

TOWNSHIP BOARD OF TRUSTEES REGULAR

December 11, 19

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, Trustee Rozak called the meeting to order at 6:30 p.m.

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 assistant to the Fiscal Officer Susan Dress. Resident Lisa Bruno was in attendance.

APPROVAL OF THE MINUTES

Mr. Dress moved and Mr. Hirt seconded the motion to approve the regular meeting minutes for November 25, 2019 as presented. Roll call was unanimous and motion carried

CORRESPONDENCE

- Thank You from African Safari Wildlife Park for the help from Chief Keith Kahler and the Danbury Fire Department and Police Chief Mike Meisler and the Danbury Police Department.
- News Release from the State Fire Marshal's Office. African Safari fire has been ruled undetermined cause.
- Notification from Ottawa County Engineer outlining rate increases to new subdivision review and inspections.
- Christmas cards from BEC Associates and Universal Farms
- Ottawa County Community Foundation donation request.
- Ottawa County Historical Society newsletter
- OPERS new regulations

ROADS-BUILDINGS-GROUNDS

Mr. Waldron reported Wreaths Across America will be held Saturday at 11:00 am. at Sackett Cemetery. The brush collection site will close Monday December 16th. at that time quotes will be obtained to grind the brush. About 60% of signs obtained through a grant have arrived, the department will begin placement. Winter service and maintenance on equipment continues. Damage has occurred at Meadowbrook Park due to high water. Trails and the dike have sustained damage. Trustee Rozak to research grant funding for repairs.

POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 190 incidents in November and 51 to date in December. Version wireless to provide new pricing for public safety usage. All officers are back to full duty. Several utility poles on SR 163 are damaged and create a possible hazard. The phone company has been notified numerous times of the situation. The Police Department Levy has been certified to the Board of Election for the March primary.

FIRE

Chief Kahler asked requested a purchase approval for EMS supplies from Teleflex in the amount \$2,892.00. This purchase will be covered by an EMS grant. Motion by Mr. Hirt and seconded by Mr. Dress, all voted yes. The department is getting quotes for land clearing and core drillings at the future site of a Fire Department. Motion by Mr. Dress and seconded by Mr. Hirt to hire Cheyenne Gentry as EMT basic at \$14.50 per hour, and approve Anthony A. Sposit as EMT-P at \$16.50 per hour. Roll call all voted yes. Mr. Hirt 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 December	10	2	1	0	0	1
As of 12-11-2019	668	40	39	56	4	22
	829					

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

EMS Billing to date 2019:
 \$160,394.13

ZONING

Permits

To-date this month there has been 3 permit applications submitted/processed totaling \$263.68.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA will hold adjudication hearings December 18, 2019 on the following cases:

- a. **BZA-2019-217**
9935 E. Bayshore Road. Request for an Area Variance from Section 5.1.1.A.ii to allow for the cumulative square footage of all accessory structures to exceed the 1,200s.f. limitation (2,448s.f. existing/ additional 24’ x 36’ [864 s.f.] proposed/ 3,312s.f. total). **Thomas Boytim, Owner/Applicant.**

- b. **BZA-2019-225**
447 Lynn. Request for an Area Variance from Section 7.9.3.A to allow multiple residential additions to exceed the 20% square footage onto a nonconforming structure (214.2s.f. allowed/ 741s.f. [69%] proposed) and Section 5.2.4.A to allow for 2 on-site parking spaces to be 17.75’ long where 18’ is required. **Pete & Kathleen Schabo, Owner/Applicant.**

The Zoning Commission -

The Zoning Commission held a public hearing on December 4, 2019 on the following:

- a. **ZC-2019-210 Request for Text Amendments** to create new Section 2.3 dedicated to just Sign Definitions, create new Section 3.4 Use Matrix eliminating the need to have multiple pages dedicated to each zoning district and duplicating information, move the end of Article 3 (General Regulations) to Article 5, Alphabetize the uses & Sections of Article 4 & 5, add new Section 5.8 about Landscaping and Buffering, make Article 6 dedicated strictly to signage, combine old Article 6 & 7 into Article 7 regarding all processes and board duties. **Danbury Township, Applicant.**

The Zoning Commission recommended approval with a few minor changes. These included fixing a separated word and eliminating referral within the document to only

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a male Zoning Inspector. Ottawa County Regional Planning reviewed the case at their November 19, 2019 meeting and unanimously recommended approval. The Motion by Ms. Rozak and seconded by Mr. Dress to set a December 23 at 6:15 pm. public hearing zoning Text Amendments for December 23, 2019 at 6:15p.m. prior to the start of the regular meeting. Roll Call all voted yes.

