

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP BOARD OF TRUSTEES' REGULAR

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

April 9, 2024, at 7:00 P.M.

Held

20

Chairman Anderson called the Trustees' Regular Meeting of April 9, 2024, to order at 7:00 P.M. and welcomed everyone to the meeting being held in the Trustees' Meeting Room at the Administration Building.

Mr. Anderson called for a roll call: Mr. Gauntner, Mr. Wayman, Mr. Anderson, Chief Hager, Mr. Brown, Ms. Hamercheck, and Mr. Pasqualone were in attendance.

Mr. Anderson led the audience in the Pledge of Allegiance.

Mr. Anderson stated at this time we will have a "Moment of Silence" to reflect on things and to remember family, friends, neighbors, and members of the military and safety forces who are no longer with us. Please remember Madison residents Delores Harmon, Annette Grodecki, and Irene Lamos Lawson DeBauche.

Mr. Anderson said the Honorable retired Lake County Common Pleas Court Judge Richard Collins will now issue the Oath of Office to Ms. Sarah Hamercheck as the new Madison Township Fiscal Officer.

The Honorable Richard Collins administered the Oath of Office to Sarah Hamercheck. Ms. Hamercheck stated: *"I do solemnly swear that, I will support the Constitution and laws of the United States, the Constitution and laws of the State of Ohio, and the Resolutions of Madison Township. That I will faithfully, honestly, and impartially discharge the duties incumbent upon me as the Fiscal Officer of Madison Township, the office to which I was elected on November 7, 2023, to the best of my ability, so help me God."* The Trustees welcomed Ms. Hamercheck, and said they were glad to see the younger generation stepping up.

Mr. Anderson requested a motion to approve the minutes from the March 12, 2024, Trustees' Workshop Meeting, and the March 12, 2024, Trustees' Regular Meeting.

Mr. Gauntner presented a motion to approve the minutes from the March 12, 2024, Trustees' Workshop Meeting, and the March 12, 2024, Trustees' Regular Meeting, seconded by Anderson. Roll Call: Mr. Gauntner: Yes Mr. Anderson: Yes Mr. Wayman: Abstain

Mr. Anderson requested a motion to approve the Minutes from the March 28, 2024, Trustees' Regular Meeting.

Mr. Wayman presented a motion to approve the Minutes from the March 28, 2024, Trustees' Regular Meeting, seconded by Mr. Anderson. Roll Call: Mr. Wayman: Yes Mr. Anderson: Yes Mr. Gauntner: Abstain

Mr. Anderson requested a motion to approve the bill list in the amount of one hundred thirty-eight thousand, three hundred seventy-three dollars and seventy-eight cents (\$138,373.78) (actual) for April 9, 2024.

Mr. Gauntner presented a motion to approve the bill list in the amount of one hundred thirty-eight thousand, three hundred seventy-three dollars and seventy-eight cents (\$138,373.78) (actual) for April 9, 2024, attached to and made part of these minutes, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes Mr. Anderson: Yes

Mr. Anderson requested a motion to approve payroll in the amount of one hundred five thousand, seven hundred seventy-six dollars and thirty-six cents (\$105,776.36) (actual) for April 5, 2024, and payroll in the amount of one hundred seven thousand, seventy-three dollars and thirty-six cents (\$107,073.36) (estimate) for April 19, 2024.

Mr. Wayman presented a motion to approve payroll in the amount of one hundred five thousand, seven hundred seventy-six dollars and thirty-six cents (105,776.36) (actual) for April 5, 2024, and payroll in the amount of one hundred seven thousand, seventy-three dollars and thirty-six cents (107,073.36) (estimate) for April 19, 2024, seconded by Mr. Gauntner. Roll Call: Mr. Wayman: Yes Mr. Gauntner: Yes Mr. Anderson: Yes

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TRUSTEES:

Mr. Anderson stated Mr. Gauntner will now discuss the Ford Road Bridge situation. Mr. Gauntner stated it is important that the Board update the public on the Ford Road repair status. There is an issue which will not only affect the Ford Road Bridge Project but also the Emerson Road culvert as well. Mr. Gauntner said he was going to let Mr. Brown discuss the bad news that was just brought to his attention last week.

