contributors are David Arbogast, Marilyn Stanup, Mike Bach, Celia Goe, Mike Carlson, Norbert Lindowski, Audrey Schmitt, David LeHoten and he said no one has stepped up to correct this.

Matthew Galla (3503 Hamilton Road) attended Meet Your Candidate night at Williams on the Lake and said all the candidates said the same thing, more money is being cut back from the State and he said the Board needs to live within their means and make do with what you have.

Jim Apana (3993 Dogleg Trail) said the issue regarding inflatables was resolved unanimously through Federal Circuit Court stating they are prohibited in Medina Township. He asked Mr. Stopa what the justification was in breaking the law. Mr. DeMichael said Mr. Stopa was not breaking the law because it is a political ad. Mr. Ostmann said he was under the impression that because it was a political sign anything could be used but Mr. Thorne said the balloon itself is still illegal but the sign is okay. Mr. Apana asked if political signs had to be a certain size and was told it depends on the zoning sign regulations. Mr. Stopa said it is a political sign and Zoning Inspector Ridgley said the sign is legal but the balloon is prohibited and she got that information from two (2) attorneys. Chief Painter said a complaint was received regarding the inflatable and the Fire Department checked it out. The Fire Department is working with the State Fire Marshalls Office and is trying to get access to the building to see how the circuits run to the power. They are trying to contact owner Bill Doraty to get access but if they can't contact anyone they will have to remove the balloon for safety reasons because they are running electric from the inside to the outside.

Dave Clardy (3497 Old Weymouth Road) asked how many Townships were in Medina County and was told seventeen (17). He asked if other townships employ outside counsel besides two (2) and was told we didn't have that information. He asked if there was an issue with the Prosecutors Office and Mr. Ostmann said a letter was written to the Prosecutor but he doesn't know if it was ever sent to him. Mr. Ostmann said we use Mr. Thorne a lot and get answers from him immediately. The Prosecutor said any request for information had to be put in writing before they would respond. It could take a week or two or longer to get an answer so the majority of the Board decided to hire Mr. Thorne.

John Basilone (4971 Shady Brook Run) asked what we paid the Prosecutors Office and was told there was no fee.

Robin Gray (4074 Remsen Road) asked if any other benefits were paid to Mr. Thorne and Mr. Thorne said no, but they paid for training he attended for the benefit of the Township. Ms. Gray asked what the General Maintenance invoice was for and was told it was to repair truck 16 for the Service Department.

Laura Kasiopo (3535 Cook Road) asked if the contract for Mr. Thorne was \$30,000.00 for a ten month period and are you going to continue it for 12 months next year which would make it \$36,000.00 and she was told no it is just \$30,000.00 for a year. Mr. Thorne said no and he didn't know if they would do it again next year at all. She asked Mr. Thorne if he was an annual re-up and when it would occur. Mr. Thorne said he thought it was in December.

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PUBLIC COMMENT CON'T

Rob Shurell (132 Seminary Street Berea) said he grew up in Weymouth and still has property there. He also said he attended the old school. Mr. Shurell said the Weymouth area is historic. He said the Weymouth Preservation Society was formed several years ago by people that wanted to preserve the history and improve the buildings there. He explained all that the WPS did and how they repaired the cemetery and the Weymouth School with the help of the Trustees and he discussed the events that are held there. Mr. Shurell said he has heard that there are people that want to take this away from WPS possibly to make money there and he hopes they take into consideration the historical value of the old school.

