

Montville Township Trustees
April 9, 2024 – Regular Trustees Meeting

Present:

Trustee Jeff Brandon, Chairman
Trustee Sally Albrecht
Trustee Allen Biehl
Fiscal Officer Mary Pawlowski
Police Chief Matt Neil
Planning & Zoning Dir. Paul Jeffers
Service Director Chris Kosman

Also Present:

Resident William Hanigan

At 7:00 p.m. Trustee Brandon opened the regular meeting of the Montville Township Trustees. The Pledge of Allegiance was recited. Police Chief Matt Neil offered a prayer. Trustee Brandon welcomed residents and stated that the meeting is being recorded for transcription purposes only.

GUEST RECOGNITION

Resident Bill Hanigan said that he is trying to find out what kind of property rights, homeowner rights and protection are available at the state level for an issue with squatters entering people's homes, taking possession of property and the difficulty of removing the squatters. He had in mind snowbirds who go south in the winter months, vacationers, individuals serving in the military who are away from their residences for periods of time.

Police Chief Niel said that every state is different but he believes that, in Ohio, property owners have the right to pursue trespassers. He explained the difference of burglary and breaking and entering.

Trustee Brandon responded that our township has an excellent vacation watch program in which our police do many checks for when they have been made aware of residents' absences. Trustee Albrecht said that she uses the vacation watch program every time she is out of town and it works very well. There is a form to complete where a resident can indicate whether anyone will be staying at their home while they are away.

Fiscal Officer Pawlowski said that this is a wonderful service for our residents. Fiscal Officer Pawlowski also commented that, with today's technology, property owners can use security cameras to see what is happening at their residence and then promptly take any necessary action. She also said that the county recorder's office can put something in place to protect a property owner's deed from being transferred and suggested he contact the recorder's office for more information.

Chief Neil said that, in Ohio today, a news release reported that legislation was introduced that would allow squatters to be removed through an expedited process by the county sheriff. Ohio already has strong protections in place to prevent and penalize trespassers and squatters. Ohio's existing laws differ from

states such as New York and California with squatters' rights which allow squatters to occupy property for a short amount of time.

APPROVAL OF MINUTES

Trustee Albrecht made a motion approving the minutes for the March 26th regular Trustees meeting. Trustee Biehl seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

DEPARTMENT REPORTS

ECONOMIC DEVELOPMENT: Trustee Brandon reported that, on April 2nd, the Transportation task force met at the engineer's office. The engineer discussed the final report from 2001 which recommended a thoroughfare linking Grovewood Lane in Lafayette Township to Wooster Pike. The main topic of conversation at this meeting had to do with the Crum family property, which is 120 acres off Wooster Pike. Much time has elapsed since 2001 and so this group was called together to see whether this thoroughfare is still desired.

One idea that is now on the table is that the park district is interested in some of the property, and some of the property would be a residential development. Lisa Morrison was at the meeting representing Integrated Community Solutions and talked about their developing a residential community on part of this property closer to Route 3 which will include people with disabilities owning their own units.

Trustee Biehl continued that, at one time, the original thoroughfare plan was created to deal with traffic in and around Medina and especially the square. Reagan Parkway was one of the roads that was part of the thoroughfare plan, much like this paper road. If a road is to be built that will encourage commercial traffic, it goes hand-in hand with the zoning and that is what has changed. Even with the development that recently went in off Grovewood in Lafayette Township, it is residential and so it is not the kind of road we want to encourage truck traffic through the area. The committee felt that the road going through the Crum property should no longer be considered as part of the thoroughfare plan. Trustee Biehl said that, at some point, a resolution from the county will come to the Montville Township Trustees to officially remove that road from the thoroughfare plan.

Trustee Biehl said that they asked Nate to provide a concept plan defining the areas to have something more tangible to review. He could also make a recommendation of how to provide access to Route 3. Then, at some point, Trustee Biehl and the County Engineer can sit down with ODOT when that time comes to talk about more of a corridor plan.

