

RECORD OF PROCEEDINGS

7316

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held July 02 2012

The Bath Township Board of Trustees met in the Trustees' Meeting Room on July 2, 2012, at 7:00 p.m. for the purpose of conducting the business of the Township. The President of the Board, Mrs. Becky Corbett, convened the meeting. Trustees present were Mrs. Becky Corbett and Mrs. Elaina Goodrich.

**PLEDGE OF ALLEGIANCE**

**WELCOME**

**ELECTION OF FISCAL OFFICER PRO TEMP**

**Mrs. Goodrich moved to appoint William E. Snow as Fiscal Officer Pro Temp. Mrs. Corbett seconded the motion. The motion passed.**

**APPROVAL OF THE AGENDA**

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

**FISCAL OFFICER PRO TEM, William E. Snow**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the May 21, 2012 Public Hearing Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the June 4, 2012 Special Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the June 4, 2012 Regular Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the June 11, 2012 Special Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the June 18, 2012 Special Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve the June 18, 2012 Regular Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve requisitions and regular purchase orders 2012-07-0718 through 2012-07-0747, and payments totaling \$181,999.90. Mrs. Corbett seconded the motion. The Fiscal Officer Pro Tem called the roll; all aye, the motion passed.**

**The Fiscal Officer Pro Tem recommended, and Mrs. Goodrich moved, to approve intra-fund transfers in the amount of \$4,558.85. Mrs. Corbett seconded the motion; the motion passed.**

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

**The Fiscal Officer Pro Tem requested the Trustees consider Resolution 2012-18.**

**Mrs. Goodrich presented the following Resolution and moved its adoption.**

RECORD OF PROCEEDINGS  
REGULAR MEETING

7317

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 02 2012

**RESOLUTION 2012-18  
TO TRANSFER \$12,503.16 FROM THE GENERAL FUND TO THE PARK  
FUND**

**WHEREAS**, after careful review of the budget submitted to the Summit County Budget Commission last July the Department Heads and Township Administrator under Ohio Revised Code 505.032 (F) have developed permanent appropriations to operate the Township; and,

**WHEREAS**, the Fiscal Officer has reviewed the budget and certified that the expenditures are inside the current Official Certificate of Resources; and,

**WHEREAS**, the University of Akron has submitted payments to the Township for maintenance of the Bath Nature Preserve in the amount of approximately \$12,503.16 of \$25,000 projected for this year;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Trustees of Bath Township, County of Summit, State of Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees during the fiscal year ending December 31, 2012, the Board finds it necessary to transfer from the General Fund, which receipts the University of Akron monies to the Park Fund an amount of \$12,503.16, and appropriate for purposes of general government;

**FURTHER**, that all said money be so appropriated as allowed by law.

Mrs. Corbett seconded the motion and discussion was held.

The Fiscal Officer called the roll:

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

**Resolution Adopted**

The Fiscal Officer Pro Tem requested the Trustees consider Resolution 2012-19.

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

**RESOLUTION NO. 2012-19  
TO AMEND THE 2012 CERTIFICATE OF ESTIMATED RESOURCES  
AND THE 2012 PERMANENT APPROPRIATIONS  
Amendment #3**

**WHEREAS**, after careful review of the budget submitted to the Summit County Budget Commission in July 2011, the Department Heads and Township Administrator under 505.032 (F) have developed appropriations to operate the Township; and,

**WHEREAS**, the Fiscal Officer has reviewed the budget and certified that the expenditures are inside the current Official Certificate of Resources;

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of Bath Township, County of Summit, State of Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees during the fiscal year ending December 31, 2012, the following adjustments need to be completed to bring the Official Certificate of Resources in line with the Permanent Appropriations with an **increase** to:

RECORD OF PROCEEDINGS

7318

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held **July 02** 20**12**

**2012 Certificate of Estimated Resources**

**2011 Permanent Appropriations**

**Fund 656 State Fire Marshall Grant  
\$1,564.50**

**Fund 656 State Fire Marshall Grant  
\$1,564.50**

**FURTHER**, that said money is appropriated as allowed by law and the Fiscal Officer request an amendment before the Summit County Budget Commission.

