



3038 Boston Mills Road, Brecksville, Ohio 44141

RICHFIELD TOWNSHIP BOARD OF TRUSTEES

Regular Meeting August 3, 2017

The Board of Trustees met for their Regular Meeting, which was called to order at 6:30 p.m. on August 3, 2017.

Roll Call:

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

Also in Attendance:

John Galonski, Chief Assistant Prosecuting Attorney, Summit County
Mindy Remec, Township Administrator
Amy Page, Zoning Inspector
5 additional residents/attendees

New Business

Discussion on Proposed Briarwood Development Plan:

Ms. Jankura said that trustees met with Richfield Village to get an update on the proposed Briarwood development plan. At that meeting trustees heard that the property owner may be close to filing for annexation to the village. Ms. Jankura asked Mr. John Galonski, Summit County Assistant Prosecuting Attorney, to talk about the different types of annexation.

Mr. Galonski detailed the types of expedited annexation saying that in Type 2 Annexation the property remains in the township, which makes the residents in that area dual residents of the township and the village. These residents would be able to vote on elections in both the township and the village. In this type of annexation the real estate taxes would be paid to the township but the village would receive income tax.

The process for Type 1 Annexation allows for the township and the village to negotiate and come to an agreement for the annexation. The residents would only be residents of the village. The real estate taxes and income taxes would be paid to the village and residents would only vote in village elections.

Ms. Jankura asked for benefits or drawbacks to either annexation type. Mr. Galonski said that with Type 1 the benefit would be the trustees would have the opportunity to negotiate the annexation terms. For example the township could negotiate compensation for a number of years. In either case the annexation type is determined by the owner of the property.

Mr. Luther asked if the previous consent judgement for this development had any effect on this development. Mr. Galonski said that if the consent judgement was for a development that would remain in the township than it would no longer be binding if the property were annexed.

Mr. Luther asked about safety concerns with the number of homes and traffic that would be generated coming out of Briarwood Road. Chief Morgan said that was a concern and that he said that a traffic study had been discussed.

Ms. Jankura asked if the township had any grounds to oppose the annexation. Mr. Galonski said that in Type 1 Annexation it requires an agreement with the village. The annexation cannot go through without an agreement. If the property owner meets all of the petition requirements for Type 2 Annexation, and the village accepts the property, then the township is limited in their ability to oppose.

Mr. Shupe raised concerns with road maintenance concerns. Mr. Galonski said that road maintenance would be covered by the village in a Type 2 Annexation.

Ms. Jankura asked if trustees could object to the annexation if they had concerns regarding traffic, safety, or impact on residents. Mr. Galonski said that trustees could not object for those reasons.

Ms. Remec asked if the township would receive outside millage income for safety services levies for the new homes in a Type 2 Annexation. Mr. Galonski said that the township would not receive funding from levies. The village would need to pass a resolution stating the services that the village would provide in addition to road maintenance.

Mr. Shupe asked for clarification. Mr. Galonski stated that, although he could not speak to the village's intentions, there is a possibility the village would not offer to provide police and fire services for these residents.

Mr. Shupe asked how the separation between the township and the village would be effected by the annexation. Mr. Galonski said Type 2 annexation is a different process and does not change the separation.

Mr. Shupe asked how long the new residents would pay property taxes to the township in Type 2 annexation. Mr. Galonski said they would pay property taxes to the township indefinitely and income taxes to the village because they would be residents of both.

Ms. Jankura asked fellow trustees if they were open to discussing Type 1 annexation in which they would come to an agreement with the village or if they would like to wait and see if they property owner would file for Type 2 annexation. Mr. Luther said to wait and see and that it would probably be forced on the township.

Mr. Shupe said the developer has been meeting with the village all this time and said that it would be good for the township trustees to set a special meeting with him.

Ms. Remec said that she did reach out to the development planner and he would be available to meet with the trustees.

Ms. Jankura suggested that the village planning and zoning meeting would be an opportunity to meet with the planner and asked if more than one trustee could attend that meeting. Mr. Galonski said that it would be permissible as long as trustees attend and just listen and do not discuss a township business.

Ms. Jankura requested Ms. Remec assist in scheduling the special meeting with the development planner.

