

MINUTES  
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES + LTFD FIRE DISTRICT  
REGULAR MEETING

*Monday, August 7, 2023, at 7:00 p.m.*

The Lafayette Township Board of Trustees and Fire District, Medina County, Ohio met in regular session, on August 7, 2023, at 7:00 p.m. at the Lafayette Township Safety Services Building, 6367 Technology Lane, Medina, OH. Notice of this meeting was consistent with ORC 121.22 and the Township's open meeting policy.

**Trustee Fullerton:** called the meeting to order at 7:03 pm.

**Members Present:** Trustees O'Neil, Warchola, and Fullerton, also present: Law Director Thorne, Fiscal Officer Ruebensaal

The Pledge of Allegiance was recited.

**Trustee Fullerton:** Minutes to be approved for the Special meeting on July 10, 2023, were presented for approval. Motion to approve by **Trustee Fullerton**, Seconded by **Trustee Warchola**. **Trustee O'Neil** had made some edits. All voted in favor of all minutes approved.

**Trustee Fullerton:**

**Consent Agenda:**

- Everyone had a chance to read all the reports. **O'Neil** Yes **Warchola** Yes
- Any concerns, questions? **Warchola** No **O'Neil** No
- Motion to approve the Consent Agenda for the reports.
- Motion to approve all Department Reports by Trustee **Warchola**, seconded by Trustee **O'Neil**. All voted to approve, reports accepted.

All those in favor: Aye, **Warchola** Aye, **O'Neil** Aye **Fullerton** Aye Those opposed same sign.  
No response motion carries.

- **Laura - Fiscal**, is there anything on or not in your report that you want to bring up?

**Fiscal Officer Ruebensaal:** No sir.

**Trustee Fullerton:** Service?

**Service Supervisor Evans:** Everything is on my report.

**Trustee Fullerton:** I do want to bring up a couple of things in Service.

- We need to buy (8) drive tires for the (2) big trucks. Rick did get a couple of quotes and the lowest is Gateway Tire here in Medina for \$4,200. The tires that are on there now are

not going to make it for winter. I would like to move to approve that. Can we get a second?

**Trustee Warchola:** I'll second.

**Trustee Fullerton:** All those in favor Aye, **Warchola** Aye **O'Neil** Aye **Fullerton** Aye Those opposed the same sign. No response Motion carries. \$4,200. to replace (2) sets of tires.

- Lake Rd. down in Chippewa and First St. and Second St. are going to get new water lines next year. So, they'll be tearing up the roads and Medina County Sanitary will then be putting the roads back the way they got them. They have been down there doing a little bit of work probing, trying to find the water line itself. Apparently, there is a 2" water line that keeps failing. So, they are going to bring it up to spec which is an 8" water line. Big difference. That's going to happen sometime next year. We'll let you know as it gets a little closer.
- Rick's been doing a lot of homework on us possibly replacing a truck. Trucks are over a year out by the time you say Yes, I want to order one. Through the ODOT state bid, Arner Mack has the bid for the specs that meet ODOT and also the requirements that we would like. I'm going to give some numbers, they're fairly general. (These are approximate) The cab and Chassis \$130,000. To outfit the truck with everything we do need is \$110,000. We're guesstimating off govdeals the truck that we want to replace could fetch about \$115,000. That's with the spreader and the blade. I wouldn't want to strip the truck down it would just deface the value of it, so try to get as much as we can for it. If we use \$70,000. In ARPA money, it would cost the Township around \$55,000. I just want to bring it up to the Board so they can do their due diligence. The truck is 11 years old. By the time we would get it on our property it is going to be 12 years old.

**Trustee Warchola:** If you look at the trucks, Rick does a great job of making them look real pretty. So even the plow and the spreader on there now look like they're almost brand new. The fact of the matter is an 11-year-old plow of that size has had a tremendous amount of weld fatigue. I have spent 15 years at Meyer working snowplows. I've seen it all. It's not like it's going to fall apart in a year or two but it's definitely going to start taking more and more maintenance requirements. The spreader on the back looks great but the working components on it are probably about shot. That's about the harshest environment you can ever have a piece of equipment in. I did talk to Rick I am going to try to work with our spreader group to see if I can't get something if not as a demo but at an at cost basis.

