

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, July 9, 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 remind our residents that the 2024 Residential Tree Limb Chipping Program has begun.*** The 2024 Residential Tree Limb Chipping Program will continue each Friday through 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:

24-107 Motion to ***approve the minutes from the Regular Meeting that was held on Tuesday, June 11, 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

24-108 Motion to ***adopt a resolution 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

24-109 Motion to ***adopt a resolution to approve the Then and Now’s pursuant to the list provided by the Fiscal Officer.***

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

- 24-110 Motion to **adopt a resolution to transfer \$36,000.00 from the General Fund to the Road and Bridge Fund** effective June 21, 2024.

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

- 24-111 Motion to **authorize Township Administrator David Rouan to take the necessary steps pursuant to law to dispose by auction the 1992 Enclosed Fire Trailer** which is not needed for public use, is obsolete, or is unfit for the use acquired.

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

- 24-112 Motion to **appoint Township Administrator David Rouan as the Authorized Signatory for Weathersfield Township and to authorize him to execute on behalf of Weathersfield Township, effective June 14, 2024, the Kroger Settlement Agreement dated March 22, 2024 electing to participate in the New National Opioids Settlement.**

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

- 24-113 Motion to **authorize Township Administrator David Rouan to enter into a Memorandum of Understanding with the University of Akron for the purpose of applying for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program through the U.S. Department of Transportation Federal Highway Administration.** The CFI Grant Program is a competitive grant program created by the Bipartisan Infrastructure Law to strategically deploy publicly accessible electric vehicle (EV) charging and alternative fueling infrastructure along Alternative Fuel Corridors (AFCs). The Bipartisan Infrastructure Law provides \$2.5 billion over five years for this program to strategically deploy EV charging in publicly accessible locations.

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

- 24-114 Motion to **authorize Township Administrator David Rouan to enter into an Agreement to Repair Structure to Prevent Demolition effective July 2, 2024, on behalf of the Board of Trustees, with Michael Anthony Davis, the owner of 1370 Orchard Court, Mineral Ridge, Ohio 44440.**

Mr. Davis appeared and stated that he has successfully rehabbed fifteen properties. He has started work on this property, removed all debris, and installed a new roof, windows and siding. He doesn't see why he needs to sign an agreement with the township. The township attorney explained that this agreement would help him, by ensuring that the township would not demolish the house if he has it complete by September 30, 2024. Mr. Davis still rejected the agreement.

Motion by: Edward Whittaker Seconded by: Rich Harkins
 Vote: Steven Gerberry - No Richard Harkins - No Edward Whittaker - No
 Motion Failed

- 24-115 Motion to adopt a **RESOLUTION AUTHORIZING DAVID ROUAN, TOWNSHIP ADMINISTRATOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT**

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AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, Weathersfield Township is planning to make capital improvements to TH63 C & D (Niles Carver Road) and TH64 A (Salt Springs-Youngstown Road), and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Weathersfield Township:

Section 1: David Rouan, Township Administrator, is hereby appointed the Chief Executive Officer for the project;

Section 2: Patrick J. Glunt, Fiscal Officer, is hereby appointed the Chief Financial Officer for the project;

Section 3: David Rouan, Township Administrator, is hereby authorized to apply to the OPWC for funds as described above; and

Section 4: David Rouan, Township Administrator, is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

22-116 Motion to adopt a **RESOLUTION CERTIFYING THE NECESSARY AMOUNT TO BE USED TO PAY THE LOCAL SHARE NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Weathersfield Township is planning to make capital improvements to TH63 C & D (Niles Carver Road) and TH64 A (Salt Springs-Youngstown Road), and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Weathersfield Township:

Section 1: Weathersfield Township has the amount of \$570,695.00 in Federal Aid Highway – Surface Transportation Block Grant Funds and that this amount will be used to pay for the 80% match for herein above described project when it is required.

Section 2: Patrick J. Glunt, Fiscal Officer, is hereby directed to complete the Chief Financial Officer's Certification of Local Funds for the project.

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

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- 24-117 Motion to adopt a ***RESOLUTION TO REQUIRE OWNER TO DEMOLISH STRUCTURE WHICH IS UNSAFE AND STRUCTURALLY DEFECTIVE PURSUANT TO O.R.C. 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 demolition and removal of said structures after thirty days' notice; and

WHEREAS, the Trumbull County Board of Health at their meeting on June 26, 2024, declared the structure located at 1358 Gilbert Drive, Mineral Ridge, Ohio 44440 ("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 Board of Trustees determines that the structure on the Property is uninhabited, insecure, unsafe, dilapidated, dangerous and structurally deficient and must be demolished and removed for public safety, 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 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 RC 505.86(B) and(C).

Section 3: If the Property Owner or lienholders fail to request a hearing before the Board within twenty days or provide for the demolition and removal of said nuisance structures within thirty days of giving 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: Rich Harkins Seconded by: Edward Whittaker
Vote: Steven Gerberry - Yes Richard Harkins - Yes Edward Whittaker - Yes
Motion Carried

- 24-118 Motion to ***promote Bruce Gaus from Probationary Firefighter to Firefighter*** effective June 11, 2024. The Board of Trustees would like to thank Bruce for his commitment to becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

- 24-119 Motion to ***promote Evan Erb from Probationary Firefighter to Firefighter*** effective June 11, 2024. The Board of Trustees would like to thank Evan for his commitment to becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

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24-120 Motion to ***promote Alex Rich from Probationary Firefighter to Firefighter*** effective June 11, 2024. The Board of Trustees would like to thank Alex for his commitment to becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

24-121 Motion to ***promote Dominic Crago from Junior Firefighter to Probationary Firefighter*** effective June 11, 2024. The Board of Trustees would like to thank Dominic for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

24-122 Motion to ***hire Gage Olesky as a Probationary Firefighter*** effective June 11, 2024. Gage will be trained and evaluated over the next six months by the Fire Chief and his fire officers. At the conclusion of the six-month probationary period, the Fire Chief will determine if Gage should be promoted to a Firefighter. The Board of Trustees would like to thank Gage for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

24-123 Motion to ***hire Brandon Freer as a full-time police officer within the Weathersfield Township Police Department effective July 8, 2024.*** The full-time police officer position shall receive the rate of pay at 100%, 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 #23-157.

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

24-124 Motion to ***accept a \$100 donation from Todd Murdock***, her donation is for our police department. Todd is a long-time resident of Weathersfield Township and has always supported the Township.

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

24-125 Motion to ***authorize Township Administrator David Rouan to enter into an Agreement to Repair Structure to Prevent Demolition effective July 2, 2024, on behalf of the Board of Trustees, with Michael Anthony Davis, the owner of 1370 Orchard Court, Mineral Ridge, Ohio 44440.*** This motion supersedes motion 24-114. Mr. Davis returned to the meeting and said that he had changed his mind, and if the township was still willing to enter into the agreement, he would like to do so.

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

Public Comments:

Open Comments

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Three members of the public appeared and stated they were unhappy about the Board of Zoning Appeals at the hearing on the application by Grandview Development for variances to build two new houses. The Board of Trustees explained that the BZA is an independent board that makes the decisions on requests for variances, and the Board of Trustees does not control their decisions.

Next Meetings:

Next Meetings: Regular Meeting – Thursday, July 18, 2024, at 3:30 PM, Regular Meeting – Thursday, August 8, 2024 at 3:30 PM, and Regular Meeting – Tuesday, August 13, 2024 at 7:00 PM.

Adjournment:

24-126 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

Patrick J. Glunt, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Edward K. Whittaker, Trustee