

TRUSTEES:

Mr. Gauntner updated the Trustees regarding the Shore Drive Stormwater Project awarded to CATTs Construction last spring. The Stormwater line was to go from Tuttle Park down Northway Road to Sandgate Road and east on Shore Drive which would solve a lot of drainage issues in that area. CATTs Construction is the same contractor who did the stormwater/paving project on Lake Road West about a year ago, so the Township had a lot of faith in them. They started the project in June, but by the middle of July quit the project. They quit before they got out of Tuttle Park due to what CATTs said was unexpected ground water. Mr. Gauntner said this project requires the pipe to be installed at a deep level in the ground. The contractor (CATTs) requested another soil boring which the Lake County Engineer and Storm Water Management Department allowed them to do. The plans for the project were drawn up by the Lake County Engineers' Office last year. The result of the second soil boring showed that ground water would be found at approximately five (5) feet. The contractor (CATTs) hired the same soil boring company the County Engineer used last year when preparing the project specifications. The soil boring results were the same as what the project specifications indicated, water at five (5) feet. Mr. Gauntner stated this was a seven hundred fifty-four thousand-dollar (\$754,000.00) project which the Township put out for bid and would be reimbursed by the Lake County Stormwater Management Department. After the second soil boring, CATTs Construction requested a change order in the amount of three hundred fifty thousand dollars. After a couple meetings and one this afternoon, CATTs Construction will put together what it has cost for the project up to this date. What it cost for the material on site, and what it will cost to close the project where they left off in Tuttle Park. Mr. Gauntner said he thinks CATTs Construction wanted out of the project, so the Township has to find a way to terminate the contract with CATTs. Mr. Gauntner said it is a very unfortunate situation. There are some residents who have huge precast concrete catch basins staged in their front yards which need to be removed. The Township will also have to rebid the project next spring so the project will not get done this year.

Mr. Pasqualone stated he asked for the meeting today with CATTs Construction and two (2) gentlemen from the company came to the meeting. Just to be clear, they are not going to finish the project but finish some work involving the large excavation hole and drainage issues that they created at Tuttle Park. They (CATTs Construction) were very accommodating to the Townships' requests to exit the project and leave the site in good shape. They will then submit their invoices for labor, materials purchased, (pipe & precast concrete catch basins) and work completed to date. Mr. Gauntner said hopefully this will all be resolved within the next few weeks.

Mr. Gauntner stated he was at the Lake County Commissioners' Meeting last Thursday (September 21st). The Commissioners have now funded the Paine Road and Williams Road bridge retaining walls. They have not yet funded the Ford Road Bridge replacement. After talking to some people in the Commissioners' office, Mr. Gauntner thinks they are close to getting a solid number for the costs involved from the Lake County Engineer for the Ford Road bridge. Supposedly, after they get a solid number of the cost, they will then fund the Ford Road bridge. Mr. Gauntner said Commissioner Hamercheck talked last week about presenting a Resolution at this coming Thursday's meeting (September 28th) where they would transfer five million dollars for Ford Road and Blair Road, as well. Mr. Gauntner stated from what he is hearing, Commissioner Hamercheck does not have a second vote yet to adopt that resolution because they do not have a solid cost number. It will be another week or so before anything is done. Mr. Gauntner said he was told today that the final design for the Ford Road Bridge is being done which is good news. As soon as the County Engineer has the money in the roads & bridges account, the Ford Road bridge replacement project can go out for bids. However, it is going to be 2025 before the Ford Road bridge is open again. It has already been three hundred ninety-six (396) days since Ford Road was closed. Mr. Gauntner said it is frustrating. He has never quite seen something handled the way this is being handled, but this is different times. Mr. Gauntner said the Commissioners need to see

RECORD OF PROCEEDINGS

Minutes of **MADISON TOWNSHIP BOARD OF TRUSTEES' REGULAR**

Meeting

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

Held September 26, 2023, at 7:00 P.M. _____ 20 _____

Ford Road residents at their meetings. Residents have a greater impact at the meetings than other politicians. Mr. Wayman stated the Commissioners need to work together. Hopefully, things will change soon.

