

The Milan Township Board of Trustees met in regular session on Wednesday, August 7, 2019 at 7:00 p.m. in the Trustees' Room of the Milan Township Hall. Present at the meeting were Maintenance Supervisor Dave Fox, Crewman Matt Hudson, F.O. Zachary Rospert, Z.I./Sec. Colleen Arthur, Zoning Comm. Chairman Bill Muthig, , Fire Chief Brian Rospert, Frank Lytle, Richard Pitsinger, Don Kreidler and Trustees Dan Frederick, Jerry Nickoli & Mike Shover.

Mr. Frederick called the meeting to order at 7: 04 p.m. as all rose to recite the Pledge of Allegiance.

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

MINUTES: Mr. Nickoli moved and Mr. Shover seconded a motion to approve the minutes of the July 17, 2019, meeting. The motion carried unanimously.

Mr. Nickoli moved and Mr. Shover seconded the motion to approve the minutes of a special meeting held on Monday, July 22, 2019 at 8:00 a.m. The motion unanimously carried.

EXPENSES: Mr. Shover moved and Mr. Nickoli seconded a motion to approve the payment of expenses as presented by Fiscal Officer Zachary Rospert. The motion unanimously carried.

Approved Payment vouchers 141-152 and Warrants 18819-19207 in the amount of \$35,844.35.

#### **AUDIENCE**

Mr. Anthony Fritz addressed the Board concerning a standing water problem in his front yard at 4113 Milliman Road. It is Mr. Fritz's assertion that the water originates from the road. In an effort to resolve the water issue, he added height to his driveway and say the water is now diverted to his rear yard as well. Mr. Nickoli stated that he had looked at the property and has contacted the Erie County Engineer to assess the situation. Once Mr. Nickoli hears back from the County Engineer's Office he will inform Mr. Fritz of the results of their assessment.

#### **MAINTENANCE**

RILEY ROAD: Mr. Fox stated that he and Mr. Hudson dug into the sink hole on Riley Road and found no tile or any water. The hole was dry to six or seven feet. They filled the hole and seeded the area. They will watch it for further sinking and expect the fill will settle a bit.

CATCH BASIN ON PLANK ROAD: Franklin Sanitation was dispatched to Nick Stoll's property to find the location of drain tiles and where they exit. While doing so, a hose became stuck. Mr. Fox observed no standing water during heavy rain, but did observe the water shooting out the side of the hill. Mr. Fox state that a four inch tile was installed to the pond, but he could not

see water exiting to the pond. Franklin will go out again. Mr. Nickoli suggested that Mr. Franklin locate the outlet. Mr. Frederick suggested having Mr. Franklin expose the 12" tile and see if it can't be extended. Mr. Fox noted that the water seems to be running over the leach field. The Trustees would like further research done to assure the water proper water flow.

WORK SCHEDULE: Mr. Shover remarked about the special meeting at which the Trustees met with the Maintenance Crew to organize the maintenance work schedule. Mr. Shover noted that it seems to be working well as he can see progress.

F.S. #2 LANDSCAPE: There was further discussion of new landscape at Fire Station No. 2. Mr. Fox stated that they need to determine which types of bushes and trees would work best. Fire Chief Brian Rospert indicated that he did not have a preference for any specific types of plants, only that he prefers landscape to grass and would like the side facing Route 250 to look nice. Mr. Shover asked if wives of the firefighters might be interested in providing annual or perennial flowers.

BRUSH PICK-UP POLICY: Mr. Shover passed out the draft of a written brush pick-up policy, complete with photographs of acceptable and non-acceptable stacking of brush for pick-up. Mr. Frederick explained the need for clarifying the policy after some misunderstanding about what the Township's road crew is able to accommodate following the large storm last month. The written policy will be posted on Township's website. Mrs. Arthur will also provide a print version at the Township Office. Mr. Nickoli moved and Mr. Frederick seconded the motion to approve the written brush pick-up policy as presented. The motion carried unanimously.

River Road Storm Sewer: The Erie County Engineer's Office has prepared a plan to repair and replace a storm tile from Hire's property to a ravine and install a catch basin at the bottom of the hill. Bids were due by noon today. The following bids were received:

Precision Paving: \$24,324.70, with work to be accomplished August 15-16

Mark Haynes: \$16,783.90, with work to be accomplished August 19-23

Miller Construction: \$23,334.03, with work to be accomplished Sept. 16-30

Mr. Rospert confirmed the availability of funds. The bids were compared, traffic maintenance and warrantee was discussed. The work will be inspected by the County Engineer's Office and the Township will have final approval.

Mr. Shover moved to accept the bid, as presented, from Mark Haynes Construction of \$16,783.90 with the work to commence 8-19-2019 to 8-23-19 Mr. Frederick did second the motion. The motion carried unanimously. It was noted that Mr. Frederick and Mr. Nickoli met

with the County Engineer and that Matt Hire has agreed to formally accept an easement for this project.

