

TOWNSHIP BOARD OF TRUSTEES REGULAR

October 28, 2020

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, Trustee Dress called the meeting to order at 6:00 p.m.

Roll call indicated Trustees John Paul Dress, Dave Hirt and Dianne Rozak, Fire Chief Keith Kahler, Susan Dress, and Fiscal Officer Carolyn Adams.

APPROVAL OF THE MINUTES

Mr. Hirt moved and Mr. Dress seconded the motion to approve the October 14th regular meeting minutes as presented. Roll call was unanimous and motion carried

Roads, Buildings & Grounds:

Rockport Subdivision Drainage Improvement Project Assessment has been corrected, the final amount is \$3659.97. This payment is due November 25th.

- Sackett Cemetery had two cremation burials.
- Department has been busy mowing and maintaining road right of ways and our parks.
- Installation of new street signs continues throughout the Township
- The final Township Clean Up went very well, and residents were pleased.
- Mr Waldron recommended hiring of Ron Eckel and Mike Valenti as part time maintance workers upon successful completion of Pre-Employment requirements. Wages begin at \$17.00 per hour. Ms. Rozak moved to hire these two candidates seconded by Mr. Hirt. Roll Call Mr. Dress YES, Ms. Rozak YES, Mr. Hirt YES.

POLICE

The department responded to 263 incidents to date in October. Chief Meisler received a letter of Commendation from Ottawa County Sheriff Levorchick for the selfless actions of Officer Kyle Scott. Officer Scott attempted to help Deputies retrieve an unconscious driver from a burning vehicle.

Motion to give a \$2.00 per hour pay increase for Officer Bethard. Mr. Hirt motioned and Ms. Rozak seconded the motion. All voted yes. The Department will be helping with the annul Danbury Elementary School Annual Halloween Parade on Friday afternoon.

FIRE

Mr. Hirt reviewed the fire report:

		Fire & EMS Run Details				
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
As of Oct. 28	52	1	1	4	1	1
Sub Total	587	31	26	61	7	4
Total	716					

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ZONING

A discussion was held regarding property and maintenance issues.

Permits

To-date this month there has been 21 permit applications submitted/processed totaling \$2,397.41 collected in fees and BZA balances.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA held adjudication hearings Wednesday, October 21, 2020 via Zoom on the following cases:

a. **BZA-2020-229**

Approved as Presented

6813 E. Bayshore Road. Request for an Area Variance from Section 5.2.1.A.ii to allow for a 20' x 40' pole barn addition to exceed the allowable 1,200s.f. cumulative square footage for an accessory structure (2,180s.f total proposed). **Daniel & Teresa Minter, Owner/Applicant.**

b. **BZA-2020-234 Approved as Presented**

6826 E. Bayshore Road. Request to for an Area Variance to Section 5.2.1.A.ii to allow for an accessory structure to exceed 1,200s.f. (1,620s.f. proposed) and Section 5.2.1.C.i to exceed the maximum height of 20' (22' proposed). **Brian & Catherine Priore, Owner/Applicant; Curtis Knoch, Agent.**

c. **BZA-2020-238 Approved as Presented**

319 Erie Beach Road. Request for an Area Variance from Section 5.1.7 to allow for a covered front porch awning addition to encroach into the north, side-yard setback (4'1" proposed/ 5' required). **Scott & Emily Semmelroth, Owner/Applicant.**

d. **BZA-2020-240 Approved as Presented**

1070 N. Buck Road (Purple Parrot). Request for an Area Variance from Section 3.5 to allow for a commercial building addition to encroach into the west, side-yard setback (1.4' proposed/ 10' required). **James Stuart Spencer, Owner/Applicant.**

e. **BZA-2020-242 Approved w/ Conditions**

432 Lakefront. Request for an Area Variance from Section 3.1.5.D to allow for a deck/raised patio to encroach into the east, ~~front yard setback (4'9" proposed/ 5' required)~~ and north, side-yard setback (0' proposed/ 3' required). **Mitchell & Christine Grindley, Owner/Applicant; Feick Design Group, Agent.**