Discussion on Proposed Revisions to Zoning for Light Industrial/Office

Ms. Jankura said that trustees have previously discussed recommendations the JEDD Board have made to the existing zoning code. These recommendations have gone to the zoning commission and no action has been taken. Trustees had asked for more information and Ms. Page provided this to trustees. Ms. Jankura said this discussion is to decide if trustees would like to initiate the process to revise the zoning text. The process would involve notifications and public hearings and asked Mr. Galonski for an outline and an estimated time frame of the process.

Mr. Galonski said that changes to zoning can happen three ways. The property owner can file an application, the zoning commission can start the process or the trustees can start the process. In the end it comes back to the trustees for approval. Mr. Galonski estimated four to five months for the process.

Mr. Rich Fleming, 2780 Columbia Rd., said that residents in his area have no objection to the current owners' development of the property within the guidelines of the zoning. He said the zoning is there to protect the residents and spoke about a real estate developer that attending a previous meeting.

Mr. Ed Pepera, 2617 Columbia Rd., said that the zoning commission did review these proposed changes and decided it would not be appropriate to move forward. He said that variances have been granted by the Board of Zoning Appeals when appropriate.

Mr. Shupe said the township relies on property taxes to fund our government and the JEDD is not bringing in much. The township has large areas of park land that does not bring income. Many things are changing in the community such as property tax evaluations and a new school levy. Trustees should look and see if anything can be changed to maybe attract more development in the JEDD to help support services to the community instead of relying on the homeowners.

Ms. Jankura asked if anyone knew the timing for the real estate developer's work with a potential client to buy and development the land within current zoning. She suggested that if this is not happening soon then trustees should initiate the process for the revisions.

Mr. Luther said he was fine with starting the process.

Ms. Jankura suggested waiting until the September 7, 2017 trustee meeting to see if this development project starts. Trustees concurred with tabling the discussion until the next regular trustee meeting.

Approval of Minutes:

June 6, 2017 Special Meeting

June 27, 2017 Special Meeting

July 18, 2017 Special Meeting

July 31, 2017 Special 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. Luther to approve the June 6, 2017 Meeting Minutes as presented.

FURTHER DISCUSSION: NONE

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

MOTION by: Ms. Jankura and seconded by Mr. Luther to approve the June 27, 2017 Meeting Minutes as presented.

FURTHER DISCUSSION: NONE

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

MOTION by: Ms. Jankura and seconded by Mr. Luther to approve the July 18, 2017 Meeting Minutes as presented.

FURTHER DISCUSSION: NONE

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

MOTION by: Ms. Jankura and seconded by Mr. Luther to approve the July 31, 2017 Meeting Minutes as presented.

FURTHER DISCUSSION: NONE

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

Department Head Reports:

Police:

Chief Morgan provided a written report and gave figures for June and July calls for service. There were 41 children that attended Safety Town this year. The jail inspection received 100% compliance with the state. Dispatch has been temporarily relocated to the training room so

accommodate the upcoming remodeling. Chief Morgan also warned residents on scam calls that primarily target senior citizens.

Ms. Jankura asked about the need for remodeling dispatch. Chief Morgan said the original furniture was not built correctly and the new furniture will ergonomically adjust for height. They chose to remodel now because of the change in radios to the county system. The radio consoles will be removed and it is the best time to incorporate all of the changes. It will be a much better designed dispatch center.

Fire:

Chief McLean provided a written report and gave numbers on calls for service in the township and fire training. They are working with Summit County EMA to recover costs from a truck fire on May 23. Final drawings on the new ambulance were approved. The total cost is approximately \$300,000 with equipment. Lt. Mike Lester received recognition in June as a medic on the Metro Swat Team and Fire Medic Ron Boryk retired on July 7, 2017 after 35 years of service. Chief McLean reported on accidents at the Brecksville Road and Wheatley Road intersection including a Haz Mat spill as well as a serious motor vehicle accident. The department is working with the owners of the new winery at the corner of Broadview and Boston Roads. It is close to completion and is agriculturally exempt. Chief McLean said that agricultural exemptions can create problems in building and fire code. The owner is safety conscious and they have good relationship with him.

Mr. Shupe asked for information a truck accident on State Route 77. Chief McLean said that was a flatbed truck carrying asphalt sealer. The driver had minor injuries.

