

BOARD OF TRUSTEES

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Gerald Nickoli
Mike Shover

FISCAL OFFICER

Zachary Rospert



MILAN TOWNSHIP

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MILAN TOWNSHIP

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ZONING INSPECTOR

Colleen Arthur

PUBLIC HEARING FOR CHANGE OF ZONING CLASSIFICATION ON THE MILAN TOWNSHIP ZONING MAP

The Milan Township Board of Trustees met for a public hearing on March 6, 2019, at 6:30 p.m. in the Community Room of the Township Hall. Present at the meeting were Trustees Dan Frederick and Gerald Nickoli, Fiscal Officer Zachary Rospert, Zoning Commission Chairman Bill Muthig, Zoning Inspector/Sec. Colleen Arthur and representing CertainTeed; Brian Wheeler, Tracy Smoker, and Peter Chuhlis.

Dan Frederick opened the meeting at 6:30 p.m.

Purpose of the hearing is to consider the recommendation of the Milan Township Zoning Commission for a zoning change for CertainTeed and Schlessman Properties from the current C-2, General Commercial and I-1, Light Industrial to an I-2, Heavy Industrial District.

Presentation: Mr. Frederick noted that the proposed change was requested by CertainTeed to bring all of their property along Route 250 under the same zoning classification and that the Milan Township Trustees initiated the inclusion of Schlessman Seed Company after having received the first recommendation for the zoning change from the Zoning Commission. The parcels under consideration include all of CertainTeed's parcels south of the tracks and those parcels owned by Schlessman Seed Company and an small, unidentified parcel between CertainTeed and Schlessman, which has undetermined ownership and is lacking a parcel number. The Zoning Commission had a public hearing on February 4, 2019, for CertainTeed and a public hearing on February 25, 2019 for the additional partials and for Schlessman properties which would include parcels 50-00662.000, 50-00663.000 & 50-00669.000 and a small unidentified parcel situated within parcel 50-00662.000, in addition to the parcels already recommended for change.

Bill Muthig reviewed the action taken by the Zoning Commission, noting in particular that at the February 25, 2019 meeting, parcel numbers were corrected to 50-00662.000 50-00663.000 50-00669.000 for Schlessman properties which had a clerical error in one of the notices. The parcels were correctly identified on the map.

Mr. Frederick stated that the Township had received written notice from Daryl Deering, President of Schlessman Seed stating that the company has no objection to CertainTeed's request for a zoning change to I-2 and supporting the inclusion of Schlessman Seed Company.

Tim King of the Erie Regional Planning Commission sent notice in support of the change.

Mr. Peter Chuhlis stating he really had nothing to add but was happy to answer questions.

Mr. Zachary Rospert read the recommendation of the Zoning Commission from the February 25, 2019 meeting for clarification of all the various parcel numbers to be included in this action. 50-000856.000, 50-00072.000, 50-00073.000, 50-00074.000, 50-00075.000, 50-00209-000, 50-00210.000, 50-00211.000, 50-00212.000, 50-00662.000, 50-000663.000 & 50-00669.000 and a small unidentified parcel situated within parcel 50-00062.000.

Tracy Smoke spoke briefly about the parcels north of the railroad tracks having been combined under once parcel number. These parcels had been under consideration at the February 4th hearing. Most of this section is already in the I-2 District, but a portion of land acquired during the land swap with Mr. Rockwell is being included.

Having concluded all presentations on the matter, Mr. Nickoli moved for the adoption of the following resolution:

Resolution 2019-01

MILAN TOWNSHIP BOARD OF TRUSTEES' APPROVAL OF A CHANGE IN ZONING CLASSIFICATION TO THE I-2, HEAVY INDUSTRIAL DISTRICT FOR PARCEL NUMBERS 50-000856.000, 50-00072.000, 50-00073.000, 50-00074.000, 50-00075.000, 50-00209-000, 50-00210.000, 50-00211.000, 50-

00212.000, 50-00662.000, 50-000663.000 & 50-00669.000 and a small unidentified parcel situated within parcel 50-00662.000, ON U.S. ROUTE 250 NORTH, OWNED BY CERTIANTEED CORPORATION AND SCHLESSMAN SEED COMPANY.

