

# RECORD OF PROCEEDINGS

Minutes of MADISON TOWNSHIP BOARD OF TRUSTEES' REGULAR

Meeting

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

Held February 14, 2023, at 7:00 P.M. 20

Chairman Wayman called the Trustees' Regular Meeting of February 14, 2023, to order at 7:05 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 Byers, Mr. Brown, Mrs. Gerred-Ditchcreek, and Mr. Pasqualone were in attendance. Mr. Anderson had a previous commitment.

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 things that have happened since our last meeting and remember family, friends, and neighbors, who are no longer with us. Please remember Madison residents' James Allen Michalski, Sr., George F. Newland, Jr., Jamie Johnson, Lauren Smith, George Tarbuck, Brenda Mace, and Joseph Babic. Mr. Wayman stated Joe Babic was a long-time resident of this community and a friend of his. Joe passed away about a week ago.

Mr. Wayman requested a motion to approve the minutes from the January 24, 2023, Trustees' Regular Meeting.

Mr. Gauntner presented a motion to approve the minutes from the January 24, 2023, Trustees' Regular Meeting, 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 sixty-one thousand, four hundred eighty-four dollars and fifty-nine cents (\$161,484.59) (actual) for February 14, 2023.

Mr. Gauntner presented a motion to approve the bill list in the amount of one hundred sixty-one thousand, four hundred eighty-four dollars and fifty-nine cents (\$161,484.59) (actual) for February 14, 2023, attached to and made part of these minutes, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mrs. Gerred-Ditchcreek stated there was one (1) large bill for eighty-three thousand, one hundred thirty-nine dollars and ninety-nine cents (\$83,139.99) paid to Hallmark Excavating, Inc. for the Madison Shores Stormwater Project.

Mr. Wayman requested a motion to approve payroll in the amount of one hundred thousand, nine hundred ninety-eight dollars and fifty cents (\$100,998.50) (actual) for January 10, 2023, and payroll in the amount of one hundred one thousand, four hundred thirty-nine dollars and sixty-seven cents (\$101,439.67) (estimate) for February 24, 2023.

Mr. Gauntner presented a motion to approve payroll in the amount of one hundred thousand, nine hundred ninety-eight dollars and fifty cents (\$100,998.50) (actual) for January 10, 2023, and payroll in the amount of one hundred one thousand, four hundred thirty-nine dollars and sixty-seven cents (\$101,439.67) (estimate) for February 24, 2023, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

## DEPARTMENT REPORTS

### **POLICE DEPARTMENT:**

Chief Byers reported on the traffic crashes for 2022 in the area of Green Road and Route 20. Chief Byers said in the area of Green Road and Walmart there were four (4) crashes. In the area of Green Road and down from Walmart, there were three (3) crashes. In the area of Route 20, around the Green Road intersection, there were six (6) crashes. Chief Byers said none of these crashes were necessarily related to Walmart.

### **MOTOR VEHICLE ACCIDENTS WALMART AT GREEN ROAD:**

2200168	02/12/22
2200715	07/05/22
2201131	11/12/22
2201161	11/19/22

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**MOTOR VEHICLE ACCIDENTS ON GREEN ROAD IN VICINITY OF WALMART BUT NOT DIRECTLY RELATED:**

2200055     01/15/22  
 2200148     02/07/22  
 2201269     12/24/22

**MOTOR VEHICLE ACCIDENTS ON ROUTE 20 SURROUNDING GREEN ROAD INTERSECTION:**

2200001     01/01/22  
 2200037     01/10/22  
 2200064     01/19/22  
 2200276     03/12/22  
 2200582     05/29/22  
 2201012     10/06/22

Chief Byers stated there were thirteen (13) total crashes in the area of Green Road and Route 20 in 2022 as opposed to twenty (20) total crashes in 2021. Chief Byers said there were seventeen (17) total crashes in 2020, nineteen (19) in 2019, twenty-seven (27) in 2018, and twenty-two (22) in 2017. Chief Byers stated 2022 was by far the fewest crashes in that area than previous years. The perception that this area is the Township's most dangerous traffic area is not a reality. Chief Byers said even with the increase in businesses in the area, traffic crashes have actually gone down in number. Mr. Gauntner said there is a perception on Madison social media sites that there is a crash by Walmart every week which is not true. Mr. Gauntner thanked Chief Byers for preparing the annual report for the Trustees.

