

Monday, August 27,

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The Bainbridge Township Board of Trustees met in Regular session at the Bainbridge Town Hall on August 27, 2012. Those present were trustees Mr. Jeffrey S. Markley, Mrs. Lorrie Sass Benza and Mr. Christopher Horn, and Fiscal Officer Mrs. Cherianne H. Measures. Mr. Markley presided and called the meeting to order at 5:00 P.M.

#### ZONING DEPARTMENT – OLD BUSINESS

##### RESOLUTION REWRITE UPDATE

##### Kendig Keast Collaborative, Zoning Commission, Board of Zoning Appeals

Mr. Bret Keast explained the strategic plan for the Cedar Fair property including the discussion session planned for Tuesday at noon. Kendig Keast Collaborative would like to identify potential uses for the property, including what the residents desire for that location as well as what they do not want, the desires of the owner, and geographical constraints. Other items to be considered are the uses that would be supported by the market, and whether or not it is important to retain any of the nostalgic value of the property.

Mrs. Benza stated that there were meetings earlier today with Kendig Keast, stakeholders and residents near Cedar Fair. Then another meeting with Kendig Keast and the owner's representatives for Cedar Fair.

A member of the Board of Zoning Appeals, Mr. Joe Gutoskey, suggested using the Township's website to keep the community updated on this project.

Mr. Joe Oberle is concerned that we are not reaching enough residents to participate in this project.

Mrs. Melody Tewksbury asked if the new zoning resolution will be more legally defensible. The board answered that this is the underlying goal. But as new authority recently given to Ohio Townships is challenged in the legal system and works its way through the courts, those decisions may impact zoning. So while it is the goal, we cannot say definitively.

Mr. Matt Bucchin, with Kendig Keast, explained the purpose of the meeting was to lay the groundwork for developing the Township's new Comprehensive Zoning Resolution (CZR) in accordance with the Comprehensive Land Use Plan and the statutory mandates of the state.

The structure of a good CZR includes legal context, creating a new nexus, specific uses, flood plane regulations, and planned unit developments (PUDs).

Mr. Keast explained the existing development character in map 3.1.

Mr. Bucchin pointed out the existing neighborhoods and the map of non-conforming 3 acre lots, the map of non-conforming 5 acre lots, and the existing neighborhood districts. He went on to explain table 3.4 which illustrated the character based district structure.

Mr. Keast then explained that there are typically more poor PUDs than good ones. Everything should be spelled out, including any and all options.

Mr. Bucchin then discussed the environmental resources of the region, while Mr. Keast elaborated on the conservation development.

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Mr. Bucchin talked about the uses and use types, conditional use versus limited use, landscaping and buffering, building design, creating a user-friendly CZR, and the importance of a proposed annotated outline.

Mr. Keast explained that the general welfare section of the Ohio Revised Code is linked to non-residential properties.

Mr. Markley then introduced the members of the Zoning Commission and the Board of Zoning Appeals and stated that any resident could contact a member of either zoning board with questions or concerns that they may have regarding this rewrite.

Mr. Keast finished up by stating that the first module should be ready for review by late October or early November.

Mr. Markley thanked everyone for attending and reminded them of the meeting on Tuesday at noon in the Town Hall. The board recessed their meeting briefly for people that wanted to leave, including the presenters at 7:16 P.M.

The meeting reconvened at 7:23 P.M.

## MINUTES

The minutes from the trustees' August 6, 2012 special meeting were approved as presented. The minutes from the trustees' August 8, 2012 emergency meeting were approved as presented. The minutes from the trustees' August 13, 2012 regular meeting were approved as presented.

## DEPARTMENTAL REPORTS

### POLICE DEPARTMENT

Chief Jon Bokovitz presented the monthly report for the Police Department for the month of June 2012.

The Chief announced that next Citizen's Academy will begin next week. Also a friendly reminder that school has started and school zones are being enforced during the designated times.

The Chief also had an update on the traffic lights at 422 and 306 and Bainbridge Roads. The lights will all be activated at one time and should be later this week.

### ZONING DEPARTMENT

Mr. Markley presented the monthly report for the Zoning Department for the month of July 2012.

Mr. Markley announced that Mr. Wrench has submitted his letter of resignation, effective August 31, 2012. The Board of Trustees would like to thank Mr. Wrench for his service and dedication to Bainbridge Township over the past six years and wish him well on his future endeavors.

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PRESENTATION BY GUESTMs. Jiana Gandolfi, Geauga County Educational Service Center

Mr. Markley explained that Ms. Gandolfi helped implement a program to scan historical zoning records using a large format scanner.

Ms. Gandolfi then elaborated that the scanning program began in September of 2010 with the Kenston Transitional Options Job Training Program as well as the Gaitway High School JTC Program working two hours per day usually two days per week. A list of employment tasks was created as well as student outcomes and future outcomes.