Motion by Ms. Rozak and seconded by Mr. Hirt to set January 8th at 7:00 pm for two property demolition hearings. Roll Call all voted yes.

Intent to terminate our contract with ClearZoning. This is being done on the advice of legal counsel.

Ms. Rozak introduced the following resolution and moved its adoption:

RESOLUTION NO. 22 - 2019

**A RESOLUTION TERMINATING CONTRACTS
WITH CLEARZONING**

WHEREAS, the Danbury Township Board of Trustees (the "Board") entered into an Agreement for Consultant Services dated February 11, 2009 (the "Consultant Agreement"), for the purpose of ClearZoning redesigning the Board's zoning resolution and zoning map (collectively, the "Zoning Code") and converting the Zoning Map and the Zoning Code from a Word.doc format to a new format; and

WHEREAS, the Board and ClearZoning entered into an Agreement for Professional Services ("Professional Services Agreement"), for the purpose of ClearZoning converting updates to the Zoning Code from a Word.doc format to a new format; and

WHEREAS, the Board and ClearZoning entered into a License and Non-Disclosure Agreement dated July 25, 2012, which provided that if the Board terminates its relationship with ClearZoning for purposes of codifying, updating or formatting the Zoning Code, then the Board shall immediately destroy all digital copies and originals of the ClearZoning format files, except for PDF and paper copies; and

WHEREAS, the Board may terminate both the Consultant Agreement and the Agreement for Professional Services upon thirty days written notice to ClearZoning; and

WHEREAS, it is in the best interests of the Board to terminate the Consultant Agreement and the Agreement for Professional Services.

NOW, THEREFORE, IT IS RESOLVED THAT:

- 1) The Board terminates the Consultant Agreement and further instructs the Zoning Administrator to send notice to ClearZoning regarding the termination.
- 2) The Board terminates the Agreement for Professional Services and further instructs the Zoning Administrator to send notice to ClearZoning regarding the termination.
- 3) Pursuant to Section 3 of the License and Non-Disclosure Agreement, the Zoning Administrator is instructed to immediately destroy all digital copies and originals of the ClearZoning Format files of the Zoning Code, but shall not destroy any PDF and paper copies of the Zoning Code in the ClearZoning Format. The Zoning Administrator is further instructed to send ClearZoning written confirmation of the destruction of such digital file

THEREFORE, BE IT FURTHER RESOLVED by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 2) That this Resolution shall be effective at the earliest date allowed by law.

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Mr. Hirt seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak __YES__ Mr. Dress __YES__ Mr. Hirt __YES__

Department Updates

- Preparing end of year closeouts on files. In doing so, I've discovered that the filing cabinets in the storage room might accommodate approximately 4 more years of permits. There are also 2 boxes of files identified as Johnson's Island. Upon examining these closer, they included files from the Baycliffs Subdivision Development and were able to be consolidated into one box. I have contacted the State Archives office and they have indicated that the Township can fill out a RC-1 form for the "One-time Disposal of Obsolete Records", but note that these files are not being destroyed; rather transferred to the Village of Marblehead. In addition to these boxes that have been occupying needed shelf space for years, I've pulled all zoning permits to properties that are no longer within the Township's jurisdiction and are now in the Village. I've talked to Mr. Hruska about this and he's very much in favor of receiving them because there are instances that they would have liked to refer to property history and have very few records since we had much of the new construction details.

Violations/ Complaints:

DILAPIDATED STRUCTURES:

7597 E. Harbor Road (*Mazur Barn*)

Open

Next step is to set an Evidentiary Hearing for the owner to attend, request a lien holder report and send any notice to them as well.

Prior Info: Certified letter sent to the property owner 11.15.19 as a courtesy notice that this structure is being investigated and requests for inspection sent to Fire Chief and CBO for determinations. Fire Chief has responded that the structure is on their "Do Not Enter" list. Owner signed for the letter 11.18.19 and called 11.20.19. Stated he needed until May to deal with the barn because he will be in Florida for the winter. Advised him this was a decision to be made by the Trustees and discussed the process.