Chief Byers stated in the month of January, 2023, the Madison Township Police Department had 837 calls for service.

Calls for Service	837	Crashes	30
Citations	28	Arrests	18
911 Calls	28	Administrative	8
Alarms	29	Animal Complaints	13
Arrest on Warrant	6	Assault	1
Assist in Fatal Crash	1	Assist other	14
Assist other PD	9	Business Checks	16
Burglary Report	1	Civil	11
Community Policing	3	Disabled Vehicles	7
Disturbances	17	Dead on Arrival	1
Domestic Violence	5	Escort	3
Family Dispute	3	Fight	2
Fraud	2	Harassment	6
Hazard	5	Follow-Up Investigations	27
Information	31	Juvenile Complaints	2
Dumping	1	Vehicle Lockouts	20
Mental Subject	1	Missing Person	1
Neighbor Complaints	2	Open door or window	1
Parking Violations	3	Property Reports	7



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Repossession	2	Runaway	2
Security Checks	7	Sex Offense	1
Suicide Attempt	1	Suicide Threats	3
Suspicious	76	Thefts	15
Threat	6	Protection Order Violation	1
Traffic Stops	30	Training	13
Transport	3	Trespassing	3
Traffic Complaints	11	Unauthorized Use of Motor Vehicle 2 stolen vehicles	1
Unwanted Subjects	5	Welfare Checks	20

Chief Byers stated the number of calls for service in January of 2022 were one thousand forty-three (1,043) so the number is down by quite a bit this year.

Chief Byers requested a motion to approve **Resolution #23-029**, A Resolution authorizing execution of a lateral entry Memorandum of Understanding (MOU) between the Madison Township Board of Trustees and the Ohio Patrolmen's Benevolent Association Patrolmen, Detective, and Sergeants effective February 14, 2023.

Mr. Gauntner presented a motion to approve **Resolution #23-029**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

A Memorandum of Understanding exists between the Board of Madison Township Trustees and the Ohio Patrolmen Benevolent Associations representing the Patrolmen, Detectives, and Sergeants of the Madison Township Police Department. The MOU has been in place for numerous years with the Ohio Patrolmen's Benevolent Association with the current MOU being updated in January of this year. The MOU has been negotiated, voted on, and approved by the membership of the Ohio Patrolmen's Benevolent Association for the Patrolmen, Detectives, and Sergeants of the Madison Township Police Department.

Chief Byers requested a motion to approve **Resolution #23-030**, A Resolution to hire Eric Sharp as a full-time Police Officer for the Madison Township Police Department effective February 20, 2023, at a rate of \$36.46 per hour with benefits and serving a one (1) year probationary period.

Mr. Gauntner presented a motion to approve **Resolution #23-030**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Chief Byers stated Officer Sharp has worked part-time for the Madison Township Police Department for several years and full-time for another Police Department. Chief Byers said because of this, he will be starting at full pay.

Chief Byers requested a motion to approve **Resolution #23-031**, A Resolution to hire Tanner Elliott as a full-time Police Officer for the Madison Township Police Department effective March 1, 2023, at a rate of \$34.54 per hour with benefits and serving a one (1) year probationary period.

Mr. Gauntner presented a motion to approve **Resolution #23-031**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Chief Byers requested a motion to approve **Resolution #23-032**, A Resolution to hire Shaun Gonzalez as a part-time Police Officer for the Madison Township Police Department at a rate of \$20.72 per hour with no benefits, pending passage of background investigation and drug screen, and serving a one hundred and twenty (120) day probationary period.

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Mr. Gauntner presented a motion to approve **Resolution #23-032**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Pasqualone stated he knows Officer Shaun Gonzalez quite well as he works for the Geneva City Police Department and was just made a Sergeant last night. He is an excellent officer.