Mr. Markley then talked about the value of the work done and would like to determine an appropriate contribution to the program. Ms. Gandolfi was very appreciative and stated that she would let the board know of items the program could utilize.

PUBLIC COMMENT

Ms. Linda White explained that the Russell Zoning Department will be hosting a seminar on fracking.

Ms. White, also a member of the Special Events Committee, stated that the committee would like to host an event, Christmas at Centerville Mills, on December 15<sup>th</sup> from 2:00 to 5:00 p.m. and would like the board to consider a budget of \$1,000.00

Mr. Henri Preuss stated that such an event would need to be properly publicized.

Mr. Daniel Simon explained that there was a large fireworks display on August 18<sup>th</sup> at a private residence on Pettibone Road that went late into the evening, which was very disturbing and irritated many of the neighbors. Mrs. Benza explained that she had received phone calls the night of the event. The resident hired a professional pyro-technician that more than complied with the state requirements and that it was done legally.

FISCAL OFFICE – NEW BUSINESSPurchase Order Approval

Mr. Markley made a motion to approve the purchase order list as prepared by the Fiscal Officer.

Mrs. Benza seconded the motion that passed unanimously.

The list as presented is as follows:

Purchase Order Approval Requests

1. Finley Fire Equipment – Smoke Ventilation Fans – \$2,200.00 (Fire)
2. ACS Firehouse Software – Fire Management Software – \$1,930.00 (Fire)
3. Geauga Mechanical – Top Boiler Repairs – \$2,823.00 (Police)

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Invoice Approval

Mr. Benza made a motion to approve the invoice list as prepared by the Fiscal Officer.

Mr. Markley seconded the motion that passed unanimously.

The list as presented is as follows:

Invoice Approval Requests

1. Stephen Ciciretto – Construction Documents for River Road Park Restrooms – \$1,522.00 (General)
2. Walter & Haverfield – Legal Opinion Regarding Zoning – \$454.50.00 (General)
3. Walter & Haverfield – Bainbridge Aurora JEDD – \$84.00 (General)
4. John G. Johnson – Fourth Invoice for Fire Station Addition/Renovation – \$92,123.88 (Capital Improvement Fund)
5. Penn Ohio Corporation – Clean-up Days – \$3,946.50 (Roads)
6. Liberty Tire – Tire Recycling Clean-up Days – \$1,348.02 (Roads)

Budget Hearing Update

Mrs. Measures announced that the Budget Hearing before the Geauga County Budget Commission went very smoothly this year. Bainbridge Township's tax budget for 2013 was approved with a minor deduction to the General Fund due to a reduction in Local Government funding from the state.

FIRE DEPARTMENT – OLD BUSINESSFire Station Addition/Renovation Project Update

Mr. Markley explained the emergency that occurred last week, wherein a worker suffered electrocution burns after flashing he carried came into contact with power lines, which shed some light on the problems with the utilities in their current location. Other than that, the project is moving along according to schedule with regular meetings being held every Monday morning.

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FIRE DEPARTMENT – NEW BUSINESS

Change Order #1 for Fire Station Addition/Renovation Project

John G. Johnson Construction Company  
8360 E. Washington Street  
Chagrin Falls, OH 44023

Original Contract	\$2,374,000.00
Additional Payment	<u>0.00</u>
New Total	\$2,374,000.00

Mr. Markley made a motion authorizing payment of an additional \$0.00 to John G. Johnson Construction Company for the Fire Station Addition/Renovation project per the recommendation of Mr. Stephen Ciciretto, allowing the Fiscal Officer to execute said contract.

Mrs. Benza seconded the motion that passed unanimously.

Change Order #2 for Fire Station Addition/Renovation Project

John G. Johnson Construction Company  
8360 E. Washington Street  
Chagrin Falls, OH 44023

Original Contract	\$2,374,000.00
Additional Payment	<u>- 22,977.00</u>
New Total	\$2,351,023.00

Mr. Markley made a motion authorizing a deduction to the contract in the amount of \$22,977.00 to John G. Johnson Construction Company for the Fire Station Addition/Renovation project per the recommendation of Mr. Stephen Ciciretto, allowing the Fiscal Officer to execute said contract..

Mrs. Benza seconded the motion that passed unanimously.

Change Order #3 for Fire Station Addition/Renovation Project

John G. Johnson Construction Company  
8360 E. Washington Street  
Chagrin Falls, OH 44023

Original Contract	\$2,374,000.00
Net Previous Change Orders	- 22,977.00
Additional Payment	<u>22,977.00</u>
New Total	\$2,374,000.00

Mr. Markley made a motion authorizing additional payment of \$22,977.00 to John G. Johnson Construction Company for the Fire Station Addition/Renovation project per the recommendation of Mr. Stephen Ciciretto, allowing the Fiscal Officer to execute said contract.

