# August 11, 2015

Mr. Gerberry called the meeting to order.

Roll call:	H. Gilson Blair – present	Steven J. Gerberry – present
	Marvin J. McBride – present	Fred R. Bobovnyk – present

#### **Correspondence/Announcements:**

- The Trustees were awarded nearly \$2,400 in grant funds from the Geauga-Trumbull Waste District for their 2015 Scrap Tire Grant. The curbside collection of scrap tires went well and was completed last Friday.
- The Trustees 2015 Residential Tree Limb Chipping Program continues. The 2015 Residential Tree Limb Chipping Program began on Friday April 10<sup>th</sup>, 2015 and will continue each Friday through October 30<sup>th</sup>, 2015. 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.
  - No shrubs, stumps, roots, lumber, or rail road 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.
- The Ohio Public Works Commission (OPWC) Warner Avenue Paving Project was completed and came in under budget by \$7,000.
- The Trustees have place an opt-out question on the ballot this November for an electric and gas aggregation plan for the residents of the Township.
- Amended Substitute House Bill 64, the FY 2016 2017 biannual budget, was signed by Governor Kasich at the end of June. Amended House Bill 64 eliminates an additional \$225,000 in revenue from our budget. This elimination, along with previous cuts, eliminations, and reductions now totals nearly \$650,000 annually in revenue from our budget.
- The Trustees adopted at their regular meeting last month a resolution proposing that the honorable John R. Kasich, Governor of the State of Ohio, declare a moratorium of new injection wells in Weathersfield Township, Trumbull County, Ohio.

- Trustee Gil Blair attended a meeting of Grow Mahoning Valley last week to present two infrastructure projects on behalf of Weathersfield Township. Grow Mahoning Valley promotes economic development through infrastructure projects. The Trustees are hopeful that State Route 46 and US Route 422 can be widened to improve safety and promote economic development in these two areas of the Township.
- It finally appears as though the proposed gas line along Austintown-Warren Road/South Main Street will be starting soon. Dominion East Ohio Gas has completed the planning and engineering of the project and they have contacted our residents to discuss the construction of the project yet this summer/fall.

## Financial Report – Fiscal Officer Fred R. Bobovnyk:

- 1. Monthly report was given to the Board.
- 2. Drawing of warrants
- 3. Minutes (1 sets)

#### Administrator's Report – Dave Rouan

#### Administrator's Monthly Report - August 2015

#### Administrative Announcements

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#### **Highway Department**

- 1. We completed 21 Work Orders during the month of August.
- We worked in the cemetery, roadside mowing, bike path mowing, and miscellaneous roadway repairs and maintenance.
- 3. Monthly check of the roadways and signs were completed.
- 4. General maintenance on various fleet vehicles.

#### Cemetery

1. See attached Cemetery Report

Respectfully submitted:

Dr. David A. Rouan, AICP Township Administrator

# <u>Cemetery Report \_ Dave Rouan</u>

(Prepared by Melissa Ritchie)

Jul	y 2015		Sales/Finan	cial Report		
Location Status Owner(s)	Purchase Plan Price	Perpet Price	ual Care Plan OT Cost	Opening Cost	Deed Nbr Date of Deed Sales Agent	Deed Notes
KC-A-125-6 Occupied	\$0.00	\$0.00	\$0.00	\$500.00		
KC-G-609-4 Occupied Taylor, Joseph	\$0.00	\$0.00	\$0.00	\$900.00	06/10/2002	Deed Bcok 13 Deed Page 79
KC-I-2139-1 Occupied Bartlett, Mary	\$1,350.00	\$0.00	\$0.00	\$900.00	2015-193 08/06/2015 Melissa Ritchie	
KC-I-2254-1 Occupied Maynard, Kay	\$750.00	\$0.00	\$0.00	\$0.00	2015-194 08/06/2015	Sherri sold this

Graves Purchased \$ 2,100.00 Ofc charges \$ 2,300.00 \$ 4,400.00 mse.

