

## TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

June 26, 2019

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, June 26, 2019 and called to order at 6:30 p.m. by President Dianne Rozak.

The pledge of allegiance was recited the roll was called and the following members were present: Mr. John Paul Dress, Ms. Dianne M. Rozak and Mr. David M. Hirt. Also present were, Fiscal Officer Carolyn Adams, Road Superintendent Brett Waldron, Police Chief Mike Meisler, Fire Chief Keith Kahler, Zoning & Planning Administrator Kathryn A. Dale and Susan Dress.

### APPROVAL OF THE MINUTES

Mr. Dress moved and Mr. Hirt seconded the motion to approve the regular meeting minutes for June 12, 2019 as presented. Roll call was unanimous and motion carried

### CORRESPONDENCE

- Ohio EPA Division of Surface Water Outreach Event
- Notice of First Energy filing Bankruptcy
- Attorney General Dave Yost , Fostering Fair Competition
- Representative Marcy Kaptur have sent inquiry regarding Round About

### ROADS-BUILDINGS-GROUNDS

Road Superintendent Brett Waldron reported the Department has been very busy mowing the parks and road mowing in preparations for the holiday. The Athletic fields are being used nightly. Masonry Construction will start our new recycling pad after the holiday. The additional pad will allow 3 additional containers. The new message board has been installed at Lake Pont Park. Ms. Rozak moved for the purchase of a ductless minisplit system with heat pump for the meeting room and an entry hall ceiling unit for a total cost of \$14,488 from Starcher Enterprises, LLC. Mr. Hirt seconded the motion. Roll call all voted yes. Mr. Dress and Mr. Waldron met with Poggemeyer to review options for maintenance needs. A proposal will be prepared for review.

### POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 329 incidents in the month of June to date. The Trustees accepted with great regret the resignation of Sargent J. Charles Cunningham effective September 2, 2019. Patrol officer LaMarca had his eleventh year anniversary, and Patrolman Vikki Fritz had a one-year anniversary. Officer John Belcher has completed three firearms instructor training courses becoming the shotgun, semi-automatic pistol and law enforcement requalification program instructor for the Township. All firearms qualifications have been completed for the year. Patrol officer LaMarca received a certification of Rescue Task Force Awareness. Chief Meisler also commented on problems with the hand held radios that communicate with our fire department. having repaired several. The Fire Department provided additional radios to assure all officers have communications with the fire department. Chief Meisler canceled service with Verizon for the Samsung Galaxy Tablets that are no longer of use.

### FIRE

Mr. Hirt read the report submitted by Chief Keith Kahler. Details are listed below:

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	<b>Fire &amp; Ems Run Details</b>					
	<b>EMS</b>	<b>Fire</b>	<b>MVC*</b>	<b>Alarm **</b>	<b>CO***</b>	<b>Mutual Aid</b>
Month of June	63	4	2	5	0	0
As of 6-26-2019	332	22	18	27	2	17
Year-To-Date	418					

\*Motor Vehicle Crash(es)  
 \*\* Alarm Activation(s)  
 \*\*\*Carbon Monoxide Investigation(s)

EMS billing for 2019 to date, \$58,951.94. A request was made to approve \$2780.00 for additional radios from Ray's Electronic. Motion by Ms. Rozak and Seconded by Mr. Hirt the purchase. Roll call all voted yes.  
 Chief Kahler requested the adoption of an "Auxiliary/Support Personnel" job description and rate of pay sat at \$10.00 per hour. Ms. Rozak motioned the passage of job description and wage.

**Danbury Township  
 Auxiliary/Support Personnel**

**GENERAL PURPOSE**

Serves as support personnel during training, incidents and other events with the Danbury Township Fire Department

**SUPERVISION RECEIVED**

Works under the general supervision of the Danbury Township Fire Chief and any appointed fire personnel.

**ESSENTIAL DUTIES AND RESPONSIBITIES**

- 1). Provides support either on scene or at the station as needed or requested during large incidents.
- 2). Maintain Rehab vehicle and stock supplies.
- 3). Operates Rehab unit and all non-medical equipment within the unit.
- 4). Performs emergency response including driving support vehicles: responsible for response locations and traffic control devises while providing for the safety of other vehicles, pedestrians and fire personnel.
- 5). Assists fire personnel as requested.

**DESIRED MINIMUM QUALIFICATIONS**

- 1). 18 years of age
- 2). Valid Ohio driver's license
- 3). No felony convictions or disqualifying criminal histories within the past seven years.
- 4). U. S. citizen.

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5). Must be able to read and write English language.

### **PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to sit; climb; stoop, kneel, crouch; talk or hear; and taste or smell.

The employee must frequently lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

### **WORK ENVIRONMENT**

The work environment characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in outside weather conditions. The employee occasionally works near moving mechanical parts and is occasionally exposed to wet and/or humid conditions.

The noise level in the work environment is usually moderate, except during certain emergency activities when noise may be loud.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

Mr. Dress seconded the motion. Roll Call all voted yes.

## **ZONING**

### **Permits**

To-date this month there has been 16 permit applications submitted/processed totaling \$1,061.83.

