

Monday, April 13,

15

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on April 13, 2015. Those present were trustees Mrs. Lorrie Sass Benza, Mr. Christopher Horn, Mr. Jeffrey S. Markley and Fiscal Officer Mrs. Janice S. Sugarman. Mr. Markley presided and called the meeting to order at 6:05 P.M.

EXECUTIVE SESSION

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

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

The trustees recessed their regular meeting at 6:05 P.M. in order to go into executive session.

Mrs. Tammy Most was invited into the executive session at 6:05 P.M. and left at 6:42 P.M.

Mrs. Janice Sugarman was invited into the executive session at 6:27 P.M.

The trustees returned from executive session, after discussing the employment and compensation of public employees, reconvening their regular meeting at 7:02 P.M.

MINUTES

Mrs. Benza moved to approve the minutes of the trustees' March 23, 2015 regular meeting as written.

Mr. Horn seconded the motion that was passed unanimously.

Mrs. Benza moved to approve the minutes of the trustees' March 27, 2015 special meeting as written.

Mr. Markley seconded the motion.

Vote: Mrs. Benza, aye; Mr. Horn, abstain; Mr. Markley, aye.

DEPARTMENTAL REPORTS

FISCAL DEPARTMENT

Mrs. Sugarman presented the Fiscal Office report for the month of March 2015.

The fund balance was \$3,902,330.11; revenue was \$362,043.61; expenditures were \$96,798.30 and the pooled balance was \$4,167,575.42.

Monday, April 13,

15

SERVICE DEPARTMENT

Mr. Stanek presented the Service Department report for the month of March 2015.

He reported on the Town Hall Campus; Settlers Park, which is open except the all-purpose fields will remain closed until further notice; the Dining Hall at Centerville Mills Park and the Road Maintenance Facility which the final design for the addition is expected next week. The Town Hall kitchen is done and the fields are getting prepared. Next month the road crew will be performing pothole repairs and plow damage. He is working with the county getting projects out to bid such as Peppermill Chase and Amber Trail and two reconstruction projects, Tall Tree Trail and Trails End and will be meeting with residents of these roads prior to the start of construction and everything is ready for clean-up days.

Mr. Markley also noted that Kenston is holding an electronic drop off on Saturday, April 25th at the bus garage.

Kenston Community Education

Mr. Jason Bednar presented the KCE report for the month of March 2015.

He reported on the last KCE meeting held on March 22nd and said they are working on getting the minutes to the township as soon as possible. The financials are in good shape and they are looking at new programming for older kids since there are less youngsters in the community. The new by-laws will be finalized in May and two scholarships were approved by KCE for two individuals at \$750.00 each and they will be announced at the scholarship breakfast. He thanked Mr. Stanek for the field usage policy.

GUEST PRESENTATION

Mr. Markley explained that the two guests present are here relative to Geauga Lake and a Geauga Lake parcel and specifically the piece that is owned by Cedar Fair. There is a moratorium in effect and from the zoning perspective the rezoning of the Commercial Recreation District to Mixed Use District. An executive session was held about a month ago or so and at that meeting issues were discussed that concerned both groups and tonight we have an opportunity to talk further about that and where we are headed.

Mr. Todd Hunt and Mr. Sheldon Berns were present to discuss this issue with the Board of Trustees.

Mr. Hunt stated that there is a proposed resolution to make an exception to the moratorium to accept an application from the property owner which is Geauga Lake LLC an affiliate of Cedar Fair for a Meijer store and to have the zoning inspector accept that application and process it under the provisions of the current zoning and recent modifications that might be made by the trustees so it is before the trustees for discussion tonight, whatever the trustees wish to do with that this evening, either pass it or continue it.

Monday, April 13,

15

Mr. Markley stated that there are a number of reasons why the moratorium went into effect, not the least that was the desire by the trustees and the zoning commission and zoning inspector to start looking at what exists in the commercial recreation district and determine whether or not we want to continue along that road or to change it up and ultimately by way of multiple years of discussion the decision was to engage Kendig Keast Collaborative, a national consulting firm, to help us work specifically on the Geauga Lake parcel as part of a bigger zoning resolution update so going through that process the language for a mixed use district was put in place and sent out to the county planning commission for review. Kendig Keast drafted the picture of it but another firm was hired to refine it and bring it into a much tighter document where we can actually incorporate it into the township's existing zoning code. Through that process the trustees also established a moratorium because there were opportunities for applications to be submitted and that would have applied to the old district and multiple applications, not just one specific one by Mr. Berns' client.

