

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Tuesday, May 28,

2019

PUBLIC HEARING FOR ZONING AMENDMENT 2019-01

The public hearing for Zoning Amendment 2019-01 was called to order in the large meeting room at 6:30pm by Chairman Jim McCaskey with Trustees Andy Bushman and Irene McMullen and Fiscal Officer Judy Toth present. The Chairman led the Pledge of Allegiance.

Mrs. McMullen noted that the legal notice for the public hearing was published Thursday, May 16, 2019 in the Geauga County Maple Leaf and the text of the amendment was available for the public to review May 16, 2019 through May 28, 2019.

Irene McMullen moved and Andy Bushman seconded to waive the reading of the legal notice, with a unanimous vote. Motion carried. Andy Bushman read the recommendations of the Munson Township Zoning Commission and the Geauga County Planning Commission. Both were unanimous in favor of the amendment. Mr. McCaskey opened the meeting for public comment. Residents wanted to know who initiated the amendment, and why. They used the services of a lawyer to get information, as they believed their questions were not being answered. They believed it incumbent on the Trustees to take the community in consideration and questioned removing the consent of 51 percent of the owners of residentially used property within 400 feet of a public event. Joe and Dawn Bastulli gave the Trustees the backstory for why they were present. They had a personal stake because of the recent public lighting display held at the Berkshire Hills Golf Club, but believed that it was a bigger issue for the Township, and would set a precedent for other conditional use properties. Mr. McCaskey clarified that the residents were questioning 519.1, public events, and that the other amendments were not in question. He asked the residents to continue to direct their comments only to the Board.

Residents wanted to know if the zoning resolution was followed in approving the lighting display and that if the 51 percent stipulation was in place, but was not legal, if it had to be complied with. They asked the Board to vote down the amendment and then get it right. Discussion shifted to the Bethlehem Lights display held at the Berkshire Hill Golf Club in December. Resident Walter Miraglia believed the current zoning regulations were unconstitutional as they were written. He described the process he went through to get approval for the lighting display, the efforts he had made to keep this a low impact event, and his ongoing efforts to resolve any traffic issues.

One 322 resident gave an opposing view. She enjoyed the lighting display and asked the community to work together to come to a resolution. Residents believed if there were errors in the current resolution, that there was enough controversy and pushback from the residents for the Board to consider tabling the amendment in order to look into it in more depth.

Mr. McCaskey advised that the Trustees had the option to vote that evening or take up to 20 days to make a decision. Mrs. McMullen thanked the community for attending and welcomed emails if residents had further comments.

Irene McMullen moved and Andy Bushman seconded to close the public hearing at 7:24pm, with a unanimous vote. Motion carried.

REGULAR MEETING

Irene McMullen moved and Andy Bushman seconded to open the regular meeting at 7:25pm, with a unanimous vote. Motion carried. Mr. McCaskey advised that the Trustees had 20 days to act on the amendment, to either accept it, accept it with modifications, or to take a no vote. Irene McMullen moved and Andy Bushman seconded to consider an amendment to the Zoning Resolution on June 11, 2019 at our regular meeting, with a unanimous vote. Motion carried. The Trustees moved to the small meeting room.

The Board signed warrants 16577-16601 dated 5/28 and 5/31/19 totaling \$18,914.05 and EFT vouchers 185-198 for the 5/31/19 bi-weekly and monthly payroll totaling \$17,322.92.

MINUTES

Irene McMullen moved and Andy Bushman seconded to approve the meeting minutes of May 7, 2019, with a unanimous vote. Motion carried.

Irene McMullen moved and Andy Bushman seconded to approve the meeting minutes of May 14, 2019, with a unanimous vote. Motion carried.

Irene McMullen moved and Andy Bushman seconded to approve the meeting minutes of May 21, 2019, with a unanimous vote. Motion carried.

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FIRE DEPARTMENT REPORT/CHIEF ALAN ZWEGAT

Chief Zwegat reported Eagletown might be delayed in picking up the squad due to another round of tornados. Two Munson fire department members are on their way to pick up bucket truck 4044. The repair is out of warranty. Estimated trade-in value for Squad 4054 is \$4,500. Mr. McCaskey inquired about the status of financing for the new squad. Mr. Bushman received the paperwork from the Geauga Credit Union and sent it up to the prosecutor's office for review. The Board will need to decide on 5 or 7 years financing and if there will be a down payment. Rich Ferlin advised the Fire Department Board would like to see the 1.75 mill levy on the ballot this year and would like the Trustees to consider an increase in the 1.65 mill levy, to be placed on the ballot next year.

