

Franklin Township Trustees
Tuesday, October 9, 2018
Regular Meeting Minutes

At 7:00pm Chairman Keith Benjamin called the meeting to order. Minutes from the previous meeting were approved by a motion made by Scott Swan; 2nd Ann Hanna. All three trustees voted yes.

PUBLIC COMMENT

- Nick Akers – 7310 Myrna Blvd. – addressed the trustees about what he considers a nuisance problem in their neighborhood. A resident on the street has two dumpster-like containers in the front yard of the property he is renting to own. The containers are called bagsters. They have been there for an extended period of time, are full to overflowing, and look terrible. The contents appear to not be from the home located on the property but are brought there from work done offsite by the resident. Other neighbors addressed the board with the same concerns and expressed their frustration at the appearance of the containers and want the trustees to address it as a property maintenance code violation. The residents speaking were Sharon Irwin and John Akamatsu – 7419 Myrna and Charlotte Plitzky – 7384 Myrna. Sam Abell stated that based on his interpretation of the code this would not constitute a violation. The refuse is contained, not loose or scattered. He also stated that he has been in contact with the resident who tells him that the containers are still in use and will be emptied when he is done. These residents asked that the trustees and Mr. Abell refer the matter to the zoning commission to consider language that specifically addresses these bagsters and dumpsters. Another resident, Brian Krupa – 6275 Third Ave. – weighed in stating that the gentleman should be able to have the container in use at his property for as long as he needs use of it. Sam Abell will bring the topic up to the zoning commission.
- The same residents listed above also spoke about ongoing water runoff and drainage issues on Myrna. Their contention is that ditching and pipe work done by the township exacerbates the problem. Mr. Benjamin relayed information gathered since this problem was brought to the attention of the township more than fifteen years ago, at which point a study and suggested solution by the engineer's office to the problem was presented to residents in the affected area. The response from those involved was a resounding no at the time to digging up their backyards and to the costs involved. Trustees agreed to look into the matter again.
- Jill Grimm – 1509 Merrill – asked that Mr. Abell look into an ongoing trash buildup problem in the backyard of the Burkey residence – which faces the lake – and impacts surrounding owners' view. Ms. Grimm also stated that a TLA trustee by the name of Sue Mayne would like to contact the township with some possible input on escalating fire and ems costs. She has experience in the area.
- Brian Krupa – 6275 Third Ave – asked that a speed limit sign be placed in the area of his property to help deter speeders and also asked about the changes PCSWD made in the recycling pickup schedule. He fills up his container before the every other week pickup. Trustees advised him to call and ask for an additional recycling bin.

ROAD REPORT

Submitted as written by Jake Biltz and is attached to the official record. Additionally, Mr. Biltz reported that the trade in numbers he is receiving for the remaining former village vehicles are low and he recommends selling them on Government Deals, which was approved by a motion made by Ann Hanna; 2nd Keith Benjamin. All three trustees voted yes. Mr. Biltz also discussed a recent visit he and Ann Hanna made to Chardon for the purpose of learning about their brine making procedures and equipment. This is a method used to facilitate snow/ice removal.

ZONING REPORT

Submitted as written by Sam Abell and is attached to the official record. Additionally, Resolution 2018-32, a resolution authorizing a special assessment for the net cleanup costs of the Garrett property on Crescent Lane, was approved by a motion made by Scott Swan; 2nd Ann Hanna. All three trustees voted yes.

FIRE REPORT

Submitted as written by Tim Benner and is attached to the official record.

OLD BUSINESS

- Kent Storage LLC – Chief Assistant Prosecutor Chris Meduri attended the meeting for the purpose of discussing a proposed settlement in the litigation that is in the appeals process. The settlement includes language previously negotiated with the business owner Mr. Horning, his counsel, trustees Keith Benjamin and Ann Hanna and Mr. Meduri. The gist of the settlement states that in effect Mr. Horning will continue conducting his side business renting Uhaul trucks as he has for several years while in violation of the township’s zoning code. The exception will be that it is recognized as a conditional use and not set precedent as an incidental use of his business and will have to meet conditions of the number of trucks allowed parked there at a given time. Mr. Horning and his counsel agreed during negotiations that he would be required to donate the use of two Uhaul trucks for a day every month to the Ben Curtis Foundation for the delivery of Birdie Bags to community schools. Since then, that provision has been determined not part of the agreement. It is the township’s hope that he honors the commitment he agreed to during settlement talks. After discussion, Resolution 2018-33 authorizing the agreed upon settlement was approved by a motion made by Scott Swan; 2nd Ann Hanna. All three trustees voted yes.
- HomeTown Bank has conveyed their intent to sue the township in order to recoup money still owed them by the now dissolved Village of Brady Lake. Mr. Meduri, as the township’s counsel, advocates for negotiating with the bank and selling properties that once belonged to the village and now in possession of the township in order to satisfy the debt. The trustees and other township representatives have maintained that the outstanding balance due on the village debt is not the obligation of the township. Opinions and information were shared by township officials, other employees and residents in attendance. It was decided that the township will seek appraisals for the village hall/parking lot parcels, ballfield parcels and the old fire station with outbuildings. Mr. Meduri suggested the possibility of placing the mentioned properties in a legal trust to be managed by a legal trustee until such time as the properties sell and any agreement is reached between the bank and the township. The trustees agreed to consider the suggestion. Mr. Meduri will find out if the bank would consider the same and extend time before suing while all options are explored.
- The Portage County Budget Commission has officially approved a Local Government Funds Distribution Alternate Formula as proposed and agreed upon by the majority of entities within the county. It will commence in 2019 and last five years.

NEW BUSINESS

- Trick or Treat in the township was set for Sunday, October 28, 2018 from 3-5pm by a motion made by Ann Hanna; 2nd Scott Swan. All three trustees voted yes.

FINANCES

Bills were approved for payment, warrants #24254 through 24275, including payment vouchers, totaling \$47,138.34, by a motion made by Ann Hanna; 2nd Keith Benjamin. All three trustees voted yes.

At 9:45pm the regular session was suspended for executive session to discuss employee compensation by a motion made by Scott Swan; 2nd Ann Hanna. All three trustees voted yes. At 10:01pm regular session was resumed after a motion made by Keith Benjamin; 2nd Ann Hanna. All three trustees voted yes. The meeting was then adjourned at 10:02 by a motion made by Keith Benjamin; 2nd Scott Swan. All three trustees voted yes.

Date _____ Fiscal Officer _____

Chairman _____