

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting  
Held on Tuesday, October 8, 2024 at 7:00 PM

Call to order: Steve Gerberry

Pledge: Completed

Roll Call: Steven Gerberry - Present                      Richard Harkins - Present  
Edward Whittaker - Present                      Patrick Glunt - Present

Correspondence/Announcements:

- The **Trustees would like to announce to our residents that the Weathersfield Local School District will host their annual Spirit Day Parade this year on Thursday, October 24, 2024, the parade begins at 6:30 PM.** The route for the parade is from Ohltown McDonald Road south along Main Street (SR46) to Depot Street. There will be a bonfire immediately following the parade at the Community Park.
- The **Trustees would like to remind our residents that the 2024 Trick or Treat event has been scheduled Thursday, October 31, 2024 from 5:00 PM to 7:00 PM.**
- The **Trustees would like to remind our residents that the annual tree lighting ceremony will be held on Saturday, December 7, 2024 at 5:00 PM at our community park.** Santa and Mrs. Claus will be on hand to visit with the kids.
- The **Trustees would like to remind our residents that the 2024 Residential Tree Limb Chipping Program is ending soon.** The 2024 Residential Tree Limb Chipping Program will be ending on Friday, October 25, 2024. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for a Friday pick-up. Please keep the following rules and procedures in mind:
  - This program is intended for residential tree limbs up to 3 inches in diameter.
  - The tree limbs must be placed at the curbside with all the cut ends aligned with each other toward the street.
  - No shrubs, stumps, roots, lumber, or railroad ties will be accepted. All tree limbs must be free from vines.
  - We are not a tree removal service; if you are having a tree professionally removed let them do the entire job, you must have them take the tree limbs as well.

Reports:

- Financial Report – Presented by Patrick Glunt
- Administrator’s Report – Presented by David Rouan
- Zoning Report – Presented by Kelly Clarke
- Police Report – Presented by Police Chief Michael Naples
- Fire Report – Presented by Fire Chief Tom Lambert
- Lane LifeTrans Report – Presented by Lane's Chief Tom Lambert
- Law Director’s Report – Presented by Cherry Poteet

Note: All reports are on file in the Fiscal Officer’s office.

Comments from the public will be heard on agenda items at this time; there will still be an opportunity for individuals to address the Board during our public comments part of the meeting.

Old Business:

None

New Business:

24-150 Motion to adopt **a Proclamation of the Weathersfield Township Board of Trustees in recognition of Police Chief Michael J. Naples, Jr.**

WHEREAS, Police Chief Michael J. Naples, Jr. has dedicated 40 years of distinguished service to the field of law enforcement with unwavering commitment and exemplary

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leadership, beginning his career as a full-time patrolman in Warren Township in 1984, and subsequently serving the communities of Weathersfield Township beginning in 1987 and then the City of Girard beginning in 1995; and

WHEREAS, Chief Naples has held a variety of key positions throughout his career, including his time as a juvenile officer with the City of Girard Police Department, where his dedication to the safety and wellbeing of the youth attending Girard High School left a lasting impact on their community; and

WHEREAS, in 2002, Chief Naples returned to Weathersfield Township to serve as a Captain under Chief Joseph Consiglio, where his exemplary work ethic and leadership skills led to his promotion to Interim Chief of Police in 2014, and ultimately to Chief of Police in 2015, a role in which he has served with distinction; and

WHEREAS, Chief Naples, a native of Niles, Ohio, has not only served with excellence in law enforcement but also contributed to the development of young people through his passion for coaching high school football, including over 20 years as an Assistant Coach at Warren JFK, where he demonstrated the same dedication and integrity that have marked his law enforcement career; and

WHEREAS, the Weathersfield Township Board of Trustees, along with the officers of the Weathersfield Township Police Department, and our entire community, wish to express their deepest gratitude for Chief Naples' extraordinary public service, recognizing the challenges inherent in law enforcement and the high standard of integrity and professionalism with which he has always conducted himself; and

NOW, THEREFORE, BE IT RESOLVED, that the Weathersfield Township Board of Trustees do hereby proclaim their sincere appreciation and admiration for Chief Michael J. Naples, Jr. on the occasion of his 40th anniversary in law enforcement, and acknowledges his invaluable contributions to the safety, security, and welfare of the citizens of Weathersfield Township and beyond; and

