BRUNSWICK HILLS TOWNSHIP TRUSTEES

REGULAR MEETING

June 8, 2021

The Brunswick Hills Township Board of Trustees met in regular session on Tuesday, June 8, 2021 at Brunswick Hills Township Town Hall.

Board of Trustees Chair Michael Esber, Vice-Chair John Witthuhn, Trustee Christina Kusnerak, Fiscal Officer Katherine Esber, Police Chief Sopkovich, Service Foreman Paul Magovac Fire Chief Strazzo present.

Esber called the meeting to order at 7:00 PM and noted the meeting was properly advertised.

Esber motioned to go into Executive Session at 7:01PM to consider promotion of a public employee. Kusnerak seconded. Witthuhn - yes. Esber – yes. Kusnerak – yes. Motion carried.

Kusnerak motioned to come out of Executive Session at 7:11PM. Esber seconded. Witthuhn – yes. Kusnerak – yes. Esber – yes. Motion carried.

Witthuhn noted no action taken at this time.

PRESENTATION:
None

MINUTES:

DEPARTMENT REPORTS:

Zoning Department:
Kusnerak stated there are open zoning positions, apply online.

Esber mentioned masks are still required at public meetings.

Kusnerak moved to accept Todd Spiker resignation and thanked him for his service. Esber thanked him, as well. Witthuhn seconded. Esber – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Police Department:

Sopkovich requested the Board adopt the Medina County Mutual Aid Agreement for Mutual Aid of Law Enforcement.

Esber offered **Resolution #22-2021** Medina County Mutual Aid Agreement for Mutual Aid of Law Enforcement. Kusnerak seconded. Witthuhn – yes. Esber – yes. Kusnerak – yes. Resolution adopted.

Esber moved to accept the dispatch agreement with the City of Brunswick for a 3 year period with all increases noted on agreement (2022 – 2024). Kusnerak seconded. Witthuhn – abstain. Kusnerak – yes. Esber – yes. Motion carried.

Kusnerak moved to approve the vacation cash out request for 40 hours each for Chief Sopkovich and Mrs. Young. Esber seconded. Witthuhn – yes. Esber – yes. Kusnerak – yes. Motion carried.

Witthuhn asked about the status of the newly purchased police cruiser. Sopkovich advised that it has been assigned to the K9 unit and still needs to be outfitted.

Fire Department:
Chief Strazzo read the report for May, 2021.
Fire Hydrant flushing is complete. Hydrant painting program will begin soon.

Chief Strazzo read a letter from a resident thanking 3 of our firefighters, Nick DiSalvo, Cory Hayden and Matt Rolston, for helping them with flooding in their home.

Chief Strazzo requested an Executive Session for the purpose of employee interview for promotion and a leave of absences.

Service Department:
Magovac read the road report for May, 2021

Magovac requested Board of Trustees to adopt resolution to add a 1.5 mill Road Levy.

Esber moved to adopt **Resolution #23-2021** 1.5 mill Road Levy. Witthuhn seconded. Kusnerak – yes. Esber – yes. Witthuhn – yes. Resolution adopted. Witthuhn read the specific purpose and proposed use of the levy as written in the resolution.

Kusnerak advised of a resident compliment regarding Paul Magovac.

TRUSTEES' REPORT:

Michael Esber:
None

John Witthuhn:
None

Christina Kusnerak:
None

FISCAL OFFICER:
K. Esber presented the financial reports.

K. Esber stated the reconciliation for the month of May has been completed.

Witthuhn moved to approve, as mentioned, payroll dated June 15, 2021 in the amount of $65,472.42. Esber seconded. Kusnerak – yes. Esber – yes. Witthuhn – yes. Motion carried.

Kusnerak moved to approve, as mentioned, the Then and Now PO to Pro-Tech, in the amount of $83.70. TAC Computer, in the amount of $5098.24 and Then and Now PO to the City of Brunswick, Dispatch, in the amount of $59,752.84 for the Police Department. Esber seconded. Witthuhn – abstain. Esber – yes. Kusnerak – yes. Motion carried.

Esber moved to approve payment listing, as mentioned, dated June 7 and June 8, 2021 in the amount of $90,384.06. Kusnerak seconded. Witthuhn – yes, but abstaining from the City of

Brunswick portion of payment listing. Kusnerak – yes. Esber – yes. Motion carried.

Esber moved to approve payment listing, as mentioned, dated June 1, 2021 in the amount of $26,227.71. Kusnerak seconded. Witthuhn – yes, but abstaining from Zachin and Rich invoice. Kusnerak – yes. Esber – yes. Motion carried.

OLD BUSINESS:

Witthuhn reminded residents that effective June 14th business will begin here as usual, and no appointments will be needed. Town Hall and Zoning will be open (due to COVID restrictions being lifted) as approved last meeting.