WHEREAS, CertainTeed Corporation has requested a change of zoning classification to the I-2, Heavy Industrial District, for all properties under their ownership south of the railroad tracks and including those areas recently acquired north of the railroad tracks, on Route 250 for the approved purpose of an asphalt plant and the continued production of roofing shingle products, and

WHEREAS, The Milan Township Board of Trustees noted that since activities already undertaken by the Schlessman Seed Corporation would best be classified as heavy industry, it is thought prudent, logical and necessary to include parcels owned by Schlessman Seed Company in an I-1 Heavy Industrial District, and have therefore initiated said zoning change, and

WHEREAS, The Erie Regional Planning Commission has reviewed the request and found in favor of the proposed change, and

WHEREAS, the Milan Township Zoning Commission has held public hearings on February 4, 2019, and February 25, 2019, to consider the request for a change in zoning classification for the above listed parcels and having heard testimony in support of the change have recommended to the Milan Township Trustees a change of zoning classification to I-2, Heavy Industrial District, and

WHEREAS, The Milan Township Board of Trustees have received a recommendation and have held a public hearing on the matter and find that the proposed change is in keeping with the purpose of the activities to be conducted in a Heavy Industrial District,

THEREFORE, BE IT RESOLVED by the Milan Township Board of Trustees, the approval of a change of zoning classification to I-2, Heavy Industrial District for parcels of land owned by CertainTeed Corporation, Schlessman Seed Company (50-000856.000, 50-00072.000, 50-00073.000, 50-00074.000, 50-00075.000, 50-00209-000, 50-00210.000, 50-00211.000, 50-00212.000, 50-00662.000, 50-000663.000 & 50-00669.000) and a small unidentified parcel situated within parcel 50-00662.000.

Mr. Frederick gave second to the motion. The Roll being called resulted as follows: Mr. Nickoli, yes; Mr. Frederick, yes.

RESOLUTION 2019-01 APPROVED MARCH 6, 2019.

Mr. Frederick reported that he attended County Auditor's meeting concerning tax abatement earlier in the day. CertainTeed was approved for the continued tax abatement.

Mr. Wheeler reported that CertainTeed's target date to begin operation of the asphalt plant is the end of 2019. They will be testing equipment in October and hop to begin receiving materials in November.

Mr. Chuhlis was helpful in providing a contact for the Norfolk and Southern Railroad Company to the Trustees so that they might better deal with some of the vehicles which have recently hit the railroad overpass on Kelley Road.

As there was no further business, the public hearing portion of the meeting was adjourned at 6:55 P.M.

REGULAR MEETING

The regular meeting of the Milan Township Trustees was called to order at 7:00 p.m. as all rose to recite the Pledge of Allegiance. Present were Trustees Dan Frederick and Jerry Nickoli, F.O. Zach Rospert, Fire Chief Brian Rospert, Z.I./Sec Colleen Arthur, Maintenance Supervisor Dave Fox, Maintenance Crewman Matt Hudson, Bill Muthig and Don Kreidler. Trustee Mike Shover was not able to attend.

Mr. Rospert called the roll: Mr. Frederick, present; Mr. Nickoli, present; Mr. Shover, absent.

MINUTES: Mr. Nickoli moved to approve the minutes of the February 20, 2019 meeting. Mr. Frederick seconded the motion. The motion carried.

EXPENSES: Mr. Nickoli moved to approve payment of expenses as presented by the Fiscal Officer. Mr. Frederick seconded the motion. The motion carried.

Vouchers 35-50 and Warrants 18825-18868 totaling \$44,068.04

MAINTENANCE

2019 ROAD IMPROVEMENT PROJECTS: Mr. Fox presented a list of roads slated to be included by the County Engineers Office for bids for paving in 2019. The deadline for submission is Friday, March 8, 2019.

Mr. Fox included 1.) a sections of River Road from the area where Jane Schied’s house is located, north to the top of the hill close to the natural spring. 2.) a section of River Road beginning near John Landoll’s house north to the Ohio Turnpike, and 3.) a section from the Turnpike to Mason Road. Mr. Fox would like the Trustees to decide if the third proposed section should be omitted for financial reasons.

Mr. Rospert reviewed the availability of funds from various funds which may be used for road improvement purposes. He noted that, for comparison, in 2018, income from the three funds (Road and Bridge, Gasoline Tax and License Tax) totaled \$191,000. These funds also are used for salaries, salt, mowers and other road maintenance items. Plus there was a \$240,000 carry over. This would give some idea of what could be expected for income in 2019.

