



3038 Boston Mills Road, Brecksville, Ohio 44141

## **RICHFIELD TOWNSHIP BOARD OF TRUSTEES**

### **Regular Meeting May 4, 2017**

The Board of Trustees met for their Regular Meeting, which was called to order at 6:30 p.m. on May 4, 2017.

#### **Roll Call:**

Janet Jankura, Trustee  
Jeff Shupe, Trustee  
Robert Luther, Trustee

#### **Also in Attendance:**

Keith Morgan, Chief, Village of Richfield Police Department  
Phil McLean, Chief, Village of Richfield Fire Department  
Larry Fulton, Summit County Chief Deputy Engineer  
Bill Roemer, Summit County Educational Service Center Board of Governors  
Mindy Remec, Township Administrator  
Amy Page, Zoning Inspector  
14 additional residents/attendees

#### **Approval of Minutes:**

##### **April 6, 2017 Regular Meeting**

Dispensing with the reading of the minutes, Ms. Jankura requested comments from Trustees Luther and Shupe, who had no corrections or changes.

**MOTION by:** Ms. Jankura and seconded by Mr. Shupe to approve the April 6, 2017 Meeting Minutes as presented.

**FURTHER DISCUSSION: NONE**

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

#### **Department Head Reports:**

##### **Police:**

Chief Morgan reported that township roads in the Cuyahoga National Park have reduced speed limits to 35 mph and provided stats for March and April.

##### **Fire:**

Chief McClean report on ongoing training. Final proposals are in for the rescue squad and a decision will be made soon. Volunteer work was done at the RJRD and the fire department's 5K run will be Saturday, May 6.

##### **Zoning:**

Ms. Page reported that the Board of Zoning Appeals (BZA) heard one case for a variance request at its April meeting and will meet again on May 15. The Zoning Commission met in April and discussed regulation on short-term rentals. The discussion will be continued to the Zoning

Commission's May 11 meeting. The Summit County Planning Commission will meet May 25. Ms. Page said that property owners of 2678 Southern Road informed her that arrangements have been made to maintain the lawn for this year's growing season.

Ms. Jankura and Mr. Shupe asked for more information on short-term rentals. Ms. Page said the proposal was for a single-family residence that could potentially be rented for short periods of time.

Mr. Dale Fashinpaur, 2677 Southern Road, asked if the trustees had approved the agreement for the lawn maintenance at 2678 Southern Road and what assurances have been made.

Ms. Remec said nothing was received in writing. Property owners were only informing the township of their maintenance plans.

Ms. Jankura also addressed the issue stating that the trustees were following up on the nuisance that was declared last year on the 2678 Southern Road property. She proposed that trustees send notice to the property owners. Trustees are within the twelve-month period following the initial nuisance resolution. The notice would inform them that they would have four days to cut the grass before trustees could take action. Her hope is that the Pinneys have a maintenance agreement with a contractor and that it is followed.

Ms. Laura Fashinpaur, 9359 Killarney Drive, said that ongoing maintenance was her original concern and asked what happens after four days if the lawn has not been mowed.

Ms. Remec said that the township could then take action to abate the nuisance.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to send a letter to the property owners of 2678 Southern Road to notify them that they need to abate the tall grass nuisance.

**FURTHER DISCUSSION:** none

**MOTION PASSED UNANIMOUSLY: Luther (yea), Jankura (yea), Shupe (yea)**

**Fiscal:** No Report

**Parks and Recreation:**

Mr. Luther reported that quotes for asphalt paving on Rising Valley Park's driveway were received. After reviewing the property with Chris Eastwood he said that everything else has been very well maintained. There are funds available in the Herschel Hunt Bequest Fund, officially called the Rising Valley Park Bequest Fund, for the project.

**MOTION by:** Mr. Luther and seconded by Mr. Shupe to accept the proposal from Cardinal Asphalt Company, Inc. to pave the Rising Valley Park driveway for \$28,576.00 from the Rising Valley Park Bequest Fund.

**FURTHER DISCUSSION:** Mr. Luther asked the police chief about keeping through traffic off of the drive. Chief Morgan said this is a private drive but he could look into signage. Three quotes were solicited for the project and two quotes were received. This is the lowest bid, with the other coming in at approximately \$32,000.00

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Mr. Luther said that he would like to have the posts for the old electric gate taken out since it is no longer in use.