RESOLUTION 2019-17/CONVENIENCE & NECESSITY FOR THE IMPROVEMENT OF SHERMAN RD

The Trustees discussed improvements to Sherman and Fowlers Mill Roads, and agreed Sherman Road was in worse condition. Mr. McCaskey noted that Rockhaven Road also needed to be addressed. Mrs. McMullen felt strongly that the Board should be consistent with what was done on Fowlers Mill Road.

Irene McMullen moved and Andy Bushman seconded to request specifications for Sherman Road for an 18' 6" width and 2' shoulders, with a unanimous vote. Motion carried.

Resolution 2019-17 was made by Irene McMullen and seconded by Andy Bushman to direct the county engineer to prepare such surveys, plans, profiles, cross sections, estimates and specifications as are required for the improvement of Sherman Road, with a unanimous vote. Motion carried. [The resolution is included on a separate page as part of the minutes.]

ROAD REPORT/ROAD SUPERINTENDENT JIM TEICHMAN

Mr. Teichman had two estimates to resurface the Town Hall parking lot, Hazen Contracting, \$32,587 and All Ways Construction, \$31,548. Both scopes of work were comparable and he recommended All Ways Construction, with the Township to furnish the aggregate.

Irene McMullen moved and Andy Bushman seconded that the Township contract with All Ways Construction for asphalt work at the Town Hall not to exceed \$31,548, with a unanimous vote. Motion carried.

The concrete contractor may start Monday. The Fire Department was advised to empty the small building and face the trucks toward the front, and to make sure that the squad was available if Eagletown arranged to pick it up before the concrete was cured. The road department's converted ambulance was sold for \$2,499, and delivered to the new owner. Asphalt resurfacing was moved up to June 3 and another flyer will be distributed to the affected residents. Mr. Teichman will meet with Servisoft and Kinetico regarding the water softener. McCaskey advised he should receive an email from the Ohio EPA regarding the new well in another week.

Mr. Bushman offered to plant the perennials removed from Scenic River if the Township filled in the holes at the pavilion with topsoil. Mrs. McMullen told him the grant would cover the cost of the soil and mulch. Mr. McCaskey will determine the amounts needed so that she can get the order in in the next few days. Mrs. McMullen will post laminated information regarding the rain gardens in the kiosks at the parks and erect the birdhouses, made by the Munson Elementary students.

208 PLAN

Andy spoke with Water Resources Director Steve Oluic. The map before the Trustees was not as he discussed. Mr. McCaskey will go to county tomorrow and get a good copy.

AGRITOURISM

The Board addressed the agritourism proposal. Mrs. McMullen will go over the plan one more time with the Zoning Inspector, and she and Mr. Bushman will contact the prosecutor to see what recourse the Township has if the owner deviates from the plan, for a Board decision on June 11.

HEALTH TRAIL SIGN

The Health Trail end of trail sign is at the road department for evaluation and repair.

RAIN GARDEN SIGN

Mr. Bushman gave Mrs. McMullen two recommendations for wording changes to the Chagrin River Water Partner's rain garden sign.

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LEVIES

Mrs. Toth will forward information about the deadlines and procedures for filing the levies.

SCENIC RIVER MOWING

Resident Marie Val advised she was visiting Scenic River once a week to observe birds and record her findings. She observed a bobolink and a meadowlark. She recommended extending the field 15 or 20 feet east to increase the size and asked the Board to discontinue mowing the grass beyond the big pine trees on the pond’s west side. She suggested cutting only one third of the field each year so as not to take all six acres out of commission at one time, in order to leave some area for food and shelter and for migrants. McCaskey noted that the original question was whether the area should remain a field or go through the natural succession to revert to forest. Mr. Bushman pointed out that the easement was to keep the area for grassland birds. The Board will continue to monitor the area for a decision in August.

