

**RECORD OF PROCEEDINGS  
MINUTES OF REGULAR MEETING  
SEPTEMBER 29<sup>TH</sup>, 2011**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on September 29<sup>th</sup>, 2011, to conduct the business of the Township. President Todd called the meeting to order at 7:06 pm with the following Trustees in attendance: Michel D. Todd, Sarah (Sally) Gardner and Ray Jarrett. Also in attendance was Linda DeHoff, Fiscal Officer, David Arbogast, Police Chief, Jeff Kessler, Sports Field Manager, Elaine Ridgley, 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. He also asked that our Road Foreman, Denny Miller, be kept in everyone's prayers because he had an accident and was in the hospital. Mr. Todd said Mrs. Miller thanked everyone for their help and support. It truly made them feel they were with family.

**SITE PLANS**

**Heartland Community Church – Sign – 3400 Weymouth Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Heartland Community Church not to exceed 80 square feet as modified. It was so noted that the application requested a 180 square foot sign but the applicant would be going before the Board of Zoning Appeals September 21, 2011. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Thirsty Cowboys – Site– 2743 Medina Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for Thirsty Cowboys to be located at 2743 Medina Road (Plaza 71) as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Thirsty Cowboys – Wall Sign – 2743 Medina Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Thirsty Cowboys to be located at 2743 Medina Road not to exceed 80 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**U.S. Bank – Site – 3705 Medina Road Unit A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for U.S. Bank to be located at 3705 Medina Road, Unit A as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**U.S. Bank – Wall Sign – 3705 Medina Road Unit A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for U.S. Bank to be located at 3705 Medina Road, Unit A not to exceed 27.9 square feet as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**SITE PLANS CON'T**

**U. S. Bank – Wall Sign – 3705 Medina Road Unit A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for U. S. Bank located at 3705 Medina Road, Unit A not to exceed 9.3 square feet as presented, on the west wall of the drive-thru granted previously by a variance from the Board of Zoning Appeals. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**U.S. Bank – (2) Directional Signs – 3705 Medina Road Unit A**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve two directional signs for U. S. Bank located at 3705 Medina Road, Unit A not to exceed 2.8 square feet each as shown, to be placed at the locations D-1 and D-2 of the site plan, as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Western Reserve Masonic Community - Addition – 4931 Nettleton Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the addition to the existing building for Western Reserve Masonic Community located at 4931 Nettleton Road to consist of 21,775 square feet comprising of 25 residential units (dementia units). This brings the total number of units to 246 out of the 250 units previously approved. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Weight Watchers – Site – 5007 Grande Shops Avenue Unit B1**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for Weight Watchers to be located at 5007 Grande Shops Avenue Unit B1 as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Valley Hino Trucks – Site – 5025 Gateway Drive**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve the change of use for Valley Hino Trucks to be located at 5025 Gateway Drive as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Medina VFW Post #5137 – Sign – 3916 Pearl Road**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a ground sign for Medina VFW Post #5137 located at 3916 Pearl Road not to exceed 31.9 square feet as presented. It was so noted that the existing sign is to be removed before the installation of the new sign. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Kaiser Permanente – Wall Sign – 3443 Medina Road, Unit C**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Kaiser Permanente located at 3443 Medina Road, Unit C not to exceed 59.62 square feet as presented. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Kaiser Permanente – Panel Sign – 3443 Medina Road, Unit C**

Mr. Todd motioned to accept the recommendation of the Zoning Commission and approve a panel sign for Kaiser Permanente located at 3443 Medina Road, Unit C not to exceed 3.84 square feet as presented. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

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**OTHER BUSINESS**

**Resolution Accepting the Amounts and Rates as Determined by the Budget Commission**  
**Resolution Number 09292011-025**

Mr. Todd motioned to put forth the following resolution:

Resolved, by the Board of Trustees of Medina Township, Medina County, Ohio in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2012 and

Whereas, the Budget Commission of Medina county, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

Resolved, by the Board of Trustees of Medina Township, Medina County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

Resolved, that there be and is hereby levied on the tax duplicate of said township the rate of each tax necessary to be levied within and without the ten mill limitation as follows and incorporate the documents by reference that has the breakdown of the millage (see attached). Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**Approval of Accounts Payable**

Mr. Todd motioned to approve warrant #22299 to #22346 exclusive of warrant #22303 the total amount being \$500,624.90 minus \$4,220.00. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

Mrs. Gardner motioned to approve warrant #22303 in the amount of \$4,220.00. Mr. Jarrett seconded the motion. Roll call vote: Mrs. Gardner aye, Mr. Jarrett aye and Mr. Todd abstain.