Witthuhn mentioned previous Executive Sessions regarding a confidential BWC matter has been resolved and motioned to authorize Michael Esber to sign any required documents on behalf of the Board of Trustees. Kusnerak seconded. Esber – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Esber mentioned the property on West Chase and asked is there a decision, as he would like to move forward. Witthuhn stated he is waiting regarding the potential Fire Station One project as a joint venture with an Administration Building before he makes a decision.

NEW BUSINESS:

None

MISCELLANEOUS & CORRESPONDENCE:

None

UPCOMING MEETINGS:

BZA: July 7th at 7PM

Zoning Commission: July 1st at 7PM

Trustee: June 22nd at 7PM

Special:

PUBLIC INPUT:

Alida Scheiderer 1187 Substation, stated she has some zoning concerns and issues regarding her property and businesses. Resident stated zoning person moved her signs and since this matter keeps being brought up, she has brought in documents to be read from the Ohio revised code. The resident proceeds to read the documents, as follows; Section 303-01 County Rule Zoning Agriculture Rule Defined, Section 303-21 Limitations of Powers Agricultures of Purpose (1-25). Resident stated she lives on 5.9 acres, over the acres that are required by law for agriculture purposes. Resident stated they have measured their property frontage for proper signage placement to not to block traffic vision. Resident proceeds to read documents she brought from Ohio Revised Code, Section 303-20 (303-01 through 303-25) Outdoor Advertising Classified of Business Use. Esber asked if he could ask a question, resident told Esber no she will continue, she was almost done. Resident stated there is an issue regarding having a farmers market and purchasing any outside your land. Resident

stated, 51% of your gross sales have to be from your products produced on your land. Resident stated she has her tax documents, but doesn't feel she has to show those to anyone for any reason. Resident feels if the Township doesn't believe her and wants to challenge her, take her to the Prosecutors Office, she knows what the law is. Resident states if and when she ever feels she isn't in compliance, she will shut herself down, she doesn't need the Township to shut her down. Resident made a formal public records request for complaints. Fiscal Office Esber stated to the resident that there isn't a time frame on a public records request, Kusnerak stated the same. Esber stated to the resident all the codes she stated are the Zoning codes not the Ohio Revised Codes. Esber stated he spoke to the Prosecutors office due to all of the complaints, resident said that's fine. Esber stated breeding of the animals is agriculture and waiting on the statements from the Prosecutors office regarding everything else that is going on with the complaints. Esber stated resident mentioned to him on the phone that 51% of her products she produces are from her property. Esber mentions resident not releasing her taxes, she says she doesn't want to release them at this time, Esber if the Township is allowed on the property to see where the products are being produced, resident said no. Resident said it is a violation of her rights, Esber said it's a violation of the code, if you're not producing the product. Resident stated if the Township thinks she isn't in compliance, a warrant would have to be presented, and at that point she would present her tax documents. Resident states only reason she would do that, is because anyone could have just asked her, instead of all of things that have been going on. Resident stated a letter was put on her car while she was away, signage regulations printed on it. Resident stated under Ohio law it doesn't matter she has three businesses, her dog business is under agriculture, as well. Fiscal Officer Esber asked if resident needs a vendors license, resident stated she does have one, Esber asked if the Township has copies of them. Resident stated why would the Township need a copy, do you have other resident vendor's licenses and you can look mine up on the county website under my last name, Fiscal Office Esber, said yes. Kusnerak stated she would like to address the sign issue in the right away, asked Magovac to address this issue with resident. Magovac stated normally road right away the property is 30ft center of road out, 60ft right away. Anything in right away has to be traffic bearing, or no obstructions; mailboxes, all poles are approved in the right away. Under the Ohio revised code, classified nuisance like trees and signs, we have the right to move them from the right away. Resident stated the Ohio revised code states home owner owns the right away and as long as the trees or signs aren't obstructing traffic it doesn't have to be removed. Resident stated she is trying to clean up her property and thanked the Board of Trustees.

OFF CAMERA:

Esber motioned to go off camera at 8:04PM, for the signing of Warrants & Purchase Orders and any other business brought before the board. There will be Executive Sessions off camera for promotion and employee compensation. Witthuhn seconded. Kusnerak – yes. Michael – yes. Witthuhn – yes. Motion carried.

Witthuhn motioned to go into Executive Session at 8:13PM to consider promotion of a public employee and compensation. Esber seconded. All voted yes. Motion carried.

Witthuhn motioned to come out of Executive Session at 8:56PM. Esber seconded. All voted

yes. Motion carried.

Kusnerak motioned to promote Andrew Pavell and Jacob Samsel to the Rank of Lieutenant. Esber seconded. All voted yes. Motion carried

No action taken regarding employee compensation.

Esber motioned to approve 2021 Dispatch invoice in the amount of $75,599.32. Kusnerak seconded. Esber – yes. Kusnerak – yes. Witthuhn – Abstain. Motion carried.

ADJOURN:

Witthuhn moved to adjourn at 9:06PM. Esber seconded. All voted yes. Motion carried.

Michael Esber, Chair Trustee	Katherine Esber, Fiscal Officer
John Witthuhn, Vice-Chair Trustee	Christina Kusnerak, Trustee