Mr. Fox stated his focus would be to resurface the sections 1 & 2 of River and Berlin Street south of the creek to Elm Street. No chip seal is being done in 2019. Also, some guardrail is needed on Shaw Mill and Seminary Road hill near McIntyre Road. Mr. Fox also noted that berm work may be needed.

Mr. Nickoli noted a sinking area on River that needs to be dealt with prior to road work.

Chief Brian Rospert also noted that River Road will be closed to maintain the Turnpike overpass this summer; as will Wikel Road. The Fire Department is working out auto aid from other departments during this period of closure.

Mr. Frederick noted that there may be an increase in the gas tax. The governor is proposing a 10-18 cents increase which would result in some extra income to road funding.

ALTERNATIVE TO CRACK SEAL: Mr. Nickoli mentioned that he would like to see the product Onyx Coating, which was used on Jeffries Road, be applied to Edison Ridge and Twin Oaks instead of tar and chip. The cost of Onyx Coating is either \$1 or \$1.40 per square yard. It was estimated that the cost to pave all of River Road would be \$240,000. Edison Ridge would be about half of that. The Onyx Coating would be about \$10K in one of the subdivisions as opposed to \$100,000+.

CRACK SEAL: There was a discussion about the crack seal machine and using the material. Mr. Hudson said that a vendor would let the Township try out a new machine for the cost of the sealing material. Mr. Fox and Mr. Hudson believe they would be able to crack seal all of River Road during the trial use of the new equipment. This would not lock them into a purchase of the equipment, which they do not plan on until 2020.

Mr. Frederick brought the conversation back to the County bid package and reviewed the various road improvement project’s estimated costs for 2019.

| | |
|------------------------|-----------------|
| Crack seal..... | \$10,000 |
| Guardrail..... | \$25,000 |
| Material for berm..... | \$10,000 |
| Striping..... | \$10,000 |
| Pot hole repairs..... | <u>\$5,000</u> |
| TOTAL | \$60,000 |

Mr. Nickoli recommended having the County include the Sections 1 & 2 of River Road and the section Berlin Street which would total approximately \$130,000. (Prices may vary slightly, but often the County Engineer reimburses when costs run lower.) Plus, the above mentioned projects totaling \$60,000 for a total of \$190,000 of road repair costs in 2019; not including wages.

Mr. Nickoli moved and Mr. Frederick seconded a motion to approved the above listed road improvements to be included in a \$250,000 budget for the year 2019. The motion carried.

OLD BOILER: The old boiler in the Township Hall needs to be removed. It will not come apart and Mr. Fox is recommending that the backhoe be used to haul it out.

FIRE

CALLS: There were 9 calls in February, totaling 19 for the year to date.

TRAINING AND ACTIVITIES: There will be an Active Shooter drill on April 1, 2019 conducted by the Erie County Sheriff's Department and other local law enforcement office. Milan Township Fire Department will be participating in the exercise.

On March 8, 2019, ten firefighters will be having "French Toast with Firefighters" with children at Edison Elementary School.

On March 23, 2019, three Department members will be attending railroad response training by University of Findley at the Groton Fire Department.

On March 27, 2019, there will be a Life Flight Training at NCEMS Station 3 presented by Cleveland Metro.

There will be extra training session on Sundays at a house on Plank Road in Norwalk Township that is slated to be burned down in April. Norwalk Fire, Milan Fire and EHOVE will participate.

EQUIPMENT: The officers decided to purchase Globe turnout gear, noting the material seems superior to Fire Dex. The cost is \$2,005 per set, totaling \$10,025 for five sets. There will be a fitting on March 18th.

All of the ordered rope has been received and there will be rope rescue training the third Monday of each month.

PERSONNEL: Tyler Petersen and Noah Palmer have passed their physicals and have been fitted for gear and are actively responding to calls.

Mr. Slaughterbeck has taken a full-time firefighter position in Fremont.

ZONING

Recently issued permit were available for review.

Mrs. Arthur noted that the Anglican Church on Route 113 is under contract. A conditional use of the property is being sought from the ZBA as well as variances on the required setbacks and possibly parking. The intended use is for a performing arts/community center. There was a discussion of who may determine and issue occupancy permits. Mrs. Arthur will be meeting with the buyer of the building on Friday.