Mrs. Benza said one of the reasons the trustees felt the need to revise the CR District and approach it from a mixed use proposal is because we have so much empty large boxes in the area right now and last month the trustees attended a ribbon cutting ceremony for another retailer which built new at the end of otherwise vacant strip malls that just stand there empty. She also mentioned that the entire strip next to Target along with the Flower Factory stands completely empty so we have such a plethora of empty retail boxes and that was one of the planning rationals for taking a different approach.

Mr. Horn said in addition a portion of the property is located in Aurora and they have updated their zoning for the property so we felt it was the best use for the entire area to have something consistent with Aurora. He suggested tabling this item until after the special meeting is held on Thursday, April 16th.

Mr. Markley stated that Meijer has expressed an interest in coming into the township to establish a large grocery store and locating on the Cedar Fair property along Route 43 and with the moratorium in place they are prevented from doing so at this point. Mr. Berns on behalf of his client, Cedar Fair, requested that we exempt the Meijer application from the moratorium to allow the application to be received and potentially allow the construction of such a store in that location under what is currently zoned commercial recreation. The zoning commission has approved and recommended to the township after a public hearing, that no one attended, the passage of that Mixed Use District (MUP) and will now be coming to the Board of Trustees for our review and public hearing. The number of items that need to be addressed as part of a serious discussion on considering any amendment for exemption to this moratorium, none are agreed to at this point. He said the board has an opportunity to discuss these issues with a representative of Meijer on Thursday, April 16th which will allow the trustees to address a number of issues that they are concerned with.

Mr. Berns stated that he has addressed a number of issues with the township's legal counsel and talked about the proposed JEDD.

Mr. Markley stated that Meijer will put in place restrictions not for their 40 acres but for the remaining 460 acres that Cedar Fair owns.

Mr. Berns explained it is not for the 460 acres but the restrictions will run with the land such as not allowing the same type of retail etc. He said that anyone who files a zoning application has to go through the process and they started this process a long time ago with Ms. Karen Endres.

Monday, April 13,

15

Mrs. Benza stated that they have started advertising already and asked if Meijer has agreements to build in other areas in northeastern Ohio.

Mr. Berns said they are looking at other sites.

Mrs. Benza asked if Meijer comes in and receives the zoning approval and builds are there any other plans with Cedar Fair that there won't be an issue with any other kind of competition.

Mr. Berns said the retail market has changed over the last several years with the way people want to shop and we have lost a lot of small retailers that no longer exist because people are buying on-line that they would have otherwise found in small stores so the number of small stores available is very small and scarce but the stores that are doing well are the larger stores where they can go and get everything they want. The quality of what they sell won't take a backseat from anyone whether it is food, produce or clothing. He said the proposed Mixed Use zoning is to bar big box retail, they are excluded, so the moratorium is clearly an attempt to bar as far as Meijer is concern and Cedar Fair's concern a big box store because your zoning will not permit it.

Mr. Markley said if you would calculate the empty square footage of existing big box retail that is a real problem in that whole district so the township is struggling with why would a site that is available for sale now for 500 acres be dictated by an entity that is only going to take one-twelfth of that site so the balance of the site, 460 acres, with 40 of it being consumed by Meijer is going to dictate how the rest of that development shapes but with this mindset in place is one that hinders Cedar Fair's ability to sell the balance of the property and we know right now that it is already a brown field and a lot of people have complained about the maintenance and the upkeep of that property which is solely Cedar Fair's to bear. They have done very little to keep that property up and secondly we have been asking for three years for a master plan for the entire property so that if an entity such as Meijer or otherwise wanted to come in and build a development it would be in concert with the entire development and we have yet to ever see a master plan presented by Cedar Fair or otherwise.

Mrs. Benza said she has been extraordinarily disappointed and we had a very specific request made to the representatives of Cedar Fair because we have had communication issues with their designee who was the person that we were to have been dealing with through Cedar Fair and we were told that the request that we made was heard loud and clear and would be handled and it has not been at all and she finds that extraordinarily disappointing because we are still running into difficulty in communication that has existed very long because we still have that same mix happening.