**Approval of Payroll**

Mr. Todd motioned to approve payroll checks #15362 thru #15382, total amount of \$23,889.19 with \$3,464.23 going to OPERS, Deferred Compensation and union dues. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**Approval of Minutes**

Mr. Todd motioned to approve the minutes for the regularly scheduled meetings on September 1<sup>st</sup> and September 15<sup>th</sup>, 2011. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett.

**DEPARTMENT PURCHASE ORDERS AND TRAINING REQUESTS**

**Road Department Truck Repairs - Total Performance**

Mr. Todd motioned to approve the expenditure of \$5,000.00 to Total Performance for truck repairs to trucks # 1, 2, 14, 15 and 11. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

**OLD BUSINESS**

**Repair Work for Remsen Road**

Mr. Todd tabled the road repair for Remsen Road until the next meeting because starting on October 1, 2011, the State will be changing the bid amount requirement to \$50,000.00.

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**OLD BUSINESS CON'T**

**LST Contract**

No word has been received from Mr. Thorne.

**Comprehensive Plan**

The Secretary said seven letters have been received from previous members stating they would like to continue with the Comprehensive Plan. We are still waiting for responses from the rest of the committee members.

**Medina County Natural Hazard Mitigation Plan**

Mrs. Gardner said they have not heard back from the state regarding the resolution for the Medina County Natural Hazard Mitigation Plan.

**Intersection of Lake Forest Trail & Hunting Run**

Mr. Todd said he spoke with residents of Lake Forest Trail & Hunting Run and they said that the "No Outlet" sign suggested would be appropriate. Denny Miller, Road Foreman, will have a sign installed.

**Fracking Resolution**

Mr. Todd said he will put forth a short term resolution stating that the Township will not enter into any agreements with fracking organizations on township property. This is an issue all three Trustees feel strongly about and it needs to be addressed

**Greater Medina Brownfields Coalition**

Mrs. Gardner said there was a Brownfields Coalition meeting and there should be a resolution coming Trustees will need to pass. All the paperwork can then be sent down at the same time. This is for the \$1,000,000.00 grant.

**Traffic Light – Grande Blvd.**

Mr. Todd said the contract regarding the traffic light on Grande Blvd was sent to Brian Richter of the Prosecutor's Office and Mr. Richter had some concerns. Mr. Miller and Mr. Todd discussed the issue and will talk to Mr Richter about his concerns.

**NEW BUSINESS**

**Executive Session – Potential Land Acquisition**

Mrs. Gardner motioned to enter into Executive Session at 7:50 pm with Ray Jarrett, Sally Gardner, Linda DeHoff and Brian Russell to discuss potential land acquisition. Mr. Jarrett seconded the motion. Roll call vote: Mrs. Gardner aye, Mr. Jarrett aye and Mr. Todd abstain. Mrs. Gardner motioned to come out of Executive Session at 8:22 pm with Trustee Jarrett, myself, Sally Gardner, Fiscal Officer Linda DeHoff and Brian Russell. No decisions were made. Mrs. Gardner motioned to go back into regular session. Mr. Jarrett seconded the motion. Voting aye thereon: Mrs. Gardner, Mr. Jarrett and Mr. Todd. Mr. Todd motioned to reconvene into regular session from Executive Session. Mrs. Gardner seconded the motion. Voting aye thereon: Mr. Todd, Mrs. Gardner and Mr. Jarrett. No decisions were made during that meeting.

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## **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.

Bill Ostmann (3670 Hamilton Road) said the Fire Department is having a pancake breakfast October 16, from 8 am to Noon.

