# **BOARD OF TRUSTEES**

Daniel Frederick Gerald Nickoli Mike Shover

FISCAL OFFICER
Zachary Rospert



# **MILAN TOWNSHIP**

1518 State Route 113 E Milan, Ohio 44846 419-499-2354

ZONING INSPECTOR
Colleen Arthur

# PUBLIC HEARING FOR CHANGES TO THE MILAN TOWNSHIP ZONING RESOLUTION

The Milan Township Board of Trustees met on July 3, 2018 at 6:30 p.m. for a public hearing to consider the recommendations of the Zoning Commission to make corrections/clarifications to the Article 10.6-Schedule of Regulations and Article 10.7; and to change the title of Article 10.7 from "Footnotes to the Schedule of Regulations" to "Supplemental Notes to the Schedule of Regulations. The Board of Trustees had previously been provided the specific proposed changes for their review.

Present at the meeting were Trustees Daniel Frederick, Gerald Nickoli and Mike Shover, F.O. Zachary Rospert, Z.I. Colleen Arthur, Zoning Commission Chairman Bill Muthig, & Allison Muthig.

Mr. Frederick called the hearing to order, as all rose to recite the Pledge of Allegiance.

Mr. Frederick stated the purpose of the hearing noting that the Board of Trustees had made a request of the Zoning Commission to review the Milan Township Zoning Resolution to remove references to the building code enforcement. Concurrently, the Zoning Commission found it necessary to make changes to the Zoning Resolution's regulations concerning manufactured housing due to changes in the Ohio Revised Code giving.

Mr. Muthig noted that the review of the building code conflicts became very involved by having to change related sections, definitions and cross references.

Tim King, Erie Regional Planning Commission sent a letter following his review approving all the proposed changes

The Trustees reviewed the packet of all the changes. Mr. Muthig explained some of the minor and major changes, as well as some changes to the definitions.

Mr. Shover asked about the changes to the definition of Manufactured Homes. Mrs. Arthur explained that mobile homes are now being regulated by a division of the Department of Commerce. They will be responsible for licensing the foundations, water and sewer hook ups and installation. They will also license the vendors who sell and install the units. These homes will have HUD certification. The Township will still be responsible for typical stick-built homes including modular homes where sections will be built off-site, but will still be constructed on a traditional foundation.

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Mr. Muthig commented that this took everyone's input on the zoning commission. Mr. Muthig noted that members of the Zoning Commission were assigned sections of the Resolution for review and then came together each month for about a year to coordinate the necessary changes. He commended the Commission members on their joint effort Bill delegated and everyone worked hard.

He also noted that there is another public hearing scheduled on July 23, 2018 to make alterations to the Schedule of Regulations. These changes were not finalized in time for this hearing.

Mr. Nickoli thanked Mr. Muthig and everyone involved for the hard work.

The Board of Trustees did not take action on this matter during public hearing; stating that they would vote on the matter during the regular meeting session to follow.

As there was no further information to present concerning the zoning changes, Mr. Frederick declared the public hearing adjourned at 6:54 p.m.

## **REGULAR MEETING**

#### **GENERAL**

Mr. Rospert called the roll. Mr. Frederick, Mr. Nickoli and Mr. Shover were present.

Minutes: June 20, 2018. Corrections were noted concerning Mr. Nickoli's statements concerning standing water on Mason Road, the spelling of James Pagiali's name, Mr. Shover's comment about a trailer on River Road and couple spelling errors and clarification of grant funds usage and date of an event. With these corrections noted, Mr. Nickoli moved to approve the June 20, 2018 minutes. Mr. Shover did second the motion. The motion carried

Mr. Nickoli moved to approve minutes of Monday morning work session to review and revise the personnel policy manual. These meeting began on March 26. 2018 and was continued on several other work session dates. Mr. Shover seconded the motion. The motion unanimously carried.

Expenses: Mr. Nickoli moved to approve expenses as presented by the Fiscal Officer. Mr. Shover seconded the motion. The motion unanimously carried.

Approved Warrant Numbers 18293-18344 and Payment Vouchers 119-126 in the amount of \$45,309.47.

# **MAINTENANCE**

**TOWNSHIP HALL ELEVATOR:** Mr. Frederick explained that the bids for the Township Hall elevator project all exceeded the construction cost estimate. The reasons for this are that the estimates were compiled three years ago, contractors are very busy right now and there were some additional items added such as 3-phase power to accommodate a new HVAC system because the Ballroom boiler gave out. This resulted in substantial increases in the electrical costs.