Mr. Brown said during the April 2nd meeting with the Lake County Engineer's Office and Civil & Environmental Consultants, Inc. to obtain a proposal to design the Township's Emerson Road culvert repair, it was discovered that under the U.S. Army Corps of Engineers' requirements for Nationwide Permits (NWP) for the State of Ohio, rules and restrictions had changed on December 27, 2021. You can replace any in-place, in-kind structure without getting a new permit from the U.S. Army Corps of Engineers. There are, however, many environmental restrictions and other restrictions listed in the forty (40) page NWP. Mr. Brown stated the Board is aware of the very lengthy process of working with the Army Corps on past township projects. Unless someone is undertaking a very big replacement or repair of a culvert or bridge, a permit is not necessary. There are many environmental restrictions and in-water restriction periods when work cannot be done in the water. The salmonid location restriction period is September 15th to June 30th in the Grand River which includes the dam at the Harpersfield Covered Bridge Park to the mouth of the Grand River. All other perennial streams not listed as salmonid are restricted from March 15th to June 30th. The rules include many restrictions and activity is regulated. Mr. Brown stated under Preconstruction Notification (PCN), Section 5-A, #18 and #32, you cannot do any work in the Grand River and its tributaries without prior notification and authorization from the U.S. Army Corps of Engineers. The process puts the request into a computerized queue and you have to wait until it is your turn. No one knows how long it will take the PCN to be approved. Mr. Brown said he just received this information last week so he has not had time to check on what penalties are involved or other options. He will look further into the NWP issue in coming weeks. The Ford Road Bridge repair is the largest construction activity the Lake County Engineers' Office has had to undertake on a Grand River tributary since 2021. Mr. Brown said HZW Environmental Consultants probably did the research for the Lake County Engineer and found the updated rules. The Lake County Engineer was not aware of the restrictions.

Mr. Gauntner stated as Mr. Brown said the County Engineer did not know about this December 27, 2021, rule since he has not had any large projects in the area lately. HZW Environmental Consultants is a very good environmental consulting company out of Mentor. Mr. Gauntner said the PCN rules do not apply to Grand River tributaries in Leroy Township or Concord Township possibly because of the spawning areas of salmon. This issue is very concerning because obviously the County Engineer cannot do any work on Ford Road until he gets a NWP from the U.S. Army Corps of Engineers. Mr. Brown stated the County Engineer has already retained HZW Environmental Consultants to do research on how to get a permit the quickest way possible. Mr. Brown said no one knows how this is going to work out. Mr. Gauntner said he emailed County Commissioners Hamercheck and Regovich, and spoke to County Administrator, Jason Boyd, regarding this situation. As of Friday, April 5th, the Commissioners had not been informed about this issue. The County Engineer had not informed the Commissioners. Communication seems to be lacking between them. This situation is going to have a big impact on the Ford Road Bridge replacement and Emerson Road Culvert replacement projects. Mr. Gauntner said it has been five hundred ninety-two (592) days since Ford Road has been closed. Who knows how long it will be now! The Township is familiar with working with the U.S. Army Corps of Engineers regarding the beach at Madison Township Park involving annual sand replenishing requirements since the large boulders were placed in Lake Erie to reduce erosion so the Township would have a beach for the residents to enjoy. Mr. Gauntner stated the U.S. Army Corps of Engineers is very difficult to work with and requires a lot of patience. Mr. Gauntner said he felt this information should be made public. The other Trustees agreed. Mr. Gauntner stated he has a feeling that 592 number (days Ford Road closed) is going to grow before this issue is over and done with.

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DEPARTMENT REPORTS

POLICE DEPARTMENT:

Chief Hager stated in the month of March, 2024, the Madison Township Police Department had 985 calls for service.

Calls for Service	985	911	29
Administrative	7	Alarm	47
Animal Complaint	26	Arrest on Warrant	7
Assault	3	Assist Fire Department	204
Assist Other	11	Assist Police	7
Business Check	59	Civil	8
Court	8	Community Policing	10
Crash Team	1	Disabled Vehicle	10
Disturbance	14	Damage Accident	13
Directed Patrol	5	Domestic Violence	2
Family Dispute	3	Fight	1
Fraud	7	Fireworks	2
Harassment	6	Phone Harassment	1
Hazard	11	HCheck	1
Hit & Run	2	Hitrun	2
Investigation	40	Information	36
Injury Accident	5	Juvenile Complaint	5
K9	2	Lockout	23
Mental Subject	1	Misassigned	7
Missing Person	2	Neighbor Complaint	2
Noise Complaint	4	Pedestrian Accident	1
Private Property Accident	8	Parking Violation	1
Property Damage	3	Property Found	4
Property Lost	1	Pumps	2
Repossession	2	Runaway	1
Security Check	54	Sex Offense	5
Shots (Noise)	2	Shoplifting	4
Sick Call Off	9	Soliciting	1
Special Detail	9	SRO	40
Subpoena	6	Suicide Threat	6
Suspicious Circumstance	43	Suspicious Person	10
Suspicious Vehicle	14	Theft	6

