

WATERVILLE TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

APRIL 28, 2021 – 7:00 PM - Held on ZOOM

<https://us02web.zoom.us/j/83966740607?pwd=NXpkcjNOaXpyWml2Y2c0K2hkY1BVQT09>

Meeting ID: 839 6674 0607 Passcode: 542665

RECORD OF PROCEEDINGS

1. **Call to Order / Pledge of Allegiance** – The meeting was called to order at 7:00 pm by Trustee Hertzfeld. All those on the zoom call joined in the Pledge of Allegiance.
2. **Roll Call** – In attendance were Trustee Hertzfeld, Trustee Theroux, Trustee Wheeler, Solicitor John Borell, Deputy Fiscal Officer Michael, Zoning Inspector Jim Fischer, Interim Police Chief Shaun Wittmer, and Assistant to Fiscal Officer Patty Rupert. There were also numerous on line attendees.
3. **Approve Agenda for April 28, 2021 Meeting - Trustee Wheeler** made the motion to approve the agenda. **Trustee Theroux** seconded. **MOTION PASSED.**
4. **Public Comments** – This time is reserved for comments from citizens/guests. Full audio recording is available on-line.
Karen Schneider – Offered her comments on the current status of our township. **Brian Beigajski** – Questioned the trustees on unpaid overtime due to police officers and investigation of himself specifically. **Steve Holland** – Update on Fire Levy. Comments regarding what taxes are important to residents he talked to. **Chris Terry** – Agreed with Steve Holland’s comments. Moved to this township specifically because of fire & police protection.
5. **Approve Minutes for March 24, 2021 Regular Trustee Meeting - Trustee Wheeler** made the motion to approve the meeting minutes as submitted. **Trustee Theroux** seconded. **MOTION PASSED.**
6. **Fiscal Officer’s Report – Deputy Fiscal Officer Michael**
 - a. Warrants / Payment Vouchers for approval - **Trustee Hertzfeld** made the motion to approve the warrants for this reporting period. **Trustee Wheeler** seconded. **MOTION PASSED.**
7. **Old Business** – None
8. **New Business**
 - a. **Letter To The Editor – by Resident, Karen Schneider**

Trustee Theroux responded to Karen’s post on Facebook. I said what she wrote is simply not true. There are no discussions with the Sheriff. The Sheriff is talking only to townships who don’t provide their own police coverage and it’s about money. No one told Shawn to stop writing grants. He was told to watch the spending because they were over budget. Grants are a good thing, we all know that, so that’s ridiculous and another fabrication.

I’m sure the post was deleted because most of the comments were negative towards the police department. Some residents agreed that the department should be deleted. The post did more harm to the police department and added more trouble than what they already have to deal with.

If you really cared about the Township, you wouldn’t have almost bankrupted the General Fund when you were a trustee by getting involved in a needless lawsuit. You spent over \$100,000 in ATTORNEY FEES, in an unnecessary lawsuit. You also cost the Township money by having to pay fines from the state for violating a restraining order. You couldn’t even follow the law.

If you really cared about the Township, you would stop with your endless public records requests. We have to pay people to produce these, and you have cost the township \$100’s if not in the thousands of dollars.

Things were not run right for a long time. We are still trying to fix what you did and it’s not fair to our residents. It’s time for you to stop wasting the Township money and causing more problems for the Police Department.
9. **Department Reports**
 - a. **Police (Shaun Wittmer)**
 - Township road maintenance notification procedures** (potholes, debris, dumping, signage, blockages, mowing) – Had meeting with Trustee Wheeler for clarification on who to call for what emergencies. Concerned about maintenance reporting issues with the county. Some confusion has taken place because some township roads are under contract with the county.
 - 2021 Justice Assistance Grant** (dispatch and equipment) – This grant is a 25% cost to the township. Would like to participate this year to help defray costs of the upcoming county wide dispatch expenses and aging in car equipment. Grant period opens May 1. Needs trustees and fiscal officer approval before moving forward. All three trustees and fiscal officer are in support of this.

