

**RECORD OF PROCEEDINGS  
MINUTES OF REGULAR MEETING  
JANUARY 6<sup>TH</sup>, 2011**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on January 6<sup>th</sup>, 2011, to conduct the business of the Township. President Todd called the meeting to order at 7:04 pm with the following Trustees in attendance: Michel D. Todd, Sarah (Sally) Gardner and Ray Jarrett. Also in attendance were the Police Chief, Fire Chief, Road Foreman, Sports Field Manager, Zoning Inspector and the general public.

**Roll Call**

Mr. Todd asked for a roll call of all members present. Trustees present were Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Pledge of Allegiance**

Mr. Todd led the Pledge of Allegiance.

**Moment of Silence**

Mr. Todd asked for a moment of silence for our military personnel at home and overseas.

**SITE PLANS**

**Fiesta Salon – Site – 5007 Grand Shops Avenue, Unit B-3**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for Fiesta Salon to be located at 5007 Grand Shops Avenue Unit B-3 as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Fiesta Salon – Wall Sign – 5007 Grand Shops Avenue, Unit B-3**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Fiesta Salon to be located at 5007 Grand Shops Avenue, Unit B-3 not to exceed 17.38 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Fiesta Salon – Tenant Panel Sign – 5007 Grand Shops Avenue, Unit B-3**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the tenant panel sign to be placed on the existing pylon sign for Fiesta Salon located at 5007 Grand Shops Avenue, Unit B-3 not to exceed 8.17 square feet as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Pizza Hut – Sign – 3131 Medina Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve two (2) wall signs for Pizza Hut located at 3131 Medina Road not to exceed 55 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Romeo's Pizza Franchise Corporation – Site – 3995 Medina Road, Ste 100**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for Romeo's Pizza Franchise Corporation to be located at 3995 Medina Road, Ste. 100 as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Romeo's Pizza Franchise Corporation – Wall Sign – 3995 Medina Road, Ste 100**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Romeo's Pizza Franchise Corporation located at 3995 Medina Road, Ste 100 not to exceed 9.75 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

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**OTHER BUSINESS**

**Approval of Accounts Payable**

Mr. Todd motioned to approve warrant #21515 to warrant #21525 in the amount of \$13,030.77. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner

**Approval of Payroll**

Mr. Todd motioned to approve payroll check #14632 to payroll check #14698 total amount of \$54,311.73 with a total of \$4,574.28 going to union dues, deferred comp, garnishment fees, OPERS and post tax health deductions. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Bank Reconciliation Approval for October & November, 2010**

Mr. Todd motioned to approve the primary bank reconciliation for the month of October, 2010; document dated December 30, 2010. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

Mr. Todd motioned to approve the primary bank reconciliation for the month of November, 2010; document dated December 30, 2010. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Approval of Advance of Taxes**

**Resolution No. 01062011-002**

Mr. Todd motioned to put forth a resolution that hereby requests that the Auditor of Medina Count, Ohio, for Medina Township on this date, that we request that he issue a warrant upon the County Treasurer of Medina County in favor of Therese George as Fiscal Officer of Medina Township and said county for all available dollars of the current collection of taxes assessed and collected for and in behalf of Medina Township which shall be held and treated as an advance payment on the current collection of taxes due Medina Township at the ensuing settlement, 2011, as provided by law. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Department Purchase Orders and Training Requests**

Mr. Jarrett motioned to approve the amount of \$850.00 for Field Training Officer (FTO/PTO) Program Training for Cliff Nicholson to go to Owens Community College in Perrysburg, Ohio, January 24 through January 28, 2011. Mr. Todd seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mrs. Gardner.

Mrs. Gardner motioned that she had one appropriation for meetings; this would be for all members of the Zoning Commission, Board of Zoning Appeals, Zoning Inspector and Assistant Zoning Inspector and it is for the 18<sup>th</sup> of January, 2011. It is on the Zoning Commission meeting night so the Zoning Commission changed their meeting date because it is the CPC Basic of Zoning. The appropriation would be for \$200.00 but it is a \$10.00 fee for the entire year. We could totally have 20 people going but they won't all be going at the same time so she will say \$200.00. That will more than cover the \$10.00 fee for that. Mr. Todd seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Todd and Mr. Jarrett.

Mrs. Gardner motioned to appropriate for firefighters to attend, at the Litchfield Fire Department, the required National Incident Management System (ICS-300 & ICS-400) for Kasson, Hlas, Schmitt and Roberts. There is no cost. Mr. Todd seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Todd and Mr. Jarrett.

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**Department Purchase Orders and Training Requests Con't**

Mrs. Gardner motioned to appropriate for Chief Crumley, Parker Browne and Mark Roberts to attend Medina/Wayne County Fire Education Seminar at the Ohio State University Center in Wooster in the amount of \$45.00, for lunches. Mr. Jarrett seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Jarrett and Mr. Todd.

Mrs. Gardner motioned to appropriate \$90.00 for the 42<sup>nd</sup> Annual Northern Ohio Arson Seminar at Ashland University on February 26, 2011, for Gary Bromley. It is continuing education. Mr. Jarrett seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Jarrett and Mr. Todd.

Mrs. Gardner motioned to appropriate \$924.80 for Scott Vargo to attend a 48 hour paramedic refresher. Mr. Jarrett seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Jarrett and Mr. Todd.

**Approval of Minutes**

Mr. Todd motioned to approve the December 23, 2010, regular meeting minutes. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**OLD BUSINESS**

**Tabled Items**

Mr. Todd tabled the following items until the next meeting: Reports, Frontier Land Lines LST Contract, Comprehensive Plan and the Township Newsletter.