BE IT FURTHER RESOLVED, that Chief Naples' legacy of dedication, integrity, and commitment to excellence in public service be forever celebrated and remembered in the history of our community through this proclamation and the permanent record of proceedings for the Weathersfield Township Board of Trustees.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-151    Motion to ***approve the minutes the Regular Meeting that was held on Tuesday, September 10, 2024 at 7:00 PM.***

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-152    Motion to ***approve the drawing warrants upon our treasury and paying township bills.***

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-153    Motion to ***adopt a resolution to approve the Then and Now Purchase Orders pursuant to the list provided by the Fiscal Officer.***

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

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24-154 Motion to *adopt a resolution, effective September 26, 2024, to amend the permanent appropriations for the General Fund for Budget Year 2024* on a level of control at the line-item basis and to request the Certificate of County Auditor that the Total Appropriations from each Fund do not exceed the Official Estimate Resources.

Appropriations For 2024 - General (Fund 1000)		
Account Code	Account Name	Appropriation
1000-110-111-0000	Salaries - Trustees	\$52,844.40
1000-110-121-0000	Salary - Township Fiscal Officer	\$8,939.70
1000-110-122-0000	Salaries - Township Fiscal Officer's Staff	\$50,856.00
1000-110-131-0000	Salary - Administrator	\$35,500.00
1000-110-190-0000	Other - Salaries	\$7,500.00
1000-110-211-0000	Ohio Public Employees Retirement System	\$40,459.68
1000-110-212-0000	Social Security	\$1,120.00
1000-110-213-0000	Medicare	\$4,000.00
1000-110-221-0000	Medical/Hospitalization	\$94,908.96
1000-110-222-0000	Life Insurance	\$2,250.00
1000-110-223-0000	Dental Insurance	\$3,600.00
1000-110-224-0000	Vision Insurance	\$1,000.00
1000-110-230-0000	Workers' Compensation	\$697.33
1000-110-311-0000	Accounting and Legal Fees	\$21,500.00
1000-110-312-0000	Auditing Services	\$5,800.00
1000-110-313-0000	Uniform Accounting Network Fees	\$3,250.00
1000-110-314-0000	Tax Collection Fees	\$13,500.00
1000-110-330-0000	Travel and Meeting Expense	\$360.00
1000-110-342-0000	Postage	\$350.00
1000-110-343-0000	Postage Machine Rental	\$200.00
1000-110-345-0000	Advertising	\$2,000.00
1000-110-360-0000	Contracted Services	\$43,000.00
1000-110-360-0005	Contracted Services {DEMOLITION}	\$1,200.00
1000-110-360-0058	Contracted Services {Trumbull County Engineer}	\$7,500.00
1000-110-381-0000	Property Insurance Premiums	\$309.00
1000-110-382-0000	Liability Insurance Premiums	\$3,998.52
1000-110-410-0000	Office Supplies	\$4,000.00
1000-110-420-0000	Operating Supplies	\$5,000.00
1000-110-591-0000	Contributions to Other Organizations	\$750.00
1000-110-599-0000	Other - Other Expenses	\$4,600.00
1000-120-190-0000	Other - Salaries (Zoning Department)	\$52,356.00
1000-120-323-0000	Repairs and Maintenance	\$2,000.00
1000-120-341-0000	Telephone	\$3,750.00
1000-120-351-0000	Electricity	\$6,500.00
1000-120-352-0000	Water and Sewage	\$1,900.00
1000-120-353-0000	Natural Gas	\$4,000.00
1000-130-212-0000	Social Security	\$100.00
1000-130-500-0000	Other	\$36,385.15
1000-190-380-0067	Insurance and Bonding {Insurance Fire Demo}	\$5,000.00
1000-310-360-0000	Contracted Services	\$5,000.00
1000-420-370-0000	Payment to Another Political Subdivision	\$35,000.00
1000-610-500-0057	Other {Festivals}	\$14,000.00
1000-760-730-0000	Improvement of Sites	\$4,400.00
1000-910-910-0000	Transfers - Out	\$134,049.28
1000-920-920-0000	Advances - Out	\$0.00
Total Expenditures:		\$725,434.02

