

SAGAMORE HILLS TOWNSHIP – REGULAR

Monday, July 12, 2010 – media notified

The regular meeting was called to order by Chair Barrett at 7:00 pm. R/C Barrett-present; Snell-present; Hunt-present; Fiscal Officer Gale-absent.

Pledge of Allegiance to the flag of the United States of America.

Mr. Hunt moved to approve and dispense with the reading of the minutes of the Regular meeting held on Monday, June 14, 2010; Seconded by Mrs. Snell. R/C Vote: all in favor.

Mr. Hunt moved to approve and dispense with the reading of the minutes of the Special Meeting held on Wednesday, June 23, 2010 at 11:30 am; Seconded by Mrs. Snell. R/C Vote: all in favor.

Mr. Hunt moved to approve and dispense with the reading of the minutes of the Fire District meeting held on Wednesday, June 23, 2010 at 6:30 pm; Seconded by Mrs. Snell. R/C Vote: all in favor.

Mr. Barrett dispensed with the reading of the minutes of the unofficial Special Meeting held on Thursday, July 1, 2010.

Mr. Hunt made a **MOTION** to appoint Rose Mary Snell Clerk Pro Tem for the Regular meeting on Monday, July 12, 2010. Seconded by Mr. Barrett. R/C Vote: Hunt-aye; Barrett-aye; Snell-abstain.

PENDING WARRANTS

Mr. Hunt moved to approve the Pending Warrant Report dated June 2010 in the amount of \$268,714.49. Seconded by Mr. Barrett. R/C Vote: Hunt-aye; Barrett-aye; Snell-abstain.

WEB SITE

Mr. Hunt reported the web site statistics for June 2010 were 1,321 visitors; 949 were unique visitors; 3,072 pages were viewed.

RESOLUTIONS

Mr. Barrett moved to adopt **RESOLUTION 10-42** to request the Summit County Fiscal Officer to certify the revenue that would be generated from a tax levy renewal of .75 mills within Sagamore Hills Township for the Tax Year 2011. Seconded by Mr. Hunt. R/C Vote: all in favor.

Mrs. Snell moved to adopt **RESOLUTION 10-43** to levy a tax renewal for fire/EMS. Seconded by Mr. Hunt. R/C Vote: all in favor.

DEPARTMENT REPORTS

Police Department

Chief Hayes reported on the statistics for June 2010: Dispatch handled 551 calls for service. Handed out 1,023 "Patrolled Your Area Cards."

The Investigative Section received twenty (20) investigations with eighteen (18) closed. Four (4) were closed by arrests.

Four (4) Letters of Commendation were received, praising members of the Department for their dedication to duty.

Newly hired Officer DeCrane started his 300 hours of field training.

Chief Hayes respectfully requested the Board of Trustees to consider the appointment of Jacqueline Cmunt to the position of Part-Time Dispatcher. Ms. Cmunt will immediately begin her training and should make an excellent addition to the Police Department.

Mrs. Snell moved to adopt **RESOLUTION 10-44** to authorize the hiring of Jacqueline Cmunt as a Part-Time Dispatcher in the Sagamore Hills Police Department. Seconded by Mr. Barrett. R/C Vote: all in favor.

Police Chief Hayes administered the oath of office. Dispatch Supervisor Janell Mucha represented the Sagamore Hills Dispatch Department. A brief recess was taken for refreshments.

Roads

Mr. Hunt: The Road Department trimmed trees, cleaned basins and ditches; repaired sink hole and broken grate; cold patched holes and water main break; cut grass on road sides; used weed eater around guard rails and fire hydrants; started on signs in Eaton; repaired Ford Tractor's mower and wiring; repaired mailboxes from winter; and cleaned behind old garage and salt shed.

Mr. Hunt requested the approval to purchase a new lawn mower to replace one that is old and would cost \$2,500.00 to repair for the Road Department. This is part of the state bid program and can be purchased at a special non-profit discounted price of \$8,664.00.

Mr. Hunt moved to adopt **RESOLUTION 10-45** to purchase a Hustler Super "Z" Zero Turn Mower for the Road Department. Seconded by Mrs. Snell. R/C Vote: all in favor.

Park

Mrs. Snell: In the process of getting prices for playground equipment for Pavilion B. They should be ready by the next meeting.

The Park Department groomed ball fields; re-graded ball fields for water runoff; mowed lawns, cleaned pavilions and bathrooms; mulched flower beds, pulled weeds, watered flowers, edged beds; put in path to meadow; put gravel in park road; dug out stumps in field; sharpened mower blades; and worked on mower deck.

Mrs. Snell (Township & Police Department): Striped parking lot and made miscellaneous repairs.

Fire/EMS

Capt. Risko: Both Townships had 102 total runs; Northfield Center 30 EMS and 6 fire; Sagamore Hills 56 EMS and 6 fire. There were 11 calls to Elmcroft - 10 were transported; 5 calls to Grantwood; and 3 calls to Northcoast.

The new fire truck was outside the Safety Center. Everyone was invited to view the truck after the meeting.