SPECIAL MEETING

Irene McMullen moved and Andy Bushman seconded to hold a special meeting for interviews for a potential road superintendent and for consideration of the 208 Water Plan on Thursday, May 30, 2019 at 5:15pm, with a unanimous vote. Motion carried. [The motion was rescinded and modified later in the meeting.]

STREET LIGHT REQUEST/SUTTON AND AUBURN

The resident who initiated the request for a streetlight at the intersection of Sutton Place and Auburn Road was notified that the response from the residents was not favorable. He asked to be present if the issue was discussed at a meeting. The Board will invite him to the June 11 meeting.

RESOLUTION 2019-15/TAX ADVANCE FOR SECOND HALF COLLECTION

Resolution 2019-15 was made by Irene McMullen and seconded by Andy Bushman to request an advance of real estate taxes from the second half collection, dates for advances July 5 and July 19, 2019, with a unanimous vote. Motion carried.

RESOLUTION 2019-16/INCREASE APPROPRIATIONS

Resolution 2019-16 was made by Andy Bushman and seconded by Irene McMullen to increase the appropriations in the General Fund and Scholarship Fund in the Permanent Appropriation, with a unanimous vote. Motion carried. [The resolution is included in its entirety on a separate page as part of the minutes.]

PUBLIC HEARING FOR 2020 BUDGET

Irene McMullen moved and Andy Bushman seconded to hold a public hearing for the 2020 Budget on June 25, 2019 at 6:30pm, with the regular meeting to immediately follow, with a unanimous vote. Motion carried.

SPECIAL MEETING

Irene McMullen moved and Andy Bushman seconded to rescind the motion to hold a special meeting for interviews for a potential road superintendent and for consideration of the 208 Water Plan on Thursday, May 30, 2019 at 5:15pm, with a unanimous vote. Motion carried.

Irene McMullen moved and Andy Bushman seconded to hold a special meeting at 5pm on Thursday, May 30, 2019 for interviews for the road superintendent candidates, for an executive session for personnel employment, and for consideration of the 208 Water Plan, with a unanimous vote. Motion carried.

OUTSIDE MEETINGS

Mr. McCaskey was appointed to the Geauga County Planning Commission and attended a meeting this morning.

ROOM RENTAL

Irene McMullen moved and Andy Bushman seconded to lease the community room to the Geauga County Heroes of Conservation (Partington) on November 10, 2019 from 11am-6pm for approximately 75 persons, and to waive the fees, with a unanimous vote. Motion carried.

ENCUMBRANCE SHEET

Irene McMullen moved and Andy Bushman seconded to approve the encumbrance sheet for May 28, 2019, as written:

The Middlefield Banking Co.	Safe Deposit Fee [Then and Now]	30.00
Quality Carpet Care	Clean Town Hall Carpets	550.00

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Minutes of MUNSON TOWNSHIP TRUSTEES PUBLIC HEARING AND REGULAR Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Tuesday, May 28, 2019

ENCUMBRANCE SHEET (continued)

Blanket	Repairs & Maintenance – T Hall	5,000.00
The Illuminating Company	Street Lights	5,000.00
Blanket	Improvement of Sites {Road & Br}	1,144.41
Blanket	Improvement of Sites {Town Hall}	4,317.23
All Ways Construction	Asphalt Paving	31,600.00

with a unanimous vote. Motion carried.

PUBLIC COMMENT

Resident David Partington asked the Board what process they planned to follow to avoid partisanship in reviewing the road department applications. Mr. Bushman advised they would be going through the resumes and prioritizing that evening.

EXECUTIVE SESSION FOR PERSONNEL EMPLOYMENT

Irene McMullen moved and Andy Bushman seconded to go into executive session at 8:35pm for personnel employment, with a unanimous vote. Motion carried.

The Trustees came out of executive session at 8:55pm and resumed the regular meeting.

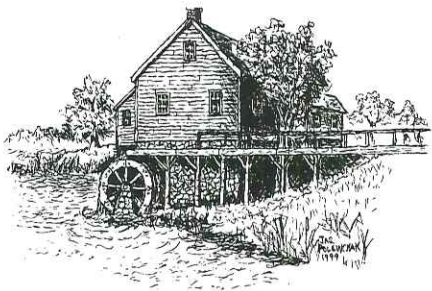
ADDITIONAL SPECIAL MEETING SET

Irene McMullen moved and Andy Bushman seconded to hold a special meeting for interviews and have an executive session regarding personnel employment on Tuesday, June 4, 2019 at 6:30pm, with a unanimous vote. Motion carried.

