

RECORD OF PROCEEDINGS

Minutes of

Austinburg Township

Meeting

Held January 18,

2011

The regular meeting of Austinburg Township held January 18, 2011 was called to order by Chair John Kusar with the pledge. Trustees Burke, Spade, Byron Dutton II, Ted, Ginny Seifert, Jacklyn Krysa, and Joe Hejduk were present.

Res. 23-11 Janie moved to approve the minutes of the past meeting as presented. Jerry seconded. The roll; Kusar, aye. Spade, aye. Burke, aye.

Res. 24-11 Jerry moved to pay the bills of the township. Janie seconded. The roll call vote; Spade, aye. Kusar, aye. Burke, aye.

Receipts were \$922.98. Bills totaled \$21,346.06.

Jerry reported he had spoken to Pete about prices for blades for the loader and backhoe. Jerry brought those prices to the board.

Res. 25-11 Jerry moved to go ahead and purchase from Southeastern Equipment the blades for the loader at a cost of \$950.36, and the cutting edge on the backhoe at a cost of \$800.00. John seconded. The roll; Burke, aye. Kusar, aye. Spade, aye.

Jerry reported on prices on a heavy duty floor jack Pete had stated they needed. NAPA provided prices on a 5 ton hydraulic jack for \$699.00, and a 5 ton air over hydraulic jack for \$869.99. They gave a price of \$1,200.00 for a 10 ton hydraulic jack, and \$1,500.00 for a 10 ton air over hydraulic jack.

Res. 26-11 Jerry moved to purchase the 10 ton hydraulic jack from NAPA at a cost of \$1,200.00. John seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

Jerry reported Bill had asked if he could bring the fire trucks over to the road garage for maintenance on company time when he is not busy. Janie and John both stated they had no problem with that.

Jerry stated the prints for the storage building to be built at the road garage by the Vo-Ed have been approved by Tim Martin. Jerry spoke with the Vo-Ed and they would like to start in the late spring and finish in the fall. Janie said that was fine. John agreed but stated he would like to see the project coordinated so materials are not left laying on site to be harmed by weather conditions.

Jerry said he had a grant application he would like to follow up with to possibly upgrade the park ball diamond and bandstand roof. Janie and John agreed to let Jerry follow up on the grant.

Janie stated she had nothing to bring before the board this evening.

John said he got hold of Steve Latourette's office, and our post office is not slated for closure at this time.

John stated the trustees met with Smolen Engineering to finalize plans for the town hall project. John explained the basics of the project and contents of their meeting. John asked Kurt from Smolen's to prepare a proposal for their firm to handle the complete bid process. This includes everything from advertising the bids, sending them to contractors who request them, answering questions, and receiving them. The bids would be brought to the township when they are to be opened. The cost is \$1,250.00.

Res. 27-11 John moved to hire Smolen Engineering to handle the town hall bid process at a cost of \$1,250.00. Janie seconded. The roll; Kusar, aye. Burke, aye. Spade, aye.

The bid opening will be held on March 7, 2011 at 7:00pm with the regular meeting to follow at 7:30pm. John will talk to Kurt and arrange one pre-bid meeting also.

John reported on the meeting that he, John Beninato, and Jackie Krysa had with Tom Sartini, County Prosecutor. The result was that the trustees cannot turn down a zoning amendment due to a procedural error made by the Zoning Commission. Mr. Sartini stated that the Zoning Commission and Trustees met their statutory conditions with the public hearings. He said that if the Zoning Commission re-submit's the proposed amendments exactly as they had before, the trustees can accept, change, or deny the proposal. Mr. Sartini said that Planning Director Albert Dispenza usually will advise very cautiously on these matters, as in this case when he stated the process should be started over due to what Mr. Dispenza perceived as procedural errors. The zoning amendment is being re-submitted. John Beninato brought up some things he is uncomfortable with at the Oct. 6, 2010 zoning meeting regarding retail sales of agricultural goods. He suggested eliminating conditional uses #10, 11, 12. The commission agreed with his concerns. The other issue discussed at the meeting with Mr. Sartini is Delta Railroad Co. wanting to purchase property in the Coffee Creek

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Industrial Park. John said Mr. Sartini would like the trustees to modify the amendment to change the IOP District item #37, removing the three words "except railroad equipment". This would allow Delta railroad to purchase the old Neff Perkins property. Discussion was held on ways to handle acceptance and modifications to proposed zoning amendments.

The discrepancy on the colors of the zoning map legend was discussed. A letter from Evelyn Schaeffer on this matter is forthcoming so this issue will be discussed further upon receipt of her letter.

John Beninato addressed the issue of Delta Railroad and presented a letter the fiscal officer read into the record. The letter is contained in township files. In the letter John explains his opinion on the text as it applies to "railroad equipment". He said removing these words will obviously expedite the Delta Railroad case, but needs to be done to update and modernize the zoning text. Jackie Krysa agreed with Mr. Beninato. Ted Seifert stated that Delta Railroad wouldn't have railroad equipment involved on this site. They would service equipment that only runs on rails. Byron Dutton stated that when there were active rail lines here in the township, the text was needed so we would not end up with a reclamation plant in the township. Without any tracks the text should be updated.

Res. 28-11 John moved to accept the Austinburg Twp. Zoning Commission recommended amendment with the following modifications;

-Remove items #10, 11, 12, which are Conditional Uses from the Accommodating Commercial (AC) District.

-Remove the last three words of item #37 from the IOP District which read "except railroad equipment".

Jerry seconded. The roll call vote; Spade, aye. Kusar, aye. Burke, aye.

Res. 29-11 John moved to accept the Zoning Commission's proposed map amendment for the AC District in Sidley Industrial Park. Janie seconded. The roll call vote; Burke, aye. Spade, aye. Kusar, aye.

Byron Dutton stated he has a pending agreement to purchase the Grange building. It will depend on the outcome of an upcoming ZBA hearing. He would like to turn it into a duplex, but needs one acre. The building has only one half acre.

Jackie Krysa recommended the trustees get all future suggestions made by Albert Dispenza in writing. She stated the town hall sign needs to be updated. Jackie also stated she would like to see more photos on the web site, and offered to re-take a picture of the town hall without the electric wires. She suggested a possible addition for the newsletter of residents' photos being featured. She stated Austinburg has many beautiful sites and pictures could be placed in the letter or web site.

Joe Hejduk said he is not impressed with the way Austinburg is looking now.

Res. 30-11 John moved to adjourn the meeting. Jerry seconded. The meeting adjourned at 9:00pm.

