

**RESOLUTIONS ADOPTED
MAY 5, 2015**

- 2015-47 BID AWARD TO PURCHASE LIMESTONE AND ASPHALT
- 2015-48 APPROVE ZONING MAP CHANGE FOR PROPERTY LOCATED AT 503 LAKESHORE BLVD.
- 2015-49 AUTHORIZE PURCHASE OF ROAD DEPARTMENT TRUCK
- 2015-50 REMOVE PROPOSED TEXT CHANGE TO SECTION 22 (15-ZC-04) FROM TABLE
- 2015-51 AMENDMENT OF LANGUAGE TO SECTION 22 OF THE PAINESVILLE TOWNSHIP ZONING RESOLUTION
- 2015-52 RESOLUTION SUPPORTING FAIR HOUSING IN PAINESVILLE TOWNSHIP
- 2015-53 AUTHORIZE PURCHASE OF ROCK SALT – WINTER BID
- 2015-54 APPROVE ZONING MAP CHANGE FOR PROPERTY LOCATED ON MENTOR AVE.

MINUTES

The Board of Painesville Township Trustees met for a regular meeting at 11:00 a.m. on Tuesday, May 5, 2015 at 55 Nye Road. Present: Trustees Gabe Cicconetti, Chuck Hillier, Josh Pennock, Fiscal Officer Michael A. Patriarca, Legal Adviser Werner G. Barthol and Administrator Michael Manary.

Various topics, agenda items and departmental matters were brought before the board including the approval of minutes from the previous meeting and the special meeting that took place on April 28, 2015.

BID OPENING – ROAD MATERIALS

Legal Adviser Barthol opened the following bid, as advertised:

LIMESTONE:

Osborne Concrete & Stone: Various grades, ranging from \$13.10 to \$19.20/ton

ODOT 448 ASPHALT:

Osborne Concrete & Stone: \$63.00/ton

Additional \$3.00 per ton delivered to yard

PUBLIC HEARING - #15-ZC-01

The Trustees held as an agenda item, a public hearing to consider a proposed zoning map change for property located on Mentor Avenue, Permanent Parcel Nos. 11-A-013-0-00-001-0, 11-A-013-0-00-002-0 and 11-A-013-0-00-003-0 by applicant Eye-Will Development, Inc. requesting all 3 parcels currently zoned B-1/R-1 to FPUD zoning. The Lake County Planning Commission recommended approval of the zoning map change with modifications made to the preliminary plan dated January 23, 2015. The Zoning Commission recommended approval of the zoning map change and the preliminary development plan dated 4/10/15 with correction of the acreage listed be made. A special meeting took place on April 28, 2015 between the Township Trustees and representatives of the development to further discuss the development plan. Dave Novak from Barrington Consulting Group, Inc. gave details regarding the history of development plan and spoke in favor of the rezoning. Resident Jim Polena, 111 Nantucket Circle, indicated that several residents would like to see an 8' vinyl fence installed behind the condos on Nantucket Circle and voiced concerns regarding setbacks and noise during the construction which could take up to three years. Mimi Hocevar, 114 Nantucket Circle, voiced concerns regarding increased traffic due to the new development. Discussions ensued with the Trustees regarding the property if it was developed into a commercial property or apartments. Resident Ray Picciano, 142 Nantucket Circle asked if the Township had any control of the traffic on Mentor Avenue. Resolution 2015-54 below was passed.

PUBLIC HEARING - #15-ZC-06

The Trustees held as an agenda item, a public hearing to consider a proposed zoning map change for property located at 503 Lakeshore Blvd., Permanent Parcel No. 11-B-066-G-00-042-0 by applicant James A. & Christine Hogan, Tr requesting parcel currently zoned B-2/R-1 to I-1 zoning. The Lake County Planning Commission recommended approval of the map change. The Painesville Township Zoning Commission recommended approval. Jim Hogan, 6055 Hopkins Rd., Mentor, Ohio spoke in favor of the map change. There being no further discussion, the public hearing was closed and Resolution 2015-48 was passed.

LAKE COUNTY SHERIFF'S REPORT:

- Chief Leonbruno gave an update on activity in the Township.
- Sheriff Dunlap attended the meeting to sign the new contract with the Trustees.