RESOLUTIONS:

Mr. Wayman requested a motion to approve **Resolution #23-099**, A Resolution to renew an agreement with CBIZ QBA Benefits of Westlake, Ohio, to provide health care consulting services to Madison Township.

Mr. Anderson presented a motion to approve **Resolution #23-099**, seconded by Mr. Gauntner. Roll Call: Mr. Anderson: Yes Mr. Gauntner: Yes Mr. Wayman: Yes
Mr. Gauntner stated this agreement is good until December 31, 2027.

Mr. Wayman requested a motion to approve **Resolution #23-100**, A Resolution to enter into an agreement with SE Blueprint, Inc., not to exceed the amount of eight thousand, nine hundred fifteen dollars (\$8,915.00), for digitization of Historical Madison Township Meeting Minutes.

Mr. Gauntner presented a motion to approve **Resolution #23-100**, seconded by Mr. Anderson. Roll Call: Mr. Gauntner: Yes Mr. Anderson: Yes Mr. Wayman: Yes

DEPARTMENT REPORTS

POLICE DEPARTMENT:

Chief Hager stated he had nothing to report tonight.

LEGAL:

Mr. Pasqualone, Solicitor, stated regarding the C4 Shooting & Training Center case in the Court of Appeals, the Township along with insurance council filed a motion to dismiss the appeal indicating that the argument was not a final appealable order. The Court of Appeals recently ruled in the Township's favor. Mr. Pasqualone said that is a victory. However, we should not get too excited because all that really means is that the case is no longer in the Court of Appeals. The case goes back to the Common Pleas Court for basically a hearing to be held on our request for a permanent injunction against C4. Mr. Pasqualone said this was an appeal of the temporary injunctive relief that the Township sought. This will now get rescheduled for another hearing for a permanent injunction. Mr. Pasqualone stated he is waiting on the hearing notice, and if the notice does not come soon, he will file a motion asking for a status hearing. Mr. Pasqualone stated his question of Judge Kimbler will be are we basically going to have the same testimony, the same issues and facts, so how will he handle that? Mr. Pasqualone said he will keep the Trustees apprised of what is happening with the C4 case, but we are in for the long haul.

Mr. Pasqualone said the other legal case that is pending is in the discovery process. Mr. Pasqualone will keep the Trustees posted. Mr. Gauntner asked if the Township has to file a separate motion to request a permanent injunction against C4. Mr. Pasqualone stated that was done at the time the original complaint was filed. The Township asked for a restraining order, a preliminary injunction, and a permanent injunction so it is already done.

FISCAL OFFICER:

Mrs. Gerred-Ditchcreek, Fiscal Officer, requested a motion to approve **Resolution #23-101**, A Resolution to appropriate, from Unappropriated, fifty-five thousand dollars (\$55,000.00) into the 2023 Permanent Appropriations Budget, Line Item 2231-330-750-0000 Motor Vehicle.

Mr. Anderson presented a motion to approve **Resolution #23-101**, seconded by Mr. Anderson. Roll Call: Mr. Anderson: Yes Mr. Gauntner: Yes Mr. Wayman: Yes

Mrs. Gerred-Ditchcreek stated Mr. Cook would explain the truck purchase. Mr. Cook said because of the United Auto Workers (UAW) Strike, the Township located a 2023 Ford Super Duty F-350 4x4 Chassis Truck on the lot of Nick Mayer Ford of Mayfield Heights which was going to be purchased next year. The Township decided to buy the truck now to prevent waiting until 2025 to get it. Mrs. Gerred-Ditchcreek said the Township should take advantage of the opportunity. Mr. Wayman said it was a good move to purchase the truck

Mr. Gauntner presented a motion to approve **Resolution #23-102**, seconded by Mr. Anderson. Roll Call: Mr. Gauntner: Yes Mr. Anderson: Yes Mr. Wayman: Yes

Mrs. Gerred-Ditchcreek requested a motion to approve **Resolution #23-103**, A Resolution authorizing the Madison Township Fiscal Officer to issue a refund in the amount of \$1,600.00 to Holbrook Sewer & Excavating for road opening at 1279 Oxford Street, Permanent Parcel #01-B-102-B-00-050-0.

