

RESOLUTIONS ADOPTED
May 3, 2016

- 2016-49** RESOLUTION TO APPROVE ZONING CASE 16-ZC-09, A PROPOSED DISTRICT AMENDMENT TO CHANGE THE ZONING DISTRICT DESIGNATION OF PROPERTY LOCATED AT 1251 MADISON AVENUE FROM ITS CURRENT ZONING DESIGNATION OF B-2 GENERAL RETAIL TO R-1 SINGLE FAMILY RESIDENTIAL CONDITIONAL UPON APPLICANT'S ACQUISITION AND PURCHASE OF THE LOT ADJACENT TO THE EAST ON MADISON AVENUE, PARCEL # 11-A-022-B-00-018-0, PRIOR TO THE AMENDMENT BECOMING EFFECTIVE.
- 2016-50** RESOLUTION TO DENY THE PROPOSED DISTRICT AMENDMENT TO CHANGE THE ZONING DISTRICT DESIGNATION OF PROPERTY LOCATED AT 1251 MADISON AVENUE FROM ITS CURRENT ZONING DESIGNATION OF B-2 GENERAL RETAIL TO R-1 SINGLE FAMILY RESIDENTIAL AS ORIGINALLY PROPOSED
- 2016-51** RESOLUTION TO ENTER INTO AN AGREEMENT WITH LUBRIZOL TO ALLOW USE OF ACCESS DRIVEWAY DURING THE FREEDOM ROAD CONSTRUCTION PROJECT

MINUTES

The Board of Painesville Township Trustees met for a regular meeting at 11:08 A.M. on Tuesday, May 3, 2016 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.

LAKE COUNTY SHERIFF'S REPORT:

Captain Dondorfer gave an update on activity in the Township

SUMMARY OF WORK SESSION:

Administrator Manary summarized the work session noting the following:

- Ryan Homes and the Lake County Engineers office came to discuss the proposed retention pond in the northeast section of Painesville Township
- HZW Consultants and the Lake County Engineers office discussed potential wet lands in the Lake Erie Shores section of the Painesville Township
- We identified 5 houses that we would like to become qualified to get demolished through the Land Bank.

OLD BUSINESS:

The Chairman announced that a decision would be forthcoming at this meeting on Zoning Case 16-ZC-09 for which a Public Hearing was held on April 19, 2016 and the matter was continued to this May 3rd meeting. The Chairman offered any interested party who wished to offer any brief commentary prior to the Trustees making a decision the opportunity to do so. John Shryock, representing Leiden Woodworking, shared commentary in opposition to the requested rezoning, Tom Young shared commentary in opposition to the requested rezoning. Kristin Jevnikar shared commentary in support of the requested rezoning. Legal Advisor, Werner Barthol, was questioned regarding the issue of spot zoning and offered an opinion thereon. It was noted that the planning commission and zoning commission both recommended the proposed change. Discussion of conditional rezoning also followed and Trustee Cicconetti expressed a desire to make the proposed zoning change conditional upon the applicant's acquisition of an adjacent property to avoid potential future nuisance complaints. A motion was made to approve the zoning conditional upon the prior acquisition of the adjacent property. The motion carried with an affirmative vote. A motion was then made to approve the request without any prior conditions. The motion failed with an affirmative vote against the unconditional change.

NEW BUSINESS:

Bill Anderson of 986 Spring Run Blvd discussed pile of dirt by the pumping station

Tom Harris of 82 Palmer expressed his concerns about needing to slow traffic on Palmer

Virginia Edmonds of 310 Fairfield expressed her concerns of speeding

Lori Bell wanted more information in regards to New Development plans on the old golf course in Lake Erie Shores

Teresa Stropkey of 851 Lanark Lane wanted more information in regards to retention pond.

Geri Slator wanted more information in regards to New Development plans on the old golf course in Lake Erie Shores

Tony Pike of 410 Temple Avenue asked a request to use easement at 315 Temple Avenue

DEPARTMENT REPORTS:

- SERVICE DEPARTMENT: High School did a wonderful job on painting the plows and now the elementary schools will have a chance.
- FIRE DEPARTMENT: Submitted another grant for Fire Safety and Prevention. We still have our 2 other Fema Fire Act grants.
- ZONING DEPARTMENT: None

- **LEGAL ADVISOR:** We received a final draft from Lubrizol regarding the agreement to be able to allow use of access driveway during the Freedom Road Construction Project.
- **ADMINISTRATOR:** The May 17th Trustee meeting will be held at the Hardy Road Fire Station. This week we are holding our Bike to School Days at the four elementary schools in Painesville Township.
- **FISCAL OFFICER:** None

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.