Ms. Jankura reported that Richfield Joint Recreation District (RJRD) Board Chairperson Bob Becker delivered the State of the Recreation District to the Richfield Chamber of Commerce and thanked him for presenting this.

**Roads:**

Mr. Luther announced that preconstruction meeting would take place with the Engineer's Department this week for the Hawkins Road project.

**Administration:**

Ms. Remec reported that the bid was received for the second phase of the Hawkins Rd project and it came under the estimated \$147,000 at \$138,508.40.

Ms. Remec said that a repair was needed to the Freightliner and requested approval of the invoice.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to approve payment of \$3,686.30 to Kenworth of Richfield from the gasoline tax fund from blanket certificate number 70046.

**FURTHER DISCUSSION:** Mr. Luther said that it was a repair to transmission lines. Mr. Shupe asked what year was the truck. Mr. Luther said it is a 2014 and that salt does a lot of damage to the vehicles.

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Crown Castle sent a business terms letter agreement to the township to extend the cell tower lease. The original lease currently brings in \$1,520.88 monthly. The extension would continue at that rate and continue to escalate at the same rate. By extending the lease for an additional 20 years Crown Castle says they are hoping to attract co-locates to the township's cell tower. By suggestion of Fiscal Officer Laurie Pinney a revision to the Business Terms Letter was made to have Crown Castle pay for a new survey and make any corrections needed to the recorded easement since there may be problem with the utility lines being located outside of the recorded easement. If this is approved a more detailed contract would follow to extend the lease.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to accept the Business Terms Letter for extension of the Crown Castle cell tower lease.

**FURTHER DISCUSSION:** none

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Mr. Luther said that the cell tower lease originally signed when he was in office has brought in a considerable amount of money into the township.

Ms. Remec said that Intersoft Group, the company that hosts the township email and website is changing the email platform of all of their clients. Price comparisons were made for this service and the current company had the lowest price. Trustees concerns about the cost were shared with Intersoft and a price concession was made. The price would be \$499 per year for our current email addresses. The one-time charge for migrating township email to their new platform would be \$370. Trustees concurred to stay with Intersoft Group for email hosting.

**Old Business:** None

**New Business:**

Ms. Jankura asked Ms. Remec to present information on Resolution #04-2017, A Resolution Authorizing Participation in the ODOT Winter Contract (018-18) for Road Salt. Ms. Remec said that there is approximately 300 tons of salt to carryover for next season. This resolution allows the township to enter this year's ODOT bid. If trustees decide to purchase 600 tons the contract would allow for a 10 percent variance above and below the bid amount. Mr. Luther said that the arrangement with ODOT for salt storage has been very good for the township.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to approve Resolution #04-2017 A Resolution Authorizing Participation in the ODOT Winter Contract (018-18) for Road Salt

**FURTHER DISCUSSION:** none

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Ms. Jankura introduced Resolution #05-2017 Summit County Intergovernmental MOU for Jobs Creation and Retention and Tax Revenue Sharing. This resolution is the 2017-2018 version and is a resolution that the township has entered previously.

**MOTION by:** Ms. Jankura and seconded by Mr. Shupe to approve Resolution #05-2017 Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing.

**FURTHER DISCUSSION:** none

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Ms. Jankura provided information on Resolution #06-2017, A Resolution Opposing Inclusion of Richfield Township in the Yellow Creek Watershed Conservancy District, stating there would be nine communities included in the proposed District. The District would have the ability to impose a 0.3 mill tax levy to fund projects. Ms. Jankura said that the township is already considering opting into the Summit County Engineer's Surface Water Management Program for flooding and erosion control measures which may serve the township's needs better than a conservancy district. Additionally a judge would select district board members so the township would be without representation.

Mr. Shupe agreed that this resolution was the right move for the township saying that a district could impose additional fees without the township having any control.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to approve Resolution #06-2017 A Resolution Opposing Inclusion of Richfield Township in the Yellow Creek Watershed Conservancy District

**FURTHER DISCUSSION:** none

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Ms. Jankura introduced Resolution #07-2017 A Resolution Embracing Diversity and Denouncing Activities of Hate, Intolerance, and Intimidation in Richfield Township. She said that the resolution reinforced that the people of Richfield Township favor protecting civil and human rights and that we believe that diversity in our community is a source of strength vitality and opportunity.