Mr. Berns said until you have a mixed use ordinance and what it allows and doesn't allow it is very hard to do a master plan and the second thing is it depends on what the market will permit. He said if they would take some existing store and remodel it or tear it down and put up a new custom store, there isn't any existing store that fits their requirements and their requirements are very important so none of that works and you have a concern that you have these empty stores, it is the big box stores that attract other stores and if you lose them you will lose the opportunity for other stores in Bainbridge to attract some other people and you will also help with regard to residential because the notion that big box stores don't work is absolutely not true and having a Meijer store there will help the development. He said Cedar Fair wants the highest and best use of their property and they want to work with you anyway they can to develop it on a reasonable basis so he begs the township not to lose this opportunity and it will make the rest of the site available for whatever you and the developers want to do.

Monday, April 13,

15

Mr. Markley said if it does not conflict with the use restrictions that Meijer has in place.

Mr. Berns said they are the kinds of things that nobody wants.

Mr. Markley said for him it is not about Meijer it is about the use of that property, long term, and the township has always said it wants an economic return which was to Cedar Fair's advantage and as you know, Mr. Berns, we talked about this in executive session. We met with Cedar Fair three plus years ago and brought our economic development gentleman up there and that was fostered by the individual who marketed the property coming to him and said the township needs to do something with its zoning because it is not marketable the way it is right now and we are leaning toward giving it away to trust or public land and if the township doesn't do something we might have to do something by the end of the year. That prompted those in the economic side as well as the trustees to say we all agree, let's get some economic development activity there, what do we need to do, site ready, make sure the utilities are there and make sure the zoning is in place. The current zoning as of today was not acceptable three years ago but is acceptable today because now somebody walked in the door and dropped a purchase agreement upon Cedar Fair's desk. It is not consistent though with what we are trying to do there.

Mr. Berns said he doesn't think in the CR district you can have residential.

Mr. Markley said that is correct.

Mr. Berns said how that is going to be developed is an open question and he is sure the representative of Cedar Fair would be glad to discuss what those possibilities are because there are people there and even though retail may not be the top but residential is, there are all kinds of opportunities.

Mrs. Benza said there was an attempt by a residential developer to get in touch with Cedar Fair and try to pursue something.

Mr. Markley said that entity was interested in acquiring the entire property and presented a plan to the township and was unaware of the Meijer purchase agreement that was put in place and was very disappointed and somewhat disgruntled by the fact that has now disrupted the plans that they wanted to put in.

Mrs. Benza said the issue before the trustees is we know that the area is suffering, competition is wonderful, we have at least two other stores currently existing in that area and if nobody else will compete with this particular retailer she does fear that at least two of these other big box stores may be on their way out. Realizing that we cannot zone for a particular entity or vendor, we are not looking to do that, obviously the overall issue was let's get away from the big box because we currently have a lot of empty big boxes and there is no market for big box in this area right now, let's pursue some things that have a more of a mixed use and merge into that market the way it is. She said having said that she does have a question. Mr. Berns made a point that Meijer is top-notch and attracts a very sophisticated clientele and she knows for example, Cosco has a little more sophisticated shopping consumer so she is wondering if Meijer has the same or similar statistics that we know of for Meijer.

Monday, April 13,

15

Mr. Berns said Meijer is not a warehouse club, there is no membership, it competes with Cosco and also competes with Target.

Mr. Markley said and Walmart, Gordmans and Kohl's and the market district down the street in Solon.

Mrs. Benza said and Heinens down the street in Aurora.

Mr. Berns said he is hard pressed to see what the concern is, here is an opportunity to have a retailer in this area with a very profitable business in terms of what the township is looking for. He said the concern is there will be restrictions made in some way to deter the growth of the rest of the site and yet you say that you have these other stores that are not attracting the smaller tenants because one store can be broken down into smaller stores.

Mr. Markley said it is being referred to as an anchor tenant but if you look at Eaton in Beachwood or the Easton in Columbus or Legacy or Crocker Park, those all have a critical mass and they are a destination for folks so while a little retailer may in general be struggling you get that critical mass and you have interest so you have entertainment, you have food, you have services, you have office, you have residential and you have some retail. He said one of the key bullet issues for him was the master planning aspect of it and the orientation of the site and the flexibility of your client's particular purchaser at this point, the 40 acre site, the Meijer site, if that is located in such a way that it is a deterrent not only with the use restrictions but because of its site planning, its location and everything else it really deters other types of development, it consumes the most visible location presumably right there, it is potentially at odds with development behind it, it is probably at odds with circulation and we have heard that from ODOT that they want to understand how the entire site will be used before they permit additional curb cuts into that site not just some for Meijer and then that is it, they need to see how the whole picture flows and then we have sewer and water from Aurora and if you talk to Aurora they certainly have an issue trying to provide service to a 40 acre or one-twelfth of the tenant space, they need to understand what the needs are for the entire site and this is where he struggles with trying to get this going tonight because he needs to understand from Meijer what flexibility they have, how much to what degree they are willing to work with the township, not just in terms of the existing CR but in terms of any elements that might fall into place that the MUP might allow for which is landscaping, which is flexibility design, which is alley-ways, which is boulevard roads, providing access to other sites, flexibility in terms of orientation so that other entities can be visible. He said he doesn't know the answer to that, he doesn't know how flexible they are willing to be but by signing this, this allows them to put the application in for their site based on the current CR zoning which doesn't accommodate all of those things we discussed.