Zoning

Mr. Barrett: There were twelve (12) zoning permits issued for a total of \$735.00. These permits included decks, above ground pools, additions, fences, signs and BZA application.

Mr. Barrett noted there were still some problems with lawns of vacant homes, sheriff sale homes, side yards, occupied homes, etc. There is also a problem with the house that caught fire on Augusta Parkway. It is starting to cave in. No action can be taken on this home for the next two weeks.

Mrs. Snell announced that there will be a Board of Zoning Appeals meeting on July 20th at 7:30 pm. It concerns Stewart Landscaping on Chaffee Road.

Fiscal Officer

Mr. Hunt: Presented the Fiscal Officer's June 2010 report with a beginning balance of \$5,914,115.33; receipts at \$70,490.61 (minus receipt expenditure of \$1,292.92 which means receipt balance is \$69,197.69); less expenditure of \$270,007.41; less memo expenditure of \$1,292.92; which matches the Pending Warrant amount of \$268,714.49; ending balance is \$5,714,598.53.

Trustees

Mrs. Snell: Lucille Bowles, who is a frequent attendee of the trustee meetings, passed away on Sunday.

A request was made to the Summit County Executive's Office for information and help on writing an ordinance for outdoor wood burners. Zoning needs to be written for all of the Townships on this issue.

Mrs. Snell made a request from the Engineer's Office to place some signage going north on Brandywine Road at Highland Road. It is difficult to see the crossroad at Inver Lane by drivers that are coming from the south. Also, two "stop ahead" signs were replaced with new signs going south on Brandywine and at 271 on Brandywine.

Mr. Barrett: Commented on the speed limit signs on North Boyden Road. We are on the schedule to have the limits changed. A traffic study must be done on the road first and then a petition can be made to ODOT to permit the Township to lower the speed limits. ODOT forced the Township to raise the speed limits after a complaint was made due to a traffic ticket.

UNFINISHED BUSINESS

Mr. Hunt asked what Mr. Barrett's decision was for the Greenwood parking problem on Holzauer Road. Mr. Barrett replied that he took it off the agenda because Mr. Hunt and Mrs. Snell decided that the parking was not an issue.

NEW BUSINESS

The Summit County Engineer presented four (4) project options for Holzauer Road. Mrs. Snell explained a letter received from County Engineer Brian Knapp that explained the four options for the widening of Holzauer Road. A public meeting will be scheduled for residents Wednesday, August 11 from 5:30 pm to 7:30 pm at the Township Safety Center. Residents that live on Holzauer Road from Carlin Drive north to SR 82 will be invited to attend, view the plans and voice their opinion on the project options. The residents that live on the south side of Holzauer will be invited to attend because there will be some delays in their area. Their portion of the road will only be repaved. Issue 1 funding in the amount of \$143,000.00 will be used for this project.

CITIZENS' FORUM

Paul Buescher, Northfield Center Township Trustee, presented a declaration opposing NEORS's stormwater fees and asked for all the communities to participate in this declaration. Mr. Buescher will contact all of the communities that are provided Cleveland Water. Mrs. Snell asked if the letter was approved by the County Prosecutor. Mr. Buescher answered that he was told it was fine. Mr. Schweikert suggested to wait for a few weeks due to the litigation that is in process.

Gary Spriggs, an Eaton Estate Trustee, commented on the Augusta Lane home. The roof is collapsing and the home is bulging out. He is concerned that the house will fall. Eaton Estates does not have the authority to post "no trespassing" signs on the property. Mr. Barrett stated that he will check with the prosecutor and see if something can be done to put up a sign. Nothing can be done with the property for the next two weeks because it is a possible crime scene.

Mr. Spriggs also addressed the Board regarding his concern of walkways and crosswalks in Eaton Estates. There are a total of 37 handicapped people in walkers and wheelchairs that live in the subdivision. These crosswalks are not up to code. Mr. Hunt replied that legal counsel was contacted on March 17, 2010 regarding an opinion. A Declaration of Confidence and Restrictions for Eaton Estates stated that a second amendment added a provision with respect to any concrete sidewalk or driveway apron located within a lot or adjacent to a lot and within a public right of way. This states the owner of such lot including the homeowner or the association shall be responsible for snow removal, maintenance and repair of such concrete sidewalk or driveway apron. Sidewalks are the responsibility of Eaton Estates. The handicapped sidewalks are an extension of the existing sidewalks. Mr. Spriggs answered that his interpretation is different than the Township's. Mr. Spriggs also added he was aware that the ADA has funds available for this type of project. Mr. Barrett stated that he will turn over the letter from Eaton Estates to legal counsel and will discuss if anything can be done on this issue. Mrs. Snell explained that the Township negotiated with Forest City at the time of the creation of the Eaton Estates master plan that the sidewalks would be the responsibility of the homeowners. It was understood that the Township does not have the personnel to take care of the sidewalks in Eaton Estates.

