

RAVENNA TOWNSHIP BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING OF NOVEMBER 21, 2017

The Ravenna Township Board of Trustees met in Regular Session at the Ravenna Township Trustee's Meeting Room, 6115 Spring Street, Ravenna, Ohio, on November 21, 2017. Trustee Hank Gibson called the meeting to order at 7:02 P.M.

Roll call showed the following present: Trustees Vince Coia, Pat Artz and Hank Gibson, Fiscal Officer Gail Pittman, Zoning Inspector/Liaison Jim DiPaola, Fire Chief Mark Kozak, Road Superintendent Ray Taylor and Assistant Fiscal Officer Jon Summers. The audience consisted of Dave Yost, Ken Ahrens, Mike Slates, Alexander McClay, Jack Giulitto, Kurt Guyette, Jeff Eldreth, and several township residents.

REGULAR BUSINESS

A motion by Vince Coia, seconded by Pat Artz to approve the minutes of the Regular Meeting of November 8, 2017. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

Hank announced the correspondence book was present and available for public viewing.

A motion by Vince Coia, seconded by Pat Artz to approve payroll warrants for November 24, 2017 in the amount of \$31,535.46 and other warrants in the amount of \$16,835.98 with warrants over \$1,000.00 being read aloud for approval. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

Hank then opened the floor to the audience wishing to speak on their concerns about the marijuana cultivation approved on Lake Rockwell Road.

AUDIENCE

Mr. Yost spoke first and had questions about the state marijuana application and the BZA meeting motion approving the facility. He stated that the company making the application was not the owner of the property on Lake Rockwell and the state application had to be made by the land owner. He said his biggest concern was odor mitigation. The final language from the state does not require odor mitigation and the BZA minutes said that odor mitigation would be addressed in the motion to approve the facility. When the motion was made, nothing was put in about odor mitigation. He was concerned that the odors would bring down the surrounding property values. He was also concerned about secondary fencing around the property.

Jack Giulitto spoke next and lives right next to the future facility. His concerns were both the odor and safety. He felt that when the alarms go off as someone tries to break into the facility, the criminals would not be running towards the road, they would be running towards his property. He wants the second fencing right on the property line. He thought the whole idea was not thought out and nobody is thinking about how this will affect the residents surrounding the facility. He was also concerned about the effects on the surrounding property values.

Vince asked him about the meeting they held back in 2011 where the Trustees wanted to change the zoning to residential instead of industrial and the neighborhood did not want it changed. Pat asked why that was? Jim said the neighborhood stated that they would prefer a factory next to them rather than a residential development. Vince said nobody has a problem with medical marijuana, but nobody wants it next to them. Jack asked what the Trustees were going to do about the smell. Jim said odors would be handled as a nuisance and would follow the procedures set up for that purpose. The problem with odors is that you have to quantify the requirements. If you went

through the required process and the case ended in court, you would need an expert witness to testify for the township. In that case, Akron Air Quality would be the investigating company that would handle this. Jim has spoken with them about the odors from marijuana. They said most of the complaints they are aware of are in the western US where recreational marijuana use is legal and they are allowed to have large outdoor open grow facilities which are many hundreds of thousands of square feet of growing. What we are talking about here is much smaller and enclosed. Jim has discussed the ideas of odor mitigation with the local company and they are installing scrubbers on the venting. It is supposed to be a closed venting system. There should be no odors detectable at the property lines.

Jack asked what about safety? Vince said it should be handled as any other safety/criminal issue is currently handled, call 911 if there is a problem. The building is required to have two separate security systems.

Pat said if there are complaints, she would be the first one to be complaining to the EPA and they don't mess around. She said the state will be watching this very closely since this isn't federally approved. The state is sticking it's neck out doing this. Pat said that if there are complaints about the odor, she will bring the EPA out there and they would get a fine and possibly shut them down if they failed to comply.

The audience asked the Trustees how they could allow this to happen? Jim said the Zoning Appeals is to rule on use and placement. The use is legal, and the zoning requirements on placement will be enforced. Jim said everyone was told at the public hearing that they had 30 days from the decision of the board to appeal the decision. Nobody did that. In fact, until this meeting he has not heard of any complaints since the public hearing. If the neighborhood didn't like the decision, they should have taken the opportunity to make the appeal and it would have been tied up in the courts for quite a while. Jack asked about the application process, how could they applicant sign when they do not own the property. Jim said if there is a signed purchase agreement in place, the purchaser is permitted to sign as the applicant.

Kurt Guyette questioned the rule about having to have 500' between the facility and schools and parks. He wanted to sell his property to a conservancy and now he cannot because of the facility going in. He said he used to have a liquor license and knew the laws associated with having that license. Kurt felt that somebody dropped the ball at not knowing about the laws associated with marijuana licensing. Jim said the laws on the marijuana issue is kind of fluid, it's still developing. Jim asked Kurt when he had developed his plans on selling to the conservancy, before or after the application and public hearing? Kurt said after. Jim said that would have been a perfect opportunity to have filed an appeal, now it just an unfortunate timing issue. Vince asked Jim whether the owner could move the facility to an area that was 500' from Kurt's property. Hank said as a good neighbor, he would think the new property owners would look into and consider that. Jim said he would bring that idea up to the owners.

Ken Ahrens said he had been before other zoning boards and they often tabled decisions for more information and research.

Hank asked if there were any other comments on the marijuana, otherwise he was moving on to the other residents there who were commenting on the recycling program.

Mike Slates and Alex McClay both stated that they didn't know why they should be forced to recycle. Alex said he did not receive a post card. They didn't like having recycling shoved down their throats. Vince spoke about how the community drop off has been a pig sty and many have

been using it as a dump. Hank said this system is being used all over the county. The fact is that the majority of the respondents voted for the recycling and it is a good thing. Many people who did not want it in their community actually said later that they like it.

One resident who wanted to remain anonymous complained about trespassers around his property.

OLD BUSINESS:

TRUSTEES

It seems that the Township is going to have to take possession of the Grandview Memorial Cemetery. A meeting with the prosecutor to discuss the issue will be scheduled.

FISCAL OFFICER

The Ohio Public Works Commission has paid Perrin Asphalt the grant proceeds for the Dawley Road project. The project is completed from the budgeting aspect for the year.

The Trustees, as a property owner, has a vote whether or not to join the JEDD. Vince felt that since the board is encouraging participation in the JEDD and the Township would benefit from the positive aspects of the JEDD, they should make a motion to support it as property owner. Hank said he didn't want to pay any more tax. Pat and Hank both felt that if the property owners in the proposed JEDD area want it, it will go forward. Vince said he wouldn't ask someone else to pay a tax he wasn't willing to pay himself.

Vince Coia made a motion to vote for the JEDD. Nobody seconded it. The motion failed for lack of a second.

DEPARTMENTAL REPORTS

ROAD DEPARTMENT

Road Superintendent Ray Taylor reported the following:

The 2008 Chevy has an antifreeze leak in the rear of the motor. It needs to go to Lang's to be fixed at an estimated cost of \$480-\$640.

One of the salt spreaders has blown a seal and is leaking hydraulic fluid. Replacement hydraulic motors run between \$250-\$325 at Robeck Hydraulic.

Bob Collins was here to install the safety eyes on the bay doors. He discovered the residential eyes were not compatible with our openers. The commercial eyes will increase the cost \$200.00.

Ray would like to move the dispatch radio into his office so he does not miss calls from the road crew. The radio currently is at the furthest point from his office and is difficult to hear. The cost of the cable to move the radio is just over \$200 from Mitchell Communications.

Ray would like to send letters out to the residents on Hidden Brook and Winding Creek regarding parking on the streets during the winter months which interferes with the plowing.

A motion by Vince Coia, seconded by Hank Gibson to send no parking letters during the winter months to those residents in the affected areas. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

Pat said she has received a call from a resident on Brady Lake Road regarding flooding at Woodlawn. There was discussion as to this being a county road and dealt with private property.

It was noted that the Portage County Recycling has pulled their recycling bins early from the community recycling area. Ray has put up blocks and a chain gate to keep people from coming and dumping there. Signs are being made informing the residents of the closure.

ZONING DEPARTMENT

Zoning Inspector/Liaison Jim DiPaola reported the following:

The Land Bank has selected Helmling Excavating as the demolition contractor for 6131 Short Street. A demolition certificate has been issued and the demolition should take place soon. Once demolition is complete, the property will be transferred to Ravenna Township.

Robert Heckert, 6060 and 6070 Lakewood Road has cleaned up his properties and requested an inspection.

The sign up petitions for the JEDD were mailed to property and business owners on SR 59 from the Township Limits at Walmart to the City Limits at Morgan Road.

LIAISON

Jim has continued to work with Mark on various fire department projects.

We currently have areas where there are parking regulations. Residents have called the Sheriff's department to report violations and have been told by the Sheriff's department that it's not their job to write parking tickets. With winter coming and the snowplows needing access to plow, we need to have a conversation with the Sheriff regarding parking enforcement.

Pat thanked Jim for getting the Summit Road residence cleaned up.

Ken Ahrens inquired about status of Jerome Norton's property. Jim said it is currently in the works, but the courts move slow on non-criminal violations.

FIRE DEPARTMENT

Fire Chief Mark Kozak was present and reported the following:

The equipment purchased with BWC grant monies are waiting to be installed. The AFG grant is complete.

Mark said there was a mix up back in August and one of the new firefighters that was agreed upon to hire didn't get the final resolution and he requested the resolution to ratify the hire at this time..

RES # 17-197 A motion by Hank Gibson, seconded by Vince Coia to hire Matt DeGroff as part time Firefighter/EMT at a rate of \$10.82/hour effective October 30, 2017. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

RES # 17-198 A motion by Hank Gibson, seconded by Vince Coia to hire Diamonta Smith as part time Firefighter/EMT at a rate of \$10.82/hour pending the Chief's interview, background check and physical. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

RES # 17-199 A motion by Hank Gibson, seconded by Vince Coia to hire Jacob Fritz as Recruit at a rate of \$9.00/hour pending the background check and physical. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

Harris Snow Removal still has to oil spray two more trucks but has sprayed all the other fire department vehicles. It was noted that he did a very good job.

Fallsway will be here next week to work on the pump on Tanker 2418.

The Fire Department is now issuing adjudication orders to work with the County Building Department.

NEW BUSINESS
TRUSTEES

There has been many calls concerning recycling. Many have not received their bins yet, others have gotten their bins but received no paperwork/schedules.

FISCAL OFFICER

Gail discussed the Workers' Comp premium bill for 2018. It totals \$35,561 which is a 29.9% increase. If we pay in full prior to January we can get a discount of 3% or \$1,067.

A motion by Vince Coia, seconded by Pat Artz authorizing payment of the 2018 Workers' Comp premium in full before the end of the year. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

We need to attend a Workers' Comp public safety training 2 hour class before December 31, 2017. Gail suggested that someone from the Fire Department participate. There is an online webinar available on December 5th with CareWorks for \$35.

A motion by Hank Gibson, seconded by Pat Artz to have one of the Fire Department participate in the 2 hour public safety training class. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

RES # 17-200 A motion by Hank Gibson, seconded by to Vince Coia approve the following PO's and BC's

- a. PO #331-2017 for \$560.00 to Chase Card Services for Medicare Provider revalidation fees from the EMS fund
- b. PO #332-2017 for \$800.00 to Lang's Automotive for vehicle repairs from the Road fund
- c. PO #333-2017 for \$2,490.00 to Finley Fire Equipment for equipment paid with grant from the Fire and Capital funds
- d. PO #334-2017 for \$225.00 to Mitchell Communications for moving the dispatch radio from the Road fund
- e. PO #335-2017 for \$200.00 to Bob Collins for additional charge for commercial eye from the General fund
- f. PO #336-2017 for \$350.00 to Robeck Fluid Power Co for motor repairs from the Road fund
- g. PO #337-2017 for \$100.00 to Portage Community Bank for HSA funding from the Fire fund.
- h. PO #338-2017 for \$66,680.00 to Ohio Public Works Commission for grant proceeds and payment for the Dawley Road II Perrin Asphalt from the 4401 Capital Projects fund.
- i. PO #339-2017 for \$35,561.00 to Bureau of Workers Compensation for the 2018 premium from the General, Fire, Road and Zoning funds.

R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

Financial reports were distributed to the Trustees and department heads in Excel spreadsheets.

A motion by Hank Gibson, seconded by Pat Artz to ask Chris Meduri to write a resolution to have a moratorium on medical marijuana dispensaries in the Township. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

ADJOURNMENT

A motion by Hank Gibson, seconded by Vince Coia to adjourn the meeting at 9:18 pm. R/C: Mr. Coia, yes; Mrs. Artz, yes; and Mr. Gibson, yes. Motion Passed.

ATTEST:

CHAIRMAN

TRUSTEE

FISCAL OFFICER

TRUSTEE