Statement Of Fund Activity - FY2024				
Fund Name	Beginning Unencumbered Fund Balance	Total Estimated Revenue	Total Resources Available for Expenditure	Total Estimated Expenditures and Encumbrances
General	\$358,320.38	\$827,025.64	\$1,185,346.02	\$725,434.02
MVL	\$10,660.71	\$67,075.00	\$77,735.71	\$77,735.71
Gas Tax	\$57,693.68	\$159,400.00	\$217,093.68	\$213,500.00
Road & Bridge	\$1,862.40	\$131,000.00	\$132,862.40	\$130,828.92
Cemetery	\$35,170.70	\$86,500.00	\$121,670.70	\$102,050.28
Garbage & Waste Disposal District	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00
Police	\$95,153.82	\$2,035,431.94	\$2,130,585.76	\$1,957,215.52
Fire	\$218,267.87	\$486,222.38	\$704,490.25	\$468,408.00
Drug Law Enforcement	\$29,485.16	\$16,000.00	\$45,485.16	\$45,485.16
Enforcement & Education	\$3,876.39	\$500.00	\$4,376.39	\$500.00
Coronavirus Relief Fund	\$43.72	\$0.00	\$43.72	\$43.72
American Rescue Plan	\$6,063.42	\$150.00	\$6,213.42	\$6,213.42
Lighting Districts	\$6,129.85	\$48,485.00	\$54,614.85	\$52,730.00
OneOhio	\$8,414.55	\$2,160.23	\$10,574.78	\$10,574.78
Bond/Note Retirement Fund	\$0.36	\$109,124.57	\$109,124.93	\$109,124.57
Capital Projects - (State Capital Project)	\$500,000.10	\$0.00	\$500,000.10	\$500,000.10
Capital Projects - (FHWA & ARC)	\$0.00	\$300,000.00	\$300,000.00	\$300,000.00
Public Works	\$0.00	\$3,049.28	\$3,049.28	\$3,049.28
Total:	\$1,341,143.11	\$4,272,124.04	\$5,613,267.15	\$4,712,893.48

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Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-155 Motion to ***adopt a resolution to repay the General Fund from the Police District Fund the advance that was authorized by Resolution Number 24-028 in the amount of \$50,000.00 and to repay the General Fund from the Police District Fund the advance that was authorized by Resolution Number 24-051 in the amount of \$76,000.00 effective October 10, 2024.***

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-156 Motion to ***adopt a resolution, effective September 26, 2024, authorizing the use of American Rescue Plan Act revenue to be used for the purchase of replacement parts for the roadside boom mower for an amount of \$2,102.45.***

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-157 Motion to ***adopt a resolution authorizing the use of American Rescue Plan Act revenue to be used for payroll purposes for the Police Department for an amount not to exceed \$18,750.00.***

Motion by: Edward Whittaker    Seconded by: Steve Gerberry  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-158 Motion to ***accept a \$1,668.20 donation from Patrick Glunt, a \$250.00 donation from James Hulett, and a \$200.00 anonymous donation.*** These generous donations were made to cover the expense of the fall decorations at gazebo in the community park and at our administration building. The Trustees appreciate the donations from these community minded individuals and would like to provide a special thank you Ken Boring, AJ Ylonen, and Dan Dean for their efforts on this annual fall project.

Motion by: Edward Whittaker    Seconded by: Steve Gerberry  
Vote: Steven Gerberry - Yes    Richard Harkins - Abstained    Edward Whittaker - Yes  
Motion Carried

24-159 Motion to adopt a ***RESOLUTION TO ADOPT A WRITTEN INTERNAL CONTROL POLICY FOR THE RECEIPT AND EXPENDITURE OF FUNDS IN THE POLICE DEPARMENT'S DRUG LAW ENFORCEMENT FUND, AND LAW ENFORCEMENT TRUST FUND, AND ESTABLISHING PERMISSIBLE USES FOR THOSE FUNDS AND FOR THE POLICE ENFORCEMENT AND EDUCATION FUND AND OPIOID SETTLEMENT FUNDS.***

