

MINUTES
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
AND THE LAFAYETTE FIRE DISTRICT
REGULAR MEETING

Monday, October 2, 2023, at 7:00 p.m.

Trustee Fullerton called the meeting of the Lafayette Township Board of Trustees and Fire District, Medina County, Ohio met in regular session, on October 2, 2023, at 7:03 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.

Members Present: Trustees Chris O'Neil, Marty Warchola, Ty Fullerton, also present: Law Director William Thorne and Fiscal Officer Laura Ruebensaal

The Pledge of Allegiance was recited.

Trustee Fullerton: Made an announcement regarding public participation. Last month I tried to do something different and do an open forum, but we have no minutes to approve because too many people were talking over each other, and it is going to be close to impossible to do. If you want to address the Board and one person goes up to the podium and speaks and that's the only person that speaks so we can hear them and record it correctly. So, we have no minutes to approve, hopefully they'll be done next month.

Consent Agenda:

- Everyone had a chance to read all the reports. **Warchola Yes O'Neil Yes**
- Any questions, concerns, anything? **Warchola No O'Neil No**
- Motion to approve the Consent Agenda, Made by **Trustee Fullerton:**
- seconded by **Trustee Warchola.** All voted to approve, consent agenda approved.

Trustee Warchola: I'd like to recess into an Executive Session and know that it is not usually done this early in the meeting, but it is important. Under ORC 121.22 (G) (4) compensation.

Trustee Fullerton: I would like to add ORC 121.22 (G) (3) pending legal. I'll make the motion.

Trustee Warchola: I'll second the motion.

Trustee Fullerton: Roll Call: **Fullerton yes O'Neil yes, Warchola yes,** also invited in is going to be **Law Director Thorne, Fiscal Officer Ruebensaal**

***Executive session to start at 7:06 p.m.**

***Returned from Executive session at 7:36 p.m. no decisions were made. Any Trustee want to bring anything up?**

Trustee Warchola: Yes, I do. There was a Special meeting held by the Board of Trustees of Lafayette Township on December 13, 2021. In that Special meeting there was a motion made. Read from the minutes of that meeting the motion that was made:

Trustee Bowers made a motion seconded by Trustee Warchola to provide health, dental, vision and life insurance coverage to full-time employees and elected officials in accordance to ORC 505.6 & 505.602 for no deduction for benefits for elected officials and to provide state continuance for outgoing elected officials. All voting in favor, motion passed.

All voted in favor, motion passed. There's a problem with that, as that was illegal. I didn't know the code when it came up and I will take full responsibility for seconding that motion. When I was going through some insurance work, I stumbled upon this. I talked to Frank Harmon, our insurance guy, and I happened to mention this. He informed me that in our Township all full-time employees have to have the exact same benefits as the elected officials. The benefits aren't just what is paid out, it also includes the premiums. So, the Trustees and our Fiscal Officer paid no premium since January 1, 2022. Our other full-time employees that had insurance did pay. After I talked to Frank, I talked to our Legal Counsel, and he went through and agreed so I want to rectify this. I would like to make a motion that as of the month of October the (3) Trustees and the Fiscal Officer will be paying premiums for their insurance at the same rates that our other full-time employees are. Also, that they will repay the Township for all the premiums that the Township paid for that 22-month period. I apologize to the residents, I'm very sorry. I was a part of that (3) member board that did approve that. It was not done with any malice, it was another benefit that was offered, and it sounded nice. We will make this right.

Trustee O'Neil: I'll second your motion to pay the same premium rates as the rest of the employees and to pay back the 2022 and 2023.

Trustee Fullerton: I agree it's the right thing to do. You found the problem; we need to fix it.

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

Trustee Warchola: I do want to mention one other thing, the (2) gentlemen to my left had nothing to do with that. It was not under their watch; it was under my watch. So, if you want to hold anybody responsible, do not hold anything against them, it's on me.

Trustee Fullerton: We'll go into Department Reports starting with Fiscal. Fiscal-**Laura** do you have anything to add other than what's on your reports?

Fiscal Officer Ruebensaal: I have the Resolutions to accept the rates for 2024 for both the Township and the Fire District. They will be with corrections because the certificate that Kristin sent over had some changes that need to be made. There are some amounts that are wrong. I did call her this morning and talked to her, and we listed them out so I would ask that you approve these with the corrections that are listed. There's a motion that you have to read off.

