

**Lafayette Township Board of Trustees and
Lafayette Township Fire District Meeting
February 21, 2022**

Trustee Martin Warchola, called the meeting to order at 7:00pm
Roll call: Warchola, Fullerton, O'Neil, Rubensaal- all in attendance

Other township departments in attendance: Alliss Strogan, Zoning Inspector; Rich Javorek, Zoning Chair;
Assistant Fire Chief Holzman; Rick Evans, Service Department; Bill Thorne, Legal Advisor

Pledge of Allegiance was said.

Marty Warchola, Chair asked the board whether they had the opportunity to review & read the meeting minutes from the meeting of 2.7.22? Any comments? Any issues? Motion was made by Trustee Fullerton to accept the minutes; seconded by Trustee O'Neil. All in favor? Aye- Minutes have been approved.

- **Consent Agenda**

- Consisting of:
 - Fiscal Report
 - Fire District Report
 - Fire Department Report
 - Service Department Report
 - Zoning Report
 - Police Report
- Asking for motion of approval. Chris O'Neil made motion to approve, Ty Fullerton second. All in Favor? Aye- Consent Agenda Reports were approved.

Public Participation at two points in this meeting.

- **Chris Rogers, Lisa Knight speaking about flood issues on 7382 Lake St.** Lisa has lived their 6 years, and in 2019 the flooding started. Four years after she was living in the house. Currently she has almost 5 feet of water in her basement. About a ¼ acre of her property is under about 5 feet of water too. This problem has been addressed with the previous administration; it was addressed with the previous owners of my home. I'm here, because right now, I cannot live in my home. I have no power, no gas. Comment about water from other areas coming through & under her property and property that is owned by the village. Overflow is maintained by the township; it is being blocked by neighbors behind us. Township's water is destroying her livelihood, her home, her property. We are looking for help.
- Marty: Did I hear you right? It started in 2019?
- Lisa: Yes
- Marty: so up until then, you had no flooding problems at all?
- Lisa: Well, it was coming over the street.
- ?: The township fixed the drain
- Lisa: It was coming over the road at that time.

- Marty: So, it was a problem prior to 2019, but it has been worse sense then? Just trying to get all the facts.
- Lisa: It was a problem before I bought the house. That is not your problem, it was not disclosed by the previous owners. It happened to them as well, not sure how many times. This is all documented with the county engineer. And there is a file back to 2001. We have also worked with the county engineer, Dan Willhoite (?). Because of things my neighbors did to their property, built up things. Comment about natural water flow that is not on her property, there is like a 15- foot dam. It backs up against my property, so the water cannot naturally flow down to the lake. There is a pipe in there, so it was draining. When it gets to the 3-5 foot of water it takes about 24 hours for all that to drain from my house/property. Now it seems to be getting backed up. Not sure if the pipe if backed up, I can't tell. My whole yard was a skating rink. Still is. It's going to rain tomorrow. It will flood again.
- Marty: Is it any rain? Or heavy rains, heavy melt-off?
- Chris Rogers: it has flooded 5 times in the last 12 months. Mother's Day, July 17th, sometime in the fall, can't remember, 2nd week of December, and last Thursday.
- Marty: So, it's not just when we get a torrential rain, it's when we get a decent amount of rain.
- Lisa: if we get ½ inch at least, and then it floods.
- Marty: Rick (Service Dept), are you familiar with any of that? What I would suggest we do is Trustee Fullerton is the liaison for service, with Rick; put that in his very capable hands to work with. Rick, see what is there, what can be done, if anything.
- Chris Rogers: had thought about filling the pipe with cement, and was wondering what you guys would do the next day when it overflowed the street, washed out the road, and destroyed some other neighbor's property. I'm sure someone would be at her door the next day. I want to know why no one is at the front door of the people who caused this problem behind her?
- Marty: You have just brought this up to me right now. And I've heard what you've had to say. And we need to see for ourselves what is going on. I believe that is only fair. That's what government is all about. For you to come in, if there is an issue. We do what we can to try and resolve. If we can; we will help, if we cannot, we will try to give you direction on what can be done. I know there is not always something we can do. If there is, we will certainly do what we can.
- Lisa: I was told before, that there wasn't anything. The township wasn't able to help. Last year I was working on this as well. Because it was private property.
- Marty: I'll be very honest with you, that may be the same thing you'll hear this time. I don't know. I'll wait to see what Ty & Rick say when they look at it. Did you leave a phone number on the sign in sheet?
- Lisa: no
- Marty: If you could give us a number. I'll make sure that someone gets back to you, gives you an update. Keeps you in the loop about what is going on. I am not going to promise anything. You may just get bad news, I don't know. At least you will know something.
- Lisa: Just so you know, I am trying to figure out what to do with my house. Because I can't live there.
- Chris O'Neil: Rick & I went out there on Friday, it's bad. There is a lot of water. I'll work with Rick.
- Marty: Thank you very much. Anything else at this time?

- **Ann Plazek; from MCDL- Medina County District Library.** Outreach Service Manager. She wanted to bring to our attention and the residents of Lafayette Township, that there is a bookmobile stop at Hunter's Run Development in Chippewa Lake. This had started just before the pandemic & is now resuming.
 - She provided handouts for anyone interested.
 - Schedule is on line on the MCDL website.
 - We are parking near Fayette Blvd & Shawnee Trail, kind of on that main entrance there.
 - ½ hour window from 4:30pm -5:00pm every Thursday.
 - If someone becomes a regular, we will notify you when we are off-road, for weather or other issues.
 - People can place holds, request any materials, Bookmobile has everything you would find in the library, just not quite as much. We even have tools & tech & Wi-Fi.
 - Wanted to mention another program for house bound individuals; we can select library materials and deliver them to residents. On a once-a-month basis. In person or through books by mail. Many people are not aware that that is an option.
 - Not just books, movies, magazines. Etc.
- Marty: Thank you very much.
- Marty: question was asked to Bill Thorne, legal, do we have any legal liabilities if someone would get hurt while they are there?
- Bill: No, that is their vehicle.
- Marty: Is there any reason we could not post this on the township web site is there?
- Bill: No
- Ann: Trying to get access to Facebook group in Hunter's Run- to make them aware of this. Would not allow her access. It's a great after school time, right as those kids are getting dropped off. It is the only Bookmobile stop that would service the Cloverleaf school district.
- Marty: Would you mind calling into the office on Wednesday, after 10:00 am. Talk to our Admin Assistant. Let her know, give her all the information.
- Marty: Anything else?
- **RyncarZ** Joe ? : You brought up the Lafayette website. A hand full of meetings ago, costing extra to be updated. Curious, where that stayed? Is there an ongoing extra charge for the township?
- Marty: one of the nice parts about having Sherri as our Admin Assist, is she is a techno wizard. She got in touch with the people who maintain the website for us. She has an administrative password, so she can update information. That is on her normal hours/pay. We still pay monthly for the company, to keep it housed. We may end up leaving it there or we may develop our own. Sherri has the capabilities to do that, she is extremely talented. I know that Trustee O'Neil has been talking to her as well.
- Joe: do we own that domain?
- Marty: We own the domain; it is just housed on this other party's server or however that is set up.
- Ty: was your question are they charging the township more if someone else is adding all the information?
- Joe: That was what I took from one of the last meetings. That they have to watch how much they put on the website due to extra costs.

- Marty: yes, I think we get an hour every quarter. Which is why we only updated things once a quarter or very sparingly. I don't think anything has been updated except by Sherri. Not costing us more, it is all part of her job.
- Marty: Anything else?

Fiscal Officer Laura Rubensaal:

- Primary election soon, form that needs to be completed/filled out for the town hall. Agreement that the election board can use the town hall. Rick; do you set up the hall? At 5:30am on election day? How does that work? Rick: We do set that up. I will complete the paperwork & send it in.
- Communication from the Medina Community Economic Development Corp for their yearly dues. Dues are \$1500.00. Marty made motion that the fiscal officer pay the annual membership, Chris O'Neil seconded that. All those in favor Aye. All those opposed same sign. Motion passed.
- Point of awareness: AT & T bill will be increasing \$100.00/per month.

Service Department Rick Evans:

- Ty & Rick went up and talked to three different Medina County Engineers about the wetlands at Hunter's Run. They found no concerns with piling the snow near the wetlands. I went to the Medina County Soil & Water office; met with Eric. No concerns from their perspective. You can't fill the wetlands in; you can't dig it out. It is a filtering system, for the water. Eric at Soil & Water would be willing to answer any questions from residents. Rick wanted everyone to be aware that they did follow-up and check into it.
- Marty asked Justin Perioli to take that information back to the residents at Hunter's Run. Could you put something on your Facebook page?
- For the cemetery; we have over 336 lots available. Up at Walz Cemetery. Ty will bring that up under Old Business.
- The service department did watch 30- minute training on sexual harassment. Turned in paperwork of completion to the fiscal officer. Who gets the tape next? Chris O'Neil has it.