August 6, 2015 9:45 am

Page 1

#### Zoning Report – Zoning Inspector Melissa Ritchie

#### WEATHERSFIELD TOWNSHIP ZONING OFFICE MONTHLY REPORT JULY 2015

I. FEES COLLECTED

Zoning Permit Fees	\$	78.50	Value (\$):	12,600.00	)
Occupancy Permit Fees	\$	0.00			
C.U.P Application Fees	\$	0.00			
Variance Application Fees	\$	0.00			
Zone Change Fees	\$	0.00			
Special Hearing Fees	\$	0.00	(appeal and c	onditional	use hearing)
Zoning Maps - Full	\$	0.00	# Sold	0	
Zoning Maps - Neighborhood	\$	0.00	# Sold	0	
Zoning Maps - Index	\$	0.00	# Sold	0	
Zoning Regulation Book	\$	0.00	# Sold	0	
Copies	\$	0.00	# Sold	0	
Misc. Fees	\$				
TOTAL	: \$	78.50			

- II. Zoning Commission: <u>July 8, 2015</u> Public Hearing for Zoning regulations
- III. Board of Appeals: June 11, 2015 Approved Variance on Garage
- IV. Next Meeting: ZC October 14 @6:00PM BZA ....

Prepared by M. Ritchie on 8/6/2015

# August 11, 2015

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#### **Police Report – Chief Michael Naples**



1

#### WEATHERSFIELD TOWNSHIP POLICE

Chief Michael J. Naples, Jr. Captain Kristopher W. Hodge.

Monthly Report for July 2015

#### TRUMBULL COUNTY E911

Report Dates from 07/01/2015 to 07/31/2015

Number of Calls Report by Department-Complaint (All Units)

Department : WEA	Complaint Code	Description	Number
	ABC	ABANDONED 811 CALL	2
	ABV	ABANDONED VEHICLE	3
	AC	ANIMAL COMPLAINT	16
	AD	ALARM DROP	63
	APD	ASSIST POLICE DEPARTME	9
	AS	ASSAULT	227
	ATL	ATTEMPT TO LOCATE	2
	BE	BREAKING AND ENTERING	
	BG	BURGLARY	3
	BOLO	BE ON THE LOOKOUT	3
	C10	ASSIST OFFICER	. 8
	C2	CRASH PROPERTY DAMAC	18
	C4P	CRASH WITH REPORTED I	5
	CD	CRIMINAL DAMAGING	2
	CE	CHILD ENDANGERING	228
	CKW	CHECK WELFARE	
	cus	CUSTODY PROBLEM	2
	DA	DRUG ACTIVITY	.1
	DAV	DISABLED VEHICLE	18
	DIS	DISTURBANCE	6
	DOM	DOMESTIC	9
	EADP	ALARM DROP MEDICAL	4
	ECAP	CARDIAC ARREST	1
	ECPP	CHEST PAINS	2
	EFALLP	FALL	8
	EGIP	GENERAL ILLNESS	. 1
	EMSP	EMERGENCY MEDICAL AS	5
	EOBGYNP	OB/GYN	1
	ESOEP	SHORTNESS OF BREATH	3
	ESUIP	SUICIDE	5
	EUPP	EMS UNKNOWN PROBLEM	4
	FBCP	EURNING COMPLAINT	26
	FFADP	FIRE ALARM DROP	5
	FFSPP	FUELSPILL	2
	FGT	FIGHT	4
	FSFP	STRUCTURE FIRE	1
	FSMIP	SMOKE INVESTIGATION	1
	FVFP	VEHICLE FIRE	1
	FW	FIREWORKS COMPLAINT	1
	FWITDP	WIRES/TREES DOWN HARASSMENT	2 6
	HAR		3
	HS	HIT SKIP INFORMATION	38
	INV		50
		INVESTIGATION	
	ΠX.	INTOXICATED PERSON	7
	JD JR	JUVENILE DELINQUENT OF	1
	LO	JUVENILE RUNAWAY	2
	MEN	MENTALLY IMPAIRED PER: MISDIALED 911 CALL	1
	MIS	MISSING PERSON	3
		NOISE COMPLAINT	4
	NC		
	PRK	NEIGHBOR PROBLEM	3
	REPO	PARKING VIOLATION/COM	2
		REPO	
	ROB	ROBBERY	1

August 11, 2015

## WEATHERSFIELD TOWNSHIP POLICE

Chief Michael J. Naples, Jr. Captain Kristopher W. Hodge.

