

## Township Board of Trustees Regular Meeting

July 24, 19

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, July 24, 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. Mr. David M. Hirt was excused. 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 Assistant to the Fiscal Officer Susan Dress.

### APPROVAL OF THE MINUTES

The regular meeting minutes for July 10th were tabled due to absence of Mr. Hirt.

### CORRESPONDENCE

- Representative Marcy Kaptur sent information concerning the proposed round about on St. Rt. 163 and Northshore Road.
- August 8th, Rockport Subdivision Project public hearing on Single County Ditch #111 as petitioned by Rockport Homeowners Association.

### ROADS-BUILDINGS-GROUNDS

Brett Waldron reported one cremation and one full burial at Sackett Cemetery. The Department has been busy mowing the parks and road right-of-ways. The latest township cleanup went well. The additional recycling pad has been completed. Three additional recycle totes to be delivered. Our road-paving program is underway. Prep work for the new fence at Sackett Cemetery is being done. Trustees approved the use of topsoil instead of stone for berms on Anna, Donna, Danielle and Marblewood; the county road program estimated final cost is \$160,201.00.

Mr. Dress and Mr. Waldron met with Poggemeyer Design Group to review options for maintenance needs. Ms. Rozak moved to approve a Maintenance Department facility master plan study with Poggemeyer Design Group at a cost of \$12,400. Mr. Dress seconded the motion. Roll call all voted yes.

### POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 334 incidents in the month of July to date. Chief Meisler, K-9 Officer Sloan and K-9 Kalahan attended the Lakeside Property owners meeting July 13th.

The drug-use prevention grant for the DARE program should be announced soon. Discussion continued regarding the police budget. Officer Carolyn Demore is on light duty. Ms. Rozak motioned the hiring of Brayden P. Schrader as patrol officer at a rate of \$20 per hour effective with the August 10th. Mr. Dress seconded the motion. Roll call all voted yes. Ptl. Schrader will replace Ptl. Charlie Cunningham whose last day is September 2nd.

### FIRE

Ms. Rozak read the report submitted by Chief Keith Kahler. Details are listed below:

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		Fire & Ems Run Details				
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
Month of July	72	3	4	13	0	0
As of 7-24-2019	414	25	23	40	2	17
Year-To-Date	521					

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

EMS billing for 2019 to date, \$73,507.04. Chief Kahler requested the appointment of Blake Kalina as part time Firefighter/EMT effective 7-24-2019 at a rate of \$14.50 per hour. Ms. Rozak motioned and Mr. Dress seconded the hiring. Roll call all voted yes.

**ZONING**

**Permits**

To-date this month there has been 16 permit applications submitted/processed totaling \$ 1,228.16.

**Board & Commission Activity**

**The Board of Zoning Appeals –**

The BZA held adjudication hearings July 17, 2019 on the following cases:

- a. **BZA-2019-100**  
**Approved as Presented**  
**7335 Brooklyn.** 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 (3' proposed/ 20' required). **Ben & Kathleen Bush, Owners.**
- b. **BZA-2019-101** **Partial**  
**Approval w/ Conditions**  
**8254 Joann (Rocky Point RV & Marina).** Request for an Area Variance to Section 4.2.2.iii & v. to allow the east, access drive to encroach into the 20' required buffer (10' & 15' proposed). **Rocky Point RV & Marina, LLC, John Seifert, Owner.**
- c. **BZA-2019-106**  
**Approval w/ Conditions**  
**7581 E. Harbor Road, Big Bopper's.** Request for Area Variances from Section 3.1.8.D to allow for an addition at the rear of the existing restaurant to encroach into the front-yard setback (21' proposed/70' required) and the side-yard setback (3' proposed/10' required), Section 7.9.3.A. to allow for the addition onto a nonconforming structure to exceed the 20% addition limitation (41% proposed) and Section 5.2.1.C.vi to have fewer parking spaces than required (20 proposed/37 required). **Kizzie Culbert, Agent/ Kenneth Kostal, Owner.**

**The Zoning Commission -**

The Board of Trustees held a public hearing prior to the start of this regular meeting on the following case:

**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**

- None at this time.

