

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on May 19, 2003. Those present were trustees Mr. Samuel Desiderio, Mr. Charles Hesse and Mr. Christopher Horn and clerk Susan R. Angelino. Mr. Hesse presided and called the meeting to order at 7:00 P.M.

MINUTES

The minutes of the May 12, 2003 regular meeting were approved as read.

COMMENTS BY GUESTS OR VISITING PUBLIC

Mrs. Pallota, a Chillicothe Road resident, asked the trustees about the numerous power outages in Bainbridge Township within the last week. The trustees will look into the problem.

Resident Norma Hendler also complained about a power line on Cats Den Road.

TOWNSHIP REPORTS

The trustees acknowledged receipt of the following township reports:

Police Department Report - March 2003
Town Hall/Cemetery Report - March & April - 2003
Road Department Report - April 2003

NEW BUSINESS

NEW POLICE STATION

Exterior Material Color Approval

The trustees met with Architects Horne & King for a discussion on various choices for exterior material for the new police station.

The trustees were in general agreement to approve the following:

1. Window Color - Pella White
2. Siding, Gutter, Downspout, Soffet, Trim, Coping and Louver
- to match Pella White
3. Asphalt shingles - GAF Slate line English Gray Slate

Design Consultant Services - Additional Services #1 - Sanitary Sewer Pump Station

Mr. Hesse made a motion authorizing payment of \$5,800.00 to Horne & King Architects for additional design fee requested by Environmental Design Group for design of sanitary sewer pump station. (P.O. 171)

Mr. Horn seconded the motion that passed unanimously.

ZONING

Public Hearing - Proposed Zoning Amendment Z-2003-1

Mr. Hesse recessed the trustees' regular meeting and opened the public hearing for proposed zoning amendment Z-2003-1 at 8:02 P.M.

Mr. Hesse noted that the legal notice for this public hearing was duly published in the News Herald on May 9, 2003. This amendment proposes to rezone parcels 02-412700, 02412800, 02-419931 and 02-421000 from R-3A Residential Three Acre to CB Convenience Business.

This amendment was initiated by The Winbury Group on January 30, 2003; and the Geauga County Planning Commission on February 11, 2003 voted to recommend denial of Z-2003-1, with comments as listed. The Bainbridge Township Zoning Commission held a public hearing for proposed amendment on February 27, 2003, March 27, 2003 and April 24, 2003 and subsequently recommended denial of the amendment.

Mr. Hesse solicited comments for and comments against the proposed amendment.

Comments for the proposed amendment:

Mark Snider - Winbury Group

Comments against the proposed amendment:

Ted Seliga, Bainbridge Township Resident - Discrepancy in dates property was transferred to Winbury Group.

Mr. Hesse moved to close the public hearing at 8:14 P.M.

Mr. Desiderio seconded the motion that passed unanimously.

BAINBRIDGE VILLAGE LIMITED PARTNERSHIP, dba THE WINBURY GROUP VS. BAINBRIDGE TOWNSHIP, OHIO CASE NO. 97M000567

Mr. Desiderio made a motion to accept the Joint Motion to Supplement Consent Judgment Entry of July 8, 1998 Case No 97M000567.

Mr. Hesse seconded the motion that passed unanimously.

ZONING

Professional Training

The trustees were in general agreement for Zoning Inspector Frank McIntyre to attend a Storm Water Phase II Workshop on June 17, 2003 at a cost of \$50.00. (B.C. 2)

RIVER ROAD PARK

Baseball Equipment

Purchase Order In Excess Of \$750.00 Limitation

Mr. Desiderio made a motion authorizing payment of \$2,648.90 to Anaconda Sports, Inc. for baseball equipment for River Road Park per the recommendation of Park Project Manager Jeff Markley. (P.O. 168-03)

Mr. Hesse seconded the motion that passed unanimously.

River Road Park Electricity Easement

The trustees were in general agreement to authorize Assistant County Prosecutor John Tremsyn to draw up plans for an electricity easement from River Road Park to Dr. Mersol's home on Chagrin River Road per the recommendation of Park Project Manager Jeff Markley.

FIRE DEPARTMENT

Purchase Order In Excess Of \$750.00 Limitation

Mr. Hesse made a motion authorizing payment of \$1,460.02 to B. & C. Communications for (2) 800 Radios for new Durangos, per the recommendation of Fire Chief Brian Phan. (P.O. 169)

Mr. Desiderio seconded the motion that passed unanimously.

Leave of Absence

The trustees were in general agreement to grant a leave of absence for Firefighter Phil Anders from May 15, 2003 - July 15, 2003 per the recommendation of Fire Chief Brian Phan.

JUNE MEETING SCHEDULE

The trustees were in general agreement to cancel the regularly scheduled meeting of Monday, June 23, 2003.