Chief Byers stated the department was able to hire some good officers quickly because the Civil Service requirements no longer hinder the Township in the hiring process. Chief Byers said he wanted the department to be at full staff before the next Chief of Police takes over.

**LEGAL:**

Mr. Pasqualone, Solicitor, stated everyone is aware of what took place at the last court hearing. Mr. Pasqualone thanked everyone who attended the hearing. The Plaintiff's case was dismissed by the Magistrate, and no one had to testify.

**FISCAL OFFICER:**

Mrs. Gerred-Ditchcreek, Fiscal Officer, stated she received a notice from the Ohio Division of Liquor Control regarding a carry-out only request for a liquor license for JCN Kalina II, Ltd, 6586 North Ridge Road. The Trustees should decide if they want to request a hearing or not regarding this matter. The deadline to respond to the request is March 10, 2023. Mr. Gauntner said the proposed business would be in the same shopping plaza as Marc's and Giant Eagle who both sell liquor. Mr. Gauntner made a motion to not object to the liquor license and not request a hearing for the liquor license for JCN Kalina II, Ltd, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

**ZONING:**

Assistant Zoning Inspector, Mr. Bernard, gave the January, 2023, Monthly Zoning Report:

- 5 Zoning Permits issued for an estimated construction cost of \$ 377,000.00.
- Zoning Permit fees and Application fees collected totaled \$ 975.00.

The Zoning Commission met once in January for an Organizational Meeting and Regular Meeting. There was nothing on their Agenda.

The Board of Zoning Appeals met once in January for an Organizational Meeting and Regular Meeting where a variance was approved for a second pole sign for Ace Hardware at Chapeldale Plaza on Hubbard Road.

Zoning Complaints: 21 legitimate complaints recorded

- 10 Out-of-Compliance.
- 11 Excessive Refuse.

154 Total Telephone Calls received and responded to by the Zoning Office in January, 2023.

Mr. Bernard stated Zoning Inspector, Mr. Ungers, attended the annual Ohio Township Association Convention in Columbus in January. Mr. Ungers sat in on five (5) different seminars covering an array of topics all under the theme "*Zoning Issues in an Ever-Changing World*". In recent discussions with our Zoning Commission members, the Zoning Office hopes to create or amend language in our Zoning Resolution this year to better support potential Solar Panel installations, Residential Construction, Recreational Vehicle, and Site Plan Evaluation questions in our future.

Mr. Gauntner stated Mr. Bernard did an outstanding job with the new revisions to the Zoning Department's website. Also, the new zoning map overlay delineating non-conforming use businesses in the township will eliminate many zoning problems in the future. Mr. Wayman agreed.



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## SERVICE DEPARTMENT/PUBLIC WORKS:

Mr. Cook requested a motion to approve **Resolution #23-033**, A Resolution to enter into an Agreement with D.B. Bentley, Inc. of Painesville, Ohio, in the amount of one hundred sixty-two thousand, eight hundred seventy-five dollars (\$162,875.00) for the replacement of stormwater sewer located on Lakeview Avenue, north of Hall Avenue.

Mr. Gauntner presented a motion to approve **Resolution #23-033**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner asked Mr. Cook what the Engineer's estimate was for this project. Mr. Cook stated one hundred ninety-two thousand dollars (\$192,000.00). Mr. Gauntner said this is thirty thousand dollars (\$30,000.00) under the engineers estimate which is concerning to him. Mr. Cook said the Township received four (4) bids. Three (3) of the bids were higher but within the ten percent (10%) Ohio Revised Code requirement.

Mr. Cook requested a motion to approve **Resolution #23-034**, A Resolution to enter into an Agreement with Murphy Tractor & Equipment of Brunswick, Ohio, not to exceed the amount of \$74,412.00, for the purchase of a 2023 John Deere Compact Track Loader, Model 333G, with bucket and pallet forks, ODOT contract pricing #084-22 for use by the Madison Township Service Department.