7857 E. Harbor Road (*Karns House*)

Open

Next step is to set an Evidentiary Hearing for the owner to attend, request a lien holder report and send any notice to them as well.

Prior Info: Certified letter sent to the property owner 11.15.19 as a courtesy notice that this structure is being investigated and requests for inspection sent to Fire Chief and CBO for determinations. Fire Chief has responded that the structure is on their "Do Not Enter" list. Owner signed for the letter 11.18.19.

TALL GRASS:

8557 Williams (*Nuisance Vegetation – Beckowitz*)

Open

Owner has received all quotes & given her siblings until 12/13/19 to get back to her. If they don't then she's indicated she's ready to make a decision independently.

Prior Info: Complaint received 08.23.19 regarding vegetation overgrowth around the property. Certified Letter sent 08.23.19. Owners have not signed for letter to-date. Owner signed for letter 09.11.19 and called 09.13.19. As of 09.23.19 Owner has been in contact with lawn service companies but also demolition contractors and is waiting on quotes. Owner indicated they will call back 1st week of October to let us know what they decide to do. Owner has received lawn service company quotes and is waiting on demo quotes. Once those are received she'll let us know what her & her siblings have decided. Owner is expecting last demo quote to come in 11.08.19.

CONSTRUCTION WITHOUT PERMITS:

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

Open

Homeowners & their Atty. met 12/3/19. As of 12/5/19 they are going to request mediation with the Association. They are giving the Association until 12/23 or 12/30 to respond.

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. Awaiting decision by the association. Association emailed over 09.28.19 weekend and stated that the bridge had been denied and asked the homeowner to remove what of the structure was in place by November 1, 2019. Will monitor to see if that work takes place before pursuing any zoning action further. 11.07.19 spoke with homeowner and they indicated that they have been in touch with their attorney over this issue. Spoke to homeowner's attorney on 11.12.19 regarding the matter.

Dismissal of Department Heads

OLD BUSINESS

Police Officer John Belcher has confirmed he will retire March 31st and rehire April 1st. Mr. Belcher to receive his current rate of pay.

Mr. Dress motioned and Mr. Hirt seconded the acceptance the Danbury Township General Driving Rules and Regulations Policy. Roll call all voted yes.

Mr. Dress motioned the renewal of employee health insurance with Jefferson Health Care. The Township will pay approximately \$79,000.00 as a pay down to reduce the premium increase to 17.54%. The Township will work with, Derrick Strumm, our agent to implement cost saving measures. Second by Trustee Hirt. Roll Call Mr. Dress YES, Ms. Rozak YES, Mr. Hirt Yes. Motion carried.

- The Township will hold an informational meeting 12/23/19 @ 5:30pm. with Derrick Strumm for employees and spouses.

A motion was made by Ms. Rozak and seconded by Mr. Dress to rehire John Belcher after his March 31st retirement. Wages to remain the same as current. Summary letter attached. Roll Call: Mr. Dress YES, Ms. Rozak YES, Mr. Hirt NO

Motion by Ms. Rozak and Seconded by Mr. Hirt to hire Bowser Moyner to preform soil borings for the Maintenance Department new facility at a cost of \$6500.00. Roll Call all voted Yes.

Motion by Mr. Dress and seconded by Mr. Hirt to hire Poggeemeyer Design Group to preform engineering and design work at a cost of \$46,500.00. Roll Call all voted yes.

NEW BUSINESS

Trustees signed a letter of agreement for DOT consortium with Firelands Corporate Health.

FISCAL BUSINESS

A motion by Mr. Dress and seconded by Mr. Hirt to approve the payroll and bills totaling \$181,599.38 for 11/26/2019 – 12/11/2019. Roll call was unanimous and motion carried.

A motion by Mr. Hirt and seconded by Mr. Dress to accept the November bank reconciliation. There being no further business before the Board, Mr. Rozak moved and Ms.

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Hirt seconded a motion to adjourn at 8:25 pm. Motion carried.

Fiscal Officer Carolyn Adams

Dianne Rozak

John Paul Dress

Dave Hirt