Mr. Berns stated that it is an impossibility to wait for a full development plan to emerge, the market may change and unfortunately we just went through a recession, people lost tons of stores and businesses and the market is there and if you have the opportunity to do something you do it because you don't know how long that market is going to be there. He said he knows that the large part of what is going to be there a lot of it is going to be residential, what kind of residential depends on what the township wants because we represent two national housing companies and one regional and he doesn't have any question that there are people out there that would be very interested in this. The real estate tax value and the cost of land for residential is far less than it is for this and you want to have a very cooperative property owner so it is important that you work with them and in this case that means not losing Meijer. He said they will not be able to sit down and tell you on Thursday how they can integrate this into some plan that doesn't exist.

Monday, April 13,

15

Mr. Markley said there are two master plans that he has seen by potential purchasers of the property both of which submitted letters of intent and purchase agreements to Cedar Fair and those were rebuffed and it is interesting because one of them was a residential developer who was prepared to do not only the master plan itself but integrate aspects that have a site for Meijer but those parties have never been asked to sit down together and work something out.

Mr. Berns said there is no reason why it can't be discussed and it will not take a day or a week to work out some sort of a plan with them, I don't know what the plan would be or if it would be something you would be interested in at all.

Mr. Markley said he would like the opportunity.

Mr. Berns said he understands but you can't hold these people off until you decide what will happen.

Mr. Markley said you have heard about the movie production folks, you have heard about the residential piece and those individuals have had the opportunity to talk amongst each other and he would say that if Cedar Fair wants to integrate all aspects of this with people that are ready to write a check and buy the balance of the property and get Cedar Fair out which is what Cedar Fair wants, they want to monetize and move on, he would think those conversations should have happened months ago when all of these people were interested and have put the paperwork down and this goes back to this individual that we are talking about that isn't facilitating this type of dialog that the township has been wanting for years.

Mr. Berns said none of those people will pay for the property they are interested in, it is not even close to what Meijer will pay.

Mrs. Benza asked if we know that.

Mr. Berns said he is going to tell you that and the difference between the real estate value of what Meijer will pay is extraordinarily different.

Mr. Markley said let's make sure we are all on the same page. The offers that have been out there to Cedar Fair have totaled 13.7 million dollars, the asking price was 15 and that was prior to the Meijer deal and the Meijer deal is consuming the most visible valuable space on the property that is the most buildable without a whole lot of issues with wetlands and existing old infrastructure, footers and all of that, obviously they are being left with the remainder pieces that are much more challenging to build so why would you pay the same price per acre for land that is much more challenging to build on, you wouldn't, so the aggregate price of 15 million is what Cedar Fair was asking, that package was there and has been there and it is still there but yet the conversations don't exist because they are pushing one particular advocate.

Mr. Berns said there must be a reason.

Mr. Markley said because this is quick and easy, it is a 6-1/2 million dollar sale right away.

Monday, April 13,

15

Mr. Berns said if these are the kinds of questions that you have for Cedar Fair, that is, how you are going to delegate this right now into an unknown plan, how flexible are you going to be for a use on some unknown plan, they are going to look at you like I am looking at you now. How can we possibly answer something which we don't know about, we know what we want to do now and we are willing to make it as attractive as it should be or Bainbridge and other people won't want to use the site but we can't tell you how it is going to turn into something that we have no control over. He said as far as the movie studio is concerned, we discussed that in executive session and you were told that if this is approved they will work out a deal with the movie studio but he doesn't know what has happened since then.

Mr. Markley said we don't know either.

