

**RECORD OF PROCEEDINGS
REGULAR MEETING**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 101-18

August 01

11

Held

20

The Bath Township Board of Trustees met in the Trustees' Meeting Room on August 1, 2011, at 7:00 p.m. for the purpose of conducting the business of the Township. The President of the Board, Mr. James Nelson, convened the meeting. Trustees present were Mrs. Becky Corbett, Mrs. Elaina Goodrich, and Mr. James Nelson.

PLEDGE OF ALLEGIANCE

WELCOME

APPROVAL OF THE AGENDA

Mr. Nelson requested approval of the agenda. Mrs. Goodrich moved, and Mrs. Corbett seconded a motion to approve the agenda; the motion passed.

FISCAL OFFICER, Sharon Troike

The Fiscal Officer recommended, and Mrs. Corbett moved, to approve the July 11, 2011 Budget Hearing & Special Meeting Minutes. Mrs. Goodrich seconded the motion; the motion passed.

The Fiscal Officer recommended, and Mrs. Goodrich moved, to approve the July 18, 2011 Regular Meeting Minutes. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer recommended, and Mrs. Goodrich moved, to approve the July 20, 2011 Special Meeting Minutes. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer requested, and Mrs. Corbett moved, to approve requisitions and regular purchase orders 2011-06-0936 through 2011-06-0960 and payments totaling \$100,836.93. Mrs. Goodrich seconded the motion and the Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer recommended, and Mrs. Goodrich moved, to approve intra-fund transfers in the amount of \$3,683.00. Mrs. Corbett seconded the motion; the motion passed.

The Fiscal Officer reported Correspondence, Board Commission, and Committee logs were available for public view.

DEPARTMENT HEADS AND ADMINISTRATORS

Police Chief Michael McNeely

Report:

Crime

Homicide-	0	Burglary-	1	Traffic Crashes-	34
Robbery-	0	Theft-	9	Traffic Citations-	48
Rape-	0	Stolen Auto-	2	Criminal Arrests-	20
Aggravated Assault-	0	Arson-	0	Calls for Service-	689

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Noteworthy Incidents

- On Tuesday, July 26, 2011, Bath Emergency Personnel responded to the 500 block of N. Hametown Road to investigate a reported cry for help. An extensive search by personnel was conducted and Mr. Arthur Cole was found alive. Mr. Cole was transported to an area hospital for evaluation.

Chief McNeely reported the Police Department created a float for the Bath Community Day Parade recognizing the tenth anniversary of September 11, 2001. The float was built on their personal time and using materials donated by the department members.

Mrs. Corbett showed a photocopy of an article in the Cleveland Plain Dealer reporting how Bath Township Detective Dan Lance cracked a theft ring involving over a million dollars' worth of merchandise.

Recommendations: None

Interim Fire Chief Timothy Gemind

Report:

Calls

Station #1	Fire - 46	EMS - 45	Total - 91
Station #2	Fire - 4	EMS - 28	Total - 32
Both Stations	Fire - 5	EMS - 2	Total - 7
Totals	Fire - 55	EMS - 75	Total - 130

- Responded to Copley for flood assistance
- July 24th search for missing person
- July 26th missing person found by neighbor and transported to local hospital for treatment

Training

- July 16 – Chief Gemind attended Ohio Fire Chief's Conference in Columbus
- July 21 – HAZMAT Training

Inspections

- Scheduled – 28
- Re-Inspections – 32
- Knox Box Install/Remove – 5
- Site Inspections/Plan Reviews – 6
- Fire Drills – 0
- Tornado Drills – 0
- Special Drill - 0
- Miscellaneous Inspections – 6

Public Education

- Attended Career Days at AGMC Lifestyles

CPR

- Classes will resume in September

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Noteworthy Incidents/Events

- The Bath Fire Department Horse Show went well again this year. The weather was beautiful and all who attended had a wonderful time. Chief Gemind thanked all who helped out and supported the show.
- The department received notice they were granted \$3,500 for the State EMS grant for the 2011-2012 application. Funds need to be spent by June 30, 2012 and paperwork submitted for reimbursement.

Recommendations: None**Service Director Bob Wilson****Report:****BUILDINGS:****Historic Town Hall:**

No new business to report at this time.