Ms. Pam Duncan, 2823 Boston Mills Road, thanked trustees for considering this resolution and that it sends a positive affirmative message about who we are as a community.

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to approve Resolution #07-2017 A Resolution Embracing Diversity and Denouncing Activities of Hate, Intolerance, and Intimidation in Richfield Township

**FURTHER DISCUSSION:** none

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

Ms. Jankura asked fellow trustees for their thoughts on the proposed Resolution #08-2017 A Resolution to Prohibit Cultivators, Processors and Retail Dispensaries of Medical Marijuana.

Mr. Luther said he spoke with someone interested in starting up this kind of venture and that he thought it would be best to go to a township that has no zoning.

Ms. Jankura asked if Chief Morgan had any insight on the impact to a community. He said that village council is looking at a six month moratorium. He did not have an answer as to whether it would be good or bad as it is a new venture for the state but it would ultimately up to the trustees.

Mr. Shupe said that this is something that the township needs to stay away from.

**MOTION by:** Ms. Jankura and seconded by Mr. Shupe to approve Resolution #08-2017 A Resolution to Prohibit Cultivators, Processors and Retail Dispensaries of Medical Marijuana Pursuant to Section 3796.29 of the Ohio Revised Code

**FURTHER DISCUSSION:** none

**MOTION PASSED:** Luther (yea), Jankura (yea), Shupe (yea)

#### **Announcements:**

Mr. Luther thanked the Summit County Engineer for hosting the Township Association dinner meeting and the presentation given on the watershed plan.

#### **Citizens Forum:**

Ms. Gayle Palshook, 2995 Brush Road, spoke about a request she made of trustees in February to request technical assistance and planning from Summit Soil and Water Conservation District for an area that includes her property and wanted to know why trustees chose not to do this.

Ms. Jankura thanked Gayle for her comments and said that legal counsel was sought and the trustees were advised that it was inappropriate for the township to intervene.

Ms. Remec said that the reasons given were that Summit Soil and Water had inspected the area on more than one occasion and found it to be in compliance.

Mr. Larry Kennard, 3461 Scotswood Circle, thanked the trustees on behalf of The Woods Homeowners Association for writing letters to the Ohio Attorney General's office to assist them with the water problems they are having.

Mr. Fashinpaour asked what the status of requests made for evaluation for the properties on Medina Line and Black roads from the building department.

Ms. Page said that she had been in contact with the Summit County Building Department and a letter was being sent to ask for prompt completion of these evaluations.

Mr. Fashinpaour asked trustees for a landscaping ordinance for the township and volunteered for a citizen panel and asked how many signatures it would take on a petition to get this done.

Ms. Jankura said trustees had discussed a property maintenance code and that an additional employee would be needed as well as another board formed. In addition, the zoning commission had also discussed this and could not come up with a plan that they felt would work for the township.

Ms. Page said that in a joint work session with the trustees and zoning commission the process of a property maintenance code was discussed and the boards chose not to pursue this type of code.

Ms. Jankura thanked Mr. Fashinpaour for the idea of a citizen panel and for volunteering. She could not say if there was a number of signatures needed on a petition for trustees to consider this again but said there may be other residents in the township who do not want a property maintenance code and asked other trustees if they had something to add.

Mr. Shupe said that Mr. Fashinpaour has talked to trustees individually on the phone at length and at meetings and agreed that there was an issue with the Southern Road property. Trustees had gotten the

message and that work has been done and it has been taken care of. Mr. Shupe said that the legal process has been followed.

Mr. Fashinpaur said that the bottom line is that the Pinneys building should have been torn down.

Mr. Bill Roemer, 3616 Southern Road, said that he currently serves on the Summit County Educational Service Center Board of Governors and previously serviced on Summit County Council and that he would be available to speak after the meeting with anyone about questions or issues they have.

**Agenda Requests and Items for Follow-Up:** None

**Township Corner Article:** Mr. Shupe will write the article for June.

**Adjournment:**

**MOTION by:** Ms. Jankura and seconded by Mr. Luther to adjourn the meeting at 7:40 p.m.

**FURTHER DISCUSSION: NONE**

**MOTION PASSED: Luther (yea), Jankura (yea), Shupe (yea)**

---

Trustee

---

Secretary