

Monday, August 23,

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The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on August 23, 2021. Those present were Trustees Mr. Jeffrey Markley, Mrs. Kristina O'Brien, and Mrs. Lorrie Benza and Fiscal Officer Mrs. Janice Sugarman. Mr. Markley presided and called the meeting to order at 5:05 P.M.

EXECUTIVE SESSION

Mrs. Benza made a motion to recess the regular meeting and go into executive session for the Employment and Compensation of Public Employees per Ohio Revised Code Section 121.22(G)(1), Pending Litigation per Ohio Revised Code Section 121.22(G)(3), and Economic Development per Ohio Revised Code Section 121.22(G)(8).

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

The trustees recessed their meeting at 5:06 P.M. in order to go into executive session.

Mrs. Linda Applebaum was invited into executive session at 5:06 P.M. and left at 6:00 P.M.

Mrs. Karen Endres was invited into executive session at 5:06 P.M. and left at 7:07 P.M.

Mr. Tom FitzSimmons was invited into executive session via Zoom at 6:02 P.M. and left at 7:07 P.M.

The trustees returned from executive session, after considering the employment and compensation of public employees, pending litigation, and economic development and reconvened their regular meeting at 7:11 P.M. and everyone stood and recited the Pledge of Allegiance.

CHANGES TO THE AGENDA

1. Add: Blanket Certificate: Administration – Other - \$10,000.00
2. Fiscal Resolution name change to "Local Fiscal Recovery Fund (ARP)"

MINUTES APPROVAL

Mrs. Benza moved to approve the minutes of the trustees' July 26, 2021 and August 9, 2021 regular meetings and August 10, 2021 special work session as written.

Mrs. O'Brien seconded the motion. Vote: Mr. Markley, aye; Mrs. Benza, aye; Mrs. O'Brien, aye. Motion carried.

PRESENTATION – NOPEC Green Community Choice Program

Mr. Jeff Heinrich and Ms. Joyce Mihalik of NOPEC presented the NOPEC Green Community Choice Program to the trustees. The trustees will consider the program, which supports sustainability and renewal energy development, at a future meeting.

DEPARTMENTAL REPORTS

FIRE DEPARTMENT

Assistant Chief Bill Lovell presented the fire department report for the month of July, 2021. In July, there were 135 EMS calls and 38 fire calls. The Fire Prevention Bureau conducted 63 inspections and found 10 code violations. The department receives the most calls from the Prompt Care on Route 306, and transports the most people to Hillcrest. Residents were reminded to plug items directly into wall outlets as much as possible. Fires can start when there are too many power outlets and extension cords connected to each other. The complete fire report is attached to and becomes a permanent part of these minutes.

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POLICE DEPARTMENT

Lieutenant Bob Weir presented the police department report for the month of July, 2021. He reported that the license plate reader cameras are working very well. They have been instrumental in assisting the department at the patrol level and the detective bureau. There were ½ million plates read in the last month. The complete police report is attached to and becomes a permanent part of these minutes.

ZONING DEPARTMENT

Mrs. Karen Endres presented the zoning department report for the month of July, 2021. She reported that zoning had five new home starts and issued 25 permits with receipts of \$5,050.00. She updated the trustees on the new scanner which has been installed and is working fine. The students from the Educational Service Center of the Western Reserve will be starting on September 7, 2021. The complete zoning report is attached to and becomes a permanent part of these minutes.

PUBLIC COMMENTS

None.

FIRE DEPARTMENT – OLD BUSINESSMeritech Contract – Buyout Paperwork and Addendum

Mrs. Benza made a motion to authorize the fiscal officer to sign the buyout addendum with CCT Financial to have the option to buy the leased copier for \$1.00 at the end of the lease term of five years and also to sign the fiscal funding addendum per the recommendation of the fire chief.

Mrs. O'Brien seconded the motion that passed unanimously.

SERVICE DEPARTMENT – NEW BUSINESSSnake Hill – Road Work Agreement

Mrs. Benza made a motion to approve and allow the chair to sign the Road Work agreement with Western Reserve Land Conservancy and Snake Hill Farm for work outlined in the agreement per the recommendation of the service director.

Mrs. O'Brien seconded the motion that passed unanimously.

Request for Rental Fee Waiver – Bainbridge Recovery Club

Mrs. Benza made a motion to approve the rental fee waiver request from the Bainbridge Recovery Club for the Bainbridge Town Hall for their annual fundraiser on September 18, 2021 in the amount of \$180.00 per the recommendation of the service director. A building attendant fee of \$60.00 will be paid.

Mrs. O'Brien seconded the motion that passed unanimously.

TOWN HALL – OLD BUSINESSWebsite Development Issues

Geauga County Auditor Chuck Walder and Chief Deputy Administrator Frank Antenucci updated the trustees on the progress of the township's new website. It is nearing completion, but if issues are found, please contact the helpdesk via the yellow banner at the top of the website.

