

TOWNSHIP BOARD OF TRUSTEES REGULAR

March 11, 20

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, March 11, 2020 and called to order at 6:30 p.m. by President John Paul Dress.

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, and Zoning & Planning Administrator Kathryn A. Dale. Community residents Stanley Mizerny, Dale Pocock, Carrie Pocock, Kathleen Stores, Kitty Jones. John Rader property owner.

APPROVAL OF THE MINUTES

Mr. Hirt moved and Ms. Rozak seconded the motion to approve the regular meeting minutes for February 26, 2020 as presented. Roll call was unanimous and motion carried

CORRESPONDENCE

- Annual report Joyful Connections
- Ohio Department of Commerce Liquor Control permit transfer of ownership (Mickey Mart)
- Health Department District Advisory Council Meeting 3-17
- Easter Egg hunt at Catawba Island Township Fire Department
- Notice from Ottawa Co. Engineer-OPWC will revisit the availability of loan monies for small govt. grants.
- Ottawa County Farm Bureau Annual Legislative Breakfast 3-27-2020

ROADS-BUILDINGS-GROUNDS

Road Superintendent Brett Waldron reported the following: The department worked several snow events. New safety sign installation has began with N. Danbury signs completed. Winter equipment service and maintenance continues. Brush drop off site has opened this date. Lake Point Park bridge repair project has been completed.

- Ms. Rozak motioned and Mr. Hirt seconded the application of "Reclamite" asphalt rejuvenator on recently paved roads Deer Run Tr., Blue Bird Ln., Marblewood Dr., Jeannie Rd., Danielle Dr., Donna Dr. and Anna Dr. The cost is \$18,271.20. Roll Call all voted yes.

POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 237 incidents for the month of February and 65 to date in March. The 6th grade DARE pizza party was held today, with Graduation will taking place March 20th. Clay Township Police Department made an inquiry in reference to Data Master alcohol testing machine that would no longer be in service. Our machine, was received from Marblehead Police Department, has not been used in years.

- Ms. Rozak moved the Datamaster Machine be declared surplus and donated to Clay Township Police Department. Mr. Dress seconded. Roll Call all voted yes.

FIRE

Chief Kahler has set up a tour of the Lafayette Township Fire Station for March 19th. and would really appreciate at least one trustee to go with us and see this station and talk to Mike Costello who is one of the trustee's and pretty much headed up this project. This station was designed by the Architect our Department is using.

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		Fire & Ems Run Details				
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
3-11	22	1	0	5	0	0
As of 3-11-2020	108	3	3	14	0	1
Year-To-Date	129					

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

ZONING

Permits

To-date this month there has been 4 permit applications submitted/processed totaling \$ 282.92.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA will hold adjudication hearings March 18, 2020 on the following cases.

- a. **BZA-2020-018**
8682 E. Bayshore Road. Request for an Area Variance from Section 3.5 to allow a Commercial Structure to encroach into the front-yard setback (23' proposed/ 70' required). **Christopher Overmyer, Owner/Applicant.**

- b. **BZA-2020-019**
408 Lynn. Request for two Area Variances from Section 5.2.2 to allow for an accessory structure to be 0' from the south, side-property line (3' required) and 2' from the principal building (5' required). **Don & Jane Leach, Owner/Applicant.**

The Zoning Commission -

The Zoning Commission met March 4, 2020 and held a worksession to discuss adding uses to various zoning districts, primarily to the “R-C”, “C-2”, “M-1” and “M-2” districts. Uses include things like specifically calling out funeral homes and financial institutions but also adding uses such as breweries, distilleries, micro-versions of each, research & development laboratories and allowing non-noise producing and emission manufacturing of products to take place in the commercial zoning districts. Examples would be businesses like Imprint Logo and bait raising/packaging and shipping.

Department Updates

- Nothing new to report.

Violations/ Complaints:

DILAPIDATED STRUCTURES:

7597 E. Harbor Road (Mazur Barn)

Open

The owner still has a dumpster on the property. There are misc. piles of debris, including quite a few tires. Deadline has technically passed for the owner to complete this. Question of the Trustees is whether they wish to allow him to continue or proceed with entering the property.