Zoning:

Ms. Page reported on zoning certificates issued, which include three new homes, two additions and one accessory building. The Board of Zoning Appeals (BZA) will meet on August 21 and the application deadline is August 7. The next Zoning Commission meeting is September 14 and the Summit County Planning Commission will meet on August 24.

Ms. Page reported the Summit County Building Department made inspections and has issued a condemnation order for 4226 Kiowa Road and found that the property at 3538 Medina Line Road had no violations. The property at 5153 Black Road cannot be seen from the road and could not be inspected without permission to enter the private property.

Ms. Jankura thanked the building department for their inspections and report and asked who provides notification to the owners of 4226 Kiowa Road. Ms. Page said that the building department notified the owner and provided a copy to the township.

Ms. Jankura said that there were previous violations at 3538 Medina Line Road and asked if repairs had been made. Ms. Page said that this has been ongoing for several years and that the homeowner brings the property into compliance each time the property has been cited by the Summit County Building Department.

Fiscal: No Report

Parks and Recreation:

Mr. Luther reported that the gravel berm on the Rising Valley Park driveway was completed. The park is in good shape. Ms. Jankura reported that the Richfield Joint Recreation District continues to make progress on all of their initiatives.

Roads:

Mr. Luther reported that the service department has gotten their culvert work caught up.

Administration:

Ms. Remec reported that the calculations for the 2016 inside millage property tax collections for the JEDD area came in higher than in past years. The township payment will be \$3,274.76 and

the purchase order was approved was for \$3,000. Ms. Remec requested a motion to amend the amount of the purchase order for the additional \$274.76.

MOTION by: Ms. Jankura and seconded by Mr. Luther to amend Purchase Order 70032 for an add \$274.76 from the general fund for a total of \$3,274.76 as a then & now certificate.

FURTHER DISCUSSION: None

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

Ms. Remec reported PILT Distribution for tax year 2016 was received. The county receives this from the federal government for Cuyahoga Valley National Park land and distributes it. This year the amount received was \$1,089.52.

MOTION by: Ms. Jankura and seconded by Mr. Luther to accept payment of \$1,089.52 in the general fund and approve the agreement between Summit County and Richfield Township for the distribution of Payment in Lieu of Taxes funds for the Cuyahoga Valley National Park land in the township.

FURTHER DISCUSSION: None

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

The Edge Sports Academy made a donation of \$175.00 to the township in addition to the \$325.00 fee to reserve soccer fields at RVP for their appreciation for the good condition of the fields.

MOTION by: Ms. Jankura and seconded by Mr. Luther to accept a donation of \$175.00 into the general fund from the Edge Sports Academy

FURTHER DISCUSSION: None

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

The first invoice was received for the Hawkins Road project. The invoice was reviewed by the Summit County Engineer's Department for accuracy. The amount is \$37,554.52 and is payable directly to Melway Paving.

MOTION by: Ms. Jankura and seconded by Mr. Luther to approve payment of \$37,554.52 to Melway Paving Company Inc. from Purchase Order 70056.

FURTHER DISCUSSION: None

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

Ms. Remec reported that the surface tablet that was assigned to Ms. Jankura is no longer working properly. We were able to reassign one of the tablets originally used by a zoning commission member to Ms. Jankura but her initial tablet needs to be scrapped.

MOTION by: Ms. Jankura and seconded by Mr. Luther to scrap surface tablet serial number 0326 8973 1252 and have the memory wiped.

FURTHER DISCUSSION: None

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

Ms. Jankura said that Zoning Inspector Amy Page has completed the six month probationary period and has performed admirably. Trustees had met in executive session previously and they discussed believing that a merit increase is in order at this time.

MOTION by: Ms. Jankura and seconded by Mr. Luther to increase the hourly wage for Amy Page to \$21.00 per hour effective the current pay period.

FURTHER DISCUSSION: None

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

Old Business: None

Announcements: None

Citizens Forum: None

Agenda Requests and Items for Follow-Up:

Ms. Jankura asked about progress on police and fire contract negotiations. Mr. Shupe said that a meeting with Chief McLean is set for August 7 to start fire contract talks.

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

Adjournment:

MOTION by: Ms. Jankura and seconded by Mr. Luther to adjourn the meeting at 7:50 p.m.

FURTHER DISCUSSION: NONE

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

Trustee

Secretary