The Erie County Prosecutor was consulted about accepting the lowest bid, albeit, higher than the cost estimate. The Prosecutor's opinion was that as long as the Township has the additional funds it can award the project. There is nothing in the law to prohibit using general funds.

Mr. Frederick read a prepared resolution. He noted that he spoke with Rep. Randy Gardener about other possible funding.

The Board discussed the new electric and panel options. It may be financially prudent to install and entirely new electric panel. There may also be some savings to be had in the choice of stone used.

Mr. Shover remarked that much consideration was taken by the Trustees and that they do not want to lose the grant funding already awarded for the project. He noted that Studer -Obringer was clearly the lower bid.

Mr. Nickoli agreed, noting that moving forward with the elevator project will also address several issues, such as the need for a new HVAC, electric issues and the utilization of the grant funds.

Mr. Nickoli moved to accept the Studer-Obringer's by approving the following resolution:

**RESOLUTION 2018-07** 

## AWARDING THE BID FOR CONTRUCTION OF MILAN TOWN HALL ELEVATOR

**WHEREAS**, the addition of an elevator at the Milan Town Hall will improve handicapped accessibility to our township meetings and well as other public spaces within the building,

**WHEREAS**, the Township prepared construction drawings and bid documents and obtained competitive bids following the ORC statuary bidding process,

**WHEREAS**, the lowest bid received exceeded the construction cost estimate due to inflation, the current construction market environment, and additional work added to the scope of project,

WHEREAS, the apparent low bidder, Studer-Obringer, Inc., submitted the lowest and best responsive bid and is recommended as a qualified and experienced contractor capable of performing the work,

**WHEREAS**, further competitive bidding is not likely to result in additional bidders or reduced costs and Milan Township can afford to allocate the additional general funds needed to proceed with this important project,

WHEREAS, there exists an urgent necessity commence as soon as possible as a significant portion of the project is being funded by grants which must be allocated this year and the project involves a substantial amount of masonry work which must be completed prior to cold weather,

**THEREFORE BE IT RESOLVED,** acting in the best interests of Milan Township, the Board of Trustees hereby resolves to waive further competitive bidding and award the bid to Studer-Obringer, Inc. and further authorizes the chairman of the Board of Trustees and Fiscal Officer to execute the Owner/Contractor Agreement for the amount of \$362,000.

Mr. Frederick gave second to the motion. The roll being called resulted as follows:

Mr. Nickoli-yes. Mr. Frederick-yes. Mr. Shover-yes.

Adopted July 3, 2018. This Resolution shall take effect immediately.

# MILAN TOWNSHIP BOARD OF TRUSTEES

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**WARWICK DRIVE DRAINAGE** BID OPENING: The Erie County Engineer provided drawing s for the project and stated the estimated to be \$36,810. Mr. Frederick opened and read the following bids.

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It was noted that only one of the three needed easements has been obtained. There are verbal agreements on two others. Affected owners are Duncan, McConnoughey, and Emlinger.

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There was further discussion of how to best obtain the rest of the easements and of an alternative location of the drainage plan should it not be possible to get a signature on one of the easements.

RILEY ROAD SPEED LIMIT CHANGE: Mr. Fox noted that a speed limit change was approved for Riley Road after a traffic study and the sheriff signed off. An opinion from ODOT is still needed before Mr. Fox can post the lower to 25 mph speed limit.

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CHIP SEAL ON SHAWMILL AND PLANK: Mr. Fox reported that Tim Lloyd, Erie County Engineers Office, said they might require a "do-over" from Erie Blacktop since the roads have bled through and stone disappeared. Mr. Fox suggests tar and chip be applied right over new asphalt for winterization.

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## **FIRE**

There were eight fire calls in June 8, for a total of 54 calls to date in 2018.

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On Saturday the Department took part in live-fire training on Mason Road, held jointly with Huron, Berlin, Townsend and Norwalk fire departments.

Western OH serviced the Jaws equipment.

The Chief would like to donate old turn out gear to EHOVE. Mr. Nickoli moved and Mr. Shover seconded the motion to donate for educational purposes. The motion passed unanimously.

The Department will attend the Fourth of July parade in Norwalk.

Bob's Auto Wrecking will host training for vehicle extrication. The Chief asked that the Township send a thank you note to them for the donation of vehicles for this purpose.