**Violations/ Complaints:**

**JUNK & DEBRIS:**

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

Received 2<sup>nd</sup> complaint 07.18.19. No progress on vehicles or shed. Owner has until end of month to show progress. Prior Info: As of 07.09.18 vehicles and shed are still there. Working with Shrock Excavating and sort of hung-up on a date certain due to their schedule. Vehicles will be out by end of July. The owner would ideally like to have shed taken care of by then too. Will touch base again once vehicles are removed to get a more concrete date on the shed. 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. 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**

As of 07.03.19 grass has been cut and most trimming complete, but vehicles still remain. 2<sup>nd</sup> Letter – Notice to Comply sent via Certified Mail 07.10.19.

Prior Info: 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**

2<sup>nd</sup> Certified Letter sent 07.11.19. 1<sup>st</sup> letter ended up not be returned as USPS website indicated and was signed for by the owner 07.13.19. 2<sup>nd</sup> letter was signed for 07.20.19. Reinspection to occur 08.05.19.

Prior Info: Complaint received 06.21.19 about two junk boats and lots of overgrowth. Certified letter was sent to the owner of record on 06.26.19. Owner called and left message 07.01.19 that they would be in to cut grass over the 4<sup>th</sup> of July holiday weekend. As of 07.09.19 grass was cut, but lots of debris left behind and boats were not addressed.

**TALL GRASS:**

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

**Open**

Atty. for property owner emailed 07.11.19 and stated that arrangements have been made for a cut. As of 07.19.19 nothing has been done and a date certain was not provided.

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

**0 Church Road (Tall grass – Herbert)**

**Open**

Complaint received 07.03.19 regarding tall grass on the property. Certified letter sent 07.05.19. Waiting for letter to be claimed.

**2425 Brook Circle (Tall grass – Calvert)**

**Open**

Complaint received 07.17.19 regarding tall grass on the property. Certified letter sent 07.19.19. Waiting for letter to be claimed.

**CONSTRUCTION WITHOUT PERMITS:**

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

**CLOSED**

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Owner came in and received permit 07.17.19.

Prior Info: Certified letter unclaimed. Property Posted 07.05.19. As of 07.09.19 the signs on the property were removed. 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.

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

**CLOSED**

Permit received 07.05.19.

Prior Info: Owner reached out via email 07.02.19 and will get proper permits. 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**

Awaiting decision by the association.

Prior Info: Owner came in 07.01.19 after receiving letter. He provided a copy of letter sent to his association asking for approval of the bridge that may be in the private drainage easement. Association member came in 07.03.19 and 07.08.19 asking for clarification on what is and is not allowed. Awaiting decision by the association. 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**

Owner reached out via email asking for copy of the letter electronically. 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 sent to property owner.

**ILLEGAL RENTALS:**

**8146 Northshore Blvd.** (*Illegal Rental – Thomas*)

**Open**

Owner came in 07.17.19 and is exploring B&B or rezoning options.

Prior Info: Certified letter unclaimed. Property Posted 07.05.19. As of 07.09.19 the signs on the property were removed. 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*)

**CLOSED**

No indication of illegal activity.

Prior Info: 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.

**OTHER VIOLATIONS:**

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

**Monitor**

Complainant came in 07.17.19 for other matters, but stated that overall it has been handled much better this year.

Prior Info: Complainant sent email 06.26.19 about their observations. Called again 07.02.19. KAD went out and documented observation. Did not seem to be coming from the dumpsters but rather the water or mayflies. 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.

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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)**

**Open**

Certified Letter Sent 07.11.19. Letter signed for & received 07.13.19. Reinspection to occur 07.29.19.

Prior Info: Response from Prosecutor received 07.08.19 after resending initial request for thoughts. Email sent to the Prosecutor 06.24.19. No response to-date. Complaint was received 06.17.19 regarding multiple issues with the property. Complaint & photo's included.

**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 moved the acceptance of a new Cell Tower lease with American Tower, Mr. Dress seconded. Roll call all voted yes.

**FISCAL BUSINESS**

The Medicaid five year renewal has been submitted to continue receipt of EMS billing. A motion by Ms. Dress and seconded by Ms. Rozak to approve the payroll and bills totaling \$76,124.66. Roll call was unanimous and motion carried.  
There being no further business before the Board, Ms. Rozak moved and Mr. Dress seconded a motion to adjourn at 8:15, motion carried.