-Autozone Account inventory and subsequent closure – Request current statement from Autozone, request backup documentation, complete a full inventory to make sure everything is accounted for. Request one final warrant from the trustees to payoff account and subsequently close it. Knows guidance has been don't do maintenance repairs on vehicles. Understands liability issues come into play when repairs/maintenance is completed inhouse.

-Fulltime to part-time transfers (2) and acceptance. Have received letters of resignation from full time status to part-time status from two police officers. One is effective June 1 and the other is July 1. Would like to begin the hiring/background process so we do not run into a lapse in 24/7 coverage and excessive overtime expenses. Would like to have one new hire on board by June 1. Since this is a personnel issue, Trustee Theroux requested further discussion takes place in executive session.

- One additional note, worked with Rory Hartbarger at Maintenance Garage to remove remaining Police department information.

b. Zoning Inspector's Report (Jim Fischer)

Permit No. 009 – new home permit for
West Rock Development (spec. home)
8501 Valley Gate, Lot 53, Plat 2, Coventry Glen
Waterville, Oh 43566

Collected \$250.00 Ck. No. 2074

Permit No. 010 – home alteration permit for
David Kowalske

6064 Sweetgum Court, Crimson Hollow
Monclova, Oh 43542

Agent – Elk Building Services

Collected \$125.00 Ck. No. 1227

Permit No. 011 – new home permit for
Seneca Builders (spec. home) Karen Hensley Agent

8532 Valley Gate, Lot 53, Plat 2, Coventry Glen
Waterville, Oh 43566

Collected \$250.00 Ck. No. 10697

03-16-2021 – I spoke with Jessie Winslow who lives on Neapolis Waterville Road. He has a 10 acre property that he wants to split into four, 2.5 acre properties and place a pond on each. I advised him that the county handles the property splits. I also reviewed the requirements for constructing a pond. I advised him that a minimum of 3 acres are required for pond construction so he could plan accordingly.

03-25-2021 – I spoke with Christen Largent who owns a five acre plus parcel on Finzel Road. We reviewed questions about having chickens on the property and building an accessory building to house them. He will contact me later if he moves forward with the project.

03-26-2021 – I spoke with Kyle from I Work Systems who was selling roads and road signage computer software. I suggested he call Kyle Hertzfeld.

03-06-2021 – I spoke with Joe Bublick. He wanted to know if receiving business mail at his home address required a permit of any kind. I told him it was probably fine but that I wanted input from Zoning Board before giving him a definite answer.

03-24-2021 – I spoke with Scott Clark who had a setback question for a new build at 9404 Noward Road.

04-08-2021 – I spoke with John Farley and on 04-12-2021 I spoke with Chris Ferrara on the same subject. They both wanted information about what permits were required for adding a 40' x 80' accessory. Would a simple permit be acceptable or would another amendment to the current special use permit be required? I conferred with Bill Harbert. We concluded that a simple permit would be fine. I returned a call to both men.

04-08-2021 – I spoke with Josh Byers about a property for sale at 9170 Neapolis Waterville Road currently zoned agriculture. He asked could he construct a self storage facility on the property as currently zoned? Self storage units require C-2 zoning which I explained and also explained how the rezoning process works if he wished to move forward. He will contact me later.

04-09-2021 – I spoke with Chris Malezewski, 8901 Neowash Road, about expanding an existing accessory building. (he has a landscape business and is zoned C-2) We went over the information needed for a permit. He will contact me when he has his paperwork in order.

04-15-2021 – I spoke with Bram Masterson, 6065 Sweetgum Drive. He had questions about a fence permit. When he has his paperwork ready, he will contact me for a permit.

10. Correspondence / Administrative (Patty Rupert)

- Julie Theroux BZA Resignation, Trustee Position
- Joe Beck BZA Resignation, Cannot commit to another 5 years
- Perry Pro Tech Invoice – Tracked
- Thank you letter received from Anthony Wayne Alumni Association for posting.
- 1st Quarter Fire Runs from Waterville and Whitehouse
- City of Waterville – Meter replacement at township hall.
- FTUCD Joint Annual Meeting – May 10, 6:00 p.m. on Zoom, Posted. Also updated contact information for FTUCD on our website.