BID FOR TANGLEWOOD TRAIL ROAD PROJECT - PHASE 2

Mr. Desiderio made a motion to award the bid for the Reconstruction of a Portion of Tanglewood Trail, TR484, Phase II, Contract #RC-TR484-03 to Northeast Ohio Trenching Service, Inc. for \$311,983.40, per the recommendation of the Geauga County Engineer's Office. (P.O. 175)

Mr. Hesse seconded the motion that passed unanimously.

ZONING

ABATEMENT OF EXCESSIVE VEGETATION

Mr. Hesse moved and Mr. Desiderio seconded the motion that passed unanimously.

Based upon the report and evidence received from Zoning Inspector Frank McIntyre, it is determined that a nuisance exists at parcel #02-419590, Bainbridge Township as recorded in Volume 0929, Page 829 of the Geauga County Records of Deeds, in that there exists excessively tall grass and vegetation.

Mr. Robert Miller and Tanglewood Associates, owners of the aforementioned real property, are hereby ordered to remove such excess grass and vegetation within seven (7) days from receipt of this notice. Should said owners fail to remove the excess grass and vegetation within seven days, Bainbridge Township shall cause the vegetation to be removed and costs for such removal shall be forwarded to the Geauga County Auditor for entry upon the tax duplicate pursuant to O.R.C. 505.87.

The trustees authorized the clerk to notify Mr. Robert Miller and Tanglewood Associates and all lien holders of the above.

TOWNSHIP LEGAL SERVICES

Purchase Order In Excess Of \$750.00 Limitation

Mr. Hesse made a motion authorizing payment of \$15,000.00 to Walter & Haverfield for township legal services. (P.O. 172)

Mr. Desiderio seconded the motion that passed unanimously.

TANGLEWOOD DAM

The trustees met with Mark Olivier and John Hamilton from the Tanglewood Lake Association for a discussion on the ownership of the dam. They requested the township to pass a resolution that if, in the future the township is liable for costs for the dam improvements, they will not jeopardize the Tanglewood Lake Association's claim for reimbursement from the township. Trustee Horn objected to the request.

They agreed to meet on May 27, 2003 at 6:00 P.M. for further discussions.

CHAGRIN RIVER ROAD HOUSE

The trustees were in general agreement to sell the oil furnace in the Chagrin River Road House to Rick Goodfield at a cost of \$50.00.

CORRESPONDENCE

NOACA Project Notification and Response Forms, dated April 24, 2003. RE: Wearing Surface Replacement of Various Bridges in Geauga and Lake Counties; Bridge Replacement on SR-700 in Troy Township.

Letter from Resident Robert L. Silver, dated May 14, 2003. RE: Complaint.

Copy of letter to Mr. James Crawford of J & R Development, Inc. from Mr. Robert L. Phillips, Geauga County Engineer, dated May 12, 2003. RE: Woods of Wembley 6.

Copy of letter to Mr. Andy Vidra, Senior Environmental Planner - NOACA from the Geauga County Board of Commissioners, dated May 14, 2003. RE: Incorporation of property located at 16391 Chillicothe Road into Geauga 208 Plan.

Copy of letter to Mr. Gus Saikaly, Director of Geauga County Department of Water Resources from the Geauga County Board of Commissioners, dated May 13, 2003. RE: Grant permission to allow Fellowship Bible Church located at 16391 Chillicothe Road to tie into the Geauga County Sewage System.

Letter from Mr. Ted Krejsa of the VFW - Solon Post 1863, dated May 12, 2003. RE: Memorial Day Service.

Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated April 17, 2003.

Memo from Chagrin Falls Mayor Lydia Champlin, dated May 13, 2003. RE: Blossom Time Parade.

Memo from Police Chief Jimison, dated May 12, 2003. RE: Exemplary Employee of the Year - Danya Morgan.

Memo from City of Eastlake Mayor Dan Diliberto, dated May 16, 2003. RE: NOPEC.

CHECKS DATED MAY 19, 2003

The trustees examined the above checks and invoices for same, and Mr. Hesse moved that these checks for outstanding obligations be accepted for payment.

Mr. Desiderio seconded the motion that passed unanimously.

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

EXECUTIVE SESSION

Mr. Hesse moved that the Bainbridge Township Board of Trustees go into executive session to consider the compensation of a public employee.

Mr. Desiderio seconded the motion. Vote: Mr. Desiderio, aye; Mr. Hesse, aye; Mr. Horn, aye.

The trustees recessed their regular meeting at 9:50 P.M. in order to go into executive session to consider the compensation of a public employee.

The trustees returned from executive session after considering the compensation of a public employee and reconvened their meeting at 10:25 P.M.

TANGLEWOOD TRAIL ROAD PROJECT

Replacement of damaged property by road construction at 8648 Tanglewood Trail

1. The trustees were in general agreement to instruct contractor to replace boulders on side of culvert embankment.
2. Request engineer's office to determine if contractor was responsible for leaks in dam on property.
3. Instruct contractor to completely remove construction debris, including asphalt and stones in area to be reseeded.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 10:30 P.M.