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ADDRESSES: Mr. Frederick reported that he had been made aware of some anomalies in the addresses on Bryan Road where there is an odd number address on the even side of the road and similar on the opposite side of the road. This might prove confusing for emergency responders. Mrs. Arthur noted that these addresses were in place prior to the GIS assignments and that it may put undue hardship on the property owners. Mrs. Arthur said she could write letters to the affected property owners explaining the situation and asking if they would welcome a change of address.

PENDING PERMITS: Mrs. Arthur reported that she is working with CertainTeed to issue their zoning permit. The site plan review is complete except for the storm water drainage permit requirement.

Brent McConnell and Brian Lake of Lake Erie Arms have contacted the Zoning Office with preliminary questions about getting there zoning permit for construction of the new indoor shooting ranges on Route 250. They are anxious to move forward with the project.

LOT SPLITS: Several lot splits on Millwood have been approved requiring a correction by the County Auditor's Office to assign a new parcel number on a remaining parcel that was previously excluded in a prior lot split.

VIOLATIONS: Mrs. Arthur has inspected, photographed and is monitoring three zoning violations:

George Keller, 3412 Mason Road, junk vehicles.

Cheryl Adams, River Road, removal of old mobile home.

Clayton Howard, Wikel Road, car sales and repairs on land not zoned for commercial use.

## **OLD BUISNESS**

PERSONNEL POLICY: Adoption of the personnel policy is imminent. Mr. Shover stated that he will have the final draft ready for approval at the next meeting.

MAINTENANCE CREW POSITION: The Board agreed to advertise for the maintenance crew position and advised Mr. Rospert to compose a job application on the Township Website and advertise twice in the newspaper starting Monday. Applications will be accepted at the Township Office until by July 23<sup>rd</sup>.

#### **NEW BUSINESS**

LIABILITY RENEWAL WITH OTARMA: Mr. Shover moved and Mr. Nickoli seconded a motion to renew the Township liability insurance policy with OTARMA at a cost of \$29,809.00 annually.

GUARDRAIL: The Ohio Public Works Commission grant application is due by Sept. 7, 2018, that could assist in paying for needed guardrail at the intersection of Shaw Mill and Old Plank Roads. . Mr. Lloyd of the County Engineer's Office can assist with the application. Mr. Fox will get pricing on the guardrail for the application. The Trustees voted to proceed with applying for OPWC Round 33 funding for the guardrail replacement project along Shaw Mill/Old Plank Road hill/intersection area and that the chairman and/or fiscal officer is authorized to sign and submit the application.

#### **FINANCIAL**

TIRC Representative: The Tax Incentive Review Counsel requires that a representative of the Township be appointed to vote on tax abatements. The TIRC meets in March. Mr. Frederick suggested that for simplification the chairman of the Trustees each year should serve. It was decided that Chairman Frederick would serve as representative and Mr. Shover serve as alternate for this year.

TAX BUDGET: Fiscal Officer Rospert presented a tax budget outlining an estimate of property tax collected by Auditor and an estimated budget showing how tax funds will be used.

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Mr. Frederick moved and Mr. Shover seconded a motion to approve the following resolution:

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The Roll being called resulted as follows: Mr. Frederick-yes; Mr. Nickoli-yes; Mr. Shover-yes.

Resolution 2018-08 approved July 3, 2018.

ZONING CHANGES: The Milan Township Board of Trustees took up the vote on the matter of proposed changes to the Milan Township Zoning Resolution considered at a public hearing earlier in the evening.

Mr. Nickoli moved and Mr. Shover seconded a motion to approve the following:

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CORRECTIONS/CLARIFICATIONS TO THE ARTICLE 10.6-SCHEDULE OF

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"FOOTNOTES TO THE SCHEDULE OF REGULATIONS" TO "SUPPLEMENTAL

CHANGES CAN BE FOUND IN THE COMMISSION'S MAY 21, 2018 MEETING.

**NOTES TO** 

THE SCHEDULE OF REGULATIONS. SPECIFICS OF THE MINUTES OF THE ZONING

The roll being called resulted as follows: Mr. Nickoli-yes; Mr. Shover-yes; Mr. Frederick,-yes.

#### **RESOLUTION 2018-09 APPROVED JULY 3, 2018.**

HEALTH INSURANCE: Mr. Shover noted that the effective date HRA coverage listed on the issued Medical Mutual insurance cards is July 1, 2018, but should have been the same date as the MMO of June 1, 2018. This has been corrected.

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