The Zoning Commission -

The Zoning Commission is scheduled to hold a public hearing on November 4, 2020 at 6:30p.m. on the following rezoning applications:

a. **ZC-2020-244 9605 E. Bayshore Road.** Request for a Map Amendment from "R-3" High Density Residential to "R-C" Recreational Commercial for PIN# 0141903031583000 (Sec. 1, Lot 9) consisting of 0.76 total acres. **Dean & Ann Rader, Owner/Applicant.**

b. **ZC-2020-248 0 Bayshore Road.** Request for a Map Amendment from "A" Agricultural to "C-2" General Commercial for part of PIN# 0141160415534000 (Sec. 4, Lot 20) consisting of 17.665 total acres, but 11.25 acres to be rezoned. **Daniel Jadwisiak & Nancy Bailey, Owners/Applicants.**

Ottawa County Regional Planning Commission recommended **Approval as Presented** on both of these cases at their October 20, 2020 meeting.

Department Updates

None at this time.

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Violations/ Complaints:

ILLEGAL RENTAL:

None.

ILLEGAL CAMPERS:

None.

JUNK & DEBRIS:

1802 Bayview (Con't Scrapping, Junk & Debris – Christiansen)

CLOSED

Bench trial before Municipal Court was scheduled for 10.26.20. @ 1:00p.m. We negotiated that they enter a diversion program where they can have no further violations for the next year. If they comply with this, then the charges will be dropped.

Prior Info: Verbal complaint was made by neighbor again on 09.10.20. Citations were filed with Muni Court on 09.11.20 for a zoning violation for continued use that is not permitted in that zoning district and ORC 505.87 for the junk & debris. Hearing is set for 09.30.20 at 8:30a.m. The defendants both plead Not Guilty to their charges and a bench trial is scheduled for October 26, 2020 at 1:00p.m.

248 Erie Beach (Misc. household Junk & Debris & Junk Cars – Richards)

Open

Prosecutor's office is filing paperwork with the court notifying them that the property owner has not complied with their stipulations because the camper is not considered to be a "utility trailer".

Prior Info: Complaint was received 03/19/20 regarding the condition of this property. Letter was sent to the property owner via Certified Mail on 04/02/20. Letter attached for your review. Owner signed for and received his letter 04/08/2020. Upon reinspection 04/22/20 the yard has been slightly picked up, they have removed some recreational vehicles so they are in compliance with only 3 items on the property. They have not removed 2 junk vehicles and another letter was sent to them 04/24/20. This will be reinspected this week to see if any additional improvements have been made. Final Notice letter was sent via Certified Mail May 19, 2020. Owner is refusing to claim the letter at the post office. Letter sent via regular mail also. Next step if failure to correct will be filing a complaint with Municipal Court. Complaint filed with Municipal Court 06.19.20 for 2 junk vehicles and exceeding allowable number of recreational vehicles on the property. Hearing is to be held morning of 07.08.20. Will give Trustee Rozak update of outcome. Owner pled Not Guilty which is now causing this case to go before the Muni Court as a bench trial which is scheduled to take place August 12, 2020 at 9:00a.m. KAD will update Trustee Rozak following the proceedings. 08.12.20 was the bench trial for this case. The judge issued a \$250 fine (\$500 was possible) suspending \$100 provided that the owner complies with the zoning requirements within 60 days (October 11th). Prosecutor's office is looking into claim by defendant that one of the campers on the property is registered as a utility trailer. If this is found to be not accurate, then the violation is still occurring and property owner is not in compliance with the court order and the court will be notified.

TALL GRASS:

9955 E. Bayshore (Tall Grass – Burton)

CLOSED

Complaint was received 10.13.20 on this property. Trustees passed Resolution #20-2020 on 10.14.20 for second offense. Letters were sent to all interested parties by 10.16.20 and property was posted. Only 4 days notification is required for a repeat offense. Property was abated by Printy on 10.20.20.

