

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP BOARD OF TRUSTEES' REGULAR

Meeting

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

November 28, 2023, at 7:00 P.M.

Held

20

Chairman Wayman called the Trustees' Regular Meeting of November 28, 2023, 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. Wayman called for a roll call: Mr. Gauntner, Mr. Wayman, Chief Hager, Mr. Brown, and Mr. Pasqualone were in attendance. Mr. Anderson and Mrs. Gerred-Ditchcreek were absent due to prior commitments. Mr. Gauntner served as Fiscal Officer Pro-Tempore for the meeting.

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

Mr. Wayman stated at this time we will have a "Moment of Silence" to reflect on some things and remember some folks who have passed away recently from this life to another. Please remember Madison residents' Dudley Nash, Tracy Dodge, Dottie Sartain, Laura Schulz, Warren Caswell, and Linda Kovalchik. Mr. Gauntner stated he was sad to hear Tracy Dodge who was a former classmate of his from school passed away rather suddenly.

Mr. Wayman requested a motion to approve the minutes from the November 14, 2023, Trustees' Workshop Meeting and the November 14, 2023, Trustees' Regular Meeting.

Mr. Wayman stated he was not present at the November 14th meetings. Mr. Gauntner made a motion to table the November 14, 2023, Trustees' Workshop and Trustees' Regular Meeting minutes until the next meeting when Mr. Anderson will be present, seconded by Mr. Wayman: Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Wayman requested a motion to approve the bill list in the amount of one hundred eighty-eight thousand, two hundred sixty-seven dollars and thirteen cents (\$188,267.13) (actual) for November 28, 2023.

Mr. Gauntner presented a motion to approve the bill list in the amount of one hundred eighty-eight thousand, two hundred sixty-seven dollars and thirteen cents (\$188,267.13) (actual) for November 28, 2023, attached to and made part of these minutes, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown stated one hundred fifty-five thousand, thirty-one dollars and seventy-five cents (\$155,031.75) of the total bill amount was paid to CATTs Construction, Inc. for the Shore Drive Storm Water Project which closes out their portion of the project.

Mr. Wayman requested a motion to approve payroll in the amount of one hundred twenty thousand, four hundred thirty-four dollars and sixty-two cents (\$120,434.62) (actual) for December 1, 2023, and payroll in the amount of sixty-two thousand, eight hundred dollars and thirty-eight cents (\$62,800.38) (Ohio EMA ARPA First Responder Grant) for December 1, 2023.

Mr. Gauntner presented a motion to approve payroll in the amount of one hundred twenty thousand, four hundred thirty-four dollars and sixty-two cents (\$120,434.62) (actual) for December 1, 2023, and payroll in the amount of sixty-two thousand, eight hundred dollars and thirty-eight cents (\$62,800.38) (Ohio EMA ARPA First Responder Grant) for December 1, 2023.

TRUSTEES:

Mr. Wayman asked Mr. Gauntner to speak about the status of the Ford Road Bridge situation. Mr. Gauntner said he was not at the last Lake County Commissioners' Meeting, but Mr. Brown attended so he asked Mr. Brown to give an update. Mr. Brown stated the County Commissioners have finally funded the Ford Road Bridge Replacement Project by a 3-0 vote. Lake County Engineer Jim Gills is hoping to have the project completed by mid to late Summer. Mr. Brown said a contractor has been identified, and this project is being treated as an emergency project. The contract should be signed by this week. Mr. Brown stated he did not see any issues with the local contractor. The cost of the project is approximately two

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hundred thousand dollars (\$200,000.00) more than originally anticipated, probably around 2.6 million dollars (\$2,600,000.00). Mr. Gauntner stated Ford Road has now been closed for four hundred fifty-nine (459) days, and it is really a shame this problem has been drawn out this long. It should not have been done this way, and it is really "bad government". Mr. Wayman stated he is glad something is finally going to happen because it has been going on for too long.

RESOLUTIONS

Mr. Wayman requested a motion to adopt **Resolution #23-121**, A Special Resolution recognizing Chris Van Dusen for her years of dedicated service to the Madison Food Center upon her retirement.

Mr. Gauntner presented a motion to adopt **Resolution #23-121**, seconded by Mr. Wayman: Roll all: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Wayman said he would read a portion of **Resolution #23-121** because there are some important points, and Chris Van Dusen did sacrifice a lot for the Madison Food Center.