**Trustee Fullerton:**

- Another project Rick's working on we had talked last month about we're wanting to pave Coon Club Rd. not next year but the following year, so he got (2) Engineer estimates for that. (2) different types of material both asphalts. Ones a 405 chip and seal, right now there saying about \$293, 000. We got another quote for a different material 402 chip and seal and that would be around \$361, 000. The 402, the design is fairly new the County has done a couple roads this year with it. Rick and I will drive around and look at those roads in the spring to see how they lasted thru the winter. Here's a project that we're

going to apply for OPWC money next year and hopefully we can get it to help out with that. So just letting you know we're still doing homework on that.

- I did receive a dedication plaque from the county for Main Drive. As you all know, that was paved last year. They did Euclid up to the bridge. This fall they're going to put the 2<sup>nd</sup> and final layer on. Once the job is totally complete then we'll get the dedication to the Township.
- More from the County Engineer they've really been helping us out. Christine is one of the Inspectors. So she went out to do Fairway Landing Phase 1, it's a 2 year maintenance inspection. A fair amount of red stuff but nothing terrible. Some of the cracks in the road, naturally they're controlled cracks that need to be regouted and sealed. Some of the sealant that fills the cracks has pulled out. So, they'll be replacing that, but the concerning one to me is the same one we made Ryan homes replace in Wedgewood. They're still allowing big heavy trucks to back over the curbs with nothing behind the curbs. So, it broke off, so now the concrete contractor is going to ask Ryan Homes to pay them to change it out. But here again it's a patch and I just don't like patches. So, I want to have a sit-down meeting with the County Engineer and try to be more proactive. The contractor did a phenomenal job the road is just perfect. Then one section of the curb is demolished.
- Another thing that we're going to have to vote on in the next month or two. I'll hand out the Resolutions now. This is the Westfield Township Resolution 2020-08; it's coming up at the end of this year. So, if you can do your due diligence on that, we can talk about it next month or the month after but it's coming up.

That's all I have for Service.

### **-Fire, Chief**

**Chief Brian Cavanaugh:** We conducted the Interviews of 5 Firefighters and decided to hire 4 of them. Dr. Kelly Parker she's an EMT, she's a retiring veterinarian, she wants to pursue a career in firefighting and she's going on to Paramedic school in January, so we'd like to hire her. Austin Brookman he's a Firefighter II/Paramedic, Pete Nooha he's a Firefighter II/Paramedic and Scott Powers he's a Firefighter II/EMT. I'd like to get the approval to hire those 4 individuals.

**Trustee O'Neil:** I make a motion to bring on those 4 individuals.

**Trustee Warchola:** I second the motion.

**Trustee Fullerton:** All those in favor Aye, **O'Neil** Aye **Warchola** Aye **Fullerton** Aye Those opposed the same sign. No response Motion carries.

**Trustee O'Neil:** Regarding Chief, the physical exams, is that annual?

**Chief Cavanaugh:** It is annual, it is not an annual requirement, but it is a recommendation by the State and Fire insurance companies that we screen our firefighters on a yearly basis. There's a pre-employment screening that all firefighters get. It's a physical exam from their physician saying they're able to do this job. Med Pro Group is vital signs, some EKG testing and some breathing testing and the Physician comes out to us and does a 5/10-minute physical exam for

each firefighter. A quote that I have is \$128.50 For each firefighter. It would be 29 at the current level.

**Trustee O'Neil:** Are we current now for physicals on our current members?

**Chief Cavanaugh:** It's been since 2021 was the last time they did this.

**Trustee O'Neil:** I'd make a motion to approve the \$3,982. for the physical exams for our staff.

**Trustee Warchola:** I second the motion.

**Trustee Fullerton:** All those in favor Aye, O'Neil Aye Warchola Aye Fullerton Aye Those opposed the same sign. No response Motion carries.

**Chief Cavanaugh:** Any questions?

**Dianne Wenslow:** I'd like to know when you check the fire hydrants, do you put a tag on them?

**Chief Cavanaugh:** No, we don't tag them. The ESO Program I was talking about is our recording software, we put each one of them into our software. Yearly we will schedule them, and we can click on each specific hydrant or a group of hydrants and say they've been tested.