WHEREAS, Ohio Revised Code Section 2925.03(F)(1) "Trafficking, aggravated trafficking in drugs" authorizes creation of the Drug Law Enforcement Fund and requires adoption of a written internal control policy governing use of those funds and the Board of Trustees by this Resolution adopts such a policy and specifies approved uses for these funds, and

WHEREAS, Ohio Revised Code Section 2981.13(C)(1) "Sale of forfeited property – application of proceeds – forfeiture funds" authorizes creation of the Law Enforcement Trust Fund and requires adoption of a written internal control policy governing use of those funds and the Board of Trustees by this Resolution adopts such a policy and specifies approved uses for these funds, and,

WHEREAS, Ohio Revised Code Section 4511.19(G)(5) "Operating vehicle under the influence of alcohol or drugs - OVI Trafficking, aggravated trafficking in drugs" authorizes



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creation of the Enforcement and Education Fund and the Board of Trustees by this Resolution specifies approved uses for these funds; and

WHEREAS, the Board of Trustees hereby specifies approved uses by the Weathersfield Township Police Department of the Opioid Settlement Funds received from the settlement of lawsuits against the distributors of opioids.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, STATE OF OHIO, that:

Section I. There is hereby adopted an Internal Control Policy for the Weathersfield Township Police Department's receipt and use of funds in the Drug Law Enforcement Fund and the Law Enforcement Trust Fund. The Internal Control Policy is attached.

Section II. The Board of Trustees determines the Drug Law Enforcement Fund may be used for any expense of the Weathersfield Township Police Department that pertains to the enforcement of the laws related to drug offenses, including but not limited to: Police department employee salaries, retirement contributions, worker's compensation charges, supplies such as gasoline, oil, tires, guns, etc., and capital costs, including buildings, vehicles, equipment and tools of the Police Department, used in law enforcement efforts pertaining to drug offenses.

Section III. The Board of Trustees determines the The Law Enforcement Trust Fund may be used:

- (i) To pay the costs of protracted or complex investigations or prosecutions;
- (ii) To provide reasonable technical training or expertise;
- (iii) To provide matching funds to obtain federal grants to aid law enforcement, in the support of DARE programs or other programs designed to educate adults or children with respect to the dangers associated with the use of drugs of abuse;
- (iv) To pay the costs of emergency action taken under section 3745.13 of the Revised Code relative to the operation of an illegal methamphetamine laboratory if the forfeited property or money involved was that of a person responsible for the operation of the laboratory;
- (v) For other law enforcement purposes, and the Board of Trustees determines the following uses to be appropriate: any expense of the Weathersfield Township Police Department, including employee salaries, retirement contributions, benefits, worker's compensation charges, unemployment compensation costs, tools, equipment, supplies, and buildings used by the Police Department.

Ten percent of the first one hundred thousand dollars of amounts deposited during each calendar year in Law Enforcement Trust Fund shall be used in connection with community preventive education programs, including but not limited to the DARE program.

Section IV. The Board of Trustees determines the Enforcement and Education Fund may be used for any expense of the Weathersfield Township Police Department that pertains to the enforcement of the laws related to operating a vehicle under the influence of alcohol or drugs, including but not limited to: Police department employee salaries, retirement contributions, worker's compensation charges, supplies such as gasoline, oil, tires, guns, etc., and capital costs, including buildings, vehicles, equipment and tools of the Police Department that are used in enforcing R.C. §4511.19 and to educate the public about driving under the influence.

Section V. The Board of Trustees determines that Opioid Settlement Funds may be used consistent with the OneOhio Memorandum of Understanding which defines "Approved Purposes" as: "evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance

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use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers. The Board of Trustees determines that it is appropriate to use the Opioid Settlement Funds to decrease the oversupply of licit and illicit opioids by applying the funds to pay a portion of the salaries and benefits of Police Department employees working to decrease the supply of illicit opioids; as well as for drug take-back disposal or destruction programs; to discourage or prevent misuse of opioids through drug prevention efforts including drug prevention programs in schools; for training and education regarding naloxone and other drug overdose treatments; for education of officers related to opioids, and for the provision of wellness and support services for officers related to responding to opioid-related events.