SUMMARY OF WORK SESSION:

Administrator Michael Manary summarized the work session noting the following:

- The Fiscal Officer gave an update on a change in the health care law.
- Chief Whittaker gave a report on a consolidation study of different fire departments in Lake County. The Chief is reviewing candidates to fill an open position in the department.
- Service Director Thompson gave a report on a new truck and an update on maintenance issues at the service garage.
- Zoning Inspector Constantine gave an update on a text change.

OLD BUSINESS: None

NEW BUSINESS:

- Ina Marshall, 897 Robinhood Avenue voiced concerns about cars parking on her street. Sheriff Dunlap indicated he would look into the parking issues on Robinhood Avenue.
- Rainy Bennett, 61 N. Doan Ave. voiced concerns about loud neighbors i.e., dogs, music and motorcycles at 43 N. Doan Ave. Sheriff Dunlap indicated he would look into the matter.

DEPARTMENT REPORTS:

- **SERVICE DEPARTMENT:** 116 scrap tires were taken down to the Lake County Engineer's Office this year. These are tires that are found along the side of the road. Service Director Thompson also requested a resolution authorizing the purchase of a new Ford truck.
- **ZONING:** Rich Constantine advised the Trustees regarding the proposed text change to Section 22 be removed from the table and a decision needed to be made.
- **ADMINISTRATOR:** On Thursday May 7th there will be a Walk/Bike to school day at Madison Elementary. There will be a winter coat collection for Sub-Zero at the Township. There will be a Red Cross blood drive at town hall on June 1st.

BILLS PAID

Various bills, payroll and related disbursements were presented, examined and approved for payment.

RESOLUTIONS ADOPTED

The following resolutions were introduced by motion for adoption, seconded and discussed as appropriate, then voted by roll-call ballot.

2015-47 BID AWARD TO PURCHASE LIMESTONE AND ASPHALT

BE IT RESOLVED, We, the Painesville Township Trustees, hereby agree to purchase limestone, sand and miscellaneous gravel in various grades and screenings from Osborne Concrete and Stone and to purchase asphalt from Osborne Concrete and Stone whose bid was opened May 5, 2015 as advertised for the 2015 road maintenance season. Bid award is to have final determination by William Thompson, Road Supervisor. Actual deliveries of such materials to be determined in each instance by the Township Road Supervisor with all costs to be charged to the 2015 appropriations of the Road and Bridge Fund.

2015-48 APPROVE ZONING MAP CHANGE FOR PROPERTY LOCATED AT 503 LAKESHORE BLVD.

WHEREAS, the Trustees have considered the recommendations of the Painesville Township Zoning Commission and the Lake County Planning Commission and have held a public hearing.

NOW THEREFORE BE IT RESOLVED that We, the Painesville Township Trustees, adopt the recommendation of the Painesville Township Zoning Commission and hereby approve the zoning map change request for the property located at 503 Lakeshore Blvd., Permanent Parcel No. 11-B-066-G-00-042-0 by applicant James A. & Christine Hogan, TR to be changed from B-2/R-1 to I-1 zoning (effective June 4, 2015).

2015-49 AUTHORIZE PURCHASE OF ROAD DEPARTMENT TRUCK

RESOLVED, We, the Painesville Township Trustees hereby authorize the purchase of a 2016 Ford F450 truck with said appropriations (not to exceed \$56,000) being made from the Road and Bridge Fund.

2015-50 REMOVE PROPOSED TEXT CHANGE TO SECTION 22 (15-ZC-04) FROM TABLE

RESOLVED, We, the Painesville Township Trustees hereby remove the proposed text change to Section 22 (15-ZC-04) from the table.

2015-51 AMENDMENT OF LANGUAGE TO SECTION 22 OF THE PAINESVILLE TOWNSHIP ZONING RESOLUTION

WHEREAS, the Trustees have considered the recommendations of the Painesville Township Zoning Commission and the Lake County Planning Commission and have held a public hearing.

NOW THEREFORE BE IT RESOLVED that We, the Painesville Township Trustees, adopt the recommendation of the Painesville Township Zoning Commission to amend Section 22 of the Painesville Township Zoning Resolution effective thirty days hence (June 4, 2015) as follows:

Change to Section Table 22.04

Table 22.04

Lot Requirements:	B-1	B-2	B-3
Minimum Lot Frontage/ Lot Width	60 ft.	60 ft.	60 ft.
Minimum Front Building Setback Line	50 ft.	50 ft.	50 ft.
Minimum Side Yard Clearance	40 ft. total Minimum on either side 10 ft.	40 ft. total Minimum on either side 10 ft.	40 ft. total Minimum on either side 10 ft.
Minimum Side Yard Clearance abutting residential <i>district</i>	50 ft. ^a	50 ft. ^a	50 ft. ^a
Minimum Rear Yard Clearance abutting non-residential <i>district</i>	25 ft.	25 ft.	25 ft.
Minimum Rear Yard Clearance abutting residential <i>district</i>	50 ft. ^a	50 ft. ^a	50 ft. ^a
Minimum Building Separation	20 ft.	20 ft.	20 ft.
Maximum Impervious Surface	70%	70%	70%
Height: Principal Building	35 ft.	35 ft.	35 ft.
Height: Accessory Building	20 ft.	20 ft.	20 ft.
Note to Table: Clearance requirements include the minimum buffer strip requirement for properties abutting residential districts, as set forth in Section 35.09 of the Landscaping and Screening Requirements and shall not be additional footage.			

Change to Section 22.06(B)

B. Any building in a B-1, B-2, and B-3 District shall have a minimum rear yard clearance of not less than twenty five (25) feet which space shall remain open and unoccupied by any building or structure. No storage of materials or equipment or the parking of motor vehicles shall take place within fifty (50) feet of any residential lot or lots *which are included in a residential district.* (Adopted by Trustee Resolution 90-50 effective May 26, 1990.)

2015-52 RESOLUTION SUPPORTING FAIR HOUSING IN PAINESVILLE TOWNSHIP

WHEREAS, 2015 marks the 47th Anniversary of the passage of Title VIII of the Civil Rights Act;

WHEREAS, it is an important goal of the federal, state and local governments to eliminate housing discrimination and assure the rights of every resident to buy, rent, and sell housing, without regard to race, color, sex, religion, familial status, national origin or disability; and

WHEREAS, Title VIII of the Civil Rights Act and Presidential Executive Order 12892 describes the obligation to Affirmatively Further Fair Housing (AFFH); and

WHEREAS, the Painesville Township Trustees agrees that it is important to accord those we serve with an enhanced quality of life through the development of opportunities in housing, employment, education and services by the implementation of plans that assure all people are afforded their rights thus fostering open inclusive communities; and

WHEREAS, as an applicant or potential recipient of federal funds the Painesville Township Trustees agree that it will take specified actions to Affirmatively Further Fair Housing (AFFH) and confidently asserts that that all policies and practices adopted and in place are in conformance with applicable fair housing law and that prior to May 4, 2015 any outstanding civil rights matters are resolved.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Painesville Township Trustees recognizes the broad duty to Affirmatively Further Fair Housing and the month of April, 2015 Fair Housing Month in Lake County, Ohio.

2015-53 AUTHORIZE PURCHASE OF ROCK SALT – WINTER BID

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for political subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles;

NOW THEREFORE BE IT HEREBY RESOLVED that the Painesville Township Trustees request authority in the name of the Painesville Township Road Service Supervisor, William A. Thompson, to participate in the Ohio Department of Transportation's Contract for Rock Salt and agrees:

1. To purchase a minimum of 90 percent of the estimated salt tonnage requirements exclusively from the vendor awarded the rock salt contract for Lake County;
2. To be bound by the terms and conditions of the contract;
3. To be responsible for payment directly to the vendor for the quantities purchased under the contract;
4. To be responsible for resolving disputes arising out of participation in a contract and, to the extent allowable under Ohio law, hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(B).

Stockpile Location: 558 Fairport Nursery Road, Painesville Township, Ohio 44077
Stockpile Capacity: 1,300 tons
Tons Required (est.): 1,200 ton piled

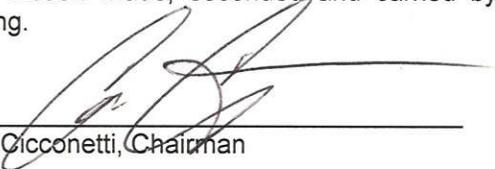
2015-54 APPROVE ZONING MAP CHANGE FOR PROPERTY LOCATED ON MENTOR AVE.

WHEREAS, the Trustees have considered the recommendations of the Painesville Township Zoning Commission and the Lake County Planning Commission and have held a public hearing.

NOW THEREFORE BE IT RESOLVED that We, the Painesville Township Trustees, adopt the recommendation of the Painesville Township Zoning Commission and hereby approve the zoning map change request for the property located on Mentor Ave., Permanent Parcel Nos. 11-A-013-0-00-001-0, 11-A-013-0-00-002-0 and 11-A-013-0-00-003-0 by applicant Eye-Will Development, Inc. to be changed from B-1/R-1 to FPUD zoning (effective June 4, 2015).