Bath Center Building:

- 100 gallon water heater was replaced.
- 3 Heat Pump units were replaced.

Service Department Building:

- The Ira Road Facility Project is going well.
- The old, above-ground fuel tank was removed.

ROADS:

- Cleanup from the July flood is ongoing. There is repair to the roads and all washouts. Approximately six inches of rain fell during that event.
- The 448 paving of the roads has started, but due to some base repair, its completion is being delayed.
- Bittersweet had a major patch repair done to the pavement.
- Foxwood and Sun Valley Drives have had concrete sidewalk and curb sections repaired.
- The #405 & #409 paving program will begin next week.

CEMETERIES:

- Two burials were held during July.

Recommendations: None**Assistant Service Director/Parks Director Michael Rorar****Report:****PARKS SYSTEM REPORTS:**

- Update on the Traffic Triangle at Revere and Yellow Creek.

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- Park personnel vacuumed and pressure washed the permeable concrete on July 13, 2011, the second time this year.
- Flood damage occurred throughout the four parks. The worst damage was to the Crossover Drive Culvert at the Bath Community Activity Center as well as the trail bridge on Creekside Trail with the Bath Nature Preserve.
- Park personnel stained and sealed the playground units at three of the four parks, and roto-tilled the playground mulch in all four parks.

BATH BASEBALL PARK

- Since April 1 of this year the baseball fields have been playable 74 percent of the time, with 100 percent playability for the month. In 2010 there was 90 percent playability during the same period.
- Park personnel stained the bottom siding of the Concession Stand/ Shelter.
- Park personnel completed the North Fork Trail by meeting the Firestone Trace section that abuts the park. There is now access from the Bath Baseball Park to the Bath Community Activity Center.

BATH COMMUNITY ACTIVITY CENTER

- Park personnel edged and mulched all the landscape beds and tree rings in this park.
- Park personnel painted both the restroom doors and concession stand doors.
- Park personnel constructed and installed two sitting benches at the Chief Logan Trailhead.
- Update on the Butterfly Garden.

BATH HILL PARK

- No new business to report.

BATH NATURE PRESERVE

- Park personnel began mowing the Moore's Chapel wetland as part of the in-kind portion of the grant.
- Park personnel replaced the roof on the Regal Beagle oven.
- Park personnel over-seeded portions of the Bath Creek Floodplain.
- Park personnel completed the annual pruning back of the trail 10' wide x 12' high.

Recommendations: None

Zoning Inspector/Administrator William Funk

Report:

During the month of July 2011, twelve zoning permits were issued in the following categories:

Type of Permit	Number Issued
Residential Addition	6
Accessory Structure	3
Sign	2
Pool	1

- Fees collected totaled \$1,500.95

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Zoning Commission

July 14, 2011 Zoning Commission regular meeting:

The Zoning Commission along with selected members of the Board of Zoning Appeals and the Appearance Review Commission met with Wendy Moeller of Compass Point Planning to continue the process of updating the Zoning Resolution. The committee reviewed and made comments on sections of the proposed update which includes modifications to: Section 4, Establishment of Zoning Districts and Section 5, Base Zoning Districts and Principal Use Regulations. The updates will continue to be posted to the Bath Township website.

Appearance Review Commission

July 11, 2011, The Appearance Review Commission reviewed the following cases:

- **ARC 11-15**, Mike Grabarek, Red Lobster, recommended to approve the proposed changes to the building and monument sign, 3901 Medina Rd., located in the B-2 district.
- **ARC 11-16**, Richard Stump, Lane Bryant, recommended to approve the proposed building sign, 3879 Medina Rd., located in the B-2 district.
- **ARC 11-17**, Ellet Signs, Sleep Number, recommended to approve the proposed building sign, 3891 Medina Rd., located in the B-2 district.
- **ARC 11-18**, Peter Nenadov, Lakeside Christian Church, recommended to approve with changes the proposed building and monument sign, 3535 Knollwood Ln., located in the R-3 district.

