

REGULAR SESSION
March 9, 2010

Mr. Ferrell called the meeting to order at 6:00 p.m.

Trustees Michael Printy, Timothy Coleman, and Jeffrey Ferrell answered the roll call.

The next scheduled meeting is the Regular Session on March 23, 2010.

Mr. Coleman moved to accept the agenda as presented. Mr. Printy seconded the motion. All were in favor.

Mr. Coleman moved to approve the Financial Statements for the period ending March 9, 2010. Mr. Printy seconded the motion. All were in favor.

Mr. Coleman moved to accept the minutes from the Work Session of February 2, 2010, and the Regular Session of February 23, 2010. The Regular Session of February 9, 2010 was canceled due to the weather. Mr. Printy seconded the motion. All were in favor.

Mr. Ferrell then open a public hearing for a Phase II PUD modification. John Frankel, attorney for JRSMI, noted that the application has been filed with the Zoning Inspector and asks that the request be approved. Jack Richardson and Gary Marshall of Lakecrest were also in attendance. Cheryl Best-Wilke asked questions about the sign and its location. The sign is multi-panel with the bottom panel being electronic. It is located on Milan Road. With no other questions from the public, the public portion was closed and questions were taken from the Trustees.

Mr. Printy asked about the intensity of the sign and frequency of the change in images. Mr. Frankel said that they had no problem complying with the lower rates so that there would be no problems.

Mr. Coleman asked Rick Myosky about those concerns. He said that there was no problem with the rates that would be used. He had not received any complaint of an electronic sign. Mr. Myosky said that the applicant was not required to go before the Board of Appeals, but did so to address any concerns they had.

Resolution #2010-0032
APPROVE PHASE II PUD MODIFICATION
LAKE CREST TOWN CENTER-PYLON SIGN

Mr. Coleman moved to approve the Phase II PUD modification for Lake Crest Town Center to include a pylon sign. Mr. Printy seconded the motion. Mr. Ferrell noted for the record Lake Crest would comply with any restrictions placed on other signs. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Mr. Ferrell then opened the public hearing for the Carmike Cinemas development. Mr. Frankel presented a letter approved by Jack Richardson that they will provide with the buffer zone that was included in the original PUD plans. Mr. Frankel said that now that the theatre was being built, it was time to do the buffer zone.

Mr. Printy asked for a description of the buffer zone. Mr. Frankel referred to the one by Timber Lake. It is a mound with landscaping. The school wants a blockage of the view. Mr. Ferrell said that it should be an agreement between the developer, Township, neighbors, and schools. Ms. Crescimano, Perkins Schools' treasurer, said that the school approved the buffer zone as part of the TIF. It could be either landscaping or a fence as long as the retention pond could not be seen from the school.

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Mr. Ferrell asked about the location of the development. It would be located on the other side of Menard's and was all according to the zoning requirements. If approved groundbreaking would be ASAP. They would like to be open for Thanksgiving.

Mr. Printy asked about the parking lot and an access road. Mr. Frankel said that the access road was already in place. Mr. Myosky said that the road was built according to County specifications and therefore, meets the Fire Departments' requirements.

Ms. Wilke questioned the fact the traffic light that still was not in place on Route 250. Mr. Frankel stated that the work could not be done until weather permitted. The installation is ready to go as soon as weather permits. It is in the contractor's hands. Mr. Ferrell said that Lake Crest has gone beyond what was required to get the lights installed as required by ODOT.

Ms. Wilke asked what would be done with the old theater. Mr. Ferrell said that was not up to Lake Crest. Cafaro owns it and he believes that they have plans for it.

James Gilchrist, E. Strub Road, presented some aerial photos of land. He corrected a statement in the Sandusky Register claiming that he wanted a fence around the entire pond. This is not correct. He is only concerned with approximately 300', the portion behind his property from the school's fence to Package Central. He is also concerned with the height of the fence. He has had some conversations with Mr. Richardson with no definite agreement.

Mr. Frankel again said that they would install what was agreed to in the TIF and the original PUD. The construction blends with the construction of the theatre. The parties then reviewed the photos for a lengthy period of time. There was a concern as to how high a mound could be with the amount of land available.