The City of Medina recently met with ODOT on the Acme grocery store with the same discussion of access onto Route 3 and part of that discussion was that there was a commitment by ODOT years ago to do a corridor study of Route 3 which has never been done. Trustee Biehl explained that a corridor study is similar to a thoroughfare but on a specific thoroughfare rather than a whole network of

roads. It is a logical progression of development as it relates to access points on and off the main thoroughfare. The Deputy Director for District 3, Bob Weaver, indicated that he would make a commitment to try to secure funding for this planning study.

Fiscal Officer Pawlowski asked why that study was not done prior to making changes to Route 3 and putting in a roundabout. Trustee Biehl said that he thinks that is the point the city made during their meeting with ODOT because of all the issues that Fiscal Officer Pawlowski just described.

Realistically, Trustee Biehl thought that a thoroughfare plan is the roadmap of how orderly development would help resolve a lot of issues. He suggested that Montville partner with the City of Medina on wanting to get this done. Mr. Jeffers said that we had pushed for the corridor study for a long time but claimed they could not find funding. Discussion ensued.

Trustee Biehl will see what he can do to work with ODOT and encouraged us as a body to talk with Senator Romanchuk to encourage a dialog with the ODOT to get the funding to finally look at this. Chief Neil's opinion was to not stop at Poe Road but to go all the way down to Seville due to the development in the I-76 area.

Trustee Brandon said that the task force set another meeting for May 7th at 5:30 p.m. at the Engineer's office. Mr. Jeffers will advertise the meeting for the Trustees to attend.

Trustee Brandon said that the next meeting scheduled for Medina County Economic Development will be on April 18th at 7:30 a.m. at the main library. The main topic will be the state of the cities. Trustee Brandon plans to attend.

Medina County Township Association will hold their first event of the year on April 18th at 6:30 p.m. at Westfield Township's town hall. The guest speaker at the meeting will be Grace Gallucci from NOACA.

COMMUNITY EVENTS: Trustee Albrecht received another positive vote for the first annual community garage sale. The residents in the Normandy Park area condos, homes, and apartments all love the idea. Trustee Albrecht has not received any negative responses about a community garage sale event. Mrs. Navicky is recruiting opinions via the Montville Cares Facebook page. Trustee Albrecht is asking for all responses by April 15th and she hopes they will be ready to pick a weekend for the event shortly.

Trustee Albrecht reported that the Spokes Café eclipse event went over very well. Their Earth Day is planned for this coming Saturday, April 13th. Trustee Albrecht will be handing out free coupons for the tree seedlings which she will have at the end of the month to hand out. Trustee Albrecht was asked to help them with the upcoming summer solstice.

UTILITIES: Trustee Albrecht had no updates to report. Mr. Jeffers reported that Medina Fiber had put a box at the corner of Arlyne Lane and Alyssa Lane last year and it was not sealed correctly when it was put in. This problem has not been corrected. They either hit a water line or a spring and it has constant running

water for six months. Water goes across the road and down the road which is destroying the road. Mr. Jeffers is trying to get someone at Medina Fiber to fix it. He has a new contact person that responded right away and Mr. Jeffers is hopeful that they will take care of it very soon.

ZONING: Mr. Jeffers reported that work is still being done on the overlay. He said that it is formatted like our regular code and needs a few more edits before it is ready to be given to the Zoning Commission for their review on April 24th.

Mr. Jeffers said that the BZA training session was very successful. There were 26 people in attendance, plus the trainers. There were brand new zoning people as well as several seasoned BZA members coming in to be re-trained. A couple new Zoning Inspectors and one Trustee also came to the training session. Mr. Jeffers said that the BZA members were able to get real-life answers to their questions on real-life scenarios. Our attorneys had power points with information to take home for studying, and they also opened the meeting up to the group to ask questions about issues they are needing answers to.

Mr. Jeffers reported business is normal in the zoning office for this time of year with residents coming in for permits and others coming in to follow up on their violations they had last fall.

Trustee Brandon said that he received an email from residents on Rolling Ridge Drive. The residents have a pond in their back yard and indicated that their neighbor in the back, likely a property on Wooster Pike, are piling up horse manure about 2-3 feet high about 12 feet away from the pond. The residents are concerned that the horse manure will contaminate their pond and kill the fish. Trustee Brandon did not know if there was anything the township could do to help them.