Matt Galla (3503 Hamilton Road) noticed they are purchasing a new fire truck for \$431,320.00 and wondered why they are keeping the old truck when they are buying a new truck. He asked how many miles were on the old truck and what was wrong with it. Mr. Todd said it will be put on the agenda for the next meeting when Chief Crumley is in attendance so he can answer his questions.

Don Kessler (5126 Baker Road) asked where the truck was going to be kept. Mr. Todd said there is room in the old road garage.

Robin Gray (4074 Remsen Road) thanked the Trustee for discussing Fracking and their concern regarding Fracking. She also asked if the large attorney fees being paid were regarding the Doraty issue. Mr. Todd said the fees were for legal counsel for Elaine Ridgley, Zoning Inspector and the Board of Zoning Appeals for Mrs. Ridgley's denial of a zoning permit and Mr. Doraty's request for an appeal of that decision.

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.

## **ADDITIONAL DEPARTMENT HEAD COMMENTS**

### **Police Department**

Chief Arbogast said they have had several burglaries in the Township and asked residents to please call immediately when you see something, don't wait until two or three days later. The Police Dispatch number is 330-723-5191. Chief Arbogast just finished the training as a Terrorist Liaison Officer and will represent Region 5. He will be attending a planning conference. The Chief will also be attending the TRIAD regarding homeland security. Officer Cliff Nicholson will receive an award for Most Productive Traffic Enforcement through Safe Communities on September 30. On October 1 at 9:00 am on Medina Public Square, the Battered Women's Shelter will be holding Wags and Walks with proceeds to go to the Battered Women's Shelter. The Police Department will be holding Safety Days at Home Depot on October 1. The Police Department will be holding an entry level test for Police Officers on November 2, 2011, at 6:00 pm at the Western Reserve Masonic Community.

Mrs. Gardner proposed putting on our meeting agendas, County Commissioner meetings or zoning meetings or other announcements like the pancake breakfast or the special Fracking Meeting. Mr. Todd said it would be alright to announce special meeting like the Fracking Meeting or the pancake breakfast, anything that had to do with the Township specifically.

Mrs. Gardner said a gentleman came in to the townhall and asked if the phone call he received from the Fraternal Order of Police was legitimate.

Chief Arbogast said he is working on a block watch program.

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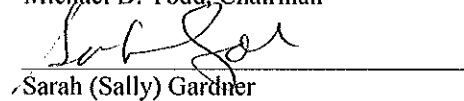
Executive Session

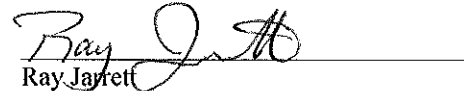
Mr. Todd motioned to enter into Executive Session with the Medina Township Board of Trustees, and the Township Fiscal Officer to discuss potential property acquisition for Medina Township. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner. The Board entered into Executive Session at 8:44 pm with the Fiscal Officer to discuss potential land acquisition for Medina Township. Mr. Todd motioned for the Medina Township Board of Trustees to reconvene from Executive Session at 9:04 pm where the Board of Trustees was present with Fiscal Officer DeHoff to discuss potential land acquisition for Medina Township. No decisions were made during that meeting.

Mr. Todd motioned to adjourn the meeting at 9:05 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

  
Linda DeHoff, Fiscal Officer

  
Michael D. Todd, Chairman

  
Sarah (Sally) Gardner

  
Ray Jarrett

RESOLUTION NUMBER 09292011-025

(REV. 1/91)

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(BOARD OF TOWNSHIP TRUSTEES)  
Revised Code, Secs. 5705.34-5705.35

 COPY

The Board of Trustees of MEDINA Township, MEDINA

County, Ohio, met in regular session on the 29th day of September

2011, at the office of the township with the following members

present:

Michael D. Todd, Chairman

Sarah (Sally) Gardner

Ray Jarrett

Mr./Mrs. Todd moved the adoption of the following Resolution:

RESOLVED, By the Board of Trustees of MEDINA Township,

MEDINA County, Ohio, in accordance with the provisions of law has

previously adopted a Tax Budget for the next succeeding fiscal year acommencing January 1st, 20 12

and

WHEREAS, The Budget Commission of MEDINA County, Ohio, has

certified its action thereon to this Board together with an estimate by the County Auditor of the rate

of each tax necessary to be levied by this Board, and what part thereof is without, and what part

within, the ten mill limitation; therefore, be it

RESOLVED, By the Board of Trustees of MEDINA, Township,

MEDINA County, Ohio, that the amounts and rates, as determined

by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate

of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**  
**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET**  
**COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Com- mission Inside 10 M. Limitation	Amount to Be Derived from Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column I	Column II	III	IV
1. General Fund	\$535,400		1.60	
4. Road and Bridge Fund	\$334,800		1.00	
5. Cemetery Fund				
7. Lighting Fund				
8. Garbage and Waste Disposal Fund				
9. Police Fund		\$1,004,100		3.00
10. Fire Fund		\$616,100		2.00
11. Road Fund				
12. Park Levy Fund				
13. Zoning Fund				
14. Miscellaneous Funds				
15. General(Note) Bond Retirement				
16. Special Assessment Bond Fund				
17. Trust Fund				
18. Bond Fund				
19. Federal Revenue Fund				
20. Special Levy Fund				
21. Capital Equipment Fund				
22. Drug Law Enforcement Fund				
23. Twp. Motor Vehicle License Tax				
24. EMS Fund		\$333,500		1.00
<b>TOTAL</b>	<b>\$870,200</b>	<b>\$1,953,700</b>	<b>2.60</b>	<b>6.00</b>



SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>  Current Expense Levy authorized by voters on not to exceed _____ years. ,20		
<b>SPECIAL LEVY FUNDS:</b>		
FIRE Levy authorized by voters on not to exceed CONT _____ years. NOVEMBER 4, 2003	2.00	\$616,100
POLICE Levy authorized by voters on not to exceed CONT _____ years. MAY 3, 2011	3.00	\$1,004,100
EMS Levy authorized by voters on not to exceed 5 years. AUGUST 7, 2007	1.00	\$333,500
Levy authorized by voters on not to exceed _____ years. ,20		
Levy authorized by voters on not to exceed _____ years. ,20		
Levy authorized by voters on not to exceed _____ years. ,20		
Levy authorized by voters on not to exceed _____ years. ,20		

and be it further

RESOLVED, That the Fiscal Officer of this Board be and he is hereby directed to certify a copy of this

Resolution to the County Auditor of Said County.

Mr./Mrs. Wardner seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. [Signature]  
 Mr./Mrs. [Signature]  
 Mr./Mrs. [Signature]

Adopted the 29th day of September, 20 11

Linda DeHoff

Fiscal Officer of the Board of Township Trustees of

Medina Township,

Medina County, Ohio

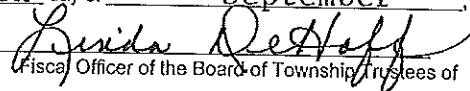
CERTIFICATE OF COPY  
ORIGINAL ON FILE

The State of Ohio, Medina County, ss.

I, Linda DeHoff, Fiscal Officer of the Board of Township Trustees  
of Medina Township, in said County, and in whose custody the Files  
and Records of said Board are required by the laws of the State of Ohio to be kept, do hereby  
certify that the foregoing is taken and copied from the original resolution

now on file with said Board, that the foregoing has been compared by me with said original document,  
and that the same is a true and correct copy thereof.

WITNESS my signature, this 29th day of September, 20 11

  
Fiscal Officer of the Board of Township Trustees of

Medina Township.

Medina County, Ohio.

No. 09292011-025

BOARD OF TOWNSHIP TRUSTEES,

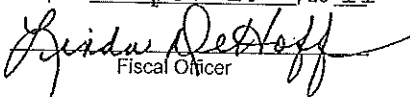
Medina Township,

Medina County, Ohio.

RESOLUTION  
ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET  
COMMISSION AND AUTHORIZING THE  
NECESSARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY AUDITOR

(Board of Township Trustees)

Adopted Sept. 29, 20 11

  
Fiscal Officer

Filed \_\_\_\_\_, 20 \_\_\_\_

County Auditor

By \_\_\_\_\_  
Deputy