

**SMITH TOWNSHIP REGULAR MEETING
TUESDAY, SEPTEMBER 12, 2023
AT 7:00 P.M. AT THE TOWNSHIP OFFICE**

SEVENTH REGULAR MEETING OF THE SMITH TOWNSHIP BOARD OF TRUSTEES

Prayer & Pledge of Allegiance, led by Fiscal Officer, Audrey Fox.

Call meeting to order

Roll call:

Mr. Showalter	Present	<u> X </u>	Excused	<u> </u>
Mr. Criss	Present	<u> X </u>	Excused	<u> </u>
Mr. Barnett	Present	<u> X </u>	Excused	<u> </u>

Attorney, Mark Finamore was also present.

Adopt Agenda

1. Motion to adopt monthly meeting agenda. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Approve Monthly Minutes

2. Motion to approve the June 6, 2024 Regular Meeting Minutes and the June 29, 2023 and July 18, 2023 Special Meeting Minutes. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Citizens' Comments

Chuck Hunt from Middletown Rd. recently had a barn fire that destroyed the whole structure. The barn fire is under question and Trustee Showalter suggested that he seek legal counsel.

Ralph Deli Owner, Venkat Adusumilli, has issues with his encroaching neighbor over property lines. Trustee Showalter suggested that he seek legal counsel.

Nancy Smith thanked the Trustees and Zoning Officer, Peggy Christy, for the removal and disposal

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of motor home from Parcel #160200021000 and clean-up of adjacent Parcel #16020002000 located on Caldwell Ave., Alliance, Ohio. In the adjacent alley is another trailer that is leaning onto her property and causing damage to her fence. Mr. Finamore suggested she find out the status of the alley to determine if it is a public alley.

Matt Hutton (matt_23690@yahoo.com) had a public records request:

Budget for 2023 and allocation for 2024. Along with minutes from June, July, and August months of 2023. Fiscal Officer will update the web with the newly approved minutes and email the additional information.

Mike Douglas had three issues questioned, 1.) the school zone signs on Ellett when it is just a driveway, 2.) the Junk yard on Ellett Road, and 3.) what would his fire insurance would go up \$1,000.

Chief Ceresna said the County sets up school zones and Mr. Showalter agreed to check with the County on the signs.

Trustee Barnett said he is in the process of working with the EPA on the junk yard or impoundment yard filled with old cars creating surface water contamination. Peggy Christy said that the junk yard in on her list.

Trustee Showalter suggested he compare ISO insurance ratings before and after increase to determine the reasoning behind his insurance increase.

Gayle Blair of Ellett Rd. is concerned about the increased traffic and speeding on Ellett Rd. and would like to have more Patrol Officers on Ellett. Chief Ceresna explained that he has tried to adjust his scheduling to send additional patrolling to Ellett Rd. and that he is doing the best he can with his current funding and Patrol Officers.

Liz Ramsey of 12th St. was questioning the posting of the scheduled Township meetings on the sign at the Township Hall. The Trustees have set the regular monthly meeting to be the first Tuesday of every month but the sign says Wednesday. The Township Officials will look into upgrading our sign so changes to meeting days and times can be easily made.

Approve Financial Reports

3. Motion to approve the Financial Report, and EFTs and Warrants for the months of June, July and August 2023 in the amounts of \$97,191.64, \$150,977.56, and \$144,249.80.
Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

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4. Motion to approve and sign the Bank Reconciliation Summary for 6/30/2023, 7/31/2023, and 08/31/2023. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Trustee and Fiscal Officer Report

Issues Discussed:

5. **Resolution 2023-0905-01** be it resolved the Trustees of Smith Township approve the reallocation to various funds and the budget increase to various funds to cover expenses. Passed (see attached)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

6. **Resolution 2023-0912-04A** be it resolved that the Trustees of Smith Township move to vote to approve the demolition of 825 W. Tennessee by A.C.T Excavating, LLC. in the amount of \$9,700.00 to be paid from the Coronavirus Fund 2272. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

7. **Resolution 2023-0912-04B** be it resolved that the Trustees of Smith Township move to vote to approve the removal of the large Oak tree at the Township Hall by Stryffeler Tree Service. in the amount of \$1,720.00 to be paid from the Coronavirus Fund 2272. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss

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- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

8. Resolution 2023-0912-03 be it resolved that the Trustees of Smith Township move to vote to approve the payment for the 2023-2024 OTARMA Liability Insurance Anniversary Contribution for in the amount of \$17,301. The Trustees wish to waive the increased Liability Limits. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

9. Resolution 2023-0912-04 be it resolved that the Trustees of Smith Township move to vote to approve the resolution accepting the amounts and rates as determined by the budget commission and authorize the necessary tax Levies and certifying them to the county Auditor. Passed (see attached)

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Other:

- Sign statement that the Trustees have no objection to Mr. Carl Kruger erecting, constructing and locating one or more Agricultural Building Structures for the breeding and raising of poultry.
- Notice of Cable Installation on Parcel 19-036-0-320.00-0.
- Update Cemetery rules and regulations for
 1. Grave digging
 2. Grave stone setting

Road Report

Zach Wagner, Road Foreman, presented the report for Summer 2023:

- Road checks after storms
- Lay and roll asphalt
- Mow and weed eat Township buildings

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- Road drag Martin and Best Rds.
- Put up signs for PD
- Dig out roadside ditches
- Take fair board signs down
- Clean equipment

Material used:

- Gas 79.5 gallons
- Diesel 167.5 gallons
- 448 asphalt 118 tons

Police Report

Chief Paul Ceresna presented Statistics for Summer 2023:

- 277 incident reports
- 13 accidents
- 148 citations
- 369 traffic stops
- 712 business checks

5th Annual Trunk or Treat is schedules for Saturday October 28th from 3-5pm at Maple Ridge
Discussion of Beloit Police Proposal
Discussion of Police Levy

Fire Report

Mike Springer was present and reported for 2020, 2021, 2022, and 2023YTD.

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023YTD</u>
EMS	197	303	252	164
MVA	24	44	45	24
House Fires	3	3	5	2
Fires Other	16	18	13	16
Other Runs	45	25	34	26

10. Resolution 2023-0912-02 be it resolved that the Trustees of Smith Township move to vote to accept the contract for Fire and Emergency Services made between the Village of Sebring, Ohio and Smith Township to be effective January 1, 2024 through December 31, 2026. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

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Zoning Report

Peggy Christy, Zoning/Nuisance Property Inspector, presented the Summer 2023 report:

- Handled all phone calls and correspondence related to zoning/nuisance property issues.
- Zoning classification calls for:
 - 19520 Heisler Rd. (needs county bldg. permit)
 - 18436 5th St. Beloit (appraisal)
 - 22623 Lake Park Blvd. (Steel Equip. Specialist)
 - 22150 Harrisburg Westville Rd.
 - Katie Mumar Beloit Snodes Rd. (garage)
 - 751 North Johnson Rd. (appraisal)
 - 22411 Norman Ave. (Fence)
- Spoke at length with Barry Higgins from Marcus & Millichap Real Estate Investment Services of Denver CO. pertaining to the possible purchase of Dollar General on Alliance Sebring Rd., Sent pictures and zoning regs pertaining to the back half of property zoned agriculture. The Dollar General will be staying open. Q. Can they put a driveway in on the east side of Bandy to the area north of the store?
- Inspected/walked the property with land owner currently in violation of nuisance property law at 13545 Caldwell Ave., Spoke at length with land owner (Teresa Tuel) and extended her deadline for cleanup from two weeks to 4 weeks. She is making remarkable progress.
- Issued address for parcel 160580027000 Bradley and Randi Finch @ 14800 Beloit Snodes
- Issued address for parcel 160470007000 vacant land @ 1006 21st St., Eric & Brice George
- Assisted prospective landowner interested in property for sale next to Oak Ridge Development of Harrisburg Westville Rd.
- Answered questions regarding feasibility of building log cabin for habitation. Kyle @ 330-565-5691
- Received complaint about 22669 Railroad St. Abandoned home, trash, inoperable vehicle, according to complainant. Have not moved on this yet.
- Spoke with Nancy Smith re: her questions about purchasing property near her that is about to be demolished by Mahoning County Land Bank. Ms. Smith has a question...Q. Would the township consider vacating the alley she refers to as Chestnut alley that runs east & west from Prospect to beyond Hoover (this is all on the south side of Lake Park Blvd.). I explained that she needs to petition the Mahoning County Commissioners as her first step. She is coming to twp. meeting.
- Spoke with Steven Brown from Mahoning County Land Bank re: 3 properties to be demolished soon. 779 Lake Park, 805 Lake Park, & 21298 Alden Ave., Coordinated