Ted Shoop started a conversation about an incident concerning the Fire District. Mr. Barrett explained that Mr. Shoop should discuss his incident at a meeting of the Fire District after August 1st. Mr. Shoop also requested that the Fire District advertise for the new Fire Chief position. Mr. Barrett replied that it would be a decision of the Fire Board.

Wil Goetz has had orange barrels in his front yard on Rolling Brook for around two months. The catch basin was replaced and the orange barrels are still there. Mr. Hunt answered that the Road Department would pick them up tomorrow and Karvo Paving can retrieve them from the Township. The Road Department did not pick them up sooner because they wanted to have the Summit County Engineer tell them the job was completed.

Dave DePasquale returned from vacation to find the speed limit changed on North Boyden Road. Mr. DePasquale questioned why the speed limit was changed before the study was done. He called the Summit County Engineer and was told the study will be completed and a decision will be made on the average speed limit on the road. Mr. Barrett answered that there are 69 driveways, 5 streets, 2 schools and 2 churches on that one mile stretch. The Township is concerned about that. Mr. DePasquale asked how an accurate indication of the speed limit would be received if the speed limit has already been raised to 40 mph. Mr. Hunt added that legal counsel felt we were obligated to change the speed limit as soon as possible due to the direction of the Summit County Engineer. Mr. Barrett assured everyone that the Trustees will discuss these concerns with the County Engineer. When asked what prompted this change, Mr. Barrett answered that a resident got a ticket doing 52 mph and wrote to Road Rant at the Plain Dealer. It was challenged in court and the resident won the case. ODOT then informed the Township that the speed limit should have been 40 mph and the signs needed to be changed. Mr. Barrett added that he did not know what the repercussions would have been if the Township did not change the speed limit until after the traffic study was conducted. Dave Smith said the study will probably not be conducted until after school is in session.

Marge Kainec asked if a copy of her petition was given to the County Engineer. Mr. Barrett noted that a copy was given to the Trustees and legal counsel. A copy was then given to the Summit County Engineer Dave Smith who was in attendance.

Mr. Hunt informed the group not to cover the speed limit signs because if there is no posted speed limit that the driver can see, the speed limit reverts to the prima fascia speed limit which is 55 mph.

Gary Spriggs wanted to thank Mr. Barrett in relation to the garbage collection the week of the July 4th holiday.

Mr. Rack commented that he was informed his garbage was going to be picked up and it has been four days and still has not been taken. Mr. Barrett noted that he worked along with Mrs. Snell on Saturday to get the problem resolved. Republic did not live up to what they said they were going to do. He apologized to the residents and guaranteed that this will not happen again.

Frank Kopas asked Frank Risko if the 11 calls to Elmcroft were justified. Capt. Risko answered that all the calls were transports and, therefore, justified. We are going in the right direction to control the calls.

Mr. Kopas asked Mr. Hunt if the quotes on the lawn mowers were all compared "apples to apples." Mr. Hunt noted that the mower that was chosen was a direct replacement for the one that was broken. The Township has been satisfied with that mower.

Ed Kainec discussed a letter that his daughter wrote to ODOT regarding the speed limit on North Boyden. The response from ODOT indicated that they do not set or change speed limits on Township roads. Their jurisdiction is on interstate routes, state routes, and US routes. ODOT recommends speeds on roadways but the Township is the entity that can change speed limits. ODOT has recommended the speed on Boyden Road to be 40 mph but cannot enforce the Township to change it. If the Township wishes to change the speed limit on their road, they would have to request a speed survey study performed by the Summit County Engineer or a consultant to see if a speed limit change is feasible.

Mr. Kainec explained he received 60 signatures on a petition that he took to his neighbors on North Boyden to have the speed reduced back to 25 mph. He stated that a ticket was given to a person driving 71 mph on that road.

Mr. DePasquale asked how do we know that the survey was not performed in 1979. Is it the responsibility of Sagamore Hills Township to keep records for the County? Mr. Barrett answered that is the Township's responsibility to deal with a problem when it arises.

Gary Smith asked if the Road Department could look into a limited sighting distance going east off Glencrest Road where it intersects South Boyden. There is a large overgrown tree in the right of way that blocks the view of cars coming down. Mrs. Snell explained that is a County Road. Dave Smith will report that issue.

Dave Smith commented that the explanation from ODOT about the Township changing speed limits is not true. Even the County Engineer cannot change speed limits without the approval of ODOT. It appears that a resolution was approved in 1979 to change the speed limits due to the Ohio Revised Code that allows a Township to change speed limits in sub-divisions. North Boyden Road is not a sub-division. At that time ODOT was never approached to change the speed limit.

EXECUTIVE SESSION

Mr. Barrett moved to adjourn to Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee or official specifically set forth in Section 121.22 (G)(1) Revised Code. Seconded by Mr. Hunt. R/C Vote: all in favor. ADJOURN: 8:25 pm, RECONVENE: 9:15 pm. R/C: All officials in attendance.

No decisions were made during the executive session.

There was no further business. Mrs. Snell moved to adjourn at 9:16 pm. Seconded by Mr. Hunt. R/C Vote: all in favor.