Mrs. Arthur is reviewing a permit application from EHOVE for additions to existing buildings and a new parking lot. These additions are roughly 30,000 square feet for culinary and child care facilities.

Since Mrs. Jennifer Cooper moved into the Village of Milan and no longer resides in the unincorporated area of the Township, she is no longer eligible to serve on the Zoning Commission. A new member is being sought.

OLD BUSINESS

TOWNSHIP HALL UPDATE: Mr. Frederick reported that the Township Hall is getting finishing touches. Elevator buzzer will be installed.

BIKE PATH: The Ohio Township Association gave grant ideas for the new trail through Edison Park which will connect to the new bike path on Route 113. ODOT has scheduled construction of the new bike path for 2021. The Township is responsible the part of the path through Edison Park. Mr. Nickoli will research grant applications from Erie MetroParks.

On March 14th at 7:00 p.m. Milan Township will be hosting the Erie County Township Association meeting in the Township Hall. Speakers will be Pete Schade from the Health Department and Senator Theresa Gavarone.

OHIO CHAUTAUQUA: Mr. Frederick moved and Mr. Nickoli seconded a motion to purchase a double space advertisement for \$199 in Lake Front Publication's Leisure Living Magazine, which will include a feature story covering the Ohio Chautauqua in Milan this summer. The motion carried

NEW BUSINESS

CENSUS: Mr. Frederick attended an Erie County Regional Planning Commission meeting at which he learned that ECRP will be processing all 2020 census requirements for all the townships. The Trustees have been asked to encourage residents to participate in the April 2020 Census.

BOUNDARY OF MILAN VILLAGE AND MILAN TOWNSHIP. Also, at the ECRP meeting Mr. Frederick learned that some changes had been made to the established Village boundaries, of which neither Milan Village or Milan Township was aware, nor did they approve. The Auditors Office will issue an explanation as to who initiated the changes and why. There is a legal process that needs to be followed. Brian Rospert, Milan Village Administrator stated he found information about areas that were proposed for annexation to the Village, but did not believe that was ever approved. Mrs. Arthur also stated that there was definitive action taken by both the Village and the Township back in the 1970's to put to rest any boundary discrepancies. This evidence will be forwarded to the County Auditor's Office.

EDISON PARK: Mr. Frederick moved to allow consumption of alcohol at Edison Park during the Nickoli reunion on July 24 and Frederick reunion on June 23. Mr. Nickoli seconded the motion. The motion carried.

ABATEMENT: Mr. Frederick noted that the County Tax Incentive Review Council met today. CertainTeed and Lake Erie Arms tax abatements were renewed and were continued.

TOWNSHIP HALL USER AGREEMENT: The Board decided to hold a work session on Monday, March 11, 2019, at 8:00 a.m. to discuss changes to Township Hall use policy and the User Agreement.

Related to Township Hall use; Mr. Frederick moved and Mr. Nickoli seconded a motion to make an exception for the residency requirement for Alana Fiddler for a graduation party.

EXECUTIVE SESSION: Mr. Frederick moved to enter into executive session per Ohio Revised Code 121.22 (G) 1 to consider the employment, promotion, or compensation of a public employee. Mr. Nickoli seconded the motion and the Board entered into Executive Session at 8: 06 p.m.

REGULAR SESSION: A motion to return to regular session at 8:09 p.m. was made by Mr. Frederick and seconded by Mr. Nickoli. Motion carried.

Road Maintenance Crewman Matt Hudson's six month probation period has expired. All reports on Mr. Hudson's performance are positive. Mr. Nickoli moved and Mr. Frederick seconded a motion to accept Matt Hudson as a full time employee and to increase his pay by \$.50 per hour as was agreed at the 2019 Organization meeting. The motion carried.

FINANCIAL

VALUATION OF ASSETS: Fiscal Officer Rospert reported that OTARMA will sent the consultant firm CBIZ Valuation Group to do appraisal of buildings assets of over \$50,000 for replacement valuation.

AUDIT: Mr. Rospert completed the Annual Report sent to the State Auditor and advertised that it is available for inspection. The State Auditor's Office will be conducting the audit of the period 2017-2018 this year.

As there was no further business brought before the Board, Mr. Frederick declared the meeting adjourned 8:17. p.m.

Mr. Daniel Frederick, Chairman

Mr. Zachary Rospert, Fiscal Officer