**Trustee Fullerton:** Thank you Chief.

#### **- Lieutenant Marcum - Police**

**Lieutenant Marcum:** Read what was on the report. Tomorrow night is our national night out at the Medina Recreation center. Lafayette Fire will also be there. It's from 5-9 pm. Free hot dogs, Police, Fire, EMS vehicles, Life Flight and many activities for the kids. We also have (2) new officers to swear in. Tyler Thompson grew up in Medina. He's an Ohio State graduate, he also served as a Captain in the military and he's also a previous Medina Firefighter. Dalton Weber grew up in Grafton, He also is an Ohio State Graduate. Both Officers recently graduated from the Police Academy. They're both in Field training. Their Field Training will last approx. 12 weeks where they ride with another Officer. So, if we could swear them in.

**Trustee Warchola** swears in Dalton Weber and Tyler Thompson.

**Trustee Fullerton:** ok thank you, Zoning – Alliss

**Zoning Inspector Strogin:** I just want to follow up on those (3) complaints from the last meeting. I have been in contact with the owner of the property in Lions Park. He was totally unaware of the problems that those people were potentially creating. He did go over and talk to them. I talked to him today and he said he was going over there tonight to make sure that things will be better. The one on Lafayette Rd. the Health Dept. sent out a second letter about the cleanup. They have cleaned up some, there's a way to go. That's basically what the letter said. we appreciate you going this far but you need to go a lot further. So, they're following up on that. The people at 105 and 107 Euclid it's turning into a potential civil lawsuit between the two. The one's hired an attorney saying the people at 107 are a nuisance and they don't have the right

to do anything on their property. Both parties have attorneys. One party has put up a fence and no trespassing signs. In the letter that the Attorney sent (the Lee's Attorney) He's quoting that the Lee's are losing moneys from their rentals as they don't have use of that property. Documents have been forwarded to the Township so that you can see them and have them on file. I don't anticipate the Township getting involved but just an FYI.

**Trustee O'Neil:** <Looking at other Trustees> Did you get these photos? They came in right before this meeting from a gentleman down on Lions Park Drive. It shows fill dirt...

**Trustee Fullerton:** Rick and I drove down there today and saw all this dirt.

**Trustee Warchola:** They're claiming there is damage down there on the road now too.

**Trustee Fullerton:** That was before the chip and seal.

**Rick Evans:** I repaired it before they chip and sealed it.

**Trustee Fullerton:** A comment that Rick and I did talk about today when we were down there, we may have to take the excavator and push this dirt back because if we get some gully washer rain it's going to wash that mud right over the road. That's going to be a problem.

**Trustee O'Neil:** I think that the neighbors that came last month to speak, I think they're taking pictures of the folks. Are they living there? Did the owner say anything about that?

**Zoning Inspector Strogan:** It's their trailer or rv the owner does not own that. He said that they were homeless, so he let them park there. He's not charging them so he's not renting or anything. I explained to him the issue that the neighbors were bringing up and he wasn't aware of them. He said he did go over there. I told him that he really needed to get that out of there. He said he was going to try to get it out as quick as he can but he's not sure if the rv park is still in function down near 224 and 71. Is it still? So, I told him if that's all they have to live in they can go down there. I said supposedly the neighbors say they go to work every day and then come home and do things. He said they're only working not very good jobs. He is very interested in trying to clean up the issues. We'll see how long it lasts. In the meantime, all 3 of them are trying to find where to put that rv. The 2 men there are father and son.

**Trustee O'Neil:** I received these right before the meeting. Pulls out photos, this is Palker Rd. again. Kathy brought them up. It looks like it's starting to accumulate from the house again down towards the road. <passes photos to other Trustees> What is our next best course of action Bill?

**Law Director Thorne:** We can redo the process it's an expedited process because of the short time frame. It looks like you're going to spend a lot of money to keep doing it. If you're going to try that again I would also contact the Prosecutors Office and start an injunction. He's facing a stiff fine and maybe jail time if he violates it. He is obviously just going to keep doing it. It hasn't even been what 2 months?