Mr. Jeffers responded that they are agricultural and does not believe he could do anything about it. He will follow up with the residents.

POLICE: Chief Neil reported that the police had extra manpower on hand for the eclipse. The day was uneventful, which they like. This week, Hall Public Safety will be here working on upfitting the two new police cars which were ordered 16 months ago and has finally been received. Chief Neil said that he plans to take the two sedans out of service and replace them with SUVs. The Service Department has encouraged Chief Neil to get rid of car 6 due to engine issues. Chief Neil will keep car 1 for off-duty jobs and anything as-needed.

Chief Neil requested, and **Trustee Biehl made a motion applying for the 2024 Medina County Drug Advisory Committee grant of up to \$79,736.09 for funding to assist with our School Resource Officer program during the 2024-25 school year. Trustee Albrecht seconded the motion.** In discussion, Chief Neil said that this is the MCDAC grant that they apply for annually. He hopes to receive at least \$53,000. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Biehl made a motion paying expenses for Officer Denton to attend a firearms instructors' course in Cuyahoga Falls from October 21st to October 25th. Trustee Albrecht seconded the motion. In discussion, Chief Neil

said that Officer Denton will be taking on the duty as second range officer along with Officer Eckstine. They will rotate every other month. Officer Denton is taking the place of Dan Hazek who has been doing a fantastic job as our range officer over the last 18 years and is trying to step back a little bit. **The motion was passed, 3 ayes, 0 naves and 0 abstentions.**

Trustee Biehl made a motion purchasing an annual subscription for IT maintenance, security and endpoint management software for all township owned computers, from ZOHO Corp. dba ManageEngine for a price not to exceed \$2,300.00. Trustee Albrecht seconded the motion. In discussion, Chief Neil said that Rich Rodgers recently informed the Trustees of his concerns on the security of our computers. We have over 50 computers in the township which cannot be updated every month by our IT staff. This will be a central point where they can monitor all our township computers. Chief Neil requested this subscription's cost be shared with the General Fund. **The motion was passed, 3 ayes, 0 naves and 0 abstentions.**

Trustee Biehl made a motion paying Auto Trim of N. Ohio LLC \$2,723.64 for the graphics on the two newly marked patrol cars that are going into service this week. Trustee Albrecht seconded the motion. The motion was passed, 3 ayes, 0 naves and 0 abstentions.

LST/FIRE: Trustee Brandon read the March fire report. In Montville Township, Trustee Brandon reported that there were 17 calls for service during the month: 1 building fire; 4 fire alarms; 1 motor vehicle accident; 1 rescue extrication; 7 EMS assists; 2 leaks and spills; and 1 smoke odor investigation.

Trustee Brandon explained that the building fire occurred on March 23rd. They were dispatched to a residence with reports of flames coming out of the chimney. A Medina Fire Department firefighter who lives in the neighborhood went directly to the home when he heard the call out, closed the flue, and extinguished the fire all contained in the chimney. The homeowner was advised to have the chimney inspected and professionally cleaned.

Trustee Brandon said that we have the 2024 dispatch services invoice for \$75,166.79. Chief Neil said that he checked and that amount matches the contract paid to the City of Medina. Since we went with Medina in 2004, we pay a set price that was established back then, and pay the percentage increase of their contract for their employees.

ROADS: Service Director Kosman requested, and **Trustee Biehl made a motion purchasing salt truck equipment from Wurm Hydraulic Equipment for an amount not to exceed \$65,000.00. Trustee Albrecht seconded the motion.** In discussion, Mr. Kosman explained that this is for the new truck that is ordered. It is the bed, hydraulics, and most items that are needed to outfit the truck. **The motion was passed, 3 ayes, 0 naves and 0 abstention.**

Mr. Kosman said that the truck we have on order was issued a serial number, which is exciting progress. The build-out date is November/December, which is much later than the original estimate of first quarter 2024.

Mr. Kosman reported that salt ordered last year is currently being received and stacked into the storage barn.