A RESOLUTION RECOGNIZING CHRIS VANDUSEN FOR HER YEARS OF DEDICATED SERVICE TO THE MADISON FOOD CENTER UPON HER RETIREMENT

WHEREAS; The Madison Food Center (Center) opened on November 15, 2005 with Chris Van Dusen and Pat Cz-Stafford named as Co-Directors; and

WHEREAS, to better serve the Food Center's clientele, Chris Van Dusen overhauled the Center's business model from a "pre-packaged" model to a more efficient "Client-Choice" model which decreased costs by half, while simultaneously improving the client autonomy in food choices; and

WHEREAS, the Food Center sought out local "Community Partners," to include the Madison Public Library, Walgreens vaccinations, the HEEP home energy program, and others, to provide client access to such partners; and

WHEREAS, under Chris Van Dusen's leadership the Center was awarded the Madison/Perry Chamber of Commerce Heritage Award, and in 2008 the Greater Cleveland Food Bank's Excellence Award; and

WHEREAS, Chris Van Dusen guided the Madison Food Center throughout the 2020 COVID-19 Pandemic, providing essential services to the community without closing the Center; and

WHEREAS, Chris Van Dusen has donated a minimum of ten hours a week during her eighteen (18) years of service to the Food Center managing volunteer staffing, food donations/purchases, and the general operations of the Food Center; and

WHEREAS, Chris Van Dusen's final day as Director of the Madison Food Center will be November 30, 2023, and the Board of Madison Township Trustees desires to acknowledge the leadership and tireless work Chris Van Dusen provided to the Center and the residents of Madison.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MADISON TOWNSHIP TRUSTEES THAT:

SECTION 1. The Board of Madison Township Trustees hereby recognize and thank Chris Van Dusen for her years of dedicated service to the residents of Madison and wish her much health and happiness in all her future endeavors upon her retirement.

SECTION 2. That it is found and determined that all formal action(s) of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal action(s) were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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SECTION 3. This Resolution shall take effect and be in force at the earliest period allowed by law.

Mr. Wayman stated Chris Van Dusen did a great job for the Madison Food Center, and the Board of Madison Township Trustees appreciate all her years of service.

Mr. Wayman requested a motion to adopt **Resolution #23-122**, A Special Resolution Recognizing American Legion Jay Wilson Post 112 on their One-Hundredth (100th) Centennial Anniversary.

Mr. Gauntner presented a motion to adopt **Resolution #23-122**, seconded by Mr. Wayman.
Mr. Gauntner: Yes Mr. Wayman: Yes

Resolution #23-122- A Special Resolution recognizing American Legion Jay Wilson Post 112 on their One-Hundredth (100th) Centennial Anniversary.

WHEREAS, Member of the American Expeditionary Force convened in Paris for the first American Legion Cause in March of 1919; and

WHEREAS, the United States Congress chartered the American Legion in September of 1919; and

WHEREAS, Mr. Jay Wilson of Thompson, Ohio, was born July 18, 1888, served in Company D 102nd Infantry on September 18, 1917, and at the age of 28 was killed in action in France on June 17, 1918, and;

WHEREAS, in the Spring of 1922, fifteen (15) Veterans: J.H. Huggins, D.H. Bailey, W.G. Stanton, H.W. Wright, L.G. Jordon, A.H. Hill, H.S. Brown, H.P. Reigert, F.R. Lynch, A.P. Groat, W.J. Keyse, J.V. Winans, J.A. Ellertson, S. Bates, and L.A. Peckman, were founding members of an American Legion Post to serve Perry, Thompson, and Madison Veterans; and

WHEREAS, on December 11, 1923, was chartered as the Jay Wilson Post 112, naming Post Dr. J.V. Winans as the first Post Commander; and

WHEREAS, on June 10, 1924, the Post 112 Ladies Auxiliary was organized and chartered with Mrs. J.V. Winans, serving as the Auxiliary's first President; and

WHEREAS, in August of 1985, the Sons of the Legion was chartered allowing qualifying family members to join Post 112; and

WHEREAS, Post 112 has grown to over 700 members who provide support for veterans, family members, and community; and

WHEREAS, ON December 8, 2023, Jay Wilson Post 112 of the American Legion celebrates its One-Hundredth (100th) Centennial Anniversary.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MADISON Township Trustees that:

SECTION 1. The Board of Madison Township Trustees hereby, recognize and honor the American Legion Jay Wilson Post 112 on achieving the One-Hundredth (100th) Anniversary.