### **Board & Commission Activity**

#### **The Board of Zoning Appeals –**

The BZA held an adjudication hearings June 19, 2019 on the following cases:

a. **BZA-2019-075**

**Approved as Presented**

**2380 N. Buck Road.** Request for an Area Variance to Section 3.5.7 to allow for a new single-family home to encroach into the east, front-yard setback (16' proposed/ 20' required). **Jennifer Brown & Thomas Beercheck, Owners/ Pete Johnson, Agent.**

b. **BZA-2019-083**

**Approved as Presented**

**1530 S. Danbury N. / SR 269 (The Watering Hole).** Request for a Conditional Use in accordance with Section 3.1.10.C.vii & Section 4.16 to allow for the expansion of a Commercial Amusement Enterprise. **North Coast Zoological, LLC owner/applicant, Michael Prosser, Agent.**

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c. **BZA-2019-084**

**Approved as Presented**

**8345 Joann.** Request for an Area Variance to Section 3.5.7 & 5.1.B to allow for an addition onto the existing home and a detached garage to encroach into the east, front-yard setback (20' required/5' proposed) and Section 7.9.3.A to allow for the addition onto the nonconforming home to exceed 20% of the original square footage (211.2s.f allowed/564s.f; 53.4% proposed). **James & Cynthia Fish owner/applicant, Michael Prosser, Agent.**

**The Zoning Commission -**

The ZC will hold a public hearing Monday, July 1, 2019 on the following case:

a. **ZC-2019-080**

**Map Amendment from "A" Agricultural to "C-2" General Commercial** for part of PIN# 0140838328384000 (Sec. 4, Lot 14 Firelands Survey) consisting of approximately 2.57 total acres out of 17.45, located at 5910 E. Port Clinton Eastern Road (Spare Attic). **Tom & Christine Steinbrick, Owner/Applicant.**

**Department Updates**

- On June 20, 2019 attended the Building Doc presentation at Lakeside from the Ohio Historic Preservation Office.

**Violations/ Complaints:**

**JUNK & DEBRIS:**

**321 Sackett** (*Junk & Debris – Garner*)

**CLOSED**

Owner has removed carports and junk in the front-yard as of 06.19.19.

Prior Info: 2nd Notice to Comply sent out 06.05.19 because owners have reinstalled now 3 carports without a permit and have more items then ever out in the front yard. They were given warnings in June 2018 and February 2019. They will have 7 days upon receiving their letter to get the carports and miscellaneous junk & debris removed from the yard.

**10038 E. Bayshore** (*Multiple issues– Matusiczky*)

**OPEN**

Owner's brother called 06.14.19 and is going to begin working on the clean-up of the property. Much of the brush has been cleared. They are hoping to have the shed knocked down and cars out by the end of June. The brother (Brian) has been very good about staying in contact since receiving the letter.

Prior Info: Complaint received 05.29.19 about a dilapidated shed on the property, two junk vehicles and lots of overgrowth. The house has been abandoned for a while. Certified letter was sent to the owner of record on 06.06.19.

**2468 Cook's Dock** (*Multiple issues– Nesser*)

**OPEN**

Complaint received 06.13.19 about three junk vehicles tall grass and misc. junk & debris. Certified letter was sent to the owner of record on 06.15.19 and signed for 06.18.19. Property will be re-checked July 2. Grass has been cut as of 06.24.19, but trimming still needed and vehicles remain.

**158 Hidden Beach** (*Multiple issues–Williams*)

**OPEN**

Complaint received 06.21.19 about two junk boats and lots of overgrowth. Certified letter was sent to the owner of record on 06.66.19.

**TALL GRASS:**

**0 E. Harbor** (*Tall grass – Parkrest, LLC*)

**OPEN**

Emailed Property Owner's attorney 06.14.19 because no attempt has been made to rectify the issue despite regular grass getting cut. Atty. failed to reply,

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so 2<sup>nd</sup> email sent 06.24.19. Atty indicates they hope to cut the vegetation in the next 2-3 weeks.

**9518 E. Bayshore Road** (*Tall grass – Stevens*)

**CLOSED**

Cut as of 06.17.19.

**E. Bayshore Road/Harborview** (*Tall grass – Costa & Smith*)

**CLOSED**

Cut as of 06.17.19.

**CONSTRUCTION WITHOUT PERMITS:**

**8146 Northshore Blvd.** (*Deck w/out Permit– Thomas*)

**OPEN**

Deck was constructed onto the rear of the house without proper permits. Letter sent 06.12.19. Certified letter has not been signed for to-date. Sign will be posted on the property.

**252 Riedmaier** (*Construction w/out Permit – Schalk*)

**CLOSED**

Owner filed for and was issued appropriate permits with penalty fee (Permit 2019-098).

**7340 E. Bayshore** (*Addition w/out Permit – Peterson*)

**OPEN**

Letter sent to the property owner 06.24.19 for a whole addition being constructed onto the rear of the home without proper permits.