Section VI. The Board finds that the passage of this resolution and all deliberations relating to the passage of this resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Section VII. This Resolution shall take effect, and shall be in full legal force and effect, from and after the earliest period allowable by law.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-160 Motion to **authorize Fire Chief Thomas Lambert to enter into an agreement with Brindlee Mountain Fire Apparatus, of 15410 US-321, Union Grove, Alabama 35175 for the sale of a 1998 E-One Freightliner Fire Engine.** The Board of Trustees, through Resolution Number 24-144, authorized the sale by public auction of this vehicle at a minimum bid of \$15,000.00 and that minimum bid was not met. The same minimum bid of \$15,000.00 is hereby set for this sale and agreement.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-161 Motion to **accept the resignation of firefighter Suzan Hunt effective September 24, 2024.** Suzan has moved out of the response area. The Board of Trustees would like to thank Suzan for her dedicated service to our community.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-162 Motion to adopt a **RESOLUTION TO REQUIRE OWNER TO DEMOLISH STRUCTURE WHICH IS UNFIT FOR HUMAN HABITATION PURSUANT TO OHIO REVISED CODE §505.86.**

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and

WHEREAS, the Trumbull County Board of Health, at their meeting on January 24, 2024, declared the structure located at 2509 Beech Street, Girard, Ohio 44420 (“the Property”) to be Unfit for Human Habitation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Weathersfield Township, Trumbull County, Ohio as follows:

**Section 1:** The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation and must be demolished and removed, pursuant to O.R.C. §505.86.

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**Section 2:** Notice shall be given to the owner(s) of the Property and any lienholders by certified mail or as otherwise provided in O.R.C. §505.86, of the Township’s declaration of nuisance and demand to abate said nuisance by demolition, and the right to request a hearing in writing within twenty days after the notice is mailed, pursuant to O.R.C. §505.86 (B) and (C).

**Section 3:** If the Property Owner or lienholders fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal within thirty days of issuing notice, the Board authorizes the Township Administrator to enter into contracts with private contractors or the Trumbull County Land Bank for the demolition of the structures on the Property.

**Section 4.** The total costs incurred by the Township for the demolition and removal of the structure and abatement of the nuisance, including all associated site restoration work, and the costs incurred in providing notice shall be paid from the Township general fund, and the Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

This Resolution shall take effect immediately upon adoption.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
Motion Carried

24-163    Motion to adopt a ***RESOLUTION TO REQUIRE OWNER TO DEMOLISH STRUCTURE WHICH IS UNFIT FOR HUMAN HABITATION PURSUANT TO OHIO REVISED CODE §505.86.***

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and

WHEREAS, the Trumbull County Board of Health, at their meeting on February 28, 2024, declared the structure located at 2188 North Glenwood Avenue, Niles, Ohio 44446 (“the Property”) to be Unfit for Human Habitation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Weathersfield Township, Trumbull County, Ohio as follows:

**Section 1:** The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation and must be demolished and removed, pursuant to O.R.C. §505.86.

**Section 2:** Notice shall be given to the owner(s) of the Property and any lienholders by certified mail or as otherwise provided in O.R.C. §505.86, of the Township’s declaration of nuisance and demand to abate said nuisance by demolition, and the right to request a hearing in writing within twenty days after the notice is mailed, pursuant to O.R.C. §505.86 (B) and (C).

**Section 3:** If the Property Owner or lienholders fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal within thirty days of issuing notice, the Board authorizes the Township Administrator to enter into contracts with private contractors or the Trumbull County Land Bank for the demolition of the structures on the Property.

**Section 4.** The total costs incurred by the Township for the demolition and removal of the structure and abatement of the nuisance, including all associated site restoration work, and the costs incurred in providing notice shall be paid from the Township general fund, and the Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and

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after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

This Resolution shall take effect immediately upon adoption.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-164 Motion to adopt a **RESOLUTION TO REQUIRE OWNER TO DEMOLISH STRUCTURE WHICH IS UNFIT FOR HUMAN HABITATION PURSUANT TO OHIO REVISED CODE §505.86.**

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and

WHEREAS, the Trumbull County Board of Health, at their meeting on August 14, 2024, declared the structure located at 1375 Emerson Avenue, Niles, Ohio 44446 (“the Property”) to be Unfit for Human Habitation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Weathersfield Township, Trumbull County, Ohio as follows:

**Section 1:** The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation and must be demolished and removed, pursuant to O.R.C. §505.86.