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Theft from vehicle	1	Threat	2
TPO Violation	2	Traffic Stop	52
Training	2	Trespassing	1
Traffic Complaint	29	Traffic Detail	1
Unwanted Subject	6	Vandalism	2
Vehicle Recovered	1	Vehicle Stolen	1
Welfare Check	17		

Chief Hager stated he wanted to update the Board on the number of accidents during the road widening of Route 20 in Madison Township. Chief Hager said there were two (2) minor accidents. One accident involved side-swiped clipped mirrors and the other involved a construction cement truck backing out and a car came along and clipped the truck. No one was injured, and both accidents were very minor.

Mr. Gauntner asked if the Township had any issues yesterday, April 8th, during the Total Solar Eclipse. Mr. Gauntner said Madison Township Park was crowded with cars from all over the U.S. There were cars from New York, Pennsylvania, North and South Carolina, Virginia, California, and Florida. Chief Hager said the Township had no issues. Everyone was well behaved and enjoying themselves. Mr. Anderson said he received no complaints. Everyone said the day went very well.

Chief Hager requested an Executive Session after the meeting tonight to discuss union negotiations regarding the Police Officers union contract.

LEGAL:

Mr. Pasqualone, Solicitor, stated he had nothing unless the Board had any questions for him. Mr. Gauntner asked if Mr. Pasqualone had heard anything regarding the C4 Shooting & Training Center case. Mr. Pasqualone said there is nothing pending. He has to prepare a discovery document and send it to attorney Mr. Harrison, but nothing is pending at the moment.

FISCAL OFFICER:

Ms. Hamercheck, Fiscal Officer, requested a motion to approve **Resolution #24-052** A Resolution accepting seven thousand, one hundred fifty-one dollars and eighteen cents (\$7,151.18) from *GovDeals.net Internet Action*, and deposit five thousand, nine hundred sixty-six dollars and twenty-five cents (\$5,966.25) into Line Item #2031-951-0000 Sale of Fixed Assets and the remaining one thousand, one hundred eighty-four dollars and ninety-three cents (\$1,184.93) into Line Item #1000-951-0000 Sale of Fixed assets.

Mr. Gauntner presented a motion to approve **Resolution #24-052** seconded by Mr. Wayman.
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes Mr. Anderson: Yes

ZONING:

Zoning Inspector, Mr. Ungers gave the March, 2024, Monthly Zoning Report:

- 14 Zoning Permits issued for an estimated construction cost of \$ 660,225.00.
- Zoning Permit and application fees collected totaled \$ 1,175.00.

The Zoning Commission met once in March.

The Board of Zoning Appeals met once in March approving one Variance Request for a setback and lot size requirement and continuing another.

26 Zoning Complaints Recorded:

- 20 Out-of-Compliance.
- 6 Excessive Refuse.

303 telephone calls received.

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Mr. Anderson said he wanted to thank Mr. Ungers, Mr. Brown, and a Village police officer who helped the neighboring businesses of the "Tap House Bar" at Hubbard & Erie Roads with a parking problem over the weekend. Apparently, a food truck from "Cousins Maine Lobster" was parked on the "Tap House" property. People making purchases from the lobster food truck were taking up the authorized parking spaces for the neighboring businesses. The neighboring businesses became upset because the authorized parking for their customers were being taken by the people making purchases from the lobster food truck parked at the "Tap House". Mr. Anderson said everyone went over and beyond to help communicate so the parking problem could be resolved. Three (3) Madison Township businesses in that area paid for the off-duty police officer. Mr. Ungers also thanked Mr. Anderson for his help in the matter.

SERVICE DEPARTMENT/PUBLIC WORKS:

Road Supervisor, Mr. Cook, was absent with family issues.

ADMINISTRATOR:

Mr. Brown spoke earlier in the meeting.

OTHER:

Mr. Wayman stated there will be a Fire Board Meeting next Wednesday, April 17th.