Mr. Anderson presented a motion to approve **Resolution #23-103**, seconded by Mr. Gauntner. Roll Call: Mr. Anderson: Yes Mr. Gauntner: Yes Mr. Wayman: Yes

Mrs. Gerred-Ditchcreek updated the Trustees on the appropriations numbers for the Township. Mrs. Gerred-Ditchcreek stated the General Fund is at 60% spent through the end of September, Road & Bridge is at 58.3% spent, and the Police Department is at 66.2% spent. The overall percentage is at 54.88% spent instead of 75% if the Township was spending at 100%. Mr. Wayman said the appropriation numbers are very good.

ZONING:

Zoning Inspector, Mr. Ungers requested a motion to approve **Resolution #23-104**, A Resolution authorizing the Township Administrator to proceed with the abatement of high grass and/or excessive refuse at 1984 Green Road, 7631 Lake Road, 1436 Cumings Boulevard, and 1816 Perth Road.

Mr. Gauntner presented a motion to approve **Resolution #23-104**, seconded by Mr. Anderson. Roll Call: Mr. Gauntner: Yes Mr. Anderson: Yes Mr. Wayman: Yes

Mr. Ungers requested a motion to approve **Resolution #23-105**, A Resolution to approve rezoning of Permanent Parcel #01-B-109-0-00-004-0 located on Burns Road, owned by David and Betty Byler, from B-2, Regional Business District, to R-1, Suburban Residential District.

Mr. Anderson presented a motion to approve **Resolution #23-105**, seconded by Mr. Gauntner. Roll Call: Mr. Anderson: Yes Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner said, as he stated during the Zoning Public Hearing earlier today, he is in favor of rezoning this property from B-2, Regional Business District, to R-1, Suburban Residential District because it is in flavor with the residential neighborhood already there. Mr. Anderson stated he agreed as he is would rather see residential there and not commercial because commercial could destroy the wetlands in that area. Mr. Wayman also agreed.

SERVICE DEPARTMENT/PUBLIC WORKS:

Mr. Cook, Road Supervisor, asked if the Trustees had any further questions regarding the Ford F-350 Truck purchase. With no questions from the Trustees, Mr. Cook handed out a quote he received after meeting with "Innovative Sport Surfacing, LLC", from Mentor, Ohio, for two (2) pickleball courts to be installed at Veterans Park. Mr. Cook showed "Innovative Sport Surfacing, LLC" the location of the proposed courts and went over the process they use. They do not want the Township to do anything with the surface as they want to do all repairs, fill the cracks, and apply their resurface application. They will apply 2-3 coats of new colored acrylic surfacer of the Township's choice to the entire area of the pickleball courts. The total cost of the two (2) courts would be eighteen thousand dollars (\$18,000.00) and includes the pickleball posts and net.

Mr. Gauntner asked what the life span of the pickleball courts surface would be? Mr. Cook said he did not know but would find out for the Trustees. Mr. Wayman said to find out what

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the maintenance would be for the courts also. Mr. Cook said everyone he talked to who has used this company is happy with the results.

Mr. Cook requested a motion to approve **Resolution #23-106**, A Resolution to enter into an agreement with Nick Mayer Ford of Mayfield Heights, Ohio, not to exceed the amount of fifty-one thousand, five hundred fifteen dollars (\$51,515.00) for the purchase of a new 2023 Ford Super Duty F-350 4x4 Chassis.

Mr. Gauntner presented a motion to approve **Resolution #23-106**, seconded by Mr. Anderson. Roll Call: Mr. Gauntner: Yes Mr. Anderson: Yes Mr. Wayman: Yes

Mr. Cook informed the Trustees the 2023 Ford Super Duty F-350 Truck purchase price was under the DEA State price.