NEW ROAD MOWER: Mr. Nickoli had done some research on prospective mowers and presented literature for a new Ventrac 4500 lawn mower. Mr. Nickoli is trying to set up a demonstration of this mower with one of the vendors. Some of the positive features of this mower are many available attachments; it can cut up to 1" tree while mowing roadsides; it is recommended for roadside mowing, but is equally used as a finish mower. Also, the cost of purchasing this entire lawnmower and its attachment is about the same as replacing a new mower attachment on the existing tractor. Mr. Fox asked how wide of a swath will it cut. Mr. Nickoli thought it was 60 or 73 inch swath. Mr. Nickoli state that the only negative aspect, in his view, is that it is a rotary mower with rear discharge; however, it is well guarded. Mr. Hudson asked if it would keep up with the 0-turn mower. Mr. Nickoli said it would. Mr. Fox noted that the Ventrac is made by Steiner and that the Township has an old Steiner that is currently used just for snow removal in small areas around the Township Hall. It is very similar to this and the plow and bucket used on the Steiner may already fit this new mower. He also noted that someone is interested in purchasing the Township's current mower.

The Board discussed other brand options and the purchase rotation of the Township's mowers. They also expressed interest in seeing a test demonstration.

### **FIRE**

CALLS: Chief Rospert reported that there were 21 calls in July; three of which were over 2 hours. There were two mutual aid calls to Huron to assist with water rescue at Nickle Plate Beach, and one in Norwalk for a structural fire.

EQUIPMENT: An air pack bottle was sent out for repairs along with the MSA SCBA harness and was received back today.

All necessary repairs were made to the 2012 Sutphen (621) and it is back in service. It will, however, be taken out of service to replace the DEF tank once delivered.

ACTIVITIES: Firefighters participated in the Norwalk Fourth of July parade, the Berlin Heights Basket Festival Parade and will be on duty at the Erie County Fair on Saturday.

Preparations have begun for the 2019 Melon Festival and Milan Volunteer Fire Department Annual Chicken Bar-B-Q. 500 raffle tickets will be sold for \$1000, \$500 and \$100 prizes. The Department will also be assisting with the Kiddie-Tractor Pull, Touch-A-Truck and 5-K race.

BUILDING MAINTENANCE: The Chief asked the Board to approve payment of \$500 to hire Tex Seal to seal the asphalt around Station No. 1. Mr. Nickoli moved and Mr. Shover seconded the motion to approve payment of \$500 to seal asphalt at Station No 1. The motion carried unanimously.

NEW TRUCK: Chief Rospert asked about initiating a search for a new truck to replace the 1995 Freightliner. The Department is in need of either a mini or full size pumper. The Chief noted that the last truck that the Township purchased was in the \$500,000 range and that he expect this new truck to be less expensive. Fiscal Officer Zach Rospert confirmed that there is \$375,000 in the truck replacement fund with the levy expected to generate another \$75,000 in the second half of 2019 and \$125,000 in 2020. If the truck were to be ordered by the end of the year, it would not be ready for delivery until 2020. Mr. Nickoli asked about why the Freightliner needs to be replaced. Chief Rospert stated that he is concerned that it might not pass the state inspection, although it is operational at the moment. There was a brief discussion of the 25 year replacement policy for the trucks. The Trustees instructed Chief Rospert to proceed with the search for a new truck.

### **ZONING**

PROPOSED ZONING CHANGES: Mrs. Arthur informed the Board of several complaints concerning free-range chicken farming on Seminary Road, Perrin Road and Hoover Road. She feels it is very important that the Township come up with some regulations as it pertains to the free range aspect particularly in residential areas or areas where houses are in close proximity to each other. She would like the Trustees to ask the Zoning Commission to take up this issue again and feels a fence should be required where residential use is prominent. Also, no roosters should be kept in these areas. Chickens kept in coups do not seem to pose a problem. Mr. Bill Muthig, Zoning Chairman, noted that they would also like to meet to consider the Trustees' request to change the southern part of the PRD District back to AG. Both of these issues could be dealt with at the same meeting. Mr. Frederick said that he would like to see restrictions on poultry kept to a minimum. Mrs. Arthur will prepare the paperwork for a Zoning Commission hearing for these issues.

ZBA HEARINGS: Mrs. Arthur noted that a ZBA hearing has been scheduled on Tuesday, August 13, 2019, for a variance for Mount Harvest Church of God's two signs at the intersection of Route 250 and Route 113 W.

