

## RECORD OF PROCEEDINGS

Minutes of the Vermilion Township Board of Trustees' Regular Meeting

Held Wednesday March 6th, 2024 at 6:30pm

The meeting was called to order by Chairman Robert Kurtz.

The Pledge of Allegiance was given.

The roll call resulted as follows: Mr. Kenn Baughman, Mr. Robert Kurtz & Mr. Rodger Scott were present.

Kurtz made a motion to approve the minutes from the February 6th, 2024 Trustee's Meeting. Scott seconded the motion. Kurtz & Scott voted to accept the motion. Baughman voted against. **20240306-01**

Kurtz made a motion to approve the minutes from the February 19th, 2024 Trustee's Special Meeting. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-02**

Kurtz made a motion to accept the treasury reports. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-03**

One-hundred-one bills/warrants totaling \$109,440.67 were submitted for payment. Kurtz made a motion to approve the warrants. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-04**

Erie County Sheriff Paul Sigsworth spoke on Solar Eclipse preparedness for residents. With the amount of people and traffic expected to be in the area on April 8<sup>th</sup>, 2024. Sigsworth advised to plan extra time to go places and get your errands done early in the day. The Sheriff's Department will be fully staffed for the event.

Ilona Seamon from iPanda Designs gave a presentation on a new website design.

Vermilion Township Fire Chief Frank Triana reported 49 runs for February & reports are submitted to the state. EMS-42, vehicle fire-1, natural gas leak-1, odor of burning wire-1, structure fire-4. Chief asked if squad #821 could be taken to Vermilion High School for a send off of the VHS wrestlers competing at the state championships. He advised only VTFD personnel would be on the truck. Triana asked to renew the annual radio contract with VASU Communications for \$4682.55 (this includes a 5% discount for payment in full).

Vermilion Township Road Crew Foreman Steve Young reported he would like the following roads considered for the 2024 Road Surfacing Program: Micro-Surface to Thompson and Trinter Roads; re-stripe Thompson, Trinter and South Poorman Roads; asphalt repairs to Stanley, Thompson and Sperry Roads plus asphalt overlay on the South Poorman cul-de-sac. The 2024 culvert inventory is complete and turned into the Erie County Engineer's office. This past month the crew has worked on storm sewer maintenance and repair, plus one catch basin repair and one driveway installed.

Vermilion Township Administrator & Zoning Inspector Keith Sexton reported issuing five permits in February for a valuation of \$1039.40. Sexton recommended all Zoning Commission and Zoning Board of Appeals members become OTA Affiliate Members to take advantage of the OTA Webinar Subscription

Program. Sexton asked for approval of the 2024 Erie County Engineer estimated bid work for the following: Micro-surface on Thompson Road (est. \$92,742.40) and Trinter Road (est. \$46,956.00); restriping Thompson, Trinter and South Poorman Roads (est. \$2,109.00). Sexton also asked for approval for asphalt repairs to Stanley, Thompson and Sperry Roads, plus asphalt overlay on the South Poorman Road cul-de-sac. After receiving three quotes, Sexton recommends Hart Asphalt with the lowest estimate of \$34,600.00.

Vermilion Township Fiscal Officer Stephanie Johnson stated Baughman has voluntarily chosen to reduce his monthly compensation to \$1000.00 for 2024. Johnson presented a list of Supplemental Appropriations for 1/4/2024 & 1/8/2024 to accommodate the new administrator position. These are as follows: \$15,480.00 to Administrator Salary, \$277.00 to Dental Insurance and \$180.00 to Vision Insurance.

Kurtz made a motion to approve minor changes in the meeting rules. Scott seconded the motion. Baughman stated he had additions as well. It was tabled to assess and forward to the prosecutor for review.

Kurtz made a motion to adopt *Resolution 2403-15 Requesting the Vermilion Township Zoning Commission to Review Vermilion Township Zoning Code 32-10, Section 11.4(2)(B) for Possible Amendment*. Baughman seconded the motion. Kurtz read the resolution in accordance with Vermilion Township Zoning Code 32-10, Section 8.2(2), the Vermilion Township Zoning Commission to review Section 11.4(2)(B) of the Township Zoning Code 32-10 and, by majority vote, make a recommendation to the Board of Trustees for the consideration of an amendment to Section 11.4(2)(B) to allow fowl on properties less than five acres, with the possibility of restrictions or conditions, while providing for a high-level of protection for the adjoining property owners. Baughman, Kurtz & Scott voted to accept the resolution. **2403-15**

Kurtz made a motion to rescind Resolutions 2402-10 & 2402-11, in order to take a different route to acquire a fire department vehicle. Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-05**

Kurtz made a motion to advertise for sealed bids for a used CCT/Rescue Unit Ambulance for the township fire department. Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-06**

Kurtz made a motion to approve the Supplemental Appropriations for 1/4/2024 and 1/8/2024. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-07**

Kurtz made a motion to adopt *Resolution 2403-16 Authorizing a Clothing Allowance for the Full Time Road Department Personnel As A Supplemental Fringe Benefit*. Baughman seconded the motion. Kurtz read the resolution to authorize \$500 per year for each full-time Road Department employee to supplement clothing and personal protective equipment for each calendar year beginning with 2024, and continuing forward year to year. Baughman, Kurtz & Scott voted to accept the resolution. **2403-16**

Kurtz made a motion to adopt *Resolution 2403-12 Authorizing the 2024 Road Maintenance for Various Township Roads; then Forward to the Erie County Engineer's Office*. Baughman seconded the motion. Kurtz read the resolution authorizing the following 2024 Road Maintenance for Various Township Roads in include Thompson Road, Trinter Road and striping of Thompson, Trinter & South Poorman Roads;

then forward to the Erie County Engineer. Estimated cost from the 2024 Engineers Bid Worksheet is \$141,875.80. Baughman, Kurtz & Scott voted to accept the resolution **2403-12**

Kurtz made a motion to adopt *Resolution 2403-13 Authorizing Hart Asphalt, Inc. To Repair Sperry, Stanley & Thompson Roads And Asphalt Overlay The South Poorman Road Cul-De-Sac*. Scott seconded the motion. Kurtz read the resolution authorizing Hart Asphalt Inc. 3420 Liberty Avenue Vermilion, OH to perform asphalt repairs to Sperry, Stanley & Thompson Roads and asphalt overlay the cul-de-sac South Poorman Road at a cost of \$34,600.00. Baughman, Kurtz & Scott voted to accept the resolution. **2403-13**

Kurtz made a motion to adopt *Resolution 2403-14 To Enter Into a Maintenance Agreement With VASU Communications Inc. For Radio Service For The Vermilion Township Fire Department's Communication Equipment*. Baughman seconded the motion. Kurtz read the resolution to enter into a Maintenance Agreement with VASU Communications Inc. for the Vermilion Township Fire Department's communications equipment from April 1, 2024 to March 31, 2025 at a cost of \$4682.55. Baughman, Kurtz & Scott voted to accept the resolution. **2403-14**

Kurtz made a motion to have all five Vermilion Township Zoning Commission members and all five Vermilion Township Board of Zoning Appeals members become Ohio Township Association (OTA) *Affiliate* Members at \$25.00/each so they can take advantage of the OTA Webinar Subscription Program. Baughman seconded the motion and amended the motion to add the Zoning Commission alternate and the Board of Zoning Appeals alternate. Baughman, Kurtz & Scott voted to accept the motion. **20240306-08**

Kurtz made a motion the use the 2024 Ohio Township Association Risk Management Authority (OTARMA) MORE Grant for the Ohio Township Association (OTA) Winter Conference registration fees (four registrations at \$125/each); for the OTA ZC & BZA Affiliate membership fees (12 memberships at \$25/each) and for the OTA Webinar Subscription Program at \$175.00. Baughman seconded the motion. Baughman, Kurtz & Scott voted to accept the motion. **20240306-09**

Baughman asked the status of the recommended changes to the Erie Regional Planning Book. Kurtz and Scott are still reviewing the updates. Baughman stated the Fire Department needs new equipment, especially with new developments in the township and the largest structure fire to date. A roundabout at the corners of Route 60 and Kneisel Road is a possibility. Adding a second meeting or a work session each month would help with business items. The February 20<sup>th</sup> Solar Eclipse Presentation information was on the Township website for only a few days with no reason given for its removal. The Redwood Referendum Petitions need to be taken the Erie County Board of Elections. The previous zoning inspector might have charged wrong permit fees, an investigation has begun. The Ohio Department of Transportation (ODOT) has funding available through its Safe Routes To School (SRTS) Program; this could be used for sidewalks around the Township property. The Vermilion Schools Superintendent offered his help and support for the sidewalk project and the grant. Haber Road hasn't been paved in 25-years. While the city (of Vermilion) is working on the water lines, it would be nice to collaborate on a double tar-&-chip pavement when done. ODOT stated Haber road is a good candidate for a LTIP Grant. Baughman would like to discuss Platting of a 100-foot right-of-way along the western property line of the Township hall. If the Township Platts the road, a developer that comes in must build the road.

Kurtz opened the floor to the audience.

Matt Lewis of Cherry Road thanked Sexton and Erie County for their help when Cherry Road was flooded. He stated none of the trustees have been out to address the flooding issue; he feels his property and family are under attack from his neighbor. Some trustees are showing a bias.

Brian Novotny of State Street asked if residents were truly overcharged for permit fees, when will they be reimbursed. (Previous Building & Zoning Inspector) Bob Baker was fired, so all his actions as inspector should be reviewed. He gave Novotny a "tall grass violation" for garlic, this violation needs to be expunged. Dollar General's fence has fallen down three times, while his barrier is still good. The code needs changed.

Dan Ladrach of State Road is concerned that the new Redwood development will add to the flooding issues in the area from Kneisel to Darrow to Mason & also Cherry Roads. Water standing more than five days, it is hazardous and affecting septic tanks. He stated Vermilion is the most flooded area in Northeast Ohio. Engineers need to be brought out to assess.

Joe Baxter of Coen Road asked who was responsible for removing the Solar Eclipse Presentation information from the Township website; he would like to know more about the possible zoning permit overcharges; what are the trustees doing to address the flooding on Cherry Road and why is the Township responsible for the sidewalks at the (older) Redwood Development.

Tim Costello of Sassafras Drive stated there is an open lot to the west of the power station on Kneisel road and trucks are using it as a road.

Rob Dunn of Cherry Road asked who sent him a violation letter and if any other Township residents received a letter. Dunn asked what are the laws regarding utility lines and easements as a neighbor's line runs through his property. He stated there is a lot of misinformation regarding the flooding, he has offered an easement and to help; even talking with the Army Corps of Engineers.

Paul Bodie of Thompson Road reported a house has been vacant and is full of trash. Township officials looked at it years ago, but nothing has been done. What is the timeline for a follow-up.

Don Rowe of Kneisel Road asked about the possible ambulance purchase; upcoming total solar eclipse information should be put back on the website. Residents need to be paid back if they were over charged for permits. The Zoning Commission voted unanimously to precede with Redwood, with the amendment that the first 300-feet of the property remain commercial; but that was not part of the trustee vote. Rowe Thanked Johnson for her hard work and noted how she is saving money & making money for the Township.

Eric Jayjohn of Thompson Road read a statement on behalf of Kevin Keifer of Cherry Road about the zoning rules for chickens, specifically roosters to protect flocks from hawks. Keifer's property has an ODNR-verified hawk's nest, hawks are federally protected. ODNR stated the only defense against hawks is roosters, ideally two. Keifer asked what the trustees were doing about the flooding on Cherry Road and the unreasonable filling-in of a natural waterway that runs through many yards.

Jayjohn asked to please leave chickens alone, the zoning code is broken, and thanked the trustees for moving the issue back to the Zoning Commission. In regards to the flooding that is affecting so many, Jayjohn suggested retention ponds with small outlet pipes or staged retention ponds with restricted outlet pipes that could slow down the path of the flooding water.

Kurtz announced the next Board of Trustees Meeting will be Wednesday, April 3<sup>rd</sup>, 2024 @ 6:30pm.

Kurtz made a motion to adjourn at 8:33pm. Scott seconded the motion. Baughman, Kurtz & Scott voted to accept the motion.