Second by Mrs. Goodrich; discussion and roll called:

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

**Resolution Adopted**

**DEPARTMENT HEADS AND ADMINISTRATORS**

**Police Chief Michael McNeely**

**Report:**

**Crime:**

Burglary – 1	Traffic Crashes – 32	Arrests – 36
Theft – 13	Traffic Citations – 51	Calls – 573

**Training:**

- Police Rifle Instructor – Ofc. VanFossen
- Driver’s Training – Lt. Munsey, Sgt. Clar, Sgt. Moats, Det. Lance, Ofc. Oubre, Ofc. Roberts, Ofc. Falconer, Ofc. Gabel, Ofc. Griffith, Ofc. Sinopoli, and Ofc. Zorena
- FBI Leadership Re-Trainer – Lt. Munsey

**Noteworthy Incident:**

- Sgt. Scott Borton arrested a Cleveland man thirty minutes after the Attempted Robbery of the Key Bank on Medina Rd.
- The 36<sup>th</sup> Bath Safety Town Program was completed. Over 3,000 children have participated in the program since it’s inception in 1976.

**Recommendations:** None

**Fire Chief Walter Hower**

**Report:**

**Calls**

Station #1	Fire - 32	EMS - 50	Total - 82
Station #2	Fire - 02	EMS - 30	Total - 32
Both Stations	Fire - 0	EMS - 01	Total - 01
<b>Totals</b>	<b>Fire - 34</b>	<b>EMS - 81</b>	<b>Total - 115</b>



RECORD OF PROCEEDINGS

7320

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held **July 02** 20**12**

**Service Director Bob Wilson**

**Report:**

**Buildings:**

**Bath Center Building:**

- Several areas of landscape re-design have been completed by R.B. Stout.

**Roads:**

- #448 paving by Perrin Asphalt has been completed on Bath Hills Blvd, Sun Valley Circle, and Sun Valley Drive, as part of the Summit County contract.
- The Service Department personnel have been installing berm on the newly paved North Ridge Drive, Willow Lane and Stonegate Blvd.
- Roadside mowing, drainage correction, and tree trimming are ongoing.

**Cemeteries:**

- During June, one full burial and one cremation were held at Moore's Chapel Cemetery, and one cremation at Bath Center Cemetery.

**Recommendations:**

Mr. Wilson recommended, and Mrs. Goodrich moved, to pay Estimate No. 01 to Perrin Asphalt Company for 2012 #448 Resurfacing Program in the amount of \$215,071.22. Mrs. Corbett seconded the motion; the motion passed.

**Parks Administrator Michael Rorar**

**Report:**

**General Park Information**

**Bath Baseball Park**

- Since April 1 the baseball fields have been playable 92 percent of the time. Our records show that it rained 5 days for the month of May. In 2011, we had a playability of 66 percent of the time during the same period.
- The park hosted the annual Family Fun Day Celebration.
- Park personnel repaired the pitching mounds.
- The walkway to Fields #2 and #3 was upgraded by paving the grade portion only.

**Bath Community Activity Center**

- The tennis lights were upgraded.
- Park personnel seeded and closed the Field #1 the Football Field for the season.

**Bath Nature Preserve**

- Park personnel continued treating the exotics plant species within the Garden Bowl and the Moore's Chapel Cemetery; these are part of two 319 EPA Grants for wetland restorations.
- Park personnel have been upgrading the South Woods Trail.

**Recommendations:** None

**Zoning Inspector/Administrator William Funk**

**Report:**

## RECORD OF PROCEEDINGS

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 02 20 12

During the month of June 2012, 20 zoning permits were issued in the following categories:

Accessory Structure	7
Pool	6
New Residential	2
Residential Addition	2
Fence	2
Business Use	1

**Zoning Commission**

June 7, 2012, Zoning Commission regular meeting:

The Zoning Commission continued the review of the first draft of the proposed new Zoning Resolution. The commission reviewed the first four articles and will continue the review for the July meeting which has been rescheduled to July 26th.

**Appearance Review Commission**

June 4, 2012, The Appearance Review Commission heard the following case:

ARC 12-08, Al Kerkian, Gasoline Alley, recommended to approve the proposed changes to the landscaping for the existing business, 870 N. Cleveland Massillon Rd., located in the B-1 district.

ARC 12-09, Vladimir Djuric, Orca properties, recommended to deny proposed multi-tenant monument sign, 81-87 Springside Dr., located in the B-3 district.

**Board of Zoning Appeals**

June 19, 2012, Board of Zoning Appeals heard the following case:

BZA 12-12, Vladimir Djuric, Orca properties, denied variance request for the proposed multi-tenant monument sign, 81-87 Springside Dr., located in the B-3 district.