Mr. Gauntner presented a motion to approve **Resolution #23-034**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Cook stated the Township did get three (3) quotes for the John Deere Track Loader.

Mr. Gauntner asked if Mr. Cook had a monthly report for January. Mr. Cook said he would have the report for the next Trustees' Meeting.

## ADMINISTRATOR:

Mr. Brown, Administrator, requested a motion to approve **Resolution #23-035**, A Resolution to enter into an Agreement with the Ohio Department of Transportation (ODOT) to install signage, in regards to U.S. Bike Route 30 on River and Bates Roads.

Mr. Gauntner presented a motion to approve **Resolution #23-035**, seconded by Mr. Wayman.  
Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner stated he was somewhat opposed to this Resolution, not because of the bike route but because the Ohio Department of Transportation (ODOT) has a habit of sticking the Township to maintain what they start. Mr. Gauntner said he has learned to pick his battles, so he will go along with the bike route signs. Mr. Wayman said Mr. Gauntner's point was understandable because the Township usually ends up holding the bag.

Mr. Brown requested a motion to approve **Resolution #23-036**, A Resolution to release and return an insurance fire loss claim in the amount of twenty-eight thousand, six hundred eleven dollars and Eighty-eight cents (\$28,611.88) to Erin Conklin, Permanent Parcel #01-A-011-0-00-025-0.

Mr. Gauntner presented a motion to approve **Resolution #23-036**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown stated he checked the property, and the Fire District checked the property. Everything looks good to release the fire loss funds.

Mr. Brown requested a motion to approve **Resolution #23-037**, A Resolution appointing Ed Klimko as a Madison Township Representative on the Madison Joint Recreational District from February 14, 2023, until December 31, 2025.

Mr. Gauntner presented a motion to approve **Resolution #23-037**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes



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Mr. Gauntner said he checked with several people who know Mr. Klimko and they spoke highly of him and stated he would be a good addition to the Madison Joint Recreational District Board.

Mr. Brown requested a motion to approve **Resolution #23-038**, A Resolution authorizing all actions necessary to accept, in the amount of thirty-four thousand, five hundred thirty-four dollars (\$34,534.00), from the Northeast Ohio Public Energy Council's Energized Community Grant.

Mr. Gauntner presented a motion to approve **Resolution #23-038**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown stated he has no plans for these funds at this time, as he did not think the Township would be receiving anything from NOPEC. The funds could be used for lights and electricity and energy. Mr. Gauntner said maybe the Township could check some of the windows in the Administration Building that are letting in a lot of cold air and replace with more energy-efficient windows. Mr. Wayman said he is sure the Township will find something to do with the funds.

Mr. Brown requested a motion to approve **Resolution #23-039**, A Resolution approving an adjustment in the annual Property, Casualty, Automobile, & Liability Insurance coverage with the Ohio Township Association Risk Management Authority (OTARMA) effective February 1, 2023, through January 31, 2024.

Mr. Gauntner presented a motion to approve **Resolution #23-039**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner wanted to thank Peter Richmond for looking into the coverage for the Township Administration Building. Mr. Gauntner mentioned at the last Trustees meeting that the Township liability coverage might be a little low on the Administration Building. Mr. Brown stated the Township raised the liability insurance coverage on the Administration Building from 1.68 million to 2.5 million which only raised the annual premium by seven hundred seventy-two dollars (\$772.00). Mr. Gauntner stated the Trustees have an obligation to make sure the Township properties are fully insured.

Mr. Brown requested a motion to approve **Resolution #23-040**, A Resolution to reappoint Christopher Bernard as a Madison Township Representative on the Lake County Land Use & Zoning Committee of the Lake County Planning Commission effective February 14, 2023.

Mr. Gauntner presented a motion to approve **Resolution #23-040**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner thanked Mr. Bernard for sitting on the Lake County Land Use & Zoning Committee. Mr. Bernard said he enjoyed it.

Mr. Brown requested a motion to approve **Resolution #23-041**, A Resolution to reappoint Lora Diak as a Madison Township Representative on the Lake County Land Use & Zoning Committee of the Lake County Planning Commission effective February 14, 2023.