#### TRUMBULL COUNTY E911

Report Dates from 07/01/2015 to 07/31/2015

Number of Calls Report by Department-Complaint (All Units)

Department : WEA	Complaint Code	Description	Number
	ROS RP RV SIB SEH SC SHF SOL SP SPA SPP SPA SPP SPV SS STB STK TC TEST TFV TH THE THR TRA TRC TS TV UNK UTI UV VR WAR	REFORT ON STATION RECOVERED PROPERTY RECOVERED PROPERTY RECOVERED VEHICLE RETURN PHONE CALL SHOTS BEING MEARD SPOT CHECK SHOTS FIRED SQLICITATION SUBJECT PURSUIT SUSPICIOUS ACTIVITY SUSPICIOUS VEHICLE SUSPICIOUS VEHICLE SUSPICIOUS VEHICLE SUBJECT STOP STALUING TRAFFIC CONTROL TEST CALL THEFT FROM VEHICLE THEFT FROM VEHICLE TRAFFIC REGULATION CO TRAFFIC STOP THEFT OF VEHICLE UNKNOWN PROBLEMS OR CC UNAUTHORIZED USE OF V UNWAITED PERSON OR F VEHICLE RELEASE WARRANT SERVICE	e 4 1 36 3 1 1 1 4 31 21 1 3 1 21 1 3 1 21 1 3 1 20 63 4 10 1 1 7 1 1
		GRAND TOTAL:	692

Citations issued in July: 42

Number of Arrests in July: 30



# <u>Fire Report – Chief Randy Pugh</u> العاتات

,	,	District Sumr July 2015	nary					
strict	Situation Type		Dollar Loss	# of Incid's	F.S. Injury	Civ. Injury	F.S. ( Death í	Civ. Death
40	111 Building fire 1 0 0		0	0	0			
		Totals for All Fires in District:		1	0	0	0	0
40	412	Gas leak (natural gas or LPG)		1	0	0	0	0
40	661	EMS call, party transported by non-fire		5	0	0	0	0
40	745	Alarm system sounded, no fire - unintent		1	0	0	0	0
		Totals for All Non-Fire in District:		7	0	0	0	0
	Tot	als for All Incidents in District		8	0	0	0	0
41	111	Building fire		3	0	0	0	0
		Totals for All Fires in District:		3	0	0	0	0
41	322	Vehicle accident with injuries		2	0	0	0	0
41	324	Motor vehicle accident with no injuries		1	0	0	0	0
41	411	Gasoline or other flammable liquid spill		2	0	0	0	0
41	444	Power line down		1	0	0	0	0
41	511	Lock-out		2	0	0	0	0
41	542	Animal rescue		1	0	0	0	0
41	551	Assist police or other governmental agen		1	0	0	0	0
41	561	Unauthorized burning		3	0	0	0	0
41	571	Cover assignment, standby, moveup		1	0	0	0	0
41	661	EMS call, party transported by non-fire		8	0	0	0	0
41	700	False alarm or false call, other		2	0	0	0	0
41	745	Alarm system sounded, no fire - unintent		4	0	0	0	0
		Totals for All Non-Fire in District:		28	0	0	0	0
	Tot	als for All Incidents in District		31	0	0.	0	0
42	611	Dispatched & canceled en route		1	0	0	0	0
42	622	No incident found on arrival at dispatch		1	0	0	0	0
42	661	EMS call, party transported by non-fire		9	0	0	0	0
		Totals for All Non-Fire in District:		11	0	0	0	0
	Tot	als for All Incidents in District		11	0	0	0	0
	Grand	Total for All Incidents		50	0	0	0	0

Prepared 8/10/2015

#### <u>Attorney's Report – Attorney Cherry Poteet</u>

#### ATTORNEYS' REPORT

TO: MR. STEVEN J. GERBERRY, CHAIRMAN MR. GIL BLAIR, VICE CHAIRMAN MR. MARVIN MCBRIDE, TRUSTEE MR. FRED R. BOBOVNYK, FISCAL OFFICER MR. DAVID ROUAN, TOWNSHIP ADMINISTRATOR

FROM: CHERRY LYNNE POTEET, ESQ.