Board of Zoning Appeals

July 19, 2011, Board of Zoning Appeals heard the following cases:

- **BZA 11-18**, Mike Grabarek, Red Lobster, approved the variance requests for an oversized monument sign and two wall signs, 3901 Medina Rd., located in the B-2 district.
- **BZA 11-19**, Angel Robinson, Red Lobster, denied the variance request for a logo flag, 3901 Medina Rd., located in the B-2 district.
- **BZA-11-20**, Hiram Coffee, tabled variance request for a reduction in the side yard setback for an accessory structure, 1302 Hillendale Dr., located in the R-2 district.
- **BZA-11-21**, David Szucs, approved variance request for a reduction in the side yard setback for a residential addition, 2524 Banning Rd., located in the R-2 district.

Miscellaneous

- July 19, 2011 Flood update:

We are currently working with the Summit County Emergency Management Agency on their Damage Assessment Forms. Once the forms are completed for the county they will be sent to the Ohio Emergency Management Agency for review and then to the Federal Emergency Management Agency to determine whether funding will or will not be available for the affected properties.

Recommendations: None

Township Administrator William Snow**Report:****Nuisance Property**

At the July 18, 2011 meeting, Resolution 2011-35 was adopted to order the high grass cut at 2251 Candlewood Lane. Mr. Snow reported when he arrived at the property to post the resolution, the property had been cut.

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Redistricting

Mr. Snow reported Summit County Council had advised Bath Township officials of a proposed plan to remove Bath from District 1, and divide into Districts 4 and 5, in response to the population growth shown from the 2010 Census. Mr. Snow stated township officials desire to see Bath remain whole, in one district and would be addressing Summit County Council with an alternative plan.

Road Levy – Renewal

The 1.4 mill Road and Bridge Levy will be expiring. To maintain 60-plus miles of roads in terms of maintenance, as well as snow and ice control, Bath Township will need to put a renewal levy on the ballot.

The road levy is sufficient to provide for general road repair and maintenance of equipment. The levy will maintain current service levels in terms of general maintenance, as well as snow and ice control, all of which are essential in enabling our citizens to maintain their property values.

Recommendations:

Mr. Snow recommended, and Mrs. Corbett moved, to renew the workers compensation services contract with Frank Gates effective July 1, 2011 to June 30, 2012 in the amount of \$6,250. Mrs. Goodrich seconded the motion; the motion passed.

Mr. Snow recommended, and Mrs. Corbett moved, to renew the 2011-2012 insurance program packages with Wichert Insurance in the amount of \$68,920. Mrs. Goodrich seconded the motion; the motion passed.

Mr. Snow requested the Trustees consider Resolution 2011-37.

Mrs. Corbett presented the following Resolution and moved its adoption:

RESOLUTION 2011-37

**AUTHORIZING THE PLACEMENT OF
A 1.4 MILL RENEWAL LEVY ON THE NOVEMBER 8, 2011 BALLOT**

WHEREAS, a levy for the benefit of Bath Township roads in the amount of 1.4 mills will expire at the end of tax year 2011; and

WHEREAS, these Road & Bridge funds are used for road paving programs, storm water drainage, crack sealing programs, cement road repairs, snow removal and ice control, road right-of-way maintenance, equipment purchases and maintenance, and personnel costs; and,

WHEREAS, budgetary evaluations and current planning show a need to renew the existing levy;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Bath Township, Summit County, Ohio deem it necessary to renew the 1.4 mill tax in excess of the 10 mill limitation at the rate of 1.4 mills for the benefit of Bath Township for the purpose of providing funds for the general construction, reconstruction, resurfacing, and repair of streets, and roads pursuant to O.R.C. § 5705.19 (G); and

FURTHER, that such tax levy be placed on the ballot at the general election, Tuesday, November 8, 2011, at a rate not exceeding 1.4 mills for each dollar of valuation, which amounts to fourteen cents (\$.14) for each one hundred dollars (\$100.00) of valuation,

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for a five-year period of time commencing in the tax year 2012 through 2016 and for collection years 2013 through 2017.

FURTHER, pursuant to O.R.C. § 5705.191, the form of a ballot for the Road and Bridge renewal shall read:

**PROPOSED TAX LEVY
BATH TOWNSHIP, OHIO**

Majority of affirmative votes for passage.

A renewal of an existing levy of 1.4 mills to constitute a tax for the benefit of Bath Township for the purpose of general construction, reconstruction, resurfacing and repair of streets, roads, and bridges, at a rate not exceeding 1.4 mills which amounts to fourteen cents (\$.14) for each one hundred dollars (\$100.00) of valuation commencing in the 2012 tax year and for collection years 2013 through 2017.