Mr. Berns said the only one he knows that is interested in northeastern Ohio is one that he saw a week ago he doesn't know if it is the same movie studio or some other movie studio. There will be opportunities and this development will make those opportunities more attractive per Cedar Fair's point of view, they will be more attractive from a community standpoint, you will have something and if you don't have this besides any other repercussions from it you will have nothing unless someone puts a proposal on the whole site which may be ten years from now.

Mr. Markley said there are two proposals that exist today.

Mr. Berns said that hasn't come to pass and there is a reason for it.

Mrs. Benza said she appreciates all of the issues about the Meijer request and is certainly not opposed to entertaining them, the difficulty that she is struggling with right now is one of timing and trust and here is the reason. We know that there have been attempts made over the course of the past number of years, yes when the economy was not robust. What can we do cooperatively, the property straddles two different communities, two different counties, we have an opportunity to look at some different options. Despite repeated attempts to try to engage the property owner in a way that can benefit the community and meet their economic drive for the highest and best return on their property there was never any receptivity to anything, which is fine, so we now get to a point where we say okay, fine, property owner, you haven't worked with us, you haven't offered anything. We know that Aurora updated its master plan, we know that that was a long work in progress, we know that that went to a vote of the people, this was all taking a lot of time and the property owner never said anything, there was never any kind of approach whatsoever. We know that there were a couple of different development options and developers who tried to reach out to the property owner to pursue different options. The property owner never did anything. She understands the point that was made about the moratorium and the difficulty again is timing and trust because the moratorium was initially enacted back in November and Meijer and Cedar Fair never said word one about any kind of problem with that moratorium, we knew that there had been discussions but there was never any kind of involvement as far as anybody else, even when we extended the moratorium it was not until the zoning amendment was introduced that Meijer and Cedar Fair finally said wait a minute we need to have a discussion.

Mr. Markley said Cedar Fair did.

Monday, April 13,

15

Mrs. Benza said yes Cedar Fair did so that is where she struggles a little bit and again she goes back to the point that we did bring up, we have been having communication difficulties with your point person, please get us a new point person and there may have been behind the scenes discussions on the fact that should have been happening, up till now it has not been made apparent to us, up till now that appointed broker has still been calling our zoning inspector, still been calling the folks in Aurora and certainly is holding himself out as the point person for the property owner so that is where she struggles a little bit with the trust issue. Having said that again, she is not at all not receptive to addressing these things, she thinks the timing is such, given the communication history, she would be reluctant to just go ahead and carve out the exception for this particular tenant to come in and make application under the current zoning before we have had an opportunity to speak with them, she would be willing and she thinks it would be a good idea to chat with them first and she is willing to act on this on Thursday, we know that we have tentatively scheduled this meeting and she hopes that meeting will continue to happen. She understands what you are saying if it won't.

Mr. Horn said we were made aware through our counsel about three weeks ago about Meijer coming to town and it is the first he has heard that we are not meeting on Thursday unless we sign this tonight, it is the first time he is hearing that.

Mr. Berns said he cannot give you any assurance that under these circumstances they will meet, their intention to meet was, and referred to the moratorium and their answer is they are not going to get involved and they terminated their contract and said if the moratorium goes away, they may be interested in doing it and that was four weeks ago and there haven't been any special meetings in April. You will have Craig Cawrse to deal with in the future and there is no question with Craig's integrity ever.

Mr. Markley said when we talked about the timeline the most recent change, if he is not mistaken, was sometime late this afternoon on this document so this has been continually modified over a course of since April 1st since executive session.

Mr. Berns said Mr. Riehl and he had exchanged drafts and we think it should be clear that from the township's standpoint and also Cedar Fair's standpoint that you would accept, during the temporary moratorium, any application for any use and it made sense from all standpoints including Cedar Fair's standpoint.

Mr. Markley said this has been fluent from the get go and with the opportunity to meet with Meijer he thinks that was expressed from way back when.

Mr. Berns said it was not expressed in the executive meeting.

Mr. Markley said he thinks Mr. Horn suggested that he wanted to see a bullet point list before we ever adopted this.

Mr. Berns said it took three weeks to get it and he kept coaxing Chuck Riehl on where is it so that was not their fault and when he got it he went over the points with him and he saw Cedar Fair's reaction immediately. It said it would be a tragic mistake not to pass this tonight because you are not going to get the kind of answers by holding off anytime soon, they are not going to sit around and wait. Right now if you do not pass the moratorium which you think is valid because your lawyers would not have authored it precluding the use of this property. When that occurred they said they wouldn't get involved whatsoever, get rid of the moratorium or they are going elsewhere.