Mr. Wayman and Mr. Anderson advised Mr. Cook to keep up the good work. Mr. Gauntner asked for an update on the annual sand removal at Madison Township Park. Mr. Cook said "C.I.R. Excavating" moved sand today on the beach at Madison Township Park and would continue tomorrow. It normally takes about two (2) days to complete the annual sand removal project required by the Army Corps of Engineers because of the large rocks Madison Township put in Lake Erie at Madison Township Park beach to help control erosion.

ADMINISTRATOR:

Mr. Brown, Administrator, was absent with a prior commitment.

OTHER:

Mr. Wayman stated the Administrative Office will be closed Monday, October 9th, in observance of Columbus Day.

Mr. Gauntner stated Mr. Brown received an e-mail today from Congressman Joyce's office and asked Mr. Gauntner to mention it during the Meeting tonight. Back in February, an e-mail was received by Mr. Gauntner from Congressman Joyce's office saying federal funds may be available for special projects that communities may have. Mr. Gauntner and Mr. Brown drafted a proposal for funding to add more armor stone along the toe of the bluff at Stanton Park to control the ongoing lake erosion. The funding proposal was sent to Congressman Joyce's office in February hoping we could get some funds to buy armor stone for Stanton Park to help with erosion. Bill Stanton Park is named after a former Congressman, and former Congressman Steve LaTourette helped the Township purchase the park property in 1998. Mr. Gauntner said the e-mail Mr. Brown received today from Congressman Joyce's office said Congressman Joyce has secured one million, twenty thousand dollars (\$1,020,000.00) for the Madison Township Stanton Park revetment project in the FY24 Commerce, Justice, Science Appropriations Bill. The e-mail also cautioned the Township that this does not mean that project has officially been funded. The appropriations bill has not yet been passed by the House, nor has it gone through the Senate. However, this is certainly a good sign that this was included in the House bill. There are a number of hurdles that still need to pass before the project has officially been funded. Mr. Gauntner stated this will probably be approved by Congress and will help out immensely at Stanton Park. The Township will keep its fingers crossed.

Mr. Gauntner stated the last Fire Board Meeting on September 20th was a very quick meeting. Retired Fire Chief Tod Baker was presented with a Special Resolution from the Fire Board thanking him for his years of service with the Fire District. Mr. Gauntner said Chief Baker even received an autographed picture of President Biden at the Meeting. The next Fire Board Meeting will be October 18, 2023.

Mr. Wayman stated he would give a brief Bennett Road Sanitary Sewer Project report. Madison Village is rerouting their sanitary sewer lines out of the Village to the county's sewerage treatment plant on Cashen Road. The project will begin on Bennett Road from Chapel Road heading south to Route 20. It will cross under Route 20 and follow the Arcola Creek tributary which is a few hundred yards south of Route 20 in a westward direction where it will tie in with the existing sanitary sewer pump station near Joey's Restaurant on Hubbard Road. Mr. Wayman said the project was supposed to start October 2nd, but started today. Work was done about one thousand (1,000) feet on the west side of

CITIZEN COMMENTS:

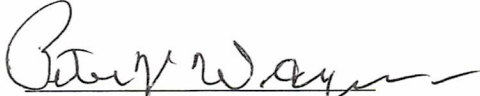
Mr. Greg Giegerich, 5640 Middle Ridge Road, stated residents can also keep the pressure on the Lake County Commissioners regarding the Ford Road Bridge closure with phone calls and e-mails, as well as showing up for their meetings at 10:00 A.M. Most residents who work cannot get to the 10:00 A.M. meetings. Mr. Gauntner said that was a good point. The Commissioners need to hear the voices of the Ford Road residents.


Mr. Wayman stated the next Trustees' Regular Meeting will be held Tuesday, October 10, 2023, at 7:00 P.M. with the Trustees' Workshop Meeting beginning at 6:30 P.M.

Mr. Wayman asked if there was any other business, and with no further business to discuss, requested a motion to adjourn.

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

Chairman Wayman adjourned the Trustees' Regular Meeting at 7:40 P.M


Peter V. Wayman, Chairman


Terry Gerred-Ditchcreek, Fiscal Officer