ADMINISTRATION BUILDING: Mr. Kosman asked whether the Trustees have decided on how they would like to replace the current block protection at the front of the Administration building. Trustee Albrecht would like to put two large concrete vases with rocks and good soil in the bottoms and we can decorate them for each season. The Trustees agreed. Fiscal Officer Pawlowski suggested putting Christine in charge of decorating as she is right here.

CEMETERY: Trustee Albrecht had no updates to report.

PARKS: Mr. Kosman reported that the parks have been opened this week. They did have some problems with Cobblestone including some frozen lines and three or four valves needed to be replaced.

Mr. Kosman expects to open the pickleball courts next week. The fence covers for the pickleball courts and the baseball fields are expected to arrive in May.

OTHER BUSINESS

Fiscal Officer Pawlowski reviewed the March bank reconciliation and financial reports, including both month and year reports. Copies of the March reports provided for each Trustee: Fund Status and Fund Summary; Appropriation Status; Revenue Summary and Payment Summary. The Fund Status report as of April 10th was provided to each Trustee.

Fiscal Officer Pawlowski requested, and **Trustee Albrecht moved Resolution 040924.01 approving supplemental appropriations as presented. Trustee Biehl seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Biehl moved Resolution 040924.02 approving the final plan for the Medina County Countywide 9-1-1 system. Trustee Albrecht seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Albrecht made a motion paying \$75,166.79 for 2024 dispatch services from the Safety Services fund. Trustee Biehl seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Biehl made a motion paying \$2,870.00 to Sedgewick for BWC renewal of annual contract. Trustee Albrecht seconded the motion. In discussion, Fiscal Officer Pawlowski said that BWC is our workers' comp. manager and we also get our group rating through them, and we have a very good group rating. Fiscal Officer Pawlowski said that they do a very good job and suggested that we retain their services. **The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Albrecht made a motion approving BC & PO's and paying bills totaling \$201,432.50. Trustee Biehl seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Planning & Zoning Director Jeffers said that there are two Resolutions before the Trustees that should have been passed in 2007 when we put the sexually oriented businesses code into our resolution. Thankfully, we recently went through the ORC and found out that they needed to be there. One of the resolutions results in criminal conduct if they do not follow the rules, they can be criminally prosecuted as a misdemeanor. A lot of this language mirrors what we have in our code but it did not have the criminal intent part on there, which we do have the ability to do as a township if the rules are not followed. The second resolution is for regulations governing sexually oriented businesses and employees.

Trustee Biehl moved Resolution 040924.03 adopting regulations governing criminal conduct in sexually oriented businesses in Montville Township. Trustee Albrecht seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Albrecht moved Resolution 040924.04 adopting regulations governing sexually oriented businesses in Montville Township. Trustee Biehl seconded the Resolution. The Resolution was passed, 3 ayes, 0 nays and 0 abstentions.

At 8:28 p.m. **Trustee Albrecht made a motion entering into Executive Session for personnel reasons for compensation and employment, which is required to be kept confidential by law and everyone requested to stay are bound by confidentiality. Trustee Biehl seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

At 8:57 p.m. **Trustee Albrecht made a motion returning from Executive Session. Trustee Biehl seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.**

Trustee Biehl made a motion changing the rate of pay for Rich Rodgers to \$25.00 per hour, due to increased workload and responsibilities, effective April 1, 2024. Trustee Albrecht seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Biehl made a motion paying Excel K9 for a police dog and necessary training for a K9 handler for a price not to exceed \$17,000.00. Trustee Albrecht seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Biehl made a motion purchasing a Ford Police K9 SUV from Montrose Ford for a price not to exceed \$48,000.00. Trustee Albrecht seconded the motion. The motion was passed, 3 ayes, 0 nays and 0 abstentions.

Trustee Biehl made a motion purchasing upfitting equipment for a new K9 car from Hall Public Safety for a price not to exceed \$26,000.00. Trustee Albrecht seconded the motion. The motion was passed, 3 ayes, 0 naves and 0 abstentions.

At 9:15 p.m. Trustee Brandon adjourned the meeting.

Respectfully submitted,

Elaine Klafczynski

Approved By:

Date:

Attested:

Date: