

RECORD OF PROCEEDINGS

Minutes of

Austinburg Township

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

August 21,

20

17

The regular meeting of Austinburg Township opened at 8:30pm. Joe Hejduk, David Long, Rick Magday, Mike Kovacic, Justin Dennis, Phil Miller, Ted and Ginny Seifert, Dave Bailey, Jean Forman, and Bill Wilms were in attendance.

Res. 439-17 John moved to accept the minutes as written. Jerry seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye.

Res. 440-17 John moved to pay the bills of the Township. Jerry seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye.

Receipts totaled \$21,619.19. Expenses totaled \$83,229.71.

Bambi Pauchel contacted the Township to share that a realty sign was accidentally mowed by Township employees at the corner of Woodside and Mechanicsville. This would be \$30 to replace. The Board of Trustees will not repay the sign as it was in a right of way and therefore it shouldn't have been there as all signs must be on private property and not in the right away. The Road Department also shared they did not mow over the sign.

The financial wire was completed for the Chicago Title for the purchase of the Quine Property next to the College Street Cemetery however, the Fiscal Officer received an email that the title company will need to confirm the map once again before the transaction can be complete.

The Fiscal Officer confirmed that Country Days and the Beer Tent is permanently in the Township's Insurance program.

Res. 441-17, John moved to to re-certify the three Austinburg Township Light Districts (#21-027, #21-026, and #21-083) for the upcoming year, Byron seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye.

ODOT shared information on an interstate bike route concept which would be the Township's portion of the Greenway Trail. The Fiscal Officer will prepare a resolution of support.

John Beninato shared that the Township received a letter from the Ashtabula County Court of Common Pleas with a charge for court costs from a lawsuit involving Mr. Janson and Township Zoning. **Res. 442-17**, John moved to pay court fees for \$63.66 for the Russ Janson Court Case completed in February 2016, and Jerry seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye. John discussed the four permits issued this past month which included a new restaurant at Coffee Creek. Joe Hejduk requested clarification on the setback for signs at Coffee Creek Estate given concern over the distance to the street. John will look into this concern. A conversation on setback policies was had between residents and the Board.

Jerry spoke with Rebecca Armstrong from ODOT regarding the sidewalk program for Austinburg Township. She is uncertain when work would begin for revamping the Township's sidewalks. The bridge work is uncertain currently as well given potential future work on the walkway.

Bill shared that Thomas Fence quoted \$2,275 for the Center Cemetery fence project. **Res. 443-17**, John moved to have Old Fashioned supply and install the Center Cemetery split rail fence for \$2,000, and Byron seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye.

The Fire Department is looking at getting rid of the composite bottles for scrap. The Board asked Bill to see if the Township could give these supplies to a department in need. Bill also discussed that the old Country Days supplies for electrical and lighting work could be sold as well.

Byron shared that Rick Loveland will be the electrician for Country Days. He will get the permit for \$75 from the County. Byron also discussed the sign at G.H. Drive which went missing and will soon be replaced. He was also asked by residents of Mechanicsville to place some slow down for children signs.

The signs have been placed on College Street for the new Boarding School Zone changing the speed to 20 mph. Byron suggested placing two red flags on the pole to further draw attention to the change in speed.

Byron shared the history of the Medical Marijuana amendment and the procedure taken up to this point for the Board to vote on the Amendment to allow facilities which could include growing, processing, or distributing of medical marijuana in accommodating commercial or the industrial commercial.

Jerry discussed the application process from the state of Ohio for growing facilities. There are 24 licenses to grow in the state varying on levels of production for the oils, patches,

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and pills. Byron shared that this process allows the Township to decide where the facilities could be located.

Ted Seifert reminded the Board that the Township also has the option to completely ban the facilities within township borders. John responded that the State is discussing the potential for removing local control from this issue if the location is not presently decided when a change would occur.

A question from the audience was raised if the industrial park aligns next to the Austinburg Elementary School property. The Board responded that the state law requires any facility not be located within 500 feet of said property regardless of local rules.

Joe Hejduk shared with the Board discussions he has had with residents and the concerns they raised with the passage of this zoning amendment relating to their disagreement with making it available in the Township. Joe urged the Board to follow the will of the people against this amendment. John responded that he wished those who attended the open hearing and gave their views would attend the voting meeting to give their opinion as well.

A question of whether or not this issue could be placed on the ballot for the residents to vote was asked as well. The Board shared they did not believe that the Trustees could place this issue on the ballot. Byron did remind the audience that the residents have electoral recourse through a ballot initiative to counteract the Trustees' actions on any zoning matters as well.

Res. 444-17, Jerry moved to pass the suggested zoning amendment allowing for the cultivation, processing, and distribution of Medical Marijuana in the Industrial Office Park (IOP) and Accommodating Commercial (AC) as presented to the Austinburg Township Zoning Commission and with the suggestions from the Ashtabula County Planning Commission as passed on May 15, 2017, and Byron seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye.

John raised the point of the front door at the Townhall not functioning properly. The door is newer but is not in good shape and may need to be renewed. The basement door will also be investigated.

Mr. Long shared that he is fearful of where legal medical marijuana would lead. Byron suggested he pull a petition to remove the zoning amendment.

Another resident asked where the speed sign prior to the clay street bridge in the dip went. The Board does not know but reminded him that if something is not posted it is 55mph. However, it is a county road and therefore the Board does not have jurisdiction.

Res. 445-17, John moved to adjourn, and Byron seconded. The roll; Kusar, aye. Dutton, aye. Burke, aye. 8:40pm



David Thomas, Fiscal Officer



John Kusar, Board Chairman