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ZONING DEPARTMENT – OLD BUSINESSTemporary Signs

The trustees were in general agreement to enforce the restriction on any signage in the right-of-way on all roads in the township according to the terms of the township zoning resolution. The zoning department will be working with businesses and residents on enforcement.

ZONING DEPARTMENT – NEW BUSINESSPublic Hearing for Z-2021-1

Mrs. Benza made a motion to recess this regular meeting at 8:30 P.M. and call to order this public hearing to consider Z-2021-1. Legal notice of this public hearing was published in the News Herald Daily paper on August 13, 2021. Additionally, the proposed zoning amendment Z-2021-1 has been available for public examination and review at the Township Fiscal Office from 8:30 a.m. to 3:00 p.m. from August 13, 2021 through today, August 23, 2021.

Mrs. O'Brien seconded the motion that passed unanimously.

Public Hearing: Z-2021-1 proposes to amend Chapter 105 – Definitions and Chapter 161 – General Provisions: Food Trucks and Mobile Units.

Mr. Markley called for comments in favor of the amendment. There were none.

Mr. Markley called for comments against the amendment. There were none.

Mr. Markley closed the public hearing at 8:37 P.M.

Mrs. Benza made a motion to adopt Resolution 08232021-A approving Zoning Amendment Z-2021-1.

Mrs. O'Brien seconded the motion. Vote: Mrs. Benza, aye; Mrs. O'Brien, aye; Mr. Markley, aye. Motion carried.

*This zoning amendment shall become effective in thirty days unless a valid referendum petition is submitted to the Board of Trustees pursuant to ORC 519.12.

Public Hearing for Z-2021-2

Mrs. Benza made a motion to recess this regular meeting at 8:38 P.M. and call to order this public hearing to consider Z-2021-2. Legal notice of this public hearing was published in the News Herald Daily paper on August 13, 2021. Additionally, the proposed zoning amendment Z-2021-2 has been available for public examination and review at the Township Fiscal Office from 8:30 a.m. to 3:00 p.m. from August 13, 2021 through today, August 23, 2021.

Mrs. O'Brien seconded the motion that passed unanimously.

Public Hearing: Z-2021-2 proposes to amend Chapter 105 – Definitions; Chapter 143 – Convenience Business District; and Chapter 169 – Off-Street Parking and Load Facilities: Drive-In, Drive-Through Facilities.

Mr. Markley called for comments in favor of the amendment. There were none.

Mr. Markley called for comments against the amendment. There were none.

Mr. Markley closed the public hearing at 8:41 P.M.

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Mrs. Benza made a motion to adopt Resolution 08232021-B approving Zoning Amendment Z-2021-2.

Mrs. O'Brien seconded the motion. Vote: Mrs. Benza, aye; Mrs. O'Brien, aye; Mr. Markley, aye. Motion carried.

*This zoning amendment shall become effective in thirty days unless a valid referendum petition is submitted to the Board of Trustees pursuant to ORC 519.12.

Public Hearing for Z-2021-3

Mrs. Benza made a motion to recess this regular meeting at 8:42 P.M. and call to order this public hearing to consider Z-2021-3. Legal notice of this public hearing was published in the News Herald Daily paper on August 13, 2021. Additionally, the proposed zoning amendment Z-2021-3 has been available for public examination and review at the Township Fiscal Office from 8:30 a.m. to 3:00 p.m. from August 13, 2021 through today, August 23, 2021.

Mrs. O'Brien seconded the motion that passed unanimously.

Public Hearing: Z-2021-3 proposes to amend Chapter 105 – Definitions; Chapter 143 – Convenience Business District; Chapter 161 – General Provisions; and Chapter 190 – MUP Mixed Use Planned Unit Development District: Electric Vehicle Charging.

Mr. Markley called for comments in favor of the amendment. There were none.

Mr. Markley called for comments against the amendment. There were none.

Mr. Markley closed the public hearing at 8:51 P.M.

Mrs. Benza made a motion to adopt Resolution 08232021-C approving Zoning Amendment Z-2021-3.

Mrs. O'Brien seconded the motion. Vote: Mrs. Benza, no; Mrs. O'Brien, aye; Mr. Markley, aye. Motion carried.

*This zoning amendment shall become effective in thirty days unless a valid referendum petition is submitted to the Board of Trustees pursuant to ORC 519.12.

Public Hearing for Z-2021-4

Mrs. Benza made a motion to recess this regular meeting at 8:52 P.M. and call to order this public hearing to consider Z-2021-4. Legal notice of this public hearing was published in the News Herald Daily paper on August 13, 2021. Additionally, the proposed zoning amendment Z-2021-4 has been available for public examination and review at the Township Fiscal Office from 8:30 a.m. to 3:00 p.m. from August 13, 2021 through today, August 23, 2021.