DATE: August 11, 2015

Below is a report of this month's litigation activity.

1. <u>Richard Mattessich v. Weathersfield Township</u> Case No. 2015 TR 68 Eleventh District Court of Appeals.

There has been no activity since the filing of the appeal on June 29, 2015. Once the court files the record, the appellant will have fifteen days to file his brief, and then the Township will have fifteen days to file its reply.

 Southside Environmental Group, LLC v. Board of Township Trustees & Board of Zoning Appeals Case No. 2014CV2241 Trumbull County Ct. C. P., Judge Kontos

Judge Kontos issued judgment in favor of the Township on July 17, 2015. He held that the conditional use permit was void as it had not implemented the approved conditional use within two years. He also held that because Southside had not filed any claim alleging that a certificate had not been issued, they could not claim that failure to issue the certificate was grounds for extending the two year period. Finally, the court found that the use was a nuisance. Southside filed an appeal on July 23, 2015, and the parties are awaiting the filing of the record by the court.

If you have any questions or comments regarding this Attorneys' Report or any pending Township legal matters, please feel free to contact us.

Sincerely,

#### Cherry Lynne Poteet, Esq.

#### August 11, 2015

#### New Business:

# 15-116 Mr. Blair made a motion to approve the consent agenda, which includes the following:

• Minutes from the Regular Meeting on July 14, 2015 at 7:00PM.

Drawing warrants upon our treasury and paying township bills.
 Mr. McBride seconded the motion.
 Vote: Mr. Blair – yes Mr. McBride - yes Mr. Gerberry – yes

Motion carried.
15-117 Mr. Blair made a motion to recognize the following individuals with the Weathersfield Township Trustees 2015 Community Leadership Award; the Community Award; the Community Award; the Community Award; the Community Leadership Award; the Community Awar

Awards

Weathersfield Township Trustees 2015 Community Leadership Award; this award is given annually to those individuals who, in the opinion of the board of Trustees, have demonstrated outstanding leadership and commitment to our community.

The Board of Trustees is proud to annually recognize those individuals from our community who exemplify leadership through community service and community involvement. The recipients of this award have helped our community envision the future, identify paths to success, and carry out a vision. These individuals have exhibited integrity, collaboration, and intellectual, emotional, and social growth. The award is given to those who have gone before us and to those who continue to serve us.

The 2015 Honorees are: William C. Croft Delbert Wayne Garland (Posthumously Awarded) Fredrick E. McCandless (Posthumously Awarded) Stanley J. Polanski (Posthumously Awarded)

Mr. McBride seconded the motion. Vote: Mr. Blair – yes Mr. McBride - yes Mr. Gerberry – yes Motion carried.

15-118 Mr. McBride made a motion to renew our liability and property insurance
 OTARMA policies through the Ohio Township Risk Management Authority (OTARMA)
 Renewal effective July 15<sup>th</sup>, 2015 for the ensuing policy year and to authorize
 Township Administrator David Rouan to execute on behalf of the board of
 Trustees the Commitment to Continue Membership and all other documents
 necessary to continue coverage.
 Mr. Blair seconded the motion.
 Vote: Mr. McBride -yes Mr. Blair – yes Mr. Gerberry - yes
 Motion carried.