Fire Department Assistant Chief Tim Holzman:

- Pancake breakfast has been postponed. It will be held in April, all the Sundays in April, except for Easter.
 - Marty- Let Sherri know, so she can get that posted to the web site.
- Chief wanted to mention, he attended a meeting about dispatching fees. They are looking at a different way of doing it. They will visit all the townships and make a presentation. Chief Grice may attend. Let the trustees know exactly what they are proposing.
- Fire Department attended the Polar Plunge in Chippewa. The "Plunge" portion was cancelled. They did do the run & we helped out with that. Safety, we had a couple of squads there. Our UTV was utilized to help lead the run. Lions Club did really well this year, even without the plunge.
- The fire department has two residential "Lock Boxes". We just put information about them on our Facebook page. Donations from the Lions Club was given to purchase them. Residential "Knox Boxes". Loan them to residents who might need them. Probably someone who lives alone, or is alone much of the time.; has physical limitations & can't get to the door. As long as the resident fits the criteria, will provide them with a box. This allows the fire department to enter the home, when called; without breaking down a door.
- We did get a proposal for new IT services from KGC. We are requesting that the trustees consider this proposal. Current provider has been abysmal. We want good service at a reasonable price. The things the new company is saying they will do for us; our current company has never done for us.

- Marty: we have a second quote that the Trustees are securing as well.
- Ty: my question is Marty you have a second company you are getting a quote from?
- Marty: yes
- Ty: And we should be prepared to discuss this at the next meeting?
- Marty: Yes
- Ty: asking the Fire Department is they can wait two weeks?
- Marty: current company has had their issues, but they have also come through and provided us with things we need. Your biggest issue has been with the fax machine & the printer.
- Tim: correct.
- Marty: Anything else?
- Marty: We approved the hire of new member of the Fire Department: April Winters.
 - April was sworn in by Trustee Marty Warchola

Police Report:

- Only thing I have is the monthly report from earlier today.
- And the yearly 2021 report.
- If you have any questions....
- Marty asked whether this was available in an electronic format?
- It is, it is on our website.
- Marty asked if it could be electronically sent so the township could get it on our website.
- It will be sent out in the morning.
- Comment by resident Dianne Wenslow:
 - I would like to thank the Medina City PD for extra patrolling on Chippewa Road. It's like Dragway 42. I have noticed in the last week that we have had additional police presence.

Zoning Alliss Strogin:

- Did I provide the board with end of the year 2021 report?
 - She made a few copies, handed them out to the board.
 - 2021 total for the whole year; fees collected \$21,036.00; total of estimated value; just shy of 12 million.
 - For 2022- for the month of January I have the total of estimated value of 7 million, 300 thousand. The fees for the year \$21, 997.65. We have gone over in fees in one month, more than all last year. It has been busy. We are off to a great start; I can't recall having a year with these numbers before.
 - Most of it is Redwood. They still have a lot of units that are going to be built.
 - We are still dealing with the Country Club project. The HOA documents are still not where we want them, missing critical information. I understand Mr. Thorne spoke to them and they want to change some of the site plan. It will nullify the whole thing; it would have to go back through the process.
 - Per Bill Thorne- they are considering it. Right now, they want to proceed with the existing plan.
 - If they make changes, they have to go back to the CPC and other agencies.
 - Bill Thorne- the layout
 - Alliss- if they change the layout, it might change the number of units, it might change the open space.
 - Marty: They understand the ramifications- right?
 - Bill Thorne- They do
 - Alliss: They want their permits, but they don't have their stuff together yet.

- Question was asked- Is this most of Redwood? Or half?
- Alliss: No, there are 11 more in phase one, (after the 28), then there is another phase.

Correspondence:

- Trustee Fullerton; working with a homeowner on Overlook; he has some flooding issues. Want to reach out to the county next week to see if there is anything we can do. Only correspondence I have.
- Comment from Dianne Wenslow: When are they ever going to do something with Chippewa Road? By the bridge? It's closed every time it rains. It's a county road. Unless the county wants to decide to elevate the entire road. Per Rick Evans- they did elevate it, two years ago, about 10" of asphalt down. Marty- The water marker shows five feet over the road, that's not going to do much good.
- Marty: any other correspondence?