**Trustee O'Neil:** Just now 2 months.

**Law Director Thorne:** It is an expedited process but are you going to spend more Township money going in and cleaning it up again? With the injunction the Court can order him to clean it up and he can be subject to a fine or jail time if he violates a court order.

**Trustee O'Neil:** Would that be an injunction against the tenant, the son or the father?

**Law Director Thorne:** Both, the tenant and the father. The father would have to be named because he owns the property. It's really his responsibility, but my recommendation would be that they name both, but it would be up to the Prosecutor's office.

**Trustee Warchola:** Bill if we were to do that and the injunction said that he was required to clean it up. We tried that before and he didn't so if he doesn't then what?

**Law Director Thorne:** It's an injunction so then you would take him in for contempt. Contempt could land him in jail or a fine. First time would probably be a fine. If he didn't do it then the court could jail him.

**Trustee Warchola:** But then eventually if we wanted to clean it up.

**Law Director Thorne:** You could start the process again. You have the authority to do it, but it looks like it is just going to continue to happen again and again. The Court has thrown people in jail for continued violations.

**Trustee Fullerton:** At what point Bill or Chris you've been on this project, when do we pull the trigger and start pushing, should we start right away?

**Trustees O'Neil:** I recommend now. We could go for the injunction now.

**Law Director Thorne:** You start the process. You send the notice to the father. You don't have to give him the same amount of time. You can use an expedited time frame.

**Trustees O'Neil:** Do we have to notify and put the orders on the property or give them a 7 day.

**Law Director Thorne:** I don't remember, I can check the statutes. The injunction would be the real clout.

**Trustee Warchola:** I make a motion to give Chris the authority to work with Bill to get this process started and take the next step or the next step after that. Whatever we need to do to clean this up once and for all and do the best that we can to do that.

**Trustee Fullerton:** I'll second that.

**Trustee Fullerton:** All those in favor Aye, **Warchola Aye O'Neil Aye Fullerton Aye** Those opposed the same sign. No response Motion carries, ok Chris, you've got it.

**Trustees O'Neil:** I have one more question. Alliss on the corner of Palker Rd. They recently put a culvert in or we helped them right next door to Kathy's house. There's a tent there for awhile -

and they were supposed to be going for a permit to put a prefab building going in. Has there been anything?

**Zoning Inspector Strogin:** I don't know I haven't received anything as far as any requests for a permit.

**Trustees O'Neil:** Now they have a camper or a trailer in there. I don't know how big it is. That's all I have for Zoning.

**Trustee Fullerton:** What's the next step?

**Trustees O'Neil:** I think we should probably talk to them about getting out of there or finding a more permanent place or at least a temporary permanent place until they can get their house.

**Zoning Inspector Strogin:** Didn't the Health Dept go out there and say it was alright?

**Trustees O'Neil:** I don't know if they did, and I don't know if they found any hazardous situations or anything like that.

**Law Director Thorne:** You're looking at something entirely different from the Zoning. Do they have a bathroom, do they have portable water?

### **Public Participation**

**Bill Takala (7001 Coon Club):** To get to the point, 3 years ago I requested that I needed a culvert pipe replaced. I requested the Township to install it. I was told the Township doesn't provide that service. Last month my neighbors got a culvert pipe installed by the Township. So, my question to the Trustees is, is there some kind of procedure and how or when does this process get accomplished?

**Trustee Fullerton:** There's no written policy for helping with driveway culverts. It's kind of one of those unwritten rules that the Township does help when they can, it isn't just this Board, it's been several Boards prior. When they have time to fit it in, they'll do their best to try and fit it in to help the residents on Township roads. There's no written policy on who gets them and who doesn't.

**Bill Takala (7001 Coon Club):** That option was never presented to me. So how fair is that for one taxpayer to get that service and another one not to? Are there checks and balances here? It was January 2020.

**Trustee Fullerton:** I would say No, because there's no written policy on that. So, should there be one? I would say probably so. How many years ago did you say that was?

**Bill Takala (7001 Coon Club):** It was January 2020.

**Trustee Warchola:** We don't provide the actual pipe, but the labor.

**Bill Takala (7001 Coon Club):** I'm paying taxes and I'm paying to get this done and here's my neighbor who's getting it done under the Township service. There has to be some kind of checks and balances.