15-119 Mr. Blair made a Motion to authorize Township Administrator David Rouan to apply for a 2016 State Capital Improvement Program (SCIP) project and/or 2016 Paving Local Transportation Improvement Program (LTIP) project through the Ohio Chip seal Public Works Commission (OPWC) for a Township Wide Road Improvement Project. The description of the proposed 2016 Weathersfield Township Trustees Township Wide Improvement Project includes paving and chip seal of various township roads. This project is a safety upgrade and repaying project. The safety upgrade and repaying project includes resurfacing of  $\frac{1}{2}$ " of Asphalt and a single layer of chip seal to the existing road surface. The lineal footage is approximately 2.519 miles and the existing surface width various. The project total is \$138,875.60; our request for OPWC funding will be for 54% of the project cost which is \$74.992.82 and the local share will be 46% of the project cost which is \$63,883.78. The local share includes \$7,000 of In-Kind planning, engineering and construction supervision from the Trumbull County Engineer's Office and the balance of \$56,882.78 will be local match dollars from the Township. Mr. McBride seconded the motion. Vote: Mr. Blair – ves Mr. McBride - yes Mr. Gerberry - yes Motion carried. 15-120 Mr. McBride made a Motion to authorize Township Administrator David Zoning map Rouan to enter into an agreement with the Trumbull County Planning Commission to revise the Weathersfield Township Zoning Map. The cost for this service shall not to exceed \$187.81. Mr. Blair seconded the motion. Vote: Mr. McBride - yes Mr. Blair – yes Mr. Gerberry -yes Motion carried. 15-121 Mr. McBride made a Motion to enter into an agreement for Natural Gas Gas Aggregation Services with Constellation Energy – an Exelon Company for an opt-in gas aggregation service for the residents of Weathersfield Township for Aggregation a term of one year commencing November 1, 2015 at a fixed rate of \$3.40/Mcf. Mr. Blair seconded the motion. Vote: Mr. McBride - yes Mr. Blair – yes Mr. Gerberry - yes Motion carried.

## August 11, 2015

15-122 Mr. Blair made a Whereas, a request has been made to this Board that the Speed study
Niles Carver 4511.21, is greater than that considered reasonable and safe on Carver Niles Road (TH 63A & 63B) between Salt Springs Road (CH 64) and Ohltown Girard Road (TH 65);

Whereas, this Board has caused to be made an engineering and traffic investigation upon those sections of road as described above; and

Whereas, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 40 MPH is unrealistic.

Now therefore, be it resolved by the Board of Weathersfield Township Trustees of Trumbull County, Ohio that:

Section 1) By virtue of the provisions of Ohio Revised Code Section 4511.21 the Director of Transportation is herby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Carver Niles Road (TH 63A & 63B) between Salt Springs Road (CH 64) and Ohltown Girard Road (TH 65) in Trumbull County, Ohio.

Section 2) That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the sections of road described in Section 1 hereof, standard signs, properly posted, and giving notice thereof will be erected.

The Fiscal Officer is hereby directed to provide a certified copy of this resolution to the Trumbull County Engineer's Office.

Mr. McBride seconded the motion. Vote: Mr. Blair – yes Mr. McBride - yes Mr. Gerberry – yes Motion carried.

Mr. Blair made a Motion to set the 2015 Trick or Treat event for Saturday, 15-123 October 31<sup>st</sup>, 2015 from 5:00 PM to 7:00 PM. The board of Trustees has Trick Treat determined this to be the best date and time for this event. Mr. McBride seconded the motion. Mr. Gerberry - yes Vote: Mr. Blair – yes Mr. McBride - yes Motion carried. 15-124 Mr. McBride made motion acknowledging the receipt of the recommendation Zoning of the Weathersfield Township Zoning Commission to set a hearing on the Hearing proposed amendments to the Weathersfield Township Zoning Regulation and Zoning Map. Pursuant to Ohio Revised Code Section 519.12, the Weathersfield Township Board of Trustees has received the recommendation of the Weathersfield Township Zoning Commission to amend the Weathersfield Township Zoning Regulation and Zoning Map, and the recommendation of the Trumbull County Planning Commission recommending approval of the amendments. The Trustees hereby set a date and time to hold a public hearing on the proposed amendments on: Tuesday, September 8, 2015 at 6:00 PM, at the Township Administration Building; The Fiscal Officer is hereby directed to advertise the hearing once in a newspaper of general circulation in the township at least ten days prior to the date of the hearing; and The Zoning Inspector is hereby directed to maintain a copy of the proposed amended Zoning Resolution and Zoning Map at the township Administration Building, 1451 Prospect Street, Mineral Ridge Ohio, 44440, for public inspection between 8:00 am and 4:00 pm, Monday through Friday. Mr. Blair seconded the motion. Vote: Mr. McBride – yes Mr. Blair - yes Mr. Gerberry – yes Motion carried. 15-125 Mr. McBride made a motion to authorize the closure of TH51 (Stewart Street) Road closure beginning at SR46 and continuing west approximately 264 lineal feet. The road closure will begin on the morning of Saturday, September 12<sup>th</sup>, 2015 and continue until 11:59 PM Saturday, September 12<sup>th</sup>, 2015. The purpose of the road closure is so that the area can be used for the 2015 Mineral Ridge Youth Baseball and Softball, Inc. Family Fun Day and Corn Hole Tournament Fund