**SPCA Invoice**

Mrs. Gardner said she reviewed the SPCA invoice and spread sheet listing the animals picked up in Medina Township. She was able to identify at least 60 animals that were not picked up in the township. She is going to help the SPCA set up their software so when a street name is put in, it will show what Township it belongs to. This item will be tabled until after the budget is finished.

**Streetlight at Marks & Hamilton Road**

Mr. Todd said the contract was received from Ohio Edison. The cost will be \$8.27 per month. Mr. Todd motioned to approve the informational agreement with Ohio Edison for the streetlight located at the corner of Marks Road and Hamilton Road. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**NEW BUSINESS**

**Liquor License-Steve's Dakota Grill**

Mr. Todd, Mrs. Gardner and Mr. Jarrett said a hearing for Steve's Dakota Grill Liquor License is not needed.

**Blakslee Park Sidewalk Construction Grant Contract**

Mr. Todd motioned to enter into a contract with Illes Architects, Inc. pursuant to the terms in the December 22, 2010, agreement with the total cost of \$1,750.00 plus \$2.50 per sheet and postage to be reimbursed. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett. Mr. Miller said there is a chance we would be able to get that money back.

**Lawn Maintenance Contract**

Mr. Todd said to advertise for bids for lawn maintenance and hold a pre-bid meeting before the bid opening.

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**NEW BUSINESS CON'T**

**Police Levy**

The Trustees discussed the need for a Police Levy and the cost. The department is at a critical level in staffing and it will be up to the public to decide the future of the Police Department.

Mr. Todd motioned to take a 10 minute recess at 7:46 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

Mr. Todd motioned to reconvene the meeting at 8:00 pm. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Resolution No. 01062011-003**

Mr. Todd motioned to put forth a resolution to request that the Medina County Auditor certify the amount that would be generated by 2 mils outside the ten mill levy for the purposes of the Police Department, pursuant to the Revised Code 5705.19 (J), to be placed on the ballot at the May 3, 2011, election. The levy type is an additional levy. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Resolution No. 01062011-004**

Mr. Todd motioned to put forth a resolution to request that the County Auditor certify the millage that would be raised for Medina Township by a 1 mil levy outside the 10 mil limitation for the Police Department, pursuant to the Revised Code 5705.19 (J) to be placed on the ballot on May 3, 2011, to be a replacement levy. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Inventory**

Mr. Todd motioned to approve the inventory for Medina Township that was updated on December 28, 2010. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Nettleton Road Culvert Project Bid Dates**

Mr. Todd motioned to put as the bid dates for the Nettleton Road Culvert Project for the ads to be placed on March 10, 2011, and March 24, 2011, with notification that the bid opening will be on March 31, 2011, at the regular Trustees meeting at 7:00 pm. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Work Agreement with Mr. Merrill – Nettleton Road**

Mr. Miller spoke with Mr. Merrill regarding taking out a few more trees and cleaning up the creek so the water goes straight into the culvert. He asked for permission from the Trustees to do this. The Trustees would like an opportunity to look at the creek.

**PUBLIC COMMENT**

Mr. Todd motioned to open the floor for public comment. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

Patrick Pinkerton, (3299 Granger Road) asked if anyone had given thought to building a new structure over the Nettleton Road Culvert. The options that were looked at were discussed by Trustees.

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**PUBLIC COMMENT CON'T**

Erica Graffain, Medina County Auditor Representative, said the first half tax bills will be coming out soon. Dog licenses are due by January 31, 2011 and the cost is \$12.00. The CAUV Farm Program meeting will be January 22 at the University Center. Mrs. Graffain commended Medina City and Medina Township Fire Departments for their response to her neighbor's house fire. She also said the SPCA can go on the Auditor's website to see where the street is located.

Mr. Todd motioned to close the floor for public comment. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**EXECUTIVE SESSION**

**Executive Session to Discuss Pending Litigation**

Mr. Todd motioned to enter into Executive Session with the Medina Township Board of Trustees, Medina Township Fiscal Officer, Therese George, Medina Township Legal Counsel, Bill Thorne, Assistant Medina County Prosecutor for the Medina County Prosecutor's Office to discuss pending litigation with Medina Township. The Board entered into Executive Session at 8:30 pm with Medina Township Fiscal Officer, Therese George, Medina Township Legal Counsel, Bill Thorne, Assistant County Prosecutor for the Medina County Prosecutor's Office to discuss pending litigation. The Board reconvened at 8:55 pm. No decisions were made during that meeting.

**Settlement Proposal**

Mrs. Gardner motioned to reject the settlement on the pending litigation proposed as of this day. Mr. Jarrett seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Jarrett and Mr. Todd.

**Newspapers**


Mrs. Gardner said a resident complained about the free newspapers that are dropped in his driveway. When he is out of town, he has to hire someone to pick them up so his house does not look unoccupied. Mr. Todd suggested putting that in the Township newsletter. Mr. Thorne said it would be a lot easier for the resident to contact the newspaper himself and ask them to stop delivery. Mrs. Gardner will give him the information on how to contact the newspapers.

**Sign Permit Fees**

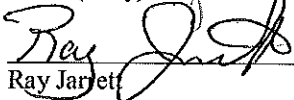
Mrs. Gardner said the zoning fees information will no longer be included in the Organizational Meeting but will be put on the Appendix V. A comment is needed stating the Township will waive temporary sign permit fees for any documented IRS approved non-profit organizations and the Police and Fire Departments regardless where the sign is erected. She will notify Kim Ferencz and have that put in.

Mr. Todd motioned to adjourn the meeting at 9:02 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

  
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Therese George, Fiscal Officer

  
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Michael D. Todd, Chairman

  
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Sarah (Sally) Gardner

  
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Ray Jarrett