Prior Info: The barn was knocked down 2/20/20. KAD contacted Mr. Mazur 2/24/20 to get an update about the removal of the barn. He indicated that while he had someone lined up who wants the wood and to remove it, he did not have a set date for that to be completed and indicated it likely would not be done by the March 9, 2020 deadline.

JUNK & DEBRIS:

280 Springcrest (Misc. household Junk & Debris – Snyder)

Open

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Complaint received 2/26/20 regarding misc. junk and debris being taken out of the house and dumped in the rear yard. Property has recently been foreclosed on but the people appear to still be living in the house and are disposing of items. Letter was sent March 4 notifying them they have 7 days to clean-up the mess. The attorney involved with the foreclosure proceedings was going to make the bank aware and try to work with the property preservation team from the bank if the owners fail to follow-thru.

CONSTRUCTION WITHOUT PERMITS:

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

Open

February 28th the attorney for the property owner submitted a permit application for the bridge which was subsequently refused. It is anticipated that the attorney will be submitting an appeal application to the BZA for their consideration. The next deadline is March 27th for the April 15th hearing.

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. 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. Received an email from the Association 12/16/19 indicating that they have not heard anything from the Henderson's or their attorney regarding this matter. Follow-up was requested from the Attorney, he indicated he got behind in some of his paperwork and intends to file the mediation request 12/23/19. To-date the attorney representing this homeowner has failed to follow thru and submit the necessary paperwork to Ottawa County Municipal Court requesting mediation. He has assured me for over a month that this was being taken care of. A certified letter has been sent out to both the property owner and attorney requiring that the bridge/deck be removed by February 1, 2020. Atty. & property owner received their certified letters 1/10 & 1/11 respectively. Atty. called 1/17 to say they have filed mediation paperwork. Court has confirmed this has been filed and the mediation date is to be held at 10:00a.m. on 1/28. On 01/27/20, the day before the scheduled mediation, the association's attorney called for background information and stated they refuse to sit at the table for mediation. I contacted the Prosecutor because this case could result in claims that I wanted to see if he would be able to pursue or represent the Township on. He in turn contacted the attorney on behalf of the property owner in question and the association's attorney and they are supposed to all sit down and meet together without the formal process of mediation. Henderson's attorney was made aware by the Prosecutor that the deadline to file an appeal is this Friday (2/28/20) at noon. If an appeal is not filed, then a citation will be filed with Municipal Court to have the bridge removed.

7205 Wilderness (*Fence w/out Permit – Beck*)

Open

Letter sent to the property owner 03.04.2020 notifying them that a permit for the fence they installed is needed.

OLD BUSINESS

Ms. Rozak motioned and Mr. Hirt seconded Ms. Dale's continuing education courses, to maintain certification, in Huston Texas. Total cost not to exceed \$3000.00 Roll Call all voted affirmative.

NEW BUSINESS

Susan Dress discussed **Better You, Better Ohio** a program designed to provide health and wellness resources and services to qualifying Ohio workers who work for small employers [150 or fewer workers] in high-risk industries. Fire, police, and public employers are

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considered high-risk for this program. The program is free to employees, and is no cost/ no paperwork for employers. All the employer needs to do is make its employees aware of the program and its benefits; including health & wellness awareness, education and training; health assessments and biometric screenings; member engagement website; a mobile app; digital coaching; and a \$75 gift card if they complete the health assessment and biometric screening.

The biometric screening can be done at a patient service center, by the employees personal physician [subject to doctors office fees and charges], or with at-home test materials. The test results are not shared with employer or with the BWC. The signup process takes a bit of time; not active time, but waiting. Fill in an online application, submit it, and then wait for email confirmation of acceptance before actually creating an account. I took the first step today, to see how it goes.

Trustees approved participation in this program. All voted yes.

- Ms. Rozak was notified the Keepers House is in need of painting and possible repairs.

FISCAL BUSINESS

A motion by Ms. Rozak and seconded by Mr. Dress to approve the payroll and bills totaling \$176,585.50. Roll call was unanimous and motion carried. Ms. Rozak motioned and Mr. Hirt seconded the acceptance of the January bank reconciliation. Roll Call all voted yes.

There being no further business before the Board, Mr. Dress moved and Ms. Hirt seconded a motion to adjourn at 7:50p.m. Motion carried.

Fiscal Officer

Danbury Township Board of Trustees