**Section 2:** Notice shall be given to the owner(s) of the Property and any lienholders by certified mail or as otherwise provided in O.R.C. §505.86, of the Township’s declaration of nuisance and demand to abate said nuisance by demolition, and the right to request a hearing in writing within twenty days after the notice is mailed, pursuant to O.R.C. §505.86 (B) and (C).

**Section 3:** If the Property Owner or lienholders fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal within thirty days of issuing notice, the Board authorizes the Township Administrator to enter into contracts with private contractors or the Trumbull County Land Bank for the demolition of the structures on the Property.

**Section 4.** The total costs incurred by the Township for the demolition and removal of the structure and abatement of the nuisance, including all associated site restoration work, and the costs incurred in providing notice shall be paid from the Township general fund, and the Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

This Resolution shall take effect immediately upon adoption.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

24-165 Motion to adopt a **RESOLUTION TO REQUIRE OWNER TO DEMOLISH STRUCTURE WHICH IS UNFIT FOR HUMAN HABITATION PURSUANT TO OHIO REVISED CODE §505.86 AND TO REMOVE JUNK MOTOR VEHICLES PURSUANT TO OHIO REVISED CODE §505.871.**

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe,



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structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and

WHEREAS, Ohio Revised Code §505.871 authorizes a Township Board of Trustees to require removal of junk motor vehicle(s) in the Township; and

WHEREAS, the Trumbull County Board of Health, at their meeting on September 25, 2024, declared the structure located at 1345 Depot Street, Mineral Ridge, Ohio 44440 (“the Property”) to be Unfit for Human Habitation; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Weathersfield Township, Trumbull County, Ohio as follows:

**Section 1:** The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation and must be demolished and removed, pursuant to O.R.C. §505.86.

**Section 2:** The Board of Trustees determines the following motor vehicles on the Property are “junk motor vehicles” as defined in O.R.C. §505.173 as a vehicle meeting all of the following criteria: being (1) three model years old or older, (2) apparently inoperable, and (3) extensively damaged, including but not limited to, any of the following: missing wheels, tires, engine, or transmission. There are multiple vehicles stored on the grass in the back yard, and four motor vehicles parked on the driveway, including a tractor.

**Section 3:** Notice shall be given to the owner(s) of the Property and any lienholders by certified mail or as otherwise provided in O.R.C. §505.86, of the Township’s declaration of nuisance and demand to abate said nuisance by demolition, and their right to request a hearing in writing within twenty days after the notice is mailed, pursuant to O.R.C. §505.86 (B) and (C) and O.R.C. §505.871.

**Section 4:** If the Property Owner, lienholders, or other Party in Interest fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal, and removal of said junk vehicles, within thirty days of issuing notice, the Board authorizes the Township Administrator to enter into contracts with private contractors or the Trumbull County Land Bank for the demolition of the structures and removal of junk vehicles on the Property.

**Section 5.** The total costs incurred by the Township for the demolition and removal of the structure and junk vehicles and abatement of the nuisance, including all associated site restoration work, and the costs to remove or cause the removal of the junk motor vehicles, including the costs incurred in providing notice, shall be paid from the Township general fund, and the Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

This Resolution shall take effect immediately upon adoption.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

Public Comments:

Todd Murdock said the fall decorations at the gazebo look great. She also questioned why there are so many political signs and is there anything that can be done about them.

Tom Sudik asked what were the two variances that will be in front of the Board of Zoning Appeals. Kelly Clarke said one was for an addition and one was for an awning.

Next Meetings:

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting  
Held on Tuesday, October 8, 2024 at 7:00 PM

Next Meetings: Regular Meeting – Thursday, October 17, 2024, at 3:30 PM, Regular Meeting – Thursday, November 7, 2024 at 3:30 PM, and Regular Meeting – Tuesday, November 12, 2024 at 7:00 PM.

Adjournment:

24-166 Motion to *adjourn the meeting*.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

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Patrick J. Glunt, Fiscal Officer

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Steven J. Gerberry, Trustee

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Richard T. Harkins, Trustee

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Edward K. Whittaker, Trustee