BZA 12-13, Brian Ashman, Cooper & Associates, LLP, approved variance request for 60' height to the peak of the roof for the proposed hotel project, 260 Springside Dr., located in the B-3 district.

BZA 12-14, Phil Drotar, approved variance request for an 8' reduction in the side yard setback for a residential addition, 3902 Everett Rd., located in the R-2 district.

BZA 12-15, Denise Lutkus, approved variance request for a reduction in the front yard setback and a reduction in the riparian setback for a new residence, 562 N. Hametown Rd., located in the R-2 district.

**Recommendations:** None

**Township Administrator William Snow**

**Report:**

After Summit County contacted Bath with a grant application, we forwarded a letter of interest to their attention. This grant opportunity will assist the Township with demolition of several structures in the community by up fronting the funds. The township will be sending one final notice out this week and will be presenting a recommendation to bring the property owners in for a public hearing before moving forward with demolition of the buildings.

RECORD OF PROCEEDINGS

7322

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held July 02 2012

**Recommendations:**

Mr. Snow requested the Trustees consider Resolution 2012-20.

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

**RESOLUTION NO. 2012-20  
AUTHORIZING A COMMITMENT OF LOCAL MATCH FUNDS TOWARD  
THE MOVING OHIO FORWARD GRANT PROGRAM TO DEMOLISH  
ABANDONED, VACANT AND BLIGHTED RESIDENTIAL PROPERTIES**

**WHEREAS**, on behalf of Ohio taxpayers, the Ohio Attorney General has received settlement funds through litigation against certain financial institutions; and the Ohio Attorney General has used a portion of those settlement funds to create the Moving Ohio Forward Grant Program; and,

**WHEREAS**, the Moving Ohio Forward Grant Program, through the County of Summit, provides monies in a 1-to-1 match award to assist communities with demolishing abandoned, vacant and blighted residential properties; and,

**WHEREAS**, the Bath Township Board of Trustees hereby finds and determines that the presence of abandoned, vacant and blighted properties in our community has serious negative effects on the real property tax base that supports the operations of this Township, the school districts serving and surrounding this Township, adjacent communities and other taxing districts; and

**NOW THEREFORE BE IT RESOLVED** that the Bath Township Board of Trustees hereby approves a commitment of local match funds in the amount of \$5,000.00 toward the Moving Ohio Forward Grant Program.

**FURTHER**, the Bath Township Board of Trustees hereby ratifies a commitment letter that has been sent to the County of Summit by William E. Snow pledging said commitment of funds.

Second by Mrs. Goodrich; discussion and roll called:

Mrs. Goodrich, Aye                    **Resolution Adopted**  
Mrs. Corbett, Aye  
Mr. Nelson, Absent

Mr. Snow requested the Trustees consider Resolution 2012-21.

Mrs. Goodrich presented the following Resolution and moved its adoption.

**RESOLUTION NO. 2012-21  
TO ENTER INTO AN AGREEMENT OF COOPERATION BETWEEN  
THE COUNTY OF SUMMIT AND BATH TOWNSHIP  
FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING**

**WHEREAS**, the loss of jobs results in social and human costs which can be a significant burden to the area, the region and State, and

**WHEREAS**, the Bath Township Board of Trustees recognizes that cooperation is necessary for regional prosperity and enhancement of the local tax base and to successfully compete in global markets; and

**RECORD OF PROCEEDINGS**  
**REGULAR MEETING**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 02 2012

**WHEREAS**, the County of Summit works with employers, prospective employers and individual communities within the County to provide tax and other incentives for purposes of retaining and locating prospective employers and facilities in communities within the County; and,

**WHEREAS**, the Bath Township Board of Trustees in 2011 had entered into an agreement with the County of Summit for job creation and retention and tax revenue sharing, and said agreement has been revised and updated as the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Revenue Sharing 2012-2013 Version; and,

**WHEREAS**, the Cities of Fairlawn and Akron are partners in the JEDD agreement with Bath Township, and said Cities have signed the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Revenue Sharing 2012-2013 Version; and,

**NOW THEREFORE BE IT RESOLVED**, that Bath Township Board of Trustees authorizes the President of the Board of Trustees to execute the attached agreement.