_____ **FOR THE TAX LEVY**

_____ **AGAINST THE TAX LEVY**

FURTHER, that the Fiscal Officer of Bath Township is hereby directed to certify a copy of this Resolution to the Board of Elections, County of Summit, Ohio to cause Notice of Election on the question of levying said tax to be given as required by law.

Resolution seconded by Mrs. Goodrich. Discussion and roll called:

Mrs. Corbett, Aye
Mrs. Goodrich, Aye
Mr. Nelson, Aye

Resolution Adopted

BUSINESS FROM THE BOARD

Trustees James Nelson, Becky Corbett, and Elaina Goodrich

Mrs. Goodrich moved to appoint Nancy Fay as a second alternate to the Zoning Commission from August 1, 2011 to June 30, 2013. Mrs. Corbett seconded the motion. All aye; the motion passed.

Mrs. Goodrich moved to appoint Curtis Smock as a second alternate to the Appearance Review Commission from August 1, 2011 to June 30, 2013. Mrs. Corbett seconded the motion. All aye; the motion passed.

Mrs. Corbett announced there had been 157 responses from the Senior Survey, with 93 in favor of a senior group. She urged residents to submit surveys.

Mr. Nelson noted mosquito spraying would be conducted in Bath Township on Tuesday, August 2, by the Summit County Health Department.

FUTURE TRUSTEE MEETINGS AND EVENTS

August 4, 2011	Zoning Commission-TMR	6:30 p.m.
August 8, 2011	Work Session-TCR	9:30 a.m.
August 10, 2011	Heritage Corridors of Bath-TCR	5:30 p.m.
August 15, 2011	Agenda Session-TCR	9:30 a.m.
August 15, 2011	Board of Trustees-TMR	4:00 p.m.
August 15, 2011	Bath Water & Sewer District Board-TCR	6:00 p.m.

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August 15, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
August 16, 2011	Board of Zoning Appeals-TMR	7:00 p.m.
August 18, 2011	Park Board - Bath Hill Park	7:00 p.m.
August 22, 2011	Work Session-TCR	9:30 a.m.
August 29, 2011	Work Session-TCR	9:30 a.m.

~Future Events~

Bath Community Day - August 6, 2011 Parade Kicks off at 11 AM

**Cannons Roar Civil War Weekend at Hale Farm & Village
August 12-14, 2011 - 10:00 a.m. to 5:00 p.m.**

Cemetery Tour

**Ohio Historical Marker "Shaw Cemetery" at Moore's Chapel
September 10, 2011 - 2:00 p.m.**

Fall into Nature - October 8, 2011 11 AM - 3 PM

**'Future Events at the Bath Township Museum'
August 7, 2011 2:00 p.m. "Songs of the Civil War"**

Nancy Ganyard will accompany her talk with the music of the era.

TCR-Trustees Conference Room (Administrative Offices)

TMR-Trustees Meeting Room, lower level, Bath Center

HBTH-Historic Bath Town Hall

CITIZENS' COMMENTS

Nadine Clar, 480 Mackinaw Circle, reminded residents to set aside Saturday, August 6, for Community Day.

Norman Schmidt, 3605 Sparrow Pond, asked if it was possible to set up a recycling center in Bath. Mr. Snow responded by reporting a recycling center will be built on the property of Bath Elementary School.

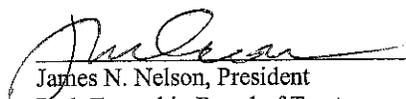
Bill Roemer, Summit County Council member, stated his opposition to the proposed division of Bath Township in the new redistricting plan.

ITEMS OF INTEREST

Mr. Nelson thanked the Service Department for their hard work in the aftermath of the July 19 storm and flooding.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:09 p.m.


 James N. Nelson, President
 Bath Township Board of Trustees

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RAYTON LEGAL BLANK, INC., FORM NO. 1074B

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Becky Corbett, Vice President
Bath Township Board of Trustees



Elaina E. Goodrich
Bath Township Board of Trustees



Sharon A. Troike
Fiscal Officer

Date: August 1, 2011
Bath Township Board of Trustees