**1696 Jeanie** (*Deck/Bridge w/out Permit – Henderson*)

**OPEN**

Letter sent to the property owner 06.26.19 regarding a deck/bridge being constructed without proper permits which so happens to be over a drainage ditch easement.

**327 Laurel** (*Shed w/out Permit – Rosson*)

**OPEN**

Letter sent to the property owner 06.25.19 regarding a shed being installed without proper permits.

**445 Laurel** (*Shed w/out Permit – Sibbring*)

**OPEN**

Notice received from Lakeside that shed was installed without proper permits. Letter to go out yet this week.

**ILLEGAL RENTALS:**

**8146 Northshore Blvd.** (*Deck w/out Permit & Illegal Rental – Thomas*)

**OPEN**

Cease & Desist sent 06.12.19 for illegal rental. Certified letter has not been signed for to-date. Sign will be posted on the property. Property owner was previously warned about this in 2018.

**126 Hidden Beach** (*Illegal Rental – Pokorny*)

**Investigating**

Complaint received 06.18.19 about house being rented frequently. Owner has received violation letter in the past. Monitoring for activity. No advertisements indicating it is being rented.

**ILLEGAL OCCUPANCY OF CAMPERS:**

**1941 Willard** (*Camper Occupied Illegally – Blodin/Ray*)

**OPEN**

Owner called 06.14.19 and reiterated camper cannot be occupied no matter what excuse he gave for why the unit is hooked to electric. Police monitored on weekends. Ohio Edison cut the taps at the temporary pole on 06/19/19

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disconnecting power to the property which will hopefully prevent the illegal use of the property.

Prior Info: Certified 2<sup>nd</sup> Notice to Comply was sent to the property owners 06.06.19 about illegal use of a camper on the property. Same owners were notified in 2018 about the violation. Part of the issue is a temporary electric pole was installed for new construction that has never taken place. Both the Ottawa County Building Department and Ohio Edison have been requested to remove the electric hook-up to the property.

**607 John** (*Camper Occupied Illegally – Elkington*)

**CLOSED**

Camper removed as of 06.17.19

**OTHER VIOLATIONS:**

**312 Willowdale** (*Storage Pod – James*)

**OPEN**

Municipal Court hearing held 06.12.19 found the defendant guilty, waiving \$400 of the \$500 fine provided the POD is removed by July 3<sup>rd</sup>.

Prior Info: A Final Notice was sent 04.05.19. Owner has reached out and is getting permits renewed and inspections lined up with the Building Department. Gave the owner until 05.15.19 to get the POD out of the driveway since it contains remodeling material that they will be using now that permits have been reissued. A complaint was filed 05.21.19 with the Ottawa County Municipal Court after review & approval by the County Prosecutor. The owner has made no attempt to remove the POD or get the necessary inspections scheduled to finish the construction project needed to occupy the residence.

**8390 Northshore Blvd.** (*Disposal of Fish Offal – Little Ted's Cottages*)

**Monitor**

Complainant was notified 05.23.19 about the process and steps that will be taken to correct the issue. The managers of Little Ted's were also made aware of the complaint and process that will be followed should more complaints arise.

Prior Info: Email complaint was received 05.21.19 regarding the smell of fish disposal at this address. A similar complaint was filed at the end of last September and a letter sent to the property owners. The Prosecutor's office has been contact about this so we can have a plan of action/ be on the same page moving forward if this is becoming a regular issue. An inspection was conducted yesterday and there was no noticeable smell coming from the area of concern.

**7356 E. Harbor Road (Corner of Sunnydale)** (*General Property Complaint*)

**Discussion**

Complaint was received 06.17.19 regarding multiple issues with the property.

**NEW BUSINESS**

Trustees discussed the problem of unsafe abandoned structures in the Township. Ms. Rozak moved to create a Land Bank for the purpose of demolition with Fifteen thousand dollars (\$15,000.00) to be appropriated for the purpose of demolition in 2019. Seconded by Mr. Hirt. Roll Call all voted yes.

Trustee Rozak and Susan Dress Safety Coordinator attended monthly Business meeting with a presentation on distracted driving.

**OLD BUSINESS**

Susan Dress applied for and received a grant of \$438 from the Ottawa County Safety Council to cover the cost of mandatory drug free workplace training.

Ms. Rozak motioned: The board of trustees has agreed to accept American Tower's offer of a one-time signing bonus of \$4,000, \$475 per month commencing 8/1/2019, 10% escalation

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that will continue effective 6/14/2020 and providing 6 terms of 5 years each with a final expiration date of 2070. Mr. Hirt seconded. Roll call all voted yes. Trustees approved additional authorized personnel, as provided by the department heads, for limited use of township credit cards.

**FISCAL BUSINESS**

The Medicaid five year provider renewal has been submitted to continue receipt of EMS billing.

A motion by Ms. Dress and seconded by Mr. Hirt to approve the payroll and bills totaling \$91,643.86. Roll call was unanimous and motion carried.

There being no further business before the Board, Ms. Rozak moved and Mr. Hirt seconded a motion to adjourn at 8:15, motion carried.

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Fiscal Officer

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Danbury Township Board of Trustees