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water supply for demos with Mike Springer & Bill Sanor. Verified status of water and sewer connections and that gas lines have been disconnected for Land Bank personnel.

- Received complaint on 13910 Francis Ave., Complainant states residents are storing trash in buildings again, lots of rats spotted, large snakes killed several times, no electricity or running water or septic. Grass is waist high. They cook outside over wood daily in the side yard. Trash has not been picked up since early spring.

A. John Maldovan of 14535 Beloit Snodes- I sent junk vehicle notice to the address. **Mr. Maldovan wants to know if putting a car cover tarp would suffice.** Please respond to that at our meeting so I can let him know. Also, he says he purchased a 6-foot fence that will hide his other junk vehicles from the neighbors seeing those vehicles.

B. **Please sign an updated nuisance property violation notation that I will present at our meeting for the properties on Stanley Avenue.** You've already voted and declared them nuisance properties in the past. We have discussed and looked at photos of these two properties a few times over the years (even prior to your terms as trustees.) I will email the pictures. It's old news, but I just need the form updated. This should be a very quick action. I will then have Attorney Finamore move forward with the property title searches since he voiced that he could get us a better rate. I'm very hopeful that this demo and cleanup can take place before winter. I suggest you use ACT Excavating's (Rob. Rinehart) estimate. Not only is he local, his fees were the most reasonable and he did a good job for the township on the Lake Park Row property.

C. **I will be presenting just one possible demo for your perusal-as per Trustee Criss' recommendation. We have discussed it briefly at a past meeting and you have seen the pictures, but I will email them to you for your perusal. It's at 13566 Tombaugh Ave.**

- 11. Resolution 2023-0905-07A be it resolved that the Trustees of Smith Township** move to vote to declare parcel #19-029-0-131.00-0 Stanley Ave., owner Eva Griffin, a nuisance by reason of overgrown vegetation, garbage, refuse and other debris. Passed. (see attached)

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

- 12. Resolution 2023-0905-07B be it resolved that the Trustees of Smith Township** move to vote to remove the refuse, garbage, and debris on parcel #19-029-0-131.00-0 Stanley Ave. and be it further resolved that A.C.T. Excavating will be contracted to remove the refuse, garbage, and debris at a total cost of \$2,000.00 to be expensed to the coronavirus fund #2272. Passed. (see attached)

Moved by Mr. Barnett

Seconded by Mr. Criss

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- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

13. Resolution 2023-0905-07C be it resolved that the Trustees of Smith Township move to vote to authorize the Township Fire Chief, Mike Springer, to conduct an inspection of parcel #19-028-0018000 Stanley Ave (no assigned address) to determine if the property is insecure, unsafe, structurally defective and unfit for human habitation. Passed. (see attached)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

14. Resolution 2023-0905-07D be it resolved that the Trustees of Smith Township move to vote to declare property parcel #19-028-00180000 Stanley Ave. (no assigned address) being previously inspected and declared insecure, unsafe, and to be insecure/structurally defective by the Fire Chief and unfit for human habitation, is ordered to be removed by this Board. Passed. (see attached)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

15. Resolution 2023-0905-07E be it resolved that the Trustees of Smith Township move to vote to authorize the Township Fire Chief, Mike Springer, to conduct an inspection of parcel #16-017-0050000, 13566 Tombaugh Ave., Alliance, Ohio, 44601, to determine if the property is insecure, unsafe, structurally defective and unfit for human habitation. Passed. (see attached)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

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Approve Reports

16. Motion to accept all reports. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Adjournment

Motion by Chairman, Mr. Showalter to adjourn meeting.

Next Regular Meeting is 7:00 p.m. October 3, 2023.