Mr. Gilchrist said that he was hoping for a 6' high privacy fence. He did not believe there was not enough land for a mound that would provide screening. Mr. Gilchrist and Mr. Richardson both agreed that their conversations never reached a concrete conclusion.

Mr. Ferrell asked if the buffer could be approved as part of Phase II. It was agreed that the buffer has already been approved. For the school they are not talking about a chain link fence because their issue is screening.

It was finally agreed to have a meeting between the interested parties to come to a final agreement as to discuss the final form of the buffer. Mr. Ferrell suggested having the meeting in mid April.

Mr. Myosky said that the hydrant placements meet the Fire Department's requirements.

Mr. Printy asked if there were any other zoning concerns to be addressed. Mr. Myosky said that all was in order. They just need to get the permits.

Mr. Gilchrist did ask who would be maintaining the pond. Mr. Ferrell said that he believed it was Erie County and they would be invited to the meeting. Mr. Ferrell asked Mr. Myosky to advise Mr. Lamb as the meeting so that the Township could send out notices.

With no other questions, the public hearing was closed.

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Resolution #2010-0033

APPROVE PHASE II PUD – CARMIKE CINEMAS

Mr. Coleman moved to approve the Phase II PUD for Carmike Cinemas. Mr. Printy seconded the motion. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2010-0034

ADOPT 2010 PERMANENT APPROPRIATIONS

Mr. Coleman moved to adopt the 2010 Permanent Appropriations:

General Fund	\$4,012,171.00
Motor Vehicle Fund	17,247.00
Gasoline Tax Fund	171,797.00
Road & Bridge Fund	655,092.00
Cemetery Fund	29,221.00
Fire & EMS Fund	2,985,680.00
Motor Vehicle Accident Escrow Fund	14,135.00
Drug Law Enforcement Fund	7,500.00
Permissive Motor Vehicle License Fund	113,582.00
Law Enforcement Trust Fund	61,100.00
Enforcement & Education Fund	3,000.00
EMS Grant Fund	4,000.00
Police MDT Grant Fund	2,710.00
Police Drug Use Prevention Grant	25,903.00
Special Assessment – Lighting Fund	37,100.00
NRA Foundation Grant Fund	650.00
Police – Severance Fund	54,500.00
Building Department - Commercial Fund	40,000.00
Building Department – Residential Fund	11,800.00
Park Development Fund	140,858.00
Debt Service Fund	86,805.00
OPWCP Fund	616,960.00
Police Capital Fund	19,245.00
Capital Fund	20,000.00
Agency Fund – Fire Loss	\$26,671.00
Agency Fund – Building Assessments	3,200.00
Total	\$9,160,927.00

Mr. Printy seconded the motion. Mr. Printy asked if we were approving version #14. Mr. Ferrell asked if the department heads had had a chance to review it and if they had any questions. There were none. Ms. Schaefer noted that there was one change to the version that was sent out previously. It was a reallocation in the training funds for the police department. Ms. Schaefer also noted that \$351,995 was an additional transfer from General Fund to Road & Bridge, Cemetery, Park Development, and Capital. This is in addition to the normal transfers from Issue II and Debt Service. The total amount of the transfer out is about \$780,000. Mr. Printy noted there was a sizeable increase in the road-paving program. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

AWARD PURCHASE OF TWO FORD EXPLORERS

Mr. Coleman moved to award the bid for the purchase of two Ford Explorers. Mr. Printy seconded the motion. Under discussion, Mr. Coleman said that it was his understanding that only one of the bids received could provide the requested seating in the back. Mr. Printy asked for Chief Klamar to explain the seating. Chief Klamar said that he did not want cloth covering. Mr. Printy asked if it was a vinyl covered seat or a plastic seat.

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Chief Klamar said that it was his understanding that it was a plastic transfer seat. Only one of the four vendors would provide it. Chief Klamar has not had conversation with the other vendors. Mr. Printy asked if that was an after market purchase. Chief Klamar said it was and was not sure why the other vendors did not provide it in their bids. He was not certain about the floors.