Trustee Fullerton: Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor.

Trustee Warchola: I'll move to approve that with the corrections.

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.

Trustee Fullerton: So, the certificate they sent, I just got it the other day and I called Laura and said that's not right. So, if anyone has seen the certified copy of the budget by the county that's not correct. As Laura had stated they would correct it. I recall last year they came to us, and we asked them to put a correction on that one as well.

Fiscal Officer Ruebensaal: You have to remember the budget that's done over the summertime, they have a lot of interns there. So, I know a neighboring township had (5) copies of their budget and they sent out the wrong one, so we just had our conversation this morning.

Trustee Fullerton: Do you have anything else on Fiscal?

Fiscal Officer Ruebensaal: No

Trustee Fullerton: Since we're on fiscal, there were some concerns I've had some people asking if there's been some rumors that Lafayette is in Fiscal disaster. That's a completely false statement. I know for a fact that Laura meets with Trustee O'Neil and Chief Cavanaugh on a weekly basis going over numbers and I want to say the money that they will carry over for next year for Fire is probably around \$724,000ish. The Township will be \$785,000ish. We're doing well as a Township fiscally, so I did get quite a few phone calls this week, so I wanted to address that. Chris, do you have any comments on that because you have been working with Laura on a regular basis.

Trustee O'Neil: For 2022, we had revenues of \$877,000. almost. Expenditures of \$787,788. so, we were about \$80,000. under what we brought in 2022. Year to date this year we have not spent more than what we've brought in so far. Now we have (3) months to go so we don't know exactly how much revenue we are going to bring in so if we go with what we've had on average in the last 3 months of the year we'll cut in a little bit, but I still expect to carry over what you mentioned \$750ish.

Trustee Fullerton: Laura, do you concur?

Fiscal Officer Ruebensaal: Yes

Trustee Fullerton: Thank you, Laura, -Service Rick's not here he's actually on vacation. Nothing new, everything is in his report. Fire- Chief Cavanaugh?

Chief Cavanaugh: Read off statistics of Fire Report. Requesting the board to approve the hiring of Lorenzo Valley, he's a FF2/EMT who lives in Lodi and will be an asset to our team. He was a student of mine at the Career Center and he's a great young gentleman and would do well for the Department.

-The tanker needs new valves for the pump. Total cost will be approx. \$4,000. To replace faulty valves with labor included. The parts are about 12 weeks out from delivery. Any questions?

Unknown Resident: Why is the Burn ban from 6 am – 6pm?

Chief Cavanaugh: So, the Fall months are dry, and they don't want you burning during those hours. The air gets thicker so there is the air quality alert which is an EPA issue as well.
-Brought up emergency alert system through the county EMA, had cards for the public to sign up for.

Trustee Warchola: If we do run out of those cards, this information is on the Lafayette Township website as well. We're trying to add more and more stuff on there all the time.

Trustee Fullerton: I have a question about that tanker. That's like \$8,000. In the last (3) months.

Chief Cavanaugh: Yes, it's old, it's 32 years old. It's an old pump that has wear and tear on it and unfortunately the valves are leaking and to get it in service and keep it in service we have to do this maintenance. We did leaf springs too recently. As you know the longer you keep a vehicle, you have to do things to keep it in service. We have to have a tanker we don't have all hydranted areas yet so it's necessary to keep a tanker.

Trustee O'Neil: I would agree. I would make a motion to approve the \$4,000. to replace the valves on the tanker.

Trustee Warchola: So, is it \$4,000.?

Chief Cavanaugh: So, it's like \$3,600. We got quoted around \$3,700. It will be under \$4,000. is what I'm expecting.

Trustee Warchola: I'll second the motion that Chris made.

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: I would also like to make the motion to hire Lorenzo Valley as a FF2/EMT for the Fire District.

Trustee Warchola: I'll second that.

Trustee Fullerton: All those in favor Aye, **O'Neil Aye Warchola Aye Fullerton Aye** Those opposed the same sign. No response we can swear him in next month.

Chief Cavanaugh: Yes sir, that would be fine.

Trustee Fullerton: Thank you Chief. -Police, anything to add to your report? Is everything on it?

Police: I have nothing else to report.

Trustee Fullerton: Alliss – Zoning anything to add that's not on your report?

Zoning Inspector Strogin: I did attend the Grand opening/ribbon cutting of the Jim Wise Golf Academy. It was Saturday and the facility is quite attractive, very well thought out and the landscaping is great. It's a good asset to the Township and to the Country Club.

Trustee O'Neil: Before we start public participation if anyone's here to talk about the Tech Park Zoning changes, you're more than welcome to speak but we really can't comment on that tonight. The more appropriate place would be at the hearing scheduled for this Thursday. We can comment on it then and will be voting on it. You're more than welcome to speak here tonight if you want, we just won't be responding to it.

Trustee Fullerton: That Public hearing just to be clear is October 5th, this Thursday at 6:00 here. Public Participation anyone want to go to the podium and share your thoughts?

Public Participation

Rob Kustis (5910 Wedgewood Rd.): I would like to speak of proposed changes to Zoning Codes in Innovation Park. Thanks to Fiscal Officer for a timely response to his records requests. Thank you to each of the Trustees that I have had conversations with this week. I appreciate the time that you took to discuss my concerns. Read directly off a letter - Spoke of promises made in 2004 when the County Commissioners came to the township, and they wanted to create Innovation Park. They were given assurance it would not turn into an Industrial Park. Discussed changes of zoning text and proposed interest in the remaining parcels.

David Hollish (5563 Carlton Rd.): Addressed question to Trustee Warchola: This insurance that was illegal by the past regime, what about the past trustees that participated?

Trustee Warchola: They never participated. The only people that had financial gain out of that are the people sitting at this table now. That was passed in December of 2021, so that was at the end of their term, so they had no financial gain out of that at all.

David Hollish (5563 Carlton Rd.): There were some comments made on Facebook. What special treatment did you give Dick and Diane Palker on the cleanup of their yard? The person that wrote this eluded they were given special treatment.

Trustee O'Neil: Dick and Diane Palker? We never did anything on their property.

David Hollish (5563 Carlton Rd.): Does anyone want to make a comment on that?

Justin Peroli (5637 Birchwood Dr.): The comment that was made which has been corrected was potentially that Robert Palker got special treatment because Dick and Diane Palker supported Ty and Chris.

-So, since you mentioned the financial reports, did they provide a revised certificate of resources form the County Auditor's Office

Fiscal Officer Ruebensaal: No, I talked to Kristin this morning.

Justin Peroli (5637 Birchwood Dr.): ok, then I'll table that, I was under the impression that you mentioned having a new one.

Trustee Fullerton: And we won't know when it comes in until we get it.

Barb Petrak (6349 Ryan Rd): I had a question regarding the insurance. Was it just the premiums that were paid by the taxpayers or was there a deductible paid?

Trustee Warchola: The deductible for the medical insurance is paid for by the taxpayers and has been for at least the last (7) years as when I came in that's the way it was.

Barb Petrak (6349 Ryan Rd): My concern is how long it's been happening. So that's going to continue?

Trustee Warchola: Yes

Trustee Fullerton: There's ORC code that talks about that with Townships and I did reach out to quite a few Townships just in Medina County and everyone has different insurances, but they are very close to the same for all townships in the state of Ohio. It's part of your compensation package.

Barb Petrak (6349 Ryan Rd): The way I'm looking at it is most peoples' employers do not pay their medical insurance deductible and it seems like you folks are public servants to serve. If it's part of your compensation package, then why not put that in your salary?

Fiscal Officer Ruebensaal: I don't know that we can. I think that's a Bill question.

Trustee Warchola: Let me address that. You can't put it in the Trustees salary, because a Trustee's salary is based upon your operating budget. You can't go outside those limits it's dictated by the state. If as Trustees, we were to say we'll pay our deductible then we have to go to all our full-time employees and say you have to pay your deductible as well. If we want good employees, this is part of the compensation package. What we pay our road people is considerably less than what they could be making somewhere else. Discussion ensued on figures based on research and savings by changing the deductibles.

Justin Peroli (5637 Birchwood Dr.): I have (2) questions. The Insurance premium is 4 something a month family 6 something a month?