Mrs. O'Brien seconded the motion that passed unanimously.

Public Hearing: Z-2021-4 proposes to amend Chapter 135 – R5A Rural Open Residential District and Chapter 155 – Light Industry Restricted District: Miscellaneous.

Mr. Markley called for comments in favor of the amendment. There were none.

Mr. Markley called for comments against the amendment. There were none.

Mr. Markley closed the public hearing at 8:54 P.M.

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Mrs. Benza made a motion to adopt Resolution 08232021-D approving Zoning Amendment Z-2021-4.

Mrs. O'Brien seconded the motion. Vote: Mrs. Benza, aye; Mrs. O'Brien, aye; Mr. Markley, aye. Motion carried.

*This zoning amendment shall become effective in thirty days unless a valid referendum petition is submitted to the Board of Trustees pursuant to ORC 519.12.

BZA Vacancy

The trustees were in general agreement to advertise for a member of the Board of Zoning Appeals in the media and also place a notice on the township website.

FISCAL OFFICE - NEW BUSINESS

Resolution to Certify Tax Levies

Mrs. Sugarman reported that the 2022 budget was passed unanimously at the Budget Commission Hearing on August 16, 2021.

Mrs. Benza made a motion to adopt the resolution 08232021-E accepting the amounts and rates determined by the Geauga County Budget Commission and certifying them to the County Auditor, thereby allowing the approved rates of levy on the township Tax Duplicate as delineated in the attached Schedule A and B.

Mrs. O'Brien seconded the motion that passed unanimously.

PURCHASE ORDER APPROVALS

Mrs. Benza made a motion to approve the purchase orders listed below as submitted by the Fiscal Officer.

Mrs. O'Brien seconded the motion that passed unanimously.

Purchase Order Request List

- 1. JP Morgan – Gas Range - \$4,145.23 (Fire)
- 2. Direct Construction, Inc. – Meeting Room Windows - \$21,925.00 (General)
- 3. Barco Products Company – Recycling Containers - \$4,551.30 (General)
- 4. VanCuren Services, Inc. – Tree Removal - \$9,750.00 (Roads)

INVOICE APPROVALS

Mrs. Benza made a motion to approve the invoice list below as submitted by the Fiscal Officer.

Mrs. O'Brien seconded the motion that passed unanimously.

Invoice List

- 1. DS Architecture – Town Hall - \$4,757.50 (General)
- 2. Ronyak Paving – Pay Application #1(RC-BAI-V-2021) - \$437,159.50 (Roads)

BLANKET CERTIFICATE APPROVAL

Mrs. Benza made a motion to approve the blanket certificates listed below as submitted by the Fiscal Officer.

Mrs. O'Brien seconded the motion that passed unanimously.

Blanket Certificates

- 1. Road and Bridge – Repairs and Maintenance - \$15,000.00
- 2. Administration – Other Expenses - \$10,000.00

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FISCAL RESOLUTION APPROVAL

Mrs. Benza made a motion to approve Resolution 08232021-F as submitted by the Fiscal Officer.

- Resolution to approve the creation of Special Revenue Fund 2272 - "Local Fiscal Recovery Fund (ARP)" - by the township Fiscal Officer as specified by the American Rescue Plan Act and to request that funds in the amount of \$599,018.93 be certified by the Geauga County Budget Commission upon receipt

Mrs. O'Brien seconded the motion that passed unanimously.

Checks Dated August 10, 2021 through August 23, 2021

The trustees examined and signed checks and invoices August 10, 2021 through August 23, 2021 consisting of warrants #37395 through #37514 in the amount of \$884,047.03.

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

CORRESPONDENCE

1. Geauga County Commissioners: Waterline Construction pre-bid meeting on August 26, 2021 with a bid opening on September 8, 2021 at 2:00 P.M.
2. Alan Nusbaum: Nuisance properties in Stone Ridge Colony. Mrs. Endres spoke with Mr. Nusbaum recently and, although his letters arrive on his law firm's letterhead, he is not representing Stone Ridge Colony in this matter.

PUBLIC INTERACTION

None.

LATE ADDITIONS

None.

The trustees recessed their meeting at 9:09 P.M. in order to go into executive session for the Employment and Compensation of Public Employees per Ohio Revised Code Section 121.22(G)(1).

Ms. Morena Carter of Littler was invited into executive session by telephone at 9:40 P.M. and left at 9:52 P.M.

The trustees returned from executive session, after considering the employment and compensation of public employees, and reconvened their regular meeting at 9:59 P.M.

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Since there was no further business to come before this regular meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 10:00 P.M.

Respectfully Submitted,

Janice S. Sugarman,
Fiscal Officer, Bainbridge Township

Date

Date

Date

Minutes Read: _____

Minutes Approved: _____