Mr. Horn seconded the motion that passed unanimously.

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Change Order #4 for Fire Station Addition/Renovation Project

John G. Johnson Construction Company  
 8360 E. Washington Street  
 Chagrin Falls, OH 44023

Original Contract	\$2,374,000.00
Additional Payment	<u>61,291.00</u>
New Total	\$2,435,291.00

Mr. Markley made a motion authorizing an addition to the contract in the amount of \$61,291.00 to John G. Johnson Construction Company for the Fire Station Addition/Renovation project per the recommendation of Mr. Stephen Ciciretto, allowing the Fiscal Officer to execute said contract.

Mr. Horn seconded the motion that passed unanimously.

Chagrin/Southeast Council of Governments

The board was in general agreement to accept the set of revised by-laws of the Chagrin/Southeast Council of Governments as submitted.

Mr. Markley made a motion to appoint Chief Brian Phan as the designated representative, with Assistant Chief Bill Lovell and Assistant Chief Wayne Burge as alternates.

Mrs. Benza seconded the motion that passed unanimously.

SERVICE DEPARTMENT – OLD BUSINESSHeritage Park Update

Mr. James Stanek, Service Director, stated that we have received confirmation that the current parking lot asphalt does not meet the specifications of the job and will be replaced beginning Tuesday, September 11<sup>th</sup> and should be completed around September 21<sup>st</sup>.

Mr. Markley would like to send kudos to the Historical Society for the Open House they hosted at the Bissell House yesterday.

For an update on Heritage Park, the lights are on at the flagpoles and the walkways have been completed.

Mr. Preuss, with the Park Board, thanked Mr. Stanek for his constant efforts watering the fields to ensure that the grass that was planted actually grew on the ball fields.

Mr. Hesse, president of the Historical Society, stated that the neighbor to the south is glad to have the flags flying at Heritage Park, but wondered if the direction or positioning of the lights could be adjusted so as not to light her house all night long!

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Work Session Centerville Mills Park

The trustees have scheduled a work session to discuss Centerville Mills Park for Monday, September 17<sup>th</sup> at 6:00 P.M. at Centerville Mills.

The board was in general agreement to waive the security deposit for the use of the Dining Hall by the Special Events Committee in December for Christmas at Centerville Mills.

SERVICE DEPARTMENT – NEW BUSINESS

Easements for Drainage Purposes

Mr. Markley made a motion to accept the easements situated in Bainbridge Township and part of parcel 02-104050 owned by Edwards Crystal Brooks Holdings, LLC and all the terms and conditions therein, per the recommendation of the Geauga County Engineer’s Office and the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Easements for Drainage Purposes

Mr. Markley made a motion to accept the easements situated in Bainbridge Township and part of parcel 02-717100 owned by Bainbridge Township Board of Trustees and all the terms and conditions therein, per the recommendation of the Geauga County Engineer’s Office and the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Work Agreement Crackel Road Improvement Project

Mr. Markley made a motion execute the work agreement for the Crackel Road Improvement Project, per the recommendation of the Geauga County Engineer’s Office and the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Change Order #1 for 2012 Culvert Replacement Project

Landco-Gemano Construction Company  
9266 Chillicothe Road  
Kirtland, OH 44094

Original Contract	\$80,874.15
Change Order Reduction	<u>- 902.80</u>
New Total	\$79,971.35

Mr. Markley made a motion authorizing a change order reduction in the amount of \$902.80 to Landco-Germano Construction Company for the Culvert Replacement Project, per the recommendation of the Geauga County Engineer’s Office and the Road Superintendent.

Mr. Horn seconded the motion that passed unanimously.

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Invoice Approval for 2012 Culvert Replacement Project

Mr. Markley made a motion to approve the final invoice for Landco-Germano Construction Company in the amount of \$79,971.35 for the 2012 Culvert Replacement Project, per the recommendation of the Geauga County Engineer's Office and the Road Superintendent.

Mr. Horn seconded the motion that passed unanimously.

Execution of Contract for Restrooms at River Road Park

Mr. Markley made a motion to authorize the Fiscal Officer to execute the contract with Petersen Painting and Home Improvement for the River Road Park Convenience Stations that were awarded at the August 13, 2012 meeting..

Mrs. Benza seconded the motion that passed unanimously.

Cemetery Deeds

The trustees signed a cemetery deed record for Section 10 Lot 12 Graves 4 & 5. Joan Demirjian and David Pfouts attested to their signatures.

The trustees signed a cemetery deed record for Section 10 Lot 12 Grave 3. Joan Demirjian and David Pfouts attested to their signatures.

Discussion with ODOT

Mr. Markley explained that the Service/Road Department and he met with representatives of ODOT District #12 to discuss the various ways to improve salt delivery to the Township. This included the possibility of storing salt owned by the state at the Township Road Garage, or potentially building a service center within the Township. This could include having a brine storage unit within the Township that we may have access to. However, this is all in the early planning stages and there are a lot of details to be worked out before anything would be finalized.