Fin, Feather and Fur has taken out an application for a conditional use of their property on Route 250 to sell outdoor storage buildings. Several buildings have already been placed on their parking area without a permit. Mrs. Arthur went to the store to inform them of the violation and the manager came into the Township Office the following day and took out the

application. Her intent was to hold the hearing on the 20<sup>th</sup> of August, however, the application has yet to be submitted.

FRANKLIN FLATS: Mrs. Arthur reminded the Board that she will be attending a meeting of the Franklin Flats Landowners Association on Saturday, August 10<sup>th</sup>, at 11:00 a.m. to review the Franklin Flats Advisory Committee process for getting a ZBA hearing in order to make changes to properties in Franklin Flats. The Trustees would be very welcome to attend.

VIOLATION: Mr. Shover asked if there had been any movement on the part of the Prosecutor's Office to get the yellow trailer on River Road removed. Mrs. Arthur stated that she had inquired about it a couple months ago and was told that the Prosecutor's Office was still in transition and they had done nothing at that point.

SHAW MILL ROAD PROPERTY LINES: Mr. Frederick stated that he had heard from the County Auditor's Office concerning the review of the property lines on Shaw Mill Road. The lines have been redrawn on the County Map to reflect the location of the property lines as they used to be.

### **OLD BUSINESS**

TOWNSHIP HALL: Mrs. Arthur asked if the Trustees had any idea when renovations to the men's restrooms might begin at the Township Hall so that she can schedule activities accordingly. Mr. Frederick stated that Erie Regional Planning Commission is handling the bid process and that the date is not definite yet.

USER AGREEMENT: Mrs. Arthur asked that the Trustees take another look at the Township Hall User Agreement and the proposed changes that were recommended and finalize that agreement sometime before the next year.

TENNIS COURT SEATING PROJECT: Huron Cement has delivered some of the concrete cubes to Edison Park for seating at the tennis courts. The Township can do the prep work and Leimeisters will set the cubes in place. Mr. Fox will need to meet Leimeisters to work out how the concrete cubes will fit together in a configuration that will accommodate chairs. Mr. Rospert noted that Erie MetroParks will award funds when final form filled out for the tennis seating.

SHAW MILL ROAD GUARD RAIL: The County Engineers Office is accepting bids due August 8, 2019. The Township was awarded grant funding for the project which, depending on the bids received, may or may not cover the cost of the project.

DIEHL ROAD: Mr. Shover went out to try to find where a catch basin on River Road exits. There is a drainage issue near the Kiley property which may or may not be the result of road water. Mr. Shover had spoken with Mr. Wojnar, who gave him some information as to which houses were permitted to connect to the Township's drainage road water drainage system. Lines coming into the catch basin were observed, but the point where the exit tile drains could not be determined. Mrs. Arthur noted that she remembered that the Township paid for a road bore under Jefferies Road to divert water away from Deihl Road to the ditch on the east side of Jeffries Road. Mr. Fox could not recall that project. Mrs. Arthur said she could contact former Maintenance Supervisor Jim Jesberger and/or a former Trustees to determine the location of that tile.

#### **NEW BUSINESS**

Erie Regional Planning Commission is looking for volunteers from each political subdivision to attend a 2020 Census meeting on Wednesday, August 21<sup>st</sup> at 10: 00 a.m.

There will be a meeting of the Erie County Economic Development at Kalahari on August 13<sup>th</sup>, at 10:00 A.M. New economic development projects throughout Erie County will be recognized.

#### **FINANCIAL**

TRANSFER: Mr. Rospert requested a transfer of funds. Mr. Nickoli moved to transfer \$5,000 From 1000-930-930-0000 Contingencies to 1000-110-389-0000 Other - Insurance and Bonding. Mr. Shover did second the motion. The motion carried unanimously.

FUND REPORTS: Mr. Rospert presented revenue and expense reports though the second quarter of 2019.

Expenses: Mr. Rospert noted that most expenses to date are at least 50% below budget. The elevator, a large expense item for 2019, is included in these first half figures.

Revenue: Mr. Rospert noted that 2<sup>nd</sup> half property tax due to be received this week. The State increase in gas tax became effective in July and the Township should begin receiving that in the next half of the year.

Mr. Shover asked about the "windfall" from health insurance rebate. This is not calculated or counted upon in the budget.

Mr. Rospert summarized that year-to-date revenue is just over one million dollars and expenses are at \$942,000, including the elevator.

The light replacement levy for Edison Ridge subdivision was discussed. The next lighting assessment is due in September. Mr. Rospert confirmed that the budget is on schedule to replace light poles in Edison Ridge in 2020. Mr. Frederick has already consulted a lighting vendor and will continue to explore options.

No further business brought before the Board, Mr. Frederick adjourned the meeting at 8:24 p.m.

---

Mr. Daniel Frederick, Chairman

---

Mr. Zachary Rospert, Fiscal Officer