Monday, April 13,

15

Mr. Markley said it sounds like Thursday would be a good opportunity to chat with them and to understand and see where their perspective is and having framework for a basic understanding of our concerns relative to the development of that site is important for them too.

Mr. Berns said it is something they can't control.

Mr. Markley said but they are controlling with the restrictions on use etc.

Mr. Berns said you could have a concern about it if they don't want other grocery stores.

Mrs. Benza said that is an excellent point because we know that somebody else is waiting in the wings who also had similar kinds of communications with the zoning inspector is Aldi, not on the Cedar Fair property but also in the district.

Mr. Berns said if this other box store wants to go someplace else be our guest, it has nothing to do with them and we need to be very clear about that. We are talking about three sublots that this is part of and that is all.

Mr. Markley said we are starting to rehash things.

Mr. Berns said he wants to make sure that we understand what it is that these restrictions apply to. He said they would have lost some in excess of four and one-half million dollars.

Mr. Markley said we should be clear though it is not the enactment of the moratorium because the moratorium has been enacted since November, it is granting the exception, if we do not grant the exception to one entity or tenant the concern is they will walk away and he thinks that is the real issue that you (Mr. Berns) is concerned with and Cedar Fair is concerned with, if we don't grant an exception.

Mr. Berns said it is more important from his perception moving forward and that contract will be lost and it will cost Cedar Fair over four and one-half million dollars because the next person in line is four and one-half million dollars less than this and it makes it a lot easier to sell the rest of the property for less money.

Mr. Hunt said that Mrs. Benza expressed that we are scheduled for Thursday.

Mr. Berns asked if at this special meeting you can act on this.

The trustees responded by saying yes.

The trustees were in general agreement to continue the matter before them at a special meeting on April 16, 2015 at 5:00 P.M. regarding requesting exception to the standing moratorium.

The trustees took a five minute recess at 8:30 P.M.

PUBLIC COMMENTS

None.

Monday, April 13,

15

FIRE DEPARTMENT – OLD BUSINESS

Evaluation of Proposals – Strategic Analysis of the Bainbridge Township Fire Department

Mr. Markley noted that the six proposals were received on March 27, 2015. He developed a spreadsheet criteria for ranking the various proposals on a scale. The trustees held a discussion on the proposals and their costs and were in agreement to continue this to the next regularly scheduled meeting to be held April 27, 2015.

POLICE DEPARTMENT – NEW BUSINESS

Liquor Permit

The trustees were in general agreement to approve a C1 Liquor Permit (transfer of ownership) based on no objection from the Police Chief.

To:

Empress Court Inc.
DBA Empress Court
8307 Washington Street
Bainbridge Township
Chagrin Falls, Ohio 44023

SERVICE DEPARTMENT – OLD BUSINESS

Update on Restructuring Parks Department

Mrs. Benza made a motion to create the position of Administrative Coordinator under the Service Department.

Mr. Horn seconded the motion that passed unanimously.

Mrs. Benza made a motion to create the position of Maintenance Supervisor under the Service Department.

Mr. Horn seconded the motion that passed unanimously.

Mr. Markley stated that both of these positions are full-time, hourly and non-exempt.

Snow Parking Ban Signs

The trustees held a discussion on the proposed Snow Parking Ban Signs.

Mr. Horn moved to pass a resolution that when the snow is 2 inches there will be no parking in Bainbridge Township between 2:00 AM and 6:00 AM and permanent signs are to be erected for enforcement purposes and will be treated as a private offense and the township may also impose a fee and impound the car because of the violation.

Mrs. Benza seconded the motion that passed unanimously.

Monday, April 13,

15

River Road Park Pavilion – Concession Area Drawing

The trustees reviewed the drawing submitted for the River Road Park Pavilion concession area and discussed having a concession stand at the park. The return on investment that will not be known until after the first year but it will provide a service to the general public. A discussion on exclusive use was also held and Mrs. Benza questioned whether the trustees should adopt the Exclusive Use Policy first before making a decision on an exclusive use for the concession stand at River Road Park.

The trustees were in general agreement to authorize Mr. Stanek to move forward with finishing the concession stand.

Exclusive Use Policy

The trustees discussed the proposed Exclusive Use Policy and noted that it has not yet been adopted.

The trustees were in agreement to move forward with the demolition of the Piotrowski Lodge at Centerville Mills Park.

