

Tuesday, May 27,

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The Bainbridge Township Board of Trustees met in special session at the Bainbridge Town Hall on May 27, 2014. Those present were trustees Mrs. Lorrie Sass Benza, Mr. Christopher Horn, Mr. Jeffrey S. Markley and Fiscal Officer Mrs. Cherianne H. Measures. Mrs. Benza presided and called the meeting to order at 6:00 P.M.

EXECUTIVE SESSION

Mrs. Benza made a motion to go into executive session to discuss the compensation and discipline of public employees, per Ohio Revised Code Section 121.22(G)(1).

Mr. Horn seconded the motion. Vote followed: Mrs. Benza, aye; Mr. Horn, aye; Mr. Markley, aye. Motion carried.

The trustees recessed their regular meeting at 6:01 P.M. in order to go into executive session.

The trustees returned from executive session, after discussing the compensation and discipline of public employees, reconvening their regular meeting at 7:06 P.M.

MINUTES

Mr. Markley made a motion to approve the minutes from the trustees' May 12, 2014 regular meeting as submitted.

Mrs. Benza seconded the motion that passed unanimously.

DEPARTMENTAL REPORTS

FIRE DEPARTMENT

Chief Brian Phan presented the monthly report for the Fire Department for the month of April, 2014.

Chief Phan stated that he presented the Edward & Dolores Plomske Memorial Scholarship to a graduating Kenston Senior who intends to pursue a career in law enforcement.

Thanks to Trustee Benza and Mrs. Sugarman, the Fire Department now has a Facebook page to share information with the public.

Lastly, Chief Phan thanked the veterans and Ms. Cindy Wojtasik for another wonderful Memorial Day remembrance service.

POLICE DEPARTMENT

Lt. Robert Weir presented the monthly report for the Police Department for the month of April, 2014.

The Golf Outing last Friday was very successful again this year. The proceeds are used for Safety Town and the Police Department Scholarship Fund. This year, the department was able to award scholarships to two very deserving graduating seniors.

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PRESENTATION BY GUESTAndrew White

Mr. Andrew White is a Bainbridge Resident that is concerned about the cable franchise fee being re-established within the township. Mr. White researched various types of broadband services and the various providers in Northeastern Ohio. In 2012, Connect Ohio released the Ohio Residential Technology Assessment results, which found that the number of Ohioans that subscribe to broadband Internet service from home has increased from the previous year. Mr. White's presentation went on to describe the types of broadband services used by Ohio residents. In Bainbridge Township, only two broadband providers are available, Time Warner Cable and Windstream, while some communities have as many as five providers. Mr. White discussed other options such as WiMAX, AT&T U-verse, and Ripflo Network. Ripflo offers WiMAX in Troy Township in Geauga County. Mr. White raised questions regarding eminent domain and conduit rights that may or may not exist in the agreement between the former Cablevision and Bainbridge Township. Mr. White would like the trustees to do a little more research before making a decision regarding the cable franchise fee, when residents' choices for providers are restricted. Other questions that were raised include the possibility of enforcing the fee uniformly across multiple providers both cable and satellite, and how would the fee be calculated when residents have bundled services. Others were concerned about the trustees implementing an "unvoted tax", per se, when the general population would oppose such a fee.

The trustees thanked Mr. White for his efforts and the time he spent researching the possibilities.

PUBLIC COMMENTS

Mr. Peter Alveo, Red Fox Trail, expressed his concerns regarding a Conditional Use Permit that has been issued on Country Lane when the applicant has not met the requirements set forth. He stated that he is not upset about the group being at the location, he just feels that the requirements were put in place for a reason and, therefore, should be met. Mrs. Benza thanked him for his dedication and for providing documentation of the problems, which will be discussed with the Zoning Department and the Board of Zoning Appeals.

Ms. Linda White expressed her opinion regarding the Fourth of July Celebration that the group should use Gardiner Elementary for the children's activities and allow for the use of the playground equipment.

FIRE DEPARTMENT – NEW BUSINESSEmployment of Public Employee

Mrs. Benza expressed her concerns regarding the Township's Anti-Nepotism policy. The board seems to be concerned about discipline authority if they were to hire Chief Phan's son, Jesse, as a Firefighter/EMT. Mr. Phan's abilities are not in question, only the appropriateness of making an exception to the policy.

Mrs. Benza will research other nepotism policies and the implementation and exceptions of such.

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POLICE DEPARTMENT – NEW BUSINESSDiscipline of Public Employee

Mr. Horn made a motion to approve the discipline pursuant to the recommendation of the Police Chief, acknowledging waiver of pre-disciplinary hearing by the employee, to impose a three-day suspension without pay with two days to be held in abeyance for a period of one year (until 5-27-15) in the absence of any additional infractions, those two days would be removed.

Mr. Markley seconded the motion that passed unanimously.

SERVICE DEPARTMENT – NEW BUSINESSResolution Declaring it Necessary to Levy a Tax in Excess of the Ten Mill Limitation

Mr. Markley made a motion to adopt the resolution declaring it necessary to levy a tax in excess of the ten mill limitation at the November 4, 2014 General Election at a rate of 2.0 mills for a period of five years and which is a renewal of an existing 2.0 mill Road and Bridge Levy originally voted in 2005.

Mr. Horn seconded the motion that passed unanimously.

NOTE: A copy of the resolution is attached to, and becomes a permanent part of these minutes.

Awarding of Contract for Asphalt Resurfacing of Stoney Brook Drive

Mrs. Benza noted that the necessary legal advertisement for furnishing the township with sealed bids for the Resurfacing of Stoney Brook Drive had been duly published in the News Herald on May 2, 2014 and on the Geauga County Engineer's website. The sealed bids which had been received within the specified time were opened at a public opening on May 16, 2014 at the Bainbridge Town Hall. The bids were referred to the Geauga County Engineer for review and recommendation.

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| 1. Ronyak Paving, Inc.
P.O. Box 567
Burton, OH 44021 | Bid Bond Enclosed
Bid Amount \$ 285,068.00 |
| 2. Karvo Paving Company
4524 Hudson Drive
Stow, OH 44224 | Bid Bond Enclosed
Bid Amount \$ 297,260.00 |
| 3. Chagrin Valley Paving, Inc.
17290 Munn Road
Chagrin Falls, OH 44023 | Bid Bond Enclosed
Bid Amount \$ 304,127.00 |
| 4. Burton Scot Contractors, LLC
11330 Kinsman Road
Newbury, OH 44065 | Bid Bond Enclosed
Bid Amount \$ 307,352.50 |
| 5. Kokosing Construction Co.
13700 McCracken Road
Cleveland, OH 44125 | Bid Bond Enclosed
Bid Amount \$ 322,780.00 |

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Mr. Horn made a motion to accept the bid of Ronyak Paving, Inc. for the Asphalt Resurfacing of Stoney Brook Drive for a total of \$285,068.00 as the lowest and best bid per the recommendation of the Geauga County Engineer's office.

Mrs. Benza seconded the motion that passed unanimously.

Appointment of Park Board Member

Mr. Markley made a motion to appoint Mr. Jim Keszenheimer to the Park Board.

Mrs. Benza seconded the motion that passed unanimously.

Status of Lakeside Center

Mrs. Benza explained that the step at the Lakeside Center is no longer compliant and the building has been closed after a guest in the building fell. All renters have been relocated to other buildings within the township for the next 3 weeks.

Mr. Stanek stated that an outside vendor provided a quote for the repair in the amount of approximately \$4,000, while the Service Department could do the repair in-house for nearly half the cost within a week. The County Building Department would still need to conduct an inspection. The board was in general agreement to allow Mr. Stanek to contact the Building Department to determine the full extent of the repair needed. Mr. Horn will follow up with Mrs. Most in the Fiscal Office regarding an Incident Report form.

TOWN HALL – OLD BUSINESS

Township Administrator

Mr. Markley explained that there will be a roundtable discussion next week, Monday, June 2nd at 6:00 P.M. to meet with representatives from Concord, Copley, and Twinsburg townships to discuss the role of a Township Administrator and how their respective townships decided when and why an administrator was needed.

Mr. Ted Seliga asked where the money would come from to pay for a Township Administrator. Mrs. Measures explained that the salary of a Township Administrator could be paid for from all departmental funds, similarly to the method the administrative Fiscal Staff is currently divided.

Township Website

Discussions ensued regarding other websites and designers. Mr. Horn is gathering information from a designer in Chagrin Falls that designed websites for Lake County. Geauga County can also provide design services at no charge, however a monthly hosting fee would be charged. Discussions will continue at the next regular meeting.

Request for Qualifications

The trustees will review the RFQs that were received and will use a rating sheet that the Service Director has available in order to grade the architectural firms.

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TOWN HALL – NEW BUSINESS

Bainbridge West Cell Tower

Mr. Markley explained that Verizon Wireless has contacted our Zoning Inspector regarding the potential to install a mono tower, or pole, on the south side of State Route 422 on the township owned property located on Bainbridge Road.

Mr. Markley would like the board to decide whether to continue the discussion or determine that it is not interested. Mr. Horn will follow up with another individual who has also expressed an interest in using the same parcel.

ZONING DEPARTMENT – OLD BUSINESS

Zoning Resolution Update

Final reviews of the rewrite are underway along with discussions with the County Planning Department regarding the implementation of such.

The City of Aurora’s Mixed Use Referendum passed at the polls on May 6th. Aurora representatives would like to meet with Mr. Markley and Mrs. Endres to further discussions on the Township’s mixed use zoning.

ZONING DEPARTMENT – NEW BUSINESS

Resignation of Zoning Commission Member

The trustees acknowledged the resignation of Mr. Don Sheehy from the Zoning Commission, effective immediately. The Board of Trustees would like to thank Mr. Sheehy for his service to the township for the past sixteen years, his knowledge and experience will be missed.

FISCAL OFFICE – NEW BUSINESS

Purchase Order Approval

Mr. Horn made a motion to approve the purchase order list as amended by the Fiscal Officer.

Mr. Markley seconded the motion that passed unanimously.

The list as presented is as follows:

Purchase Order Approval Requests

1. Pyrotechnico – Fireworks Display – \$12,000.00 (General)
2. Rainaway Gutter Service – Town Hall Gutter Replacement – \$2,195.00 (General)
3. LLW Services Inc. – Town Hall Gutter Board Replacement – \$1,200.00 (General)
4. Sunbelt Rental – Lift Rental to Repair Gutters – \$1,944.81 (General)
5. Ronyak Paving – Asphalt Resurfacing of Stoney Brook Drive – \$285,068.00 (Roads)
6. Southern Tools – Concrete Mixer – \$3,139.13 (Roads)
7. O’Reilly Equipment – Enclosed Trailer – \$6,181.00 (Roads)
8. Sunbelt Rental – Emergency Rental of Bulldozer – \$1,588.90 (Roads)
9. Applied Concepts, Inc. – Stalker Radar Unit – \$2,665.00 (Police)
10. Laser Technology – Ultralyte Laser Unit – \$2,695.00 (Police)
11. Kiesler’s Police Supply, Inc. – Ammunition for New Rifles – \$12,213.04 (Police)

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Invoice Approval

Mr. Markley made a motion to approve the invoice for ERC in the amount of \$445.00 for the 2014 membership dues from the General Fund.

Mrs. Benza seconded the motion that passed unanimously.

Blanket Certificate Renewal

Mr. Markley made a motion to approve the renewal of the blanket certificate for 2031-330-490-0000 for Supplies and Materials in the Road Department in the amount of \$10,000.00, per the recommendation of the Fiscal Officer.

Mr. Horn seconded the motion that passed unanimously.

Transfer of Funds

Mr. Markley made a motion to transfer funds from the Road Department to the Fire Department in the amount of \$3,500.00 for the purchase of the Fire Department's 2003 Dodge Durango to be used by the Road Department, per the recommendation of the Road Superintendent and the Service Director.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to transfer funds from the Road Department to the Fire Department in the amount of \$8,000.00 for the purchase of the Fire Department's 2001 Medium Duty Ambulance to be used by the Road Department, per the recommendation of the Road Superintendent and the Service Director.

Mrs. Benza seconded the motion that passed unanimously.

LATE ADDITIONS TO THE AGENDA

TOWN HALL – NEW BUSINESS

Bainbridge Civic Club Donation

Mr. Horn presented a donation to Bainbridge Township from the Bainbridge Civic Club from the 2013 Fourth of July food sales in the amount of \$352.85 to be used for Township Parks.

PUBLIC COMMENT

None

CHECKS DATED MAY 13, 2014 THROUGH MAY 27, 2014

The trustees examined and signed checks dated May 13, 2014 through May 27, 2014 consisting of warrants 21428 through 21486 for a total amount of \$149,880.35.

NOTE: A register of said checks is attached to, and becomes a permanent part of these minutes.

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CORRESPONDENCE

- Blue Sky Tower Partners Letter regarding Cell Tower at Road Garage
- Chagrin River Watershed Partners Meeting Agenda and Financial Statement
- Suzanne Berger, Historical Society Liaison Letter of Appreciation for Greg Marous's assistance with the third grade classes from Timmons Elementary
- Western Reserve Land Conservancy Spring 2014 Landline
- Troy Times May/June 2014 Issue
- Bainbridge Township Board of Zoning Appeals minutes from April 17, 2014 meeting

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:04 P.M.

Respectfully Submitted,

Cherianne H. Measures,
Fiscal Officer, Bainbridge Township

Date

Date

Date

Minutes Read: _____

Minutes Approved: _____