Trustee Warchola: No, the individual premium is \$599.84, the family premium is \$1,851.71 and the Plus-1 if it's just husband and wife it's \$1,318.45.

Justin Peroli (5637 Birchwood Dr.): So that makes more sense why we're spending almost \$10,000. A month for (7) employees. The (4) of you and the (3) road employees.

Trustee Warchola: We have (3) people on family, (3) people on the Plus-1, and (1) person on the individual.

Justin Peroli (5637 Birchwood Dr.): The 2nd question is clarification to something that you said. I am not aware of anything that legally obligates the Trustees to accept a plan in order for

the employees to have it. The (4) of you could offer to decline it so the taxpayers do not have to fund your health care. None of you are full-time employees.

Trustee Warchola: I was not aware of any of this either. I was educated on it by Frank Harmon our insurance man and by Bill. If you go back and reference that ORC code reference. You have to offer the same plan.

Nick Kittle (5488 Columbia Rd.): So, with a \$4,000. Deductible \$8,000. family that sounds like a high deductible health plan. A good option would be with a high deductible health plan you have the option to have an HSA Account. With an HSA account it is very common for an employer to make a contribution to the HSA account so if you are spending \$2,000. Per employee typically. The thing that I don't like to see is a deductible is a way to stop someone from going to the doctor for a hangnail, splinter, things that don't need medical attention.

Michele Scislo (5940Wedgewood Rd.): I want to revisit the lot behind us was sold. The pool company that wants to use it like a concrete plant. Why would that company purchase the land with the way zoning is now? Did they have a strong indication that it was going to be changed?

Trustee Warchola: That's a good question, it was definitely a gamble.

Chase Burmeister (6310 Lafayette Rd.): I was in the meeting where our Zoning Inspector let the zoning commission know that they had given the verbal okay to Ohio pools and spas. In their mind they had the verbal okay they were going to get it changed. My second question is for you Alliss. If I sit down with a township employee and I have a conversation in an office. Is that considered public information? Bill?

Law Director Thorne: No, not if it is just an oral conversation, it is not a public record.

Chase Burmeister (6310 Lafayette Rd.): I have a couple of folks getting a hold of me wondering if I'm interested in selling my property. It caught me off guard. I spoke to a girl that had said she sat down with you, and you told her that there was some commercial property that was purchased and couldn't be used as the purchasers intended, so therefore it would probably be up for sale. I had a very long sit down with Alliss where I discussed some plans/thoughts and I'm not sure where you got the assumption that I bought property that I was not able to use.

Zoning Inspector Strogin: I don't remember making a statement in that nature. We did talk and you had all kinds of ideas. I don't think I told anybody it was up for sale. Who is this other person I supposedly talked to?

Chase Burmeister (6310 Lafayette Rd.): Her name is Brooke Bell she works for EXP.

Zoning Inspector Strogin: That's a realtor, she called and wanted to know if the land was up for sale. I said I don't know. Realtors call all the time.

Chase Burmeister (6310 Lafayette Rd): Real quick Marty, you mentioned at the last meeting this was near and dear to your heart. Did you happen to attend any of the Zoning Commission meetings in which they discussed the new literature that was going to be proposed in the Innovation Park District?

Trustee Warchola: No, I did not. I said in the meetings I listened to years ago, the promises that were made years ago. The changes being proposed, I can't comment on those, but I think everybody knows how I feel about those.

Trustee Fullerton: Correspondence: Chris do you have anything?

Trustee O'Neil: I do not.

Trustee Fullerton: Marty?

Trustee Warchola: No sir

Trustee Fullerton: Laura?

Fiscal Officer Ruebensaal: Yes, I have from the Medina County Engineer the winter season salt price and it's letting you know it is \$54.03 per ton. That is all I have.

Trustee Fullerton: New Business? We just got his late it didn't even make the agenda. I want to do some more investigating on this. It is our OTARMA risk insurance for our buildings and properties and vehicles.

Trustee O'Neil: I haven't reviewed it yet either.

Trustee Warchola: They gave us no time to do it. They gave it to us today and it's due on the 21st. Laura, can't you tell them you're not going to get it until after the next meeting?

Fiscal Officer Ruebensaal: Yeah, okay.