CONSTRUCTION WITHOUT PERMITS:

9907 E. Bayshore Road (Deck w/out Permit – Gracemeyer) (Closed 10.27.20)

Open Letter sent 10.14.20 following inspections. Asked to respond by 10.28.20. Owner called 10.22.20 about getting necessary paperwork turned in. Advised her where to find the permit application online.

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8344 E. Bayshore Road (Deck w/out Permit – Kollar) (Closed 10.27.20)
Open

Letter sent 10.14.20 following inspections. Asked to respond by 10.28.20. Owner submitted necessary paperwork 10.28.20 and we are just waiting on payment to arrive in the mail.

4770E. Bayshore Road (Shed w/out Permit – Shortridge)
Open

Letter sent 10.14.20 following inspections. Asked to respond by 10.28.20. Owner called 10.23.20 and advised where to find the permit application online.

319 Erie Beach (Covered front porch w/out Permit – Semmelroth)
CLOSED

Owner is on the agenda for the BZA's October 21, 2020 meeting and their variance was approved which will allow proper permits to now be issued.
Prior Info: Owner constructed covered awning over front existing deck. Letter sent via regular mail 08.20.20 and has until 09.04.20 to respond. Owner reached out and will need a variance. Waiting on them to turn in their necessary paperwork.

172 Elizabeth (Shed w/out Permit – Guy Tibbels)
Open

Owner is actively working on getting the necessary paperwork in order.
Prior Info: A replacement shed was installed without a permit. Located partially on property not owned solely by the lot owner. Letter was sent via regular mail 06.26.20. Owner called 06.29.20 and is trying to make sure property agreements with his siblings and family business are in place and have actually been recorded.

Old Business

Trustees reviewed a funding request for Hazard Pay to be provided to employees working during the Covid Pandemic as seen in Erie County. Trustees have received input from the Ottawa County Prosecutor and Ohio Grants.

NEW BUSINESS

A motion was made by Ms. Rozak and seconded by Hirt to accept the new rates for employee Health Care for 2021. The rates will increase by 4%. Roll call Mr. Dress YES, Ms. Rozak YES, Mr. Hirt, YES.

Susan Dress discussed the Safe Work Procedures statement that has been prepared for employee acknowledgement.

Ms. Rozak motioned and seconded by Mr. Hirt to go into executive session at 8:10 p.m. to discuss discipline of a public employee. **Roll Call: Rozak, yes Dress, yes Hirt, yes.** A motion to leave executive session at 8:20 p.m. was made by Mr. Hirt and seconded by Ms. Rozak. **Roll Call: Rozak, yes Dress, yes Hirt, yes**

After reviewing all information provided to the Trustees, Officer Demore was found to be in violation of the Danbury Township Covid 19 Travel Policy, therefore she will be suspended without pay October 29 and 30. Moved by Ms. Rozak and seconded by Mr. Hirt. **Roll Call: Rozak, yes Dress, yes Hirt, yes.**

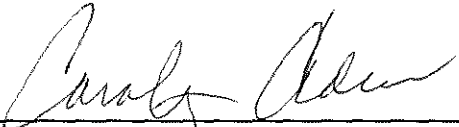
FISCAL BUSINESS

A motion by Mr. Hirt and seconded by Ms. Rozak to approve the payroll and bills totaling \$188,481.77 for 10/15/2020 – 10/28/2020. Roll call was unanimous and motion carried. A motion by Mr. Dress and seconded by Mr. Hirt to accept the September 2020 bank reconciliation. All voted yes. There being no further business before the Board, Ms. Rozak

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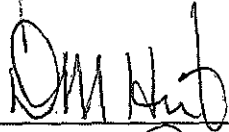
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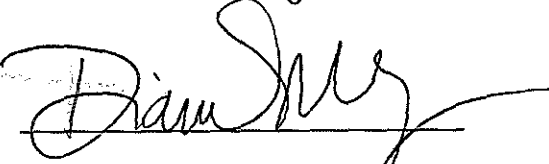
moved and Ms. Hirt seconded a motion to adjourn at 8:25. Motion carried.



Fiscal Officer







Danbury Township Board of Trustees