Mr. Gauntner presented a motion to approve **Resolution #23-041**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Brown pointed out that it took him a lot less time to go through his seven (7) Resolutions than it took Chief Byers.

**TRUSTEES:**

Mr. Wayman requested a motion to approve **Resolution #23-042**, A Resolution of Agreement between the Board of Madison Township Trustees and the Grand River Kennel Club for the use of Bill Stanton Park to conduct an American Kennel Club All-Breed Dog Show.



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Mr. Gauntner presented a motion to approve **Resolution #23-042**, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Gauntner asked when the American Kennel Club All-Breed Dog Show would be held at Stanton Park. Mr. Brown said the show is from July 11<sup>th</sup> through July 17<sup>th</sup>. The fee is six thousand dollars (\$6,000.00) with a one thousand-dollar (\$1,000.00) security deposit.

Mr. Wayman requested a motion to set a date for a Trustees' Special Meeting next week. Mr. Gauntner presented a motion to set a Trustees' Special Meeting for Tuesday, February 21<sup>st</sup> at noon to review resumes submitted for the position of Madison Township Police Chief, seconded by Mr. Wayman. Roll Call: Mr. Gauntner: Yes Mr. Wayman: Yes

Mr. Wayman reminded everyone the Administration Offices will be closed Monday, February 20<sup>th</sup> in observance of Presidents' Day.

### CITIZEN COMMENTS:

None

### TRUSTEES:

Mr. Gauntner stated the Township met with University Hospital representatives and have been advised University Hospital will not be reopening their Emergency Room (ER) Facility on North Ridge Road which they closed about a year ago. University Hospital will convert the former ER portion of the building into an Urgent Care facility, open seven (7) days a week, for twelve (12) hours each day. They hope to open it by June 1<sup>st</sup>. Mr. Gauntner stated this is going to place a heavy load on the Fire District with only three (3) employees in each of the two (2) Fire Station. When Lake Health had an Urgent Care facility at that location in the past, the Fire District was responding to around 300 calls a year to transport very sick patients to local hospitals. If one of the squads is transporting a resident to Tripoint, and the another is transporting someone to Lake West or Geneva Hospital, there is no squad available to respond to a third call should a resident need emergency assistance. Mr. Gauntner said he and Fire Chief Baker met with representatives from Lake Health/University Hospital to discuss the potential problem the new Urgent Care will create for the Fire District. Various ways to help with this situation are being investigated. Staffing is a big problem with the hospital, as well as the Police Department and Fire District. Mr. Wayman said Madison Village is having the same problem. This subject is going to require a lot of discussion in the future. Mr. Wayman said he would like to see the building on North Ridge Road busy again. The Trustees must do everything they can to protect Madison residents.

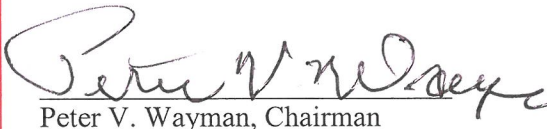
Mr. Wayman stated the next Trustees' Regular Meeting will be held Tuesday, February 28, 2023, at 7:00 P.M.

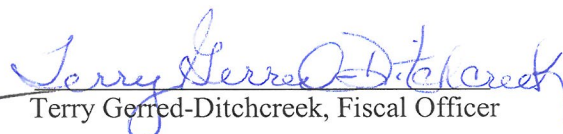
Mr. Wayman stated he and Mr. Brown, Mrs. Gerred-Ditchcreek, Mrs. Rimes, and Mr. Ungers attended the 2023 Annual Ohio Township Association Winter Convention in Columbus in January. Mr. Wayman said the conference was very informative and he enjoyed some of the classes very much. Mr. Wayman said it was Mr. Ungers first time attending the convention, and he caught on really well.

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

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 7:45 P.M.

  
Peter V. Wayman, Chairman

  
Terry Gerred-Ditchcreek, Fiscal Officer

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