SECTION 2. That it is found and determined that all formal action(s) of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal action(s) were in meetings open to the public, in compliance with all legal requirements, including Section 121.33 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in force at the earliest period allowed by law.

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DEPARTMENT REPORTS

POLICE DEPARTMENT:

Chief Hager stated the Police Department applied for a small Ohio Township Association Risk Management Authority (OTARMA) Grant that was approved. Chief Hager said every several years the department loses traffic cones out of vehicles which seem to disappear. The department ordered ten (10) sets of five (5) new collapsible traffic cones with beacons using the funds from this grant.

Mr. Gauntner asked Chief Hager if he heard anything more regarding the loose chicken situation on Chapel Road discussed at the last meeting. The neighbor of a resident who owns chickens complained at the last Trustees meeting about loose chickens coming on his property, and making an unhealthy mess. Chief Hager said he did talk and discuss the situation with the complaining resident. He has not heard anything from that resident as the weather has turned bad so the loose chicken problem has not happened lately. Mr. Gauntner said the Township had a similar problem last year with Guinea Hens running loose on Red Bird Road. Mr. Pasqualone said he sent out a letter to the owner of the chickens, but has not heard anything back. Mr. Gauntner thanked Chief Hager and Mr. Pasqualone for handling this matter.

LEGAL:

Mr. Pasqualone, Solicitor, stated he nothing to report but would have something for the Trustees to discuss in Executive Session.

FISCAL OFFICER:

Mrs. Gerred Ditchcreek, Fiscal Officer, was absent this evening. Mr. Wayman stated the Fiscal Office has two Resolutions for this meeting which the Board will act on for her.

Mr. Wayman requested a motion to approve **Resolution #23-123**, A Resolution authorizing the Madison Township Fiscal Officer to issue a refund in the amount of \$3,200.00 to Cleveland Router LLC for road opening at 1501 Yale Avenue, Permanent Parcel #01-B-115-E-00-048-0.

Mr. Gauntner presented a motion to approve **Resolution #23-123**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown stated the road opening was inspected by Mr. Cook.

Mr. Wayman requested a motion to approve **Resolution #23-124**, A Resolution appropriating sixty-eight thousand, seven hundred seventy-six dollars and forty-one cents (\$68,776.41) from Line Item #2275-539-0000, and depositing into account Line Items as found in the attached "*Exhibit A*".

Mr. Gauntner presented a motion to approve **Resolution #23-124**, seconded by Mr. Wayman. Mr. Gauntner: Yes Mr. Wayman: Yes

The line items listed in "*Exhibit A*" are sixty-two thousand, eight hundred one dollars and thirty-eight cents (\$62,801.38) into line item #2275-210-0000 (Other Salaries); one thousand, sixty-four dollars and twenty-six cents (\$1,064.26) into line item #2275-210-0000 (OPERS); and nine hundred ten dollars and fifty-nine cents (\$910.59) into line item #2275-210-213-00 (Medicare). On October 24, 2023, the Board adopted **Resolution #23-108**, accepting sixty-eight thousand, seven hundred seventy-six dollars and forty-one cents (\$68,776.41) from the State of Ohio's Emergency Management Agency (EMA) American Rescue Plan Act (ARPA) First Responders Retention Incentives Grant.

ZONING:

Zoning Inspector, Mr. Ungers, was absent this evening. Mr. Bernard, Assistant Zoning Inspector was present. Mr. Bernard requested a motion to approve **Resolution #23-125**, A Resolution authorizing the Madison Township Administrator to proceed with the abatement of high grass and/or excessive refuse at 6570 North Ridge Road.

Mr. Gauntner presented a motion to approve **Resolution #23-125**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

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This location is in front of the Marc's Store on North Ridge Road (Route 20) by Wendy's Restaurant. The chronic high grass near the street needs cut immediately before winter and needs maintained regularly.

Mr. Gauntner stated during some gas line replacement work in front of the plaza on North Ridge Road (Route 20) this past summer, the grass was unable to be cut. Mr. Ungers reached out to the property owner of the plaza who said Wendy's is responsible for cutting the grass. It is the property owner's responsibility in the end to maintain their property.