Old Business:

● **Trustee Fullerton:**

- Rick Evans touched on the Hunter's Run issue we talked to the county about.
- Hiring of Dave Betts. I did talk with Laura as far as finance goes. We had an employee that quit last fall that was full-time. So, we would have enough money to bring Dave on.
- I would make a motion to hire Dave Betts full time. Marty seconded the motion- All those in favor – Aye; all those opposed- same sign. Motion carries.
- Marty asked question of Service Director, Rick Evans: when are you going to start full-time status with Dave? Rick: this week starts new pay period, so this week. Marty: just making sure we are all on the same page.
- Ty: My other old business was meeting with the Stallard's for the property on Carston & Egypt Rd. that butts up to the cemetery. (Waltz). Ty did pull up site plans, talked to Rick. I did meet with the Stallard's last week. They do want to sell off this farm, they wanted to give us first options, if we wanted to add onto Waltz Cemetery. Before I met with them, I called Columbus to see if there were any cemetery grants available. They issue out cemetery grants in July & close in August. I did let the Stallard's know that. They would like for us to agree to purchasing sooner than later. They are wanting close to \$20,000/per acre. As of right now, our current available plots total 336. That's a lot.
- Marty asked how many we sell per year? Per Rick, it depends, probably about 8 per year. Marty: just trying to get an idea, how long that will carry us out. So basically, we have a long time. Rick: per the cemetery rules, you can put 1 burial and 3 cremations in one plot. Marty: I think we are looking at- do we need it? And can we afford it? IF we don't, is it cheap enough to purchase anyway?
- Question was asked- how many plots can we get out of an acre? Rick: Over 336 in two acres.
- Dianne Wenslow: A lot of the people who live in the township don't even know that the cemetery exists. Can we advertise that the cemetery is there? Marty: kind of an awkward thing to do. You're right, especially new folks moving in may not know this. Dianne: It's a beautiful setting.
- Marty: Any other old business?

● **Trustee O'Neil:**

- I would like to address the article from a couple weeks ago. In it, they reference Justin Perioli and Mike Costello, who is a former trustee. They stated in the article that Justin is the Board of Zoning Appeals Chair. That is true. To the casual reader they may lead people to believe you (Justin) may speak on behalf of the Township. That is not the case. I just want to make that

clear. Also, the allegation that Rick Evans was hired back to be paid for political favors was false. And he did not get a 30% pay raise. Back before the end of the year (2021) the three trustees at the time gave increases to all members of the service department, with the exception of Rick. I hate to bring it up, to talk wages and salaries in a public forum is not exactly the best thing to do. I feel like I need to address this. At the time Rick was making \$28.00 per hour when he was let go. He was brought back at \$31.00 that equates to about a 10.7% raise. And that is pretty close and inline with what the other positions got. Regarding the other allegations in the article, I haven't seen any documentation of fudged hours; I've heard about it, but no documentation on it. Any of the behaviors he may have exhibited in the past, heard stories, no documentation. I do not know whether he was spoken to by any former trustees, or has been investigated. Certainly, no documentation of it. To me, all of this is a bunch of reported activities, but no concrete evidence of anything. With the exception of the former complaint that was filed. And I'm not sure that was properly followed up on. I don't think there was an investigation. Again, I don't think there is anything in Rick's file that would indicate that. It did bother me one, when you said it was a political re-payment. You know Rick is a member of the community, lives here, he works here, and to see that kind of stuff in the paper is bothersome. It's one thing if it is absolutely true, I don't think it is true. Go ahead, (to Justin)