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

Discussion of Anonymous Phone Calls

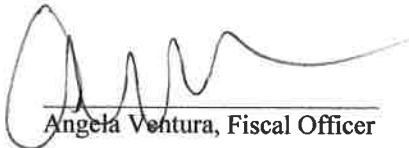
Mr. DeMichael asked Chief Painter who asked him to inspect the inflatable. Chief Painter said they got an anonymous call and they get complaints like that all the time. Mr. DeMichael said he was confused as to how running an extension cord essentially to a fan could be an issue. Chief Painter said they still have to investigate it because there is a concern about the safety aspect of it. It is not something we deal with day to day so we contacted the State Fire Marshall and they are helping us through it. Chief Painter said the primary thing is the electrical safety, having something outside that is not grounded properly and in proper condition, that is what we are trying to find out. Mr. DeMichael said maybe we should get with the Mayor and talk about policy and whether or not we accept anonymous tips and act on that. Chief Painter said every day we get anonymous calls about neighbors burning and they don't like it, it's just part of it. Mr. DeMichael said we can ask them to give their name, it sounds reasonable to him. Chief Painter said they usually don't and we get hundreds of calls a year. Mainly open burning type complaints and the neighbors don't want.... Mr. DeMichael said in zoning they ask people to give their names here. Mrs. Ridgley said in residential they do but not in commercial. Mr. DeMichael said maybe this is something we need to talk about, what's the difference between residential and commercial where you would want a name or you wouldn't want a name. Mr. Ostmann said generally a lot of times when there is a residential complaint it is an ongoing neighbor dispute and if you ask them to give their name they won't do it and that will just end the problem. Mrs. Ridgley said usually when they call for commercial they think it is health or safety. Mr. DeMichael said if you are looking to end the problem that could potentially happen if someone anonymously calls and asks about the inflatable and they won't give their name then maybe the problem goes away the same way as residential. Mr. DeMichael said he didn't think that was a good explanation. Mrs. Ridgley said she had numerous calls on it. Mr. DeMichael asked if she got any names and she said no one would give their name. Mr. DeMichael said that was interesting. Mrs. Goe said she received three (3) calls and they said they wanted to remain anonymous so they would not be retaliated against. Mr. Ostmann told Mr. DeMichael that the last time they had this issue they were going to take legal action and Mr. DeMichael made a phone call and got the inflatable taken down so maybe he could do that again and then there won't be an inspection. Mr. DeMichael said he probably could but he is not sure there is an issue with it. Mr. Ostmann said he will acquiesce to Fire Chief Painter and if he says that that's the way they have been doing it then have at it. Mrs. Ridgley said she is not here to point fingers at Mike (Stopa) or Mark Radice whose names are up there, let's just figure it out and make it right. They say it is prohibited so it needs to come down. Mr. Stopa asked Chief Painter how many inspections they have done to Township businesses since they took over in July. Chief Painter said he doesn't have that information but they have finally been able to get the files transferred over three weeks ago and he does know that there were only four (4) follow up inspections done by the Medina Township Fire Department since January to July and zero inspections during that time. Mr. Stopa said, so zero inspections by the Township and Chief Painter said that is what was done by the Township. Chief Painter said the Medina City Fire Department is doing a minimum of eight (8) to ten (10) inspections a month. We have an extra part-time inspector we try to get out there but we didn't have access to the files until about three (3) weeks ago. Mr. Stopa again said we had zero inspections before you took over and we have roughly three hundred and some businesses in the Township so this is more of a priority to go look at a balloon then it was to continue on to make sure our commercial businesses are up to date.

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Discussion of Anonymous Phone Calls Con't

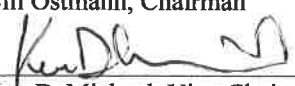
Chief Painter said all the anonymous complaints are neighbors burning issues and no doubt this is a political football problem but unfortunately this is a safety aspect and if something goes wrong and we're not there I am liable and the City is liable so we will go out and do our due process. Mr. DeMichael said it would be a good policy to have people give their names. Chief Painter said we ask but they won't give them and if you talk to our dispatch center they probably have thousands of calls and they won't give them. Mrs. Ridgley said she asks the same thing. Mr. Ostmann said a lot of times when there are crimes they allow people to complain anonymously. Mr. DeMichael said he is not sure we should react unless they did. He will have a conversation with the Mayor and see what we can come up with going forward.

Mr. Ostmann motioned to adjourn. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Ostmann and Mr. DeMichael. There being no further business to come before the Board the meeting was adjourned at 7:45 pm.



Angela Ventura, Fiscal Officer



Bill Ostmann, Chairman


Ken DeMichael, Vice-Chairman

MEDINA TOWNSHIP, MEDINA COUNTY
Appropriation Supplemental
 November 2017

11/2/2017 6:44:13 PM
 UAN v2017.1

Post Date	Transaction Date	Account Code	Amount	Resolution Number	Type	Purpose	Budgetary Correction
11/02/2017	11/02/2017	2081-210-190-0000	\$25,000.00		Permanent	INCREASE FUNDS TO COVER GRANT EXPENDITURES	No

APPROVED BY MEDINA TWP. TRUSTEES
 Date 11-2-17
 Trustee Chm. Willie
 Trustee Kim B...
 Trustee _____

Medina Township

Board of Trustees



Bill Ostmann
Chairman

Ray Jarrett

Ken DeMichael

Angela Ventura
Fiscal Officer

 **COPY**

November 2, 2017

Mary Beth Gunther
144 N. Broadway Street, Room 303
Medina, Oh 44256


Re: Increase Appropriations

Dear Mary Beth,

On November 2nd, 2017, the Medina Township Board of Trustees passed Resolution No. 11022017-023 to increase 2017 appropriations in Police Fund 2081 in the amount of \$25,000.00 and appropriate it to Police Fund 2081-210-190-0000.

If you have any questions please call me at 216-990-8284. Thank you.

Sincerely,
Medina Township Fiscal Officer


Angela Ventura