11. Trustee Reports -

- a. **Richard “Duke” Wheeler** – Feels Klumm did a great job this year on ice & snow removal. Continue to do a great job with refuse pick-up. Still trying to resolve what roads need to be mowed. Other than residential area, all roads Klumm is doing snow removal on, also need to be mowed. Duke will verify with county. Shaun Wittmer will help get this information to Duke. Kyle also mentioned we need to take a look at crack sealing. Kyle also mentioned we need to have a plan B to clear roads in case of emergencies. County will come out and replace downed signs. More discussion took place regarding the previously approved constable status for the Police Department. **Trustee Wheeler** made the motion to rescind the previously approved constable status until more information is researched. **Trustee Theroux** seconded. **MOTION PASSED.**

- b. **Kyle Hertzfeld** – Chief Hartbarger feels by mid-May the joint fire district we will be up to full staff. FTUCD – **Trustee Hertzfeld** made the motion to appoint **Trustee Theroux** to represent Waterville Township on the Fallen Timbers Union Cemetery District board. **Trustee Wheeler** seconded. **MOTION PASSED.**

Records Retention – We need to get a handle on our records retention. We have files that need to be moved out of the Maintenance Garage, Police Department and Township as a whole.

- c. Julie Theroux

-BZA – New appointments needed – Joe Beck does not desire an additional 5-year appointment. Julie Theroux being a newly appointed trustee, cannot continue on the Board of Zoning Appeals.

Trustee Hertzfeld made a motion to appoint **Roger Tucholski** (Obee Rd.) to the Board of Zoning Appeals with a term expiring December 31, 2025. **Trustee Wheeler** seconded. This fills the vacancy left by **Joe Beck**. **MOTION PASSED.**

Trustee Hertzfeld made a motion to appoint **Jason Shidler** (Winslow Rd.) to the Board of Zoning Appeals with a term expiring December 31, 2022. **Trustee Wheeler** seconded. This fills the remainder of **Julie Theroux’s** term. **MOTION PASSED.**

May be pertinent to have a reorganization of the BZA with appointment of new members.

-Zoning Regulation Issue – Medical Marijuana. Need to look up what the Trustees have voted on regarding Medical Marijuana dispensaries.

12. Executive Session

Trustee Hertzfeld made the motion to exit out of regular session and into executive session for discussion on the appointment or employment of a public employee, and the investigation of charges or complaints of a public employee. **Trustee Wheeler** seconded his motion. **MOTION PASSED** with roll being called as follows:

Kyle Hertzfeld – Yes Duke Wheeler – Yes Julie Theroux - Yes

On-line guests were moved to the waiting room and recording was suspended.

On-line guests in the waiting room were moved back into regular session.

Trustee Hertzfeld made the motion to exit out of executive session and into regular session. **Trustee Wheeler** seconded his motion. **MOTION PASSED** with roll being called as follows:

Kyle Hertzfeld – Yes Duke Wheeler – Yes Julie Theroux – Yes

Trustee Theroux led the discussion following Executive Session. We are looking to have a fully staffed full-time police department. Hiring a full-time Chief for the department. Shaun will have an opportunity to be considered. We are going to advertise outside and look at all candidates who are interested and qualified for this position.

Trustee Theroux made the motion to accept **Brian Beigajski's** letter of resignation to resign as a full-time officer from the Waterville Township Police Department effective Tuesday, June 1, 2021, and to deny the request to remain as a part-time officer. **Trustee Wheeler** seconded. **MOTION PASSED.**

Trustee Theroux made the motion to accept **Anthony Smiczek's** letter of resignation to resign as a full-time officer from the Waterville Township Police Department effective Tuesday, July 21, 2021, and to deny the request to remain as a part-time officer. **Trustee Wheeler** seconded. **MOTION PASSED.**

Shaun Wittmer is currently interviewing for full-time police officers. Trustees have agreed on two.

Shaun Wittmer reported after the trustees motions were made Officers Beigajski and Smiczek have quit effective immediately. Sherriff's department is our current fall back position for temporary coverage.

13. Adjournment - With no further business to discuss, **Trustee Hertzfeld** made the motion to adjourn. **Trustee Wheeler** seconded. **MOTION PASSED.**

The adoption of all resolutions or motions were in an open meeting of this Board and action by this Board or any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.