Mr. Bernard requested the Trustees set a Public Hearing date to rezone vacant Permanent Parcel #01-B-108-0-00-026-0 on Hubbard Road. The request is to rezone the parcel from its multiple zoning districts of R-2 Single Family, R-4 Multiple Dwelling, and P-1 Professional to just R-2, Single Family throughout the entire parcel. The applicant plans to build a single-family dwelling on the parcel in the future. The Lake County Planning Commission met on October 24, 2023, and recommended the Zoning Commission recommend the approval of this rezoning change to the Madison Township Trustees. The Zoning Commission met on November 13, 2023, and voted to recommend that the Trustees approve the rezoning request. There has been no correspondence from neighbors commenting for or against this rezoning request.

A Public Hearing will also be needed for text changes to the Zoning Resolution. Mr. Bernard stated the Zoning Commission has been working for over six (6) months on recommendations to amend Sections 101, 107, 122, 125, 129, 130, 133, 134, and 143 of the Madison Township Zoning Resolution. The Lake County Planning Commission met on September 26, 2023, and made their recommendation to the Zoning Commission. The Zoning Commission Public Hearing was advertised in the News-Herald Legal Section on October 31, 2023. The Zoning Office received no contact from residents regarding the matter. The Madison Township Zoning Commission on November 13th approved a motion to recommend the text amendments contained in "Exhibit A" to the Madison Township Board of Trustees. The Zoning Department is requesting the Board of Trustees set a Public Hearing date for December 12, 2023, for the proposed text amendments.

Mr. Gauntner presented a motion to set a public hearing date for the proposed text amendment changes to the zoning resolution, and the rezoning hearing for Permanent Parcel #01-B-108-0-00-026-0 on Hubbard Road for December 12, 2023, at 6:00 P.M., seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

SERVICE DEPARTMENT/PUBLIC WORKS:

Road Supervisor, Paul Cook, was absent this evening.

ADMINISTRATOR:

Mr. Brown, Administrator, requested a motion to approve **Resolution #23-126, A** Resolution approving health insurance coverage for all qualifying bargaining and non-bargaining unit Madison Township employees through Medical Mutual of Ohio HAS 5000/20 Copay & Rx SMI Plan.

Mr. Gauntner presented a motion to approve **Resolution #23-126**, seconded by Mr. Wayman. Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown stated employees have taken ownership of their own health care costs. Two or three (2 or 3) years ago, Medical Mutual would not even give the Township a quote for health care. Medical Mutual for 2024 will cost about twenty-two percent (22%) less than what the Township is paying now for health care coverage.

OTHER:

Mr. Gauntner stated the last Fire Board Meeting was more of a housekeeping meeting. The Board adopted some Resolutions, moved some money around, renewed an agreement for annual eye Care coverage for the firefighters and moved some funds for the annual bond payment on Fire Station #3. There was some discussion on hiring additional people. Mr. Gauntner said the December Meeting will probably address the hiring of additional people.

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Mr. Wayman reminded everyone the Administrative Offices will be closed on Friday, December 22, 2023, and Monday, December 25, 2023, in observance of the Christmas Holiday.

CITIZEN COMMENTS:

None

Mr. Wayman stated the next Trustees' Regular Meeting will be held Tuesday, December 12, 2023, at 7:00 P.M. There will be a Text Amendment and Rezoning Public Hearing at 6:00 P.M. and a Trustees' Workshop Meeting at 6:30 P.M.

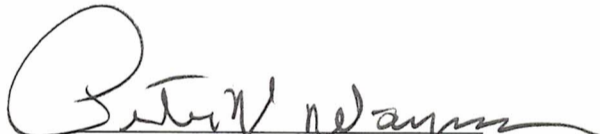
Mr. Wayman requested a motion to adjourn into Executive Session in compliance with Ohio Revised Code Section 121.22 G 3, enter into executive session for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action; failure to provide public records: Michalski vs Madison Township.


Mr. Gauntner presented a motion to enter into Executive Session at 7:32 P.M., seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Wayman reconvened the Trustees' Regular Meeting at 8:15 P.M. after discussing potential litigation in Executive Session, and with no further business to discuss, requested a motion to adjourn the meeting.

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

Chairman Wayman adjourned the Trustees' Regular Meeting at 8:16 P.M.


Peter V. Wayman, Chairman


Kenneth R. Gauntner Jr., Fiscal Officer Pro-Tempore