- Justin: There is no point.
- Chris: For you to be submitting that type of stuff to the paper, you are the chair of the Board of the Zoning Appeals and it does not reflect well on that position. Because it doesn't look like you are unbiased. I think you should have more well, be less opinionated. You are free to say what you want, but I think you should strive to show unbiased.
- Chuck Turner: Former government employee, law enforcement for 25 years, we were not allowed to speak on behalf of the United States or the government. Your legal person should come up with some guidelines that if someone identifies themselves as a trustee or official, whether its fireman, zoning, whatever they are, they shouldn't be speaking on behalf of Lafayette Township. And maybe that's the way to put it to bed. Thank you, sir.
- Chris: Justin is not an employee of the township; he does have a position with the township.
- Bill Thorne: He is not speaking in his formal capacity; he is speaking in his personal capacity. Anyone who is not authorized, employee, official, does not speak on behalf of the township per se. So, when they are speaking, they need to make clear that "this is my personal opinion" or "in my position as township trustee". Even then, a trustee can't speak for the board, unless the board has already authorized it.
- Marty: okay, anything else under old business?
- Shirley Bailey: In that article, they also mentioned about Kim, what they had to say about her was a total lie. She never carried on like that, she never has. Anyone who knows Kim knows that she is not going to be ranting and raving.
- Justin: so, Laura's written complaint was a lie?
- Shirley: I'm not talking about Laura; I'm talking about Kim.
- Marty: guys, guys. Justin, address back and forth to the board.
- Shirley: and also, with Laura's letter, why isn't it in the file?
- Laura: It is in the file.
- Chris: that's where it ends.
- Shirley: okay. I just know that with Kim, she wouldn't be carrying on like that.
- Marty: okay, guys we are kind on circling on the same subject, over and over.

- Bill Thorne: Just for verification. If that policy is unclear, the board can adopt a policy that they are not authorized to speak on behalf of the township. And they should clarify when they are speaking as an individual no matter what position they hold. That happens with fire departments, police departments, they are in uniform, they make a comment, that doesn't mean it becomes the comment of the department. You could adopt a policy for that.
- Marty: Would the board be okay if Bill & I sat down and put something together like that?
- Chris & Ty: okay with that.
- Marty: Anything else under old business?
- Chris: Yes. We have an application that was submitted a while ago for Zoning Commission alternate. I don't believe we have had any other applications. Joe Praisler is here tonight. I would like to move to make a motion to appoint him as an alternate. Ty second the motion, all those in favor- Aye- all those opposed same sign. Remember Joe, you promised if you got this you would help me hang Christmas lights. (laughter)
- Joe Praisler: I would like everyone to know that I work for First Energy and I am not responsible for your high electric bills. (laughter)
- Marty: That is a one-year term, as an alternate. Bill that would run as a one-year term? Correct?
- Bill: I'm not sure what conditions they put on the alternate.
- Marty: okay, we'll figure that out. Rich Javorek (zoning chair) any idea? Not sure.
- Alliss: Usually in the organizational meeting is when the trustees decide on the terms. Usually, it is one year. If no alternate starts at the beginning, when they do, it ends on December 31st. And then at the organizational meeting you re-up the term. But they stay on until the board does something.
- Marty: Joe you would officially be an alternate up until December 31st, but you would remain an alternate until we let you off the hook.
- Bill Thorne: Again, those are your policies, you can change them, make the term longer.
- Joe: Being naïve as I am, as an alternate do, I have voting rights? (On the zoning board) Not unless there is someone who is absent.
- Marty: correct, then you would step in.
- Joe: on a personal note, I don't even know the rules, or the zoning laws.
- Bill Thorne: basically, you don't participate unless someone is absent. The ORC does not provide any guidelines. The board itself has the right to adopt guidelines that are not contrary to the underlying code.
- Alliss: I'm sure they will get him a copy of the existing book. This will allow him the opportunity to read it. And then when he comes to the meeting, he should have some knowledge.
- Richard Javorek: He will need to be sworn in, Chris you will have to swear him in.
- Bill Thorne: you guys had an organizational meeting- so any rules and/or regulations you did adopt for procedures, give him a copy of that as well.
- Marty: Justin, have you been able to find anyone?
- Justin: I posted it on our HOA page, we have had nobody respond.
- Marty: We have it posted on the website, no takers. What about other HOA's
- Justin: We can reach out to them & see.
- Marty: Thank you. Any other old business?
- Nope
- Marty: Any new business?
- Nope
- Marty: Any additional public participation? None

○

- Marty entertains a motion to adjourn and pay the warrants of the township. Chris made the motion, seconded by Ty to pay warrants and adjourn the meeting. All those in favor – Aye. All those opposed – none. Meeting was adjourned at 7:55pm
- Approved:

Martin Warchola, Chair



Ty Fullerton, Vice Chair



Chris O'Neil, Trustee



Laura Rubensaal, Fiscal Officer



Not part of Official Meeting Minutes:

To Do Tasks:

- Chief Winkler, report on recommendation from Sampsell Heating