ADJOURNMENT

On a motion made, seconded and carried by three votes of AYE, the Trustees duly adjourned the meeting.



Gabe Cicconetti, Chairman



Michael A. Patriarca, Fiscal Officer

Payment Listing
4/22/2015 to 5/5/2015

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
808-2015	04/30/2015	04/27/2015	CH	TIME WARNER CABLE	\$117.99	O
896-2015	05/01/2015	05/11/2015	CH	FIRSTMERIT BANK	\$27.04	O
51495	05/05/2015	05/04/2015	AW	AQUA OHIO, INC.	\$92.80	O
51496	05/05/2015	05/04/2015	AW	AIRGAS GREAT LAKES	\$460.70	O
51497	05/05/2015	05/04/2015	AW	BOUND TREE MEDICAL, LLC	\$115.63	O
51498	05/05/2015	05/04/2015	AW	CINTAS CORPORATION	\$237.91	O
51499	05/05/2015	05/04/2015	AW	DOMINION EAST OHIO	\$1,442.85	O
51500	05/05/2015	05/04/2015	AW	COMMUNICATIONS SERVICE	\$300.00	O
51501	05/05/2015	05/04/2015	AW	COSE/MEDICAL MUTUAL OF OHIO	\$41,736.09	O
51502	05/05/2015	05/04/2015	AW	HALLMARK EXCAVATING	\$650.00	O
51503	05/05/2015	05/04/2015	AW	LAKE BUSINESS PRODUCTS	\$137.57	O
51504	05/05/2015	05/04/2015	AW	MARC GLASSMAN, INC.	\$29.90	O
51505	05/05/2015	05/04/2015	AW	MURPHY TRACTOR & EQUIPMENT CO.	\$122.80	O
51506	05/05/2015	05/04/2015	AW	MARLIN BUSINESS BANK	\$128.00	O
51507	05/05/2015	05/04/2015	AW	MENTOR MFG	\$111.00	O
51508	05/05/2015	05/04/2015	AW	OHIO CAT	\$59.93	O
51509	05/05/2015	05/04/2015	AW	OSBORNE CONCRETE & STONE CO.	\$494.32	O
51510	05/05/2015	05/04/2015	AW	TREASURER, STATE OF OHIO	\$36.00	O
51511	05/05/2015	05/04/2015	AW	PROVISION IMPRESSIONS GROUP	\$2,061.25	O
51512	05/05/2015	05/04/2015	AW	THE ILLUMINATING COMPANY	\$67.45	O
51513	05/05/2015	05/04/2015	AW	SIGNS LIMITED, LLC	\$1,063.83	O
51514	05/05/2015	05/04/2015	AW	STAPLES ADVANTAGE	\$654.95	O
51515	05/05/2015	05/04/2015	AW	UNIQUE PAVING MATERIALS CORP.	\$129.00	O
51516	05/05/2015	05/04/2015	AW	VISION SERVICE PLAN (OH)	\$821.73	O
51517	05/05/2015	05/04/2015	AW	WARREN FIRE EQUIPMENT, INC.	\$447.83	O
51518	05/05/2015	05/04/2015	AW	NEO APWA	\$110.00	O
51519	05/05/2015	05/04/2015	AW	MICHAEL MANARY	\$92.90	O
51520	05/05/2015	05/04/2015	AW	CAPT. RON WALTERS	\$120.00	O
51521	05/05/2015	05/04/2015	AW	DEP. DALE POHTO	\$480.00	O
51522	05/05/2015	05/04/2015	AW	DEP. RON RADOVANIC JR.	\$240.00	O
51523	05/05/2015	05/04/2015	AW	LT. MIKE REED	\$120.00	O
51525	05/05/2015	05/04/2015	AW	WITMER ASSOCIATES, INC.	\$3,167.81	O
51526	05/05/2015	05/04/2015	AW	SANDRA DALRYMPLE	\$210.00	O
51527	05/05/2015	05/04/2015	AW	THOMAS M. SITZ	\$238.46	O
51528	05/05/2015	05/04/2015	AW	TREASURER, STATE OF OHIO	\$100.00	O
51529	05/05/2015	05/05/2015	AW	JOSHUA T. PENNOCK	\$262.21	O
Total Payments:					\$56,687.95	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$56,687.95	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.