MEETING ADJOURNED

Irene McMullen moved and Andy Bushman seconded to adjourn the meeting at 9pm, with a unanimous vote. Motion carried.

 Chairman  Fiscal Officer



Munson Township

12210 Auburn Road, Chardon OH 44024-9454
Phone: (440) 286-9255 Fax: (440) 286-1180

Resolution 2019-16

Be it resolved by the Trustees of Munson Township, in a regular session on the 28th day of May, 2019, at the Munson Township office, with the following members present, Andrew J. Bushman, James J. McCaskey, and Irene H. McMullen that Mr. Bushman moved the adoption of the following resolution:

That the 2019 Permanent Appropriation be amended, as follows:

Increase Appropriations:

Whereas, the Township has funds that have been budgeted but not appropriated, the Board of Trustees requests that \$14,000 of these funds be appropriated in the General Fund, as follows:

5,000.00	to 1000-120-323-0000	Repairs and Maintenance
2,000.00	to 1000-120-360-0000	Contracted Services
5,000.00	to 1000-310-360-0000	Contracted Services
2,000.00	to 1000-760-740-0110	Machinery, Equipment and Furniture {Admin.}

And that \$2,400 be appropriated in the Scholarship Fund, as follows:

2,400.00	to 9751-990-990-0000	Other – Other Financing Uses
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Mrs. McMullen seconded the motion and the roll being called, resulted as follows:

	Voting
<u>Andrew J. Bushman</u>	<u>Yes</u>
<u>James J. McCaskey</u>	<u>Yes</u>
<u>Irene H. McMullen</u>	<u>Yes</u>

Attest: Judy Toth, May 28, 2019
Judy Toth, Fiscal Officer

Resolution No. 2019-17

RESOLUTION OF CONVENIENCE & NECESSITY FOR
THE IMPROVEMENTS OF SHERMAN ROAD
Munson Township, Geauga County, Ohio

WHEREAS, the Munson Township Board of Trustees (Board) has determined that the public convenience and welfare require the improvement of Sherman Road (TR 97) from Heath Road to Fowlers Mill Road, in Munson Township, and to authorize the Geauga County Engineer to prepare engineering plans in accordance with Section 5573.01 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by a unanimous vote of the Board that the public convenience and welfare requires the improvement by repairing the existing pavement and embankments, replacing culverts, improving drainage structures, asphalt resurfacing, stabilizing the shoulders, and related improvements, as necessary. This may also include adjusting the profile at severe crests and sags, and adjusting shoulders for a minimum pavement width of eighteen feet, six inches and two foot unpaved shoulders.

BE IT FURTHER RESOLVED that the Geauga County Engineer is hereby directed to make such surveys, plans, profiles, cross sections, estimates and specifications as are required for the improvement and to transmit copies of the same to this board.

BE IT FURTHER RESOLVED that the costs and expenses of said improvement shall be apportioned as follows:

The right of way costs, if any, and the construction costs for the project shall be paid from local funding sources and state grants and/or loan funds should they be available for this project. The engineering will be provided by the Geauga County Engineer at no cost to the Township.

BE IT FURTHER RESOLVED that the Fiscal Officer of the Board is hereby instructed to transmit a certified copy of this resolution to the Geauga County Engineer.

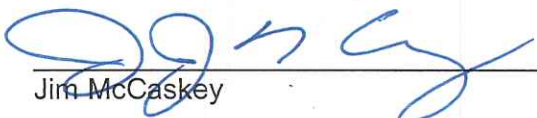
Voting thereon:




Andrew Bushman

Vote:





Jim McCaskey

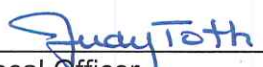




Irene McMullen



I, Judy Toth, Fiscal Officer of the Munson Township Board of Trustees, Geauga County, Ohio certify that the foregoing is a true and correct copy of a resolution adopted at a legally convened Board meeting held on May 28, 2019,



Judy Toth, Fiscal Officer