**FURTHER**, that the Fiscal Officer send a copy of said executed agreement to the Summit County Executive.

Second by Mrs. Corbett; discussion and roll called:

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

**Resolution Adopted**

Mr. Snow recommended, and Mrs. Goodrich moved, to accept the decision regarding the Blue Heron litigation suit. Mrs. Corbett seconded the motion; the motion passed.

**BUSINESS FROM THE BOARD**

**Trustees Becky Corbett, Elaina Goodrich, and James Nelson**

Mrs. Corbett introduced the following resolution and moved its adoption:

**BATH TOWNSHIP RESOLUTION 2012-01 AMENDMENT 04  
TO AMEND THE 2012 JOB DESCRIPTION MANUAL**

**WHEREAS**, the Township operates with regard to several master documents; and,

**WHEREAS**, the Bath Township Board of Trustees adopted the 2012 Organization Resolution, Personnel Policy Manuel, and Job Description Manual to take effect January 1, 2012; and,

**WHEREAS**, after review the trustees have decided to revise and update a job description for Township Administrator;

**NOW THEREFORE BE IT RESOLVED**, that the Bath Township Board of Trustees amends the 2012 Job Description Manuel to include an updated Township Administrator Job description as attached.

Mrs. Goodrich seconded the resolution and discussion was held.

The Fiscal Officer called the Roll:

RECORD OF PROCEEDINGS

7324

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 02 2012

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

**Resolution Adopted**

**Mrs. Corbett moved to post for the Township Administrator position with resumes accepted until August 1, 2012, at close of business. Mrs. Goodrich seconded the motion; the motion passed.**

Mrs. Goodrich requested applicants for an alternate for the Appearance Review Commission to serve a two-year term. A landscape architect is preferred. The Appearance Review Commission meets the first Monday of every month at 5:00 p.m.

**FUTURE TRUSTEE MEETINGS AND EVENTS**

July 9, 2012	Budget Hearing and Adoption TMR	9:30 a.m.
July 11, 2012	Heritage Corridors of Bath	5:30 p.m.
July 12, 2012	Board of Trustees Special Meeting TCR	9:00 a.m.
July 16, 2012	Board of Trustees Meeting TMR	<b>CANCELED</b>
July 16, 2012	Bath Township Water and Sewer District Board TCR	6:00 p.m.
July 16, 2012	Friends of Yellow Creek TMR	7:00 p.m.
July 17, 2012	Board of Zoning Appeals TMR	7:00 p.m.
July 19, 2012	Bath Park Board BHP	7:00 p.m.
July 26, 2012	Zoning Commission TMR	6:30 p.m.

**TCR**-Trustees Conference Room (Administrative Offices)  
**TMR**-Trustees Meeting Room, lower level, Bath Center  
**HBTH**-Historic Bath Town Hall

**COMMUNITY EVENTS**

July 7-8, 2012	Bath Horse Show, Horse Show Grounds	9:00 a.m.
August 4, 2012	Community Day	All Day

New Museum Spring & Summer Hours – Monday 2-4 p.m. / Wednesday 9 a.m.-2 p.m.  
Last Saturday of Each Month 10.a.m. – Noon

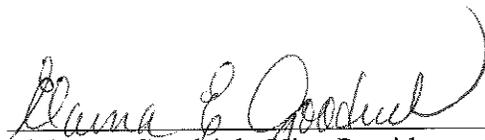
**CITIZENS' COMMENTS**

Mike Kaplan introduced himself as a candidate for the 38<sup>th</sup> District and is running against Marilyn Slaby.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 7:55 p.m.

  
\_\_\_\_\_  
Becky Corbett, President  
Bath Township Board of Trustees

  
\_\_\_\_\_  
Elaina E. Goodrich, Vice President  
Bath Township Board of Trustees

**RECORD OF PROCEEDINGS  
REGULAR MEETING**

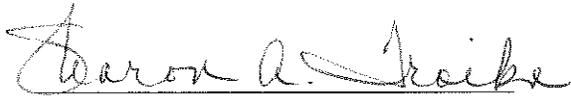
Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 02 2012

                     Absent                       
James N. Nelson  
Bath Township Board of Trustees



Sharon A. Troike  
Fiscal Officer

Date: July 2, 2012  
Bath Township Board of Trustees

RECORD OF PROCEEDINGS  
REGULAR MEETING

7326

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

**July 02**

20**12**

This page intentionally left blank.

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

20