**Trustee Fullerton:** We've done a fair amount already last year and this year but it's not very popular.

**Trustee Warchola:** Is that something that you still want to have done?

**Bill Takala (7001 Coon Club):** No what's done is done. I paid for my service. My neighbor got it paid for by the Township. My proposal to the Board is to come up with some kind of checks and balances. You shouldn't have 1 person getting a service provided and another person not.

**Trustee Warchola:** I would agree. I've been here longer than the 2 other guys here. I don't remember this ever having been an issue before. I'm not saying yours wasn't.

**Justin Peroli (5637 Birchwood):** Just to bring it up again. Earlier this year I asked the Board about their intentions to doing a spending budget. To which the reply was wait and see, I think. Having been at all the meetings since then, it's been clear that no spending budget has been done. There have been Fiscal budgets done to certify the need how much taxes the residents are going to be billed for to support the activities of the Board. No forecast on Budgeting. Perfect example came up tonight when Trustee O'Neil had to ask the Fiscal Officer if there was \$4,000. In the budget for the Fire Dept. to have their annual physicals done. The reason I bring this up is because I asked you about the spending budget the last time. I brought up Fire Dept. Fund 3101 which is the Bond retirement fund. As we all know that's the levy that was passed by the taxpayers to fund the building that we are in right now. And that fund can only be used to pay the loan on this building. That note's due every December. It runs about \$425-450,000. Or around there. I am sure Laura can correct me if I am wrong on those numbers. But the reason that's a big deal is because there's been over \$500,000. Sitting in that fund since the beginning of this year and we're paying interest on a \$450,000. note that there's no reason why we haven't paid already. If we're worried about \$4,000. To pay for physicals, why not save \$10-20,000. In interest by paying that loan early? You can't say you didn't know about it because when I brought it up 4 months ago now so I'm just curious why there hasn't been a discussion around saving the taxpayers some money and paying this building off ahead of schedule as was promised when the levy was passed originally?

**Trustee Fullerton:** Anyone want to make any comments on that?

**Trustee Warchola:** I've got no comment.

**Trustee O'Neil:** I don't know what the history is of the payments going in December but is there any preface as to why that's been the case so far? It's a valid question.

**Fiscal Officer Ruebensaal:** Not since I've been onboard. We pay interest on June 1<sup>st</sup> and we pay the note in December typically.



**Justin Peroli (5637 Birchwood):** I'm sure the interest is calculated based on average daily balance throughout the year so we could save the Township a considerable amount of money, correct? And you've heard me bring this up before.

**Trustee Fullerton:** Anybody else public participation? No response. Rick has to be at the Town Hall at 5:30 in the morning. You can take off Rick, we're done with the Service. Thanks for opening it up for the voters.

### **Correspondence:**

**Trustee O'Neil:** The Board of Zoning Appeals did get a case filed against them by Bauer Architecture and IEA properties. It's regarding the property behind the Dollar General. There was a BZA hearing last month early in the month and the Board of Zoning Appeals had a 3-2 vote and voted to deny the variance request. The process went fine but the Appellants are appealing that to the Court of Common Pleas and I don't know what the next step is actually going to be. That came in last week.

**Trustee Fullerton:** The Ohio Township Association Leadership Academy 2.0 graduates its first class. The Academy graduates 17 Township Leaders across the state for the new 2.0 program. They had to be graduates of the Leadership Academy 1.0. I want to congratulate Trustee Warchola for being one of those graduates. Good Job!

**Trustee Warchola:** It was an interesting program it was a 13-month program. It was done both in Columbus and online with a variety of different speakers, interactive activities and projects. The Township was gracious enough to fund this for \$100. For the program.

### **New Business**

**Trustee Warchola:** I'd like to talk about Trunk or Treat. We didn't do one of these last year but we've done these in the past. What I would like to propose and I was talking to Sherri about this is to set up another one like we've done in past years and maybe even talk Joe into bringing his tractor and trailer up and doing hayrides again. For the years that we did it, it was always a lot of fun for the kids. It got pared way back during Covid. I think it would be fun to bring it back. We could have representation from the Fire Dept. a couple of trucks, therapy dogs. It didn't ever cost much and we have a good bit of stuff from past years. With the Approval of the Board, I'd like to take this on as an event to have this year in October.