TOWN HALL – OLD BUSINESSCompensation Review Discussion

Mr. Markley stated that the trustees had a meeting with the non-bargaining employees on August 22<sup>nd</sup>. The board agreed to continue to evaluate the appropriateness of the recommended salary ranges. Mr. Horn explained that the board needs to see how each employee fits into the system.

The Fiscal Officer will review the former recommendation with the new recommendation and how those employees fit into the designated ranges.

The board agreed that raises then need to be reviewed as well to see how they fit into the proposed system.



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TOWN HALL – NEW BUSINESSExecution of Revised Agreement for Creation of JEDD

Mrs. Benza made a motion to execute the revised agreement for creation of JEDD, per the recommendation of legal counsel.

Mr. Markley seconded the motion that passed unanimously.

Resolution Accepting Amounts and Rates as Determined by the Budget Commission

Mr. Markley made a motion to accept the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Mr. Horn seconded the motion that passed unanimously.

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

Land Bank Sale

The board stated the need to develop parameters and prices for the various land bank parcels with the understanding that the township needs to be made whole on each parcel. Mr. Horn and Mrs. Measures will work together to establish the necessary guidelines.

Authorization for Pre-Disciplinary Conference

The board was in general agreement to create a list of three to four individuals that could act as independent fact finder for a current employee disciplinary matter.

ZONING DEPARTMENT – NEW BUSINESSEmployment of Public Employee

Mr. Markley made a motion to accept the resignation of Mr. Shane Wrench from the position of Zoning Inspector, effective August 31, 2012.

Mrs. Benza seconded the motion that passed unanimously.

Nuisance Abatement – Weed Control

The Ohio Revised Code authorized the Board of Trustees to act on the need for weed control under nuisance abatement. Mr. Horn identified two properties within the township that should probably be looked into, one being the parcel located at 16381 Chillicothe Road and the other parcel located at 16903 Chillicothe Road.

Mr. Markley would like to establish criteria. However, Mr. Horn will look into what it costs to have a preliminary judicial title search performed when these types of situations need action.

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Execution of Annual Training Contract

Mr. Markley made a motion to execute the contract between Geauga County Educational Services and Bainbridge Township for the student scanning program from August of 2012 through June of 2013, per the recommendation of the Zoning Inspector.

Mrs. Benza seconded the motion that passed unanimously.

PUBLIC COMMENT

Mr. Ted Seliga asked the board if they will be advertizing for the position of Zoning Inspector. The board stated that the decision will be decided after the executive session.

CHECKS DATED AUGUST 14, 2012 THROUGH AUGUST 27, 2012

The trustees examined and signed checks and invoices for same dated August 14, 2012 through August 27, 2012 consisting of warrants 18090 through 18193 for a total amount of \$293,770.82. Payroll records were examined and signed for July 28, 2012 through August 10, 2012 including payroll checks 10782 through 10890 for a total amount of \$153,872.29.

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

CORRESPONDENCE

Geauga County Fair Housing Commission Brochure  
Bainbridge Civic Club Letter of Appreciation for the First Annual Ox Roast  
Bainbridge Historical Society Letter of Appreciation for the Open House  
South Franklin Circle Dialogue Series Notification  
Gauga County Auditor 2011 Comprehensive Annual Report  
Telecom Lease Advisors letter of solicitation

EXECUTIVE SESSION

Mr. Markley made a motion to go into executive session to discuss the employment of a public employee, per Ohio Revised Code Section 121.22(G)(1).

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

The trustees recessed their special meeting at 9:30 P.M. in order to go into executive session.

The trustees returned from executive session, after discussing the employment of a public employee, reconvening their regular meeting at 9:47 P.M.

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Employment of Public Employee

Mrs. Benza made a motion to hire Mr. Joseph Orłowski as the interim Zoning Inspector part time, up to 30 hours per week at a rate of \$20.00 per hour with the understanding that flex time will be utilized when Mr. Orłowski is required to attend evening meetings as Zoning Inspector, effective September 4, 2012.

Mr. Markley seconded the motion that passed unanimously.

Mr. Horn made a motion to authorize the Fiscal Officer to advertise for the position of Full Time Zoning Inspector in the Chagrin Valley Times on Thursday, August 30<sup>th</sup> and Thursday, September 6<sup>th</sup> with resumes and/or applications due by September 10<sup>th</sup>.

Mrs. Benza seconded the motion that passed unanimously.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:50 P.M.

Respectfully Submitted,

Cherianne H. Measures,  
Fiscal Officer, Bainbridge Township

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Date

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Date

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Date

Minutes Read: \_\_\_\_\_

Minutes Approved: \_\_\_\_\_