SERVICE DEPARTMENT – NEW BUSINESSResolution to Order the Reconstruction of Various Roads and Bid Authorization

Mr. Shane Hajjar of the Geauga County Engineer's Office was present to answer questions on the Reconstruction of Various Roads in the Township.

Mr. Markley moved to authorize Resolution 04132015-A ordering the Reconstruction of Various Roads (Tall Tree Trail and Trails End) as recommended by the Geauga County Engineer and Service Director.

Mr. Horn seconded the motion that passed unanimously.

The bid opening will be held at 10:00 A.M. on April 30, 2015.

Resolution to Order the Improvement of Park Circle Drive, TR-517 and West Park Circle, TR-533 and Bid Authorization

Mr. Shane Hajjar of the Geauga County Engineer's Office was present to answer questions on the Improvement of Park Circle Drive and West Park Circle.

Mr. Horn moved to authorize Resolution 04132015-B ordering the Improvement of Park Circle Drive, TR-517 and West Park Circle, TR-533 (concrete pavement repairs) as recommended by the Geauga County Engineer and Service Director.

Mrs. Benza seconded the motion that passed unanimously.

The bid opening will be held at 10:00 A.M. on April 30, 2015.

Award Bid – The Asphalt Resurfacing of Peppermill Chase and Amber Trail

The bids were not awarded at this time.

Monday, April 13,

15

Award Bid – The Asphalt Repairs of Various Roads in Bainbridge Township

Mrs. Benza moved to authorize the contract for the Asphalt Repairs of Various Roads (full depth and surface repairs) to Chagrin Valley Paving in the amount not to exceed \$64.00 per sq. yard (full depth repairs) and \$34.00 per sq. yard (surface repairs) pursuant to the recommendation of the Service Director.

Mr. Horn seconded the motion that passed unanimously.

Award Bid – Road Maintenance Materials

Mrs. Benza moved to authorize the Service Director to enter into a contract with the companies identified in the road material bid tabulation of April 19, 2015 listed below.

# 1 Limestone – 250 tons	Allied Corporation (Shelly)	\$21.90 per ton
#9 Limestone – 250 tons	Arms Trucking Co.	\$21.00 per ton
#57 Limestone – 250 tons	Arms Trucking Co.	\$21.00 per ton
#67 Limestone – 250 tons	Arms Trucking Co.	\$21.00 per ton
#304 Limestone – 500 tons	Arms Trucking Co.	\$16.45 per ton
#411 Limestone – 1500 tons	Arms Trucking Co.	\$17.65 per ton
#8 Lite Slag – 500 tons	Allied Corporation (Shelly)	\$27.25 per ton
#57 Slag – 500 tons	Arms Trucking Co.	\$16.95 per ton
#57 Wash Gravel – 250 tons	Arms Trucking Co.	\$17.50 per ton
#601B (12"x24") – 100 tons	Allied Corporation (Shelly)	\$40.90 per ton
#601C (9"x18") – 100 tons	Allied Corporation (Shelly)	\$38.75 per ton
#601D (4"x8") – 100 tons	Arms Trucking Co.	\$28.50 per ton
Recycled 2's & 3's – 250 tons	Arms Trucking Co.	\$14.50 per ton
Hot Mix (No Recycle) - 1000 tons	Shalersville Asphalt Co.	\$75.00 per ton
#404 – 1000 tons	Shalersville Asphalt Co.	\$60.00 per ton
#402 – 1000 tons	Shalersville Asphalt Co.	\$51.00 per ton
#301 – 1000 tons	Shalersville Asphalt Co.	\$50.00 per ton
Limestone Screenings – 250 tons	Arms Trucking Co.	\$17.35 per ton

Mr. Horn seconded the motion that passed unanimously.

Cemetery Fee Recommendation – Veteran Burials

Mr. Markley reported that the Cemetery Board, at its last meeting, rescinded its motion to increase the burial rates on Saturday after 12:00 Noon from \$75.00 to \$150.00 and had a discussion on issues relative to Cemetery Fees, consistency with the rates and providing a service versus covering costs.

The trustees reviewed a recommendation by the Cemetery Board to provide free burials to US Military veterans.

Mr. Marous explained that the township currently provides free footers for US Military plaques and noted that he has not found any other surrounding townships in the area that provide free burials to US Military veterans.

The trustees discussed the request and the potential costs involved.

The trustees were in agreement to table this request until more information is obtained.