Trustee Fullerton: Laura, fight for it next meeting is November 6th. If she can't wait til the 6th, then we're going to have to have a special meeting to approve our insurance.

Trustee Warchola: Senior Snowplow program. Those of you that are familiar with the program you need to sign up for it every year if you want to be a participant in it. There are requirements based on income and need. It is not a commercial plow program. There are very specific requirements. All information is on the website. Give Sherri a call and she will get you set up with it.

-EMA Advisory Board Representative – this is for you two, Ty & Chris. To pick members for the Township there's an Advisory board. One of the three trustees needs to go there. We need to decide who is going to be our representative to the Advisory board. They simply choose the members of the Executive board.

Trustee Fullerton: I make a motion that Marty does it.

Trustee O'Neil: I'll second.

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

Trustee Warchola: Employee Appreciation Dinner – we need to pick a date it will be either the 6th of December or the 20th. It is held at Williams on the Lake. We have already approved the funding back in January. I would like to pick the 6th of December.

Trustee O’Neil: the 6th is fine with me.

Fiscal Officer Ruebensaal: that works for me too.

Trustee Fullerton: that’s fine.

Trustee Warchola: I make a motion for December 6th for the Holiday dinner

Trustee Fullerton: I’ll second.

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

Trustee Warchola: Old Business – Pole light on Technology Lane, after 9 months I finally got a response, we are getting a pole light at the intersection of 162 and Technology. The cost is \$0. The only fee is the monthly service charge to run the actual light. So, if you are okay with that, I will give them the authorization to go ahead and start.

Unknown resident: Can I ask a question? Will it be shining in my house? I have no curtains.

Trustee Warchola: Let me talk to the engineer and find out how big the spread is.

Trustee O’Neil: I’ll motion to install the light pole. Zero installation costs.

Trustee Fullerton: I’ll second.

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

Trustee Warchola: I have one more. At our Jack O’Lantern Jamboree, we will not be having a bounce house and Joe will not be driving people around on a hayride. I talked to our insurance company, and we could do it but for a 2-hour liability rider it was going to be a little over \$1,000. I didn’t think that was a good way to spend the township’s money. So, I would move we strike those 2 items form our Jack O’Lantern Jamboree. Other than that, everything else is going full bore. It should be a lot of fun. It will be Saturday October 28th from noon-2pm at the Fire station. The parks will be here, the library, EMA, therapy dogs, search, and rescue dog team demonstration, etc.

Trustee Fullerton: I’ll second that, I don’t like it, but I get it.

Trustee Fullerton: Chris, do you have any old business?

Trustee O’Neil: Yes, I have 2 things. If you recall back in March, we signed an agreement with Mr. Kittle to force him to demolish his house within 30 days of moving into the new one. He’s

offered the fire department to train at the old house before it's demolished. I met with him, and Chief Cavanaugh and they've committed to completing their training by October 20th. So, I would like to make a motion to amend this agreement to make the date of compliance to November 19th, which is 30 days following the October 20th date. We're moving it so the firefighters can train.

Trustee Warchola: I'd 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: Lastly 2 quick updates on the Palker Rd. issue. The total costs were \$18, 262. 40. Those have been sent to the auditor to go onto their tax bill. It will be payable next year in 2024 tax bill. That was certified by the auditor. We are going to move forward with an injunction. I spoke to the prosecutor's office, and he requested that we get a little bit more new information not just the stuff that happened before May. So, I've been working with Kathy to get some additional pictures and a timeline to provide to him.


Trustee Fullerton: If there is nothing else, motion to adjourn and pay the warrants of the township.

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.

Meeting adjourned: 8:52 p.m.

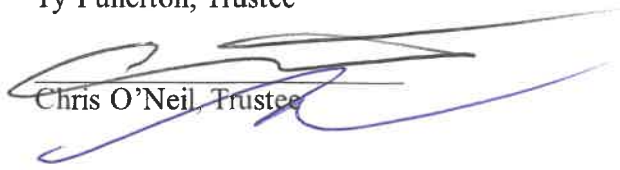
Approved:




Laura Ruebensaal, Fiscal Officer



Ty Fullerton, Trustee



Chris O'Neil, Trustee



Marty Warchola, Trustee