Mr. Ferrell reviewed the bids as follows:

Reineke Ford	\$45,900
Statewide Ford	\$45,950
Kistler Ford	\$46,176
Mathews Ford	\$46,186

Mr. Printy asked if Chief Klamar had had contact with any of the vendors. The Chief said that he had called Kistler to be certain of their definition of the “no floor covering” as stated in the bid specifications. Kistler said that this meant vinyl floor coverings.

Mr. Ferrell asked that Chief Klamar get with Mr. Coppeler and the vendors to see if they can provide the plastic seats and vinyl floor coverings. For the difference in money, he would like to keep it with a local vendor for servicing.

Ms. Wilke asked if that was ethically. Why go through the bidding process, if they were going to give it to whomever they wanted. She understands wanting to stay local, but all the vendors had the same access. Mr. Ferrell said that the lowest bid was not always the best bid. Ms. Wilke said that they were not the lowest bid. She wanted to know how they could re-bid it if the costs were within the estimates. Ms. Wilke noted that only one vendor had met the specifications and they were the second highest.

Mr. Ferrell said that they could take Mathew’s bid. Ms. Wilke said that only one vendor of the four could provide all the specifications and they were second highest. Mr. Coleman asked if they met all the specifications. Ms. Schaefer said they met all except the color request, which no vendor was able to honor.

Ms. Wilke said the Board needed to do what is legal. They have young people there and are setting an example. They need to do what is ethical. If you asked for bids and they were provided, it needs to given to the one that meets then specifications. We have gone through this before. Mr. Coleman noted that technically none of the vendors met the bid specifications because of the color. Mr. Coleman said that is why is wants to check with legal counsel. Ms. Wilke said that they needed to be consistent.

Mr. Coleman moved to table the award of purchase until they get further information. Mr. Printy seconded the motion. All were in favor.

Resolution #2010-0035

ACCEPT RETIREMENT LETTER – DARYEL STERNBERG

Mr. Coleman moved to accept the retirement letter from Highway Superintendent Daryel Sternberg, effective April 23, 2010. Mr. Printy seconded the motion. Mr. Ferrell read Daryel’s retirement letter. Mr. Coleman said that this was bitter sweet. It has been a pleasure. His knowledge will be missed. Mr. Ferrell said that Mr. Sternberg has been an asset to the Township. Mr. Printy said that Daryel has been very helpful to him. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

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DEPARTMENTAL REPORTS:

Fire Department

Chief Myosky reported they currently have the ladder truck in for repairs. There was a list of additional repairs that need to be made. After conferring with the mechanic, Chief Myosky had revised the list for items that can be done in house.

Mr. Brown had dropped off the boiler. He plans on installing it this spring.

Mr. Coleman asked if there were working fire detectors in the house where recently there was a loss of life. Chief Myosky said that the church next door owned the structure and working detectors were installed after the last flood and were operating at the time of the fire. They were in working order.

Highway Department

Kevin Boos addressed Mr. Sternberg's retirement. He was going to miss him and has been the best boss he has had.

Mr. Boos asked that the Board re-hire the part-time workers from last years. Mr. Coleman asked about patching. They have been doing patching, yard and mailbox repairs, and normal spring projects. Mr. Coleman asked if there had been any drainage problems. Mr. Boos said that they had one call for Strub Road and sent the truck out for it. Mr. Printy asked when the part-timers were scheduled to start. Mr. Boos said they were asking for them to start this coming Monday. Last year they stayed until after leaf season.

Mr. Ferrell asked when the Tire Drop Off program was. Mr. Boos said April 17th at the Fairgrounds. Then the Yard Waste drop-off was the next week at the Cemetery. Information will be posted on the website.

Resolution #2010-0036

**RE-HIRE GLEN HARVEY, JEFFREY DALTON, AND LEWIS WILSON
PART-TIME HIGHWAY LABORERS**

Mr. Coleman moved to re-hire Glen Harvey, Jeffrey Dalton, and Lewis (Todd) Wilson, as part-time employees at the rate of \$8.50 per hour, effective March 15, 2010. Mr. Printy seconded the motion. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Police Department

Chief Klamar said that the equipment has been removed from the DARE vehicle. He has gotten some basic estimate for a replacement. Chief Klamar and Sgt. McLaughlin would like to work with the sixth grade students to come up with a design for the DARE vehicles. He is looking for a good used one or a new one. Mr. Printy noted that the new Explorers were purchased at no additional cost to the Township because of the vehicles that were sold. Chief Klamar said that there are still about six vehicles to be sold. He estimates the income to be around \$10,000 plus the equipment.