CITIZEN COMMENTS:

Mr. Max Sorensen, 5861 Shore Drive, said he had two (2) questions for the Board. Mr. Sorensen asked if the storm sewer drainage project from Tuttle Park to Shore Drive had been resolved. Mr. Brown said no, but it has been capped. The Emerson Road culvert blowout is a four to five hundred thousand-dollar (\$400,000.00 - \$500,000.00) project which the Lake County Stormwater Department is paying for, so it's either close the road (Emerson) or leave it as it is for the time being. The Shore Drive stormwater project will be addressed in 2025 when more funding from the Lake County Storm Water Department is available. Mr. Sorensen said there was a foot of water on the curve of Shore Drive & Sandgate, and in his yard which he spends a lot of money to maintain.

Mr. Sorensen stated his main reason for coming to tonight's meeting was to discuss the letter sent to the Township from the business owners on the corner of Hubbard Road and Lake Road concerning a request from the Madison Joint Recreation Districts "Light Up the Park" committee for a beer tent at Madison Township Park during this summer event. The three (3) business owners are Roman's Restaurant, Brew Streaks, and the Wagon Wheel. Mr. Sorensen encouraged the Trustees to not permit the beer tent in the park for the "The Light Up the Park" event. Mr. Sorensen said he is one of the founding fathers of the event, and everyone wanted it to be a family event. Everyone would like to keep it a family event. It is a slap in the face to the business owners who work there every day and sell beer. Mr. Gauntner said he thinks all three Trustees are on the same page. The Trustees want the event to remain family oriented also. The Trustees do not see a need for a beer tent when there are businesses on every corner across from Madison Township Park who sell beer. It is not fair to the business owners. The reason for the beer tent was to raise money for the fireworks, as we were told fireworks aren't cheap. The Township would rather donate some funds for the fireworks than have a lot of issues with a beer tent at the park. Mr. Anderson stated he is on the same page as Mr. Gauntner. It would not be fair to the businesses on that corner. Also, Madison Village should kick in some money as well for the fireworks. Mr. Wayman stated he thinks the Trustees made it clear at the last Trustees meeting when three (3) representatives from the Madison Joint Recreational District came to the meeting. Mr. Wayman said the case is pretty much closed. Mr. Sorensen said he led the "Light Up the Park" Committee for twelve (12) years and always had funds for fireworks through golf outings, reverse raffles, and other fund-raising events.

Mrs. Lori Boban, 6067 Ford Road, addressed the Board, about the Ford Road bridge issue. Mrs. Boban wanted to know who residents on Ford Road should address to get answers to their questions about how long it is taking to get Ford Road open again. Mr. Gauntner stated it would be the Lake County Engineers' Office who was unaware of the environmental restrictions of the U.S. Army Corps of Engineers until just recently. The new regulations were put in place in 2021, and no one had researched them until now. Mr.

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Brown stated the Army Corps does not answer any questions for anybody. They are very difficult to work with on any matter. Everyone has been blindsided by this. Mrs. Boban thanked the Trustees for the information regarding the bridge issues. Mr. Gauntner stated he just thought the public should be aware of what is happening.

Mr. Anderson stated the next Trustees' Regular Meeting will be held Tuesday, April 25, 2024, at 12:00 P.M. Noon.

Mr. Anderson requested a motion to convene into Executive Session in compliance with Ohio Revised Code Section 121.22 G 4: preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and condition of their employment. Police collective bargaining update.

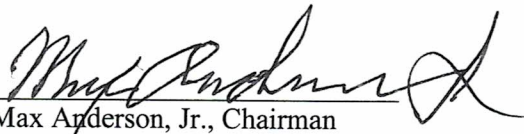
Mr. Wayman presented a motion to convene into Executive Session, seconded by Mr. Gauntner. Roll Call: Mr. Wayman: Yes Mr. Gauntner: Yes Mr. Anderson: Yes

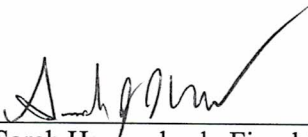
Mr. Anderson convened the meeting into Executive Session at 7:42 P.M.

Mr. Anderson reconvened the meeting at 7:56 P. M., and with no further business, requested a motion to adjourn the meeting.

Mr. Gauntner presented a motion to adjourn the Trustees' Regular Meeting, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes Mr. Anderson: Yes

The meeting was adjourned at 7:56 P.M.


Max Anderson, Jr., Chairman


Sarah Hamercheck, Fiscal Officer