Raiser. This area may be used for any purpose associated with the

# August 11, 2015

	aforementioned event. This road closure will not adversely affect the ingress and egress of the two home owners that live on TH51 (Stewart Street) as they will have access to ingress and egress from TH427 (Campbell Drive) and CH75B (Depot Street) via Stadium Drive. Mr. Blair seconded the motion. Vote: Mr. McBride – yes Mr. Blair – yes Mr. Gerberry – yes Motion carried.
15-126 Retirement B Mealy	Mr. Blair made a motion to accept and acknowledge the retirement of part- time police officer Norris "Butch" Mealy, effective August 15 <sup>th</sup> , 2015. Butch has proudly served the residents of Weathersfield Township for over 23 years and has served with distinction. We wish Butch the best and hope that he enjoys his well deserved retirement. Mr. McBride seconded the motion. Vote: Mr. Blair – yes Mr. McBride – yes Mr. Gerberry – yes Motion carried.
15-127 TMHA Agreement	Mr. McBride made a motion to enter into the Supplemental Police Services Agreement with the Trumbull Metropolitan Housing Authority (TMHA). This agreement shall be in effect from July 1 <sup>st</sup> , 2015 through June 30, 2016 for the provision of specific police services associated with the TMHA's security programs. TMHA desires to contract with Weathersfield Township, by and through its police department, for additional police services to create a drug and crime free environment and to provide for the safety and protection of the residents. Mr. Blair seconded the motion. Vote: Mr. McBride – yes Mr. Blair – yes Mr. Gerberry – yes Motion carried.
15-128	Mr. McBride made a motion to go into Executive Session at 8:35PM to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Mr. Blair seconded the motion. Vote: Mr. McBride – yes Mr. Blair – yes Mr. Gerberry – yes Motion carried.
15-129	Mr. McBride made a motion to come out of Executive Session at 8:49 PM. Mr. Blair seconded the motion. Vote: Mr. McBride – yes Mr. Blair – yes Mr. Gerberry – yes Motion carried.

Weathersfield Township Trustees

Regular Meeting at 7:00 p.m.

## August 11, 2015

15-130	Mr. Blair made a motion to hire part-time police officer Christian Thoma to a		
Hire Thoma	full-time police officer position within the Weathersfield Township Police		
Fulltime PD	Department effective August 24 <sup>th</sup> , 2015. The full-time police officer position		
	shall receive the rate of pay, benefits, and other considerations as set forth in		
	the collective bargaining agreement by and between the board of Trustees and		
	the OPBA as adopted by Resolution #13-175.		
	Mr. McBride seconded the motion.		
	Vote: Mr. Blair – yes Mr. McBride – yes Mr. Gerberry – yes		
	Motion carried.		
15-131 Adjourn	Mr. Blair made a motion to adjourn the meeting. Mr. McBride seconded the motion. Vote: Mr. McBride – yes Mr. Blair - yes Mr. Gerberry – yes Motion carried.		

# **Next Meetings:**

Caucus:	Thursday, August 27, 2015 at 8:00 AM
Meeting:	Tuesday, September 8, 2015 at 7:00 PM.
	The Trustees open forum begins at 6:15 PM.

Fred R. Bobovnyk, Fiscal Officer

Steven J. Gerberry, Chairman

H. Gilson Blair, Vice-Chairman

Marvin J. McBride, Trustee