Mr. Coleman asked Chief Klamar how the new tow policy was working. Chief Klamar said that it seems to be working well. He has contacted several vendors to see if they feel that they are getting their fair share. Mr. Ferrell said that he had also talked to some of the companies and they were please with the new policy. Ms. Schaefer asked if the application fee was a one-time charge or if it was an annual charge. Chief Klamar said that it was an annual charge.

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Mr. Ferrell noted that they had not adopted the Motor Vehicle Pursuit Police. There was a discussion regarding whether notification to the Union was to be done first. Finally it was agreed that notification was to be done before the effective date of the policy.

Resolution #2010-0037

ADOPT MOTOR VEHICLE PURSUANT POLICY

Mr. Coleman moved to adopt the Motor Vehicle Pursuit policy, as reviewed by Mr. Coppeler, to be effective April 9, 2010. Mr. Printy seconded the motion. Ms. Schaefer said that she needed a copy of the policy. Chief Klamar said that he would give notification to the Union and provide the needed training prior to the effective date of the policy. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Chief Hodges gave an update of the Drug Free Workplace program. He reported that an outside vendor must do the training for the Supervisors. For the others, it can be an inside instructor, but we have no one at this time. For this year he is suggesting that we go ahead with an outside vendor for this year and work on the instructors for next year. He would like to have two instructors for each department.

Mr. Ferrell asked if the County or another Township had anyone that could do the training. Mr. Ferrell said that the 'Training the Trainer' class was free through BWC. Mr. Printy asked that we go ahead with scheduling if Chief Hodges determines that there is no one with the County. The Board approved this.

TRUSTEES DISCUSSION

Mr. Coleman asked about a training drill that will be held at the Mall on March 21, 2010. He wanted to know more details and if the news media had been notified. Chief Klamar said that Lt. Parthemore was going to contact the media and invite them to participate in the drill.

Chief Myosky said that routinely radio traffic includes 'this is a drill'. He also said that it came about because the Mall wanted to work on their emergency management procedures. It is a win-win for everyone. Mr. Coleman agreed that these exercises are beneficial.

PUBLIC FORUM

Cheryl Best-Wilke, Pennsylvania Avenue, asked if they were going to replace Daryel Sternberg's position. Mr. Ferrell said that would be discussed in executive session.

Not having been at the last several meetings, Ms. Wilke understood that the Township was going to go to a different provider for the Website at a cost of \$6,000. Mr. Ferrell said that they had set aside that amount, but it probably will not cost that much. She wanted to know how much it will cost monthly to maintain the site. Mr. Ferrell said that the \$6,000 was the cost to design and train. Mr. Coleman said that we would be able then to maintain it internally.

Ms. Wilke said that there had to be some annual fee for the server. Ms. Schaefer said that she believed that the cost was \$336 per year, but that we currently pay Buckeye a hosting fee of \$15 for each of two websites. She wanted to know if the current system was not broke, why change. Mr. Coleman said that maintenance expense should be eliminated because we will be doing this internally.

Mr. Wilke wanted to know how many people would be trained to do this. Mr. Coleman said that was yet to be determined. Mr. Ferrell said that each department would have a password. The department head can authorize someone to design their pages, but it

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cannot be activated without the department head's authorization. The main advantage is that items can be posted immediately.

Mr. Coleman said that we can update items in real time and there would not be a per article cost as we currently have.

Mr. Ferrell asked Mrs. Speer if everything was all right on Ransom Road. Other than stones the work was good. Mr. Ferrell asked if the work that was done on Ransom took care of the drainage problems. Mr. Boos said that it had.

Mr. Coleman moved to go into executive session to discuss personnel. Mr. Printy seconded the motion. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Motion approved.

Mr. Coleman moved to return to regular session. Mr. Printy seconded the motion. Roll call: Mr. Printy, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Motion approved.

With no further business to be conducted, the meeting was adjourned at 9:20 pm.

Jeffrey Ferrell, Chairman

Diane Schaefer, Fiscal Officer