Monday, April 13,

15

TOWN HALL – NEW BUSINESSLand Bank Parcels – Auditor's Hearing Notice

Mr. Markley announced that the Auditor's Hearing is set for Monday, April 20, 2015 at 9:30 A.M. at the Courthouse Annex where they will consider the revision for the nine land bank parcels the township requested to be reviewed from a value of \$2,500.00 for each of those to a value of \$50.00.

Proclamation for Dennis Whaley

Mr. Markley noted that this is a proclamation for Dennis Whaley who is a former resident of the township and volunteer for the Bainbridge Volunteer Fire Company from 1973 to 1991 and is an honorary retiree and he is also a volunteer with the Geauga County Sheriff's Office Auxiliary.

Mrs. Benza moved to present this proclamation with respect and esteem and special thanks for his professionalism and dedicated to service, kindness to the residents and visitors of Bainbridge and the Geauga County community.

Mr. Horn seconded the motion that passed unanimously.

ZONING – NEW BUSINESSSet Public Hearing Date for Zoning Amendment Z-2015-1 and Authorize Legal Advertisement for Same

Mrs. Benza moved to set the public hearing for Monday, April 27, 2015 beginning at 8:00 P.M. and authorize the Fiscal Officer to place the appropriate advertisement.

Mr. Horn seconded the motion that passed unanimously.

FISCAL OFFICER – NEW BUSINESSPurchase Order Approval

Mrs. Benza made a motion to approve the purchase order list (Items 1 – 6) as submitted by the Fiscal Officer.

Mr. Horn seconded the motion that passed unanimously.

The list as presented is as follows:

Purchase Order Approval Requests

1. DS Architecture – Interior Design Services for Dining Hall at Centerville Mills Park – Not to Exceed \$5,000.00 (General)
2. Corridon Builders & Remodelers – Renovations to Service Building (Cold Storage and Carpentry Room) - \$8,480.00 (Roads)
3. Leader Machinery Company, Ltd. – Duracto Durapatcher Model 125DJT - \$56,673.00 (Roads)
4. Northcoast Products – 1500 Gallon Emulsion Storage Tank for Durapatcher - \$19,000.00 (Roads)
5. Ohio Cat – Caterpillar D4K2 XL Bulldozer – Amendment to PO #278-14 – Added Cost – No Trade-In - \$8,481.00 (Roads)
6. Medical Mutual – HRA Premium - \$175,500.00 (Multiple)

Monday, April 13,

15

Invoice Approvals

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

Mr. Horn seconded the motion that passed unanimously.

Invoice Approval

1. Littler Mendelson – Legal Services – General Labor - \$165.00 (General)
2. Littler Mendelson – Legal Services – Negotiations with Bainbridge Fire Company - \$2,656.50 (General)

CHECKS DATED MARCH 24, 2015 THROUGH APRIL 13, 2015

The trustees examined and signed checks and invoices dated March 24, 2015 through April 13, 2015 consisting of warrants 22657 through 23024 in the amount of \$81,740.08, including payroll from March 7, 2015 through March 20, 2015 in the amount of \$138,897.35 and payroll from March 21, 2015 through April 3, 2015 in the amount of \$139,357.12.

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

ELECTRONIC TRANSACTIONS

Electronic transactions for the month of March #87 through #132 in the amount of \$480,361.71 are attached to, and become a permanent part of these minutes.

PUBLIC INTERACTION: QUESTION AND ANSWER

None.

CORRESPONDENCE

CIC – Community Improvement Corporation, 45th Annual Solute to Business and Industry to be held April 30, 2015.

Geauga County Planning Commission. Re: McFarland Woods Subdivision – Phase I (Final Plat Amended).

NEO Snow & Ice Technology at Summit County Fairgrounds (forwarded to Service Dept.).

Cost of Freedom Tribute at Twinsburg VFW Post – July 1 – 5, 2015.

Solid Waste District Re: Scrap Tire Collection (Funded \$2,916.00).

Geauga Growth Partner Membership (Sponsorship Opportunity).

Geauga Soil & Water Conservation District NPDES Phase II Annual Report for 2014.

Century Village Museum Re: Sugarbush Lunch.

2015 Geauga County Summer Youth Employment Program.

United Way Re: Luncheon on April 17, 2015.

Monday, April 13,

15

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

Respectfully Submitted,

Janice S. Sugarman,
Fiscal Officer, Bainbridge Township

Date

Date

Date

Minutes Read: _____

Minutes Approved: _____