**Trustee Fullerton:** It's yours but here's my suggestion, can we have it at the Fire Dept? We could have an Open house.

**Trustee Warchola:** Absolutely if the Chief allows us to do it here.

**Chief Cavanaugh:** Absolutely.

**Trustee Warchola:** I wanted to give an update on our Cleanup Day: We had 96 vouchers from the Township residents picked up. We spent almost \$1,000. to the County Recycle Center for residents that brought their stuff in. It's a great way to get stuff out of the Township and not be

put into the ditches. The program worked out really well and finished up the end of July. I look forward to doing another one of these next year.

-In my past years with the company that I used to work for, I was able to get snowplows for our vehicles. I'm going to be able to get a new 8- 1/2' plow and a new expandable 8-1/2' V-Plow for 2 of our larger trucks. Those will come to us at no cost. The only thing is to fill out a sheet after every snow event to tell the company how the plow works and if they had any problems. They take care of all the installation costs, maintenance costs. 2 free plows for the Township.

**Trustee Fullerton:** I have 2 Resolutions. We've been talking for the past couple of months about ARPA money and we also talked about covering the salt bin that we just put up under that. I would like to officially put it on record. Move to Adopt Resolution 17-2023 on the Township side for covering the cost of the salt bin with ARPA funds. I'd like to make a motion.

**Trustee Warchola:** I'll second the motion.

**Trustee Fullerton:** All those in favor Aye, **O'Neil Aye Warchola Aye Fullerton Aye** Those opposed the same sign. No response Motion carries. R17-2023

-I have another Resolution I'd like to move to adopt R18-2023 our agreement for services between Lafayette Township and the Village of Chippewa Lake mainly for snow plowing. I didn't see the need to change the hourly rate that we had last year. It was an honest number and everything's about the same. So I would make the motion to adopt R18-2023.

**Trustee Warchola:** I'll second the motion.

**Trustee Fullerton:** All those in favor Aye, **Warchola Aye O'Neil Aye Fullerton Aye** Those opposed the same sign. No response Motion carries. Resolution 18 Township. I'll make sure to get this signed and get it down to them so they can put it in front of their Council.

**Trustee Fullerton:** Any old business?

### **-Old Business**

**Trustee Warchola:** I just want to remind everybody Saturday, September 23 from 9-12 at the Township Offices. We'll have our shredding event. You don't have to get out of your vehicles. We'll have people down there from the shredding company. They'll take it out and dump it into the shredder.

-Another thing from past meetings. We've talked about making some changes and updates on our website. We've added some new things to the website. On the Zoning side we are going to start adding all of the Zoning forms online. Sherri is working on a couple of different ways to do it. One is you just print the form out and fill it out or have an editable form online. There will be samples of each of the forms with an explanation as to what goes into what. It's going to be a process and take time. We'll add the forms as they become available.

**Trustee Fullerton:** I'd like to move that we break into Executive Session Pursuant to ORC 121.22(G1) hiring and firing, discipline. I'll motion to go into Executive Session.

-Also attending will be Law Director Thorne, Fire Chief Brian Cavanaugh and Fiscal Officer Ruebensaal

**Trustee Warchola:** I'll second the motion.

**Roll call:** O'Neil yes Warchola yes Fullerton yes.

**Trustee Fullerton:** 7:57 p.m. Executive session starts.

**Trustee Fullerton:** We're back out of Executive session and no decisions were made. it is 9:45 p.m.


**Trustee Warchola:** I would make a motion that we pay the warrants of the Township and adjourn.

**Trustee O'Neil:** I'll second the motion.

**Trustee Fullerton:** All those in favor of Aye, Warchola Aye Fullerton Aye Those opposed the same sign. No response Motion carries.


**The meeting adjourned it's 9:45 pm.**

Approved:

  
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Laura Ruebensaal, Fiscal Officer

  
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Ty Fullerton, Trustee

  
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Chris O'Neil, Trustee

  
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Marty Warchola, Trustee