2016-49 RESOLUTION TO APPROVE ZONING CASE 16-ZC-09, A PROPOSED DISTRICT AMENDMENT TO CHANGE THE ZONING DISTRICT DESIGNATION OF PROPERTY LOCATED AT 1251 MADISON AVENUE FROM ITS CURRENT ZONING DESIGNATION OF B-2 GENERAL RETAIL TO R-1 SINGLE FAMILY RESIDENTIAL CONDITIONAL UPON APPLICANT'S ACQUISITION AND PURCHASE OF THE LOT ADJACENT TO THE EAST ON MADISON AVENUE, PARCEL # 11-A-022-B-00-018-0, PRIOR TO THE AMENDMENT BECOMING EFFECTIVE.

WHEREAS, the Trustees held a public hearing on April 19, 2016 and have considered the proposed district amendment to change the zoning district designation of property located at 1251 Madison Avenue from its current zoning designation of B-2 general retail to R-1 Single Family Residential, and

WHEREAS, the Trustees have also considered the recommendations of the Lake County Planning Commission and the Painesville Township Zoning Commission with regard to this matter,

THEREFORE BE IT RESOLVED, that the Painesville Township Board of Trustees hereby approves the request to rezone property at 1251 Madison Avenue (Parcel # 11-A-022-B-00-025-0) from B2 to R1 conditional upon Applicant's acquisition and purchase of the lot adjacent to the east on Madison Avenue, Parcel # 11-A-022-B-00-018-0 by the applicant prior to the setting of the zoning designation for Parcel # 11-A-022-B-00-025-0 to R-1, Single Family Residential.

2015-50 DENIAL OF PROPOSED DISTRICT DESIGNATION OF PROPERTY LOCATED AT 1251 MADISON AVENUE FROM ITS CURRENT ZONING DESIGNATION OF B-2 GENERAL RETAIL TO R-1 SINGLE FAMILY RESIDENTIAL AS ORIGINALLY PROPOSED

WHEREAS, the Trustees held a public hearing and have considered the proposed district amendment to change the zoning district designation of property located at 1251 Madison Avenue from its current zoning designation of B-2 general retail to R-1 Single Family Residential, and

WHEREAS, the Trustees have also considered the recommendations of the Lake County Planning Commission and the Painesville Township Zoning Commission, and

WHEREAS, the Trustees have seen merit in approving the requested rezoning of parcel # 11-A-022-B-00-025-0 conditional upon the applicant's acquisition and purchase of the lot adjacent to the east on Madison avenue, Parcel # 11-A-022-B-00-018-0, prior to the amendment becoming effective.

THEREFORE BE IT RESOLVED, that the Painesville Township Board of Trustees hereby denies the request to rezone property at 1251 Madison Avenue from B2 to R1 Single Family Residential as the request was originally proposed.

2016-51 RESOLUTION TO ENTER INTO AN AGREEMENT WITH LUBRIZOL TO ALLOW USE OF ACCESS DRIVEWAY DURING THE FREEDOM ROAD CONSTRUCTION PROJECT

RESOLVED, we the Painesville Township Trustees, agree to enter into an agreement with Lubrizol to allow use of access driveway during the Freedom Road Construction Project.

Motion to Go Into Executive Session

I move to adjourn into executive session for the purpose of considering confidential information related to negotiations with the Village of Grand River respecting their request for economic development assistance, which information is:

- (1) Directly related to a request for economic development assistance that is to be provided or administered under Chapter 715 of the Ohio Revised Code; and
- (2) Directly related to a request for economic development assistance that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

And the Board hereby determines that the executive session is necessary to protect the interests of the applicant Village or the possible investment or expenditure of public funds to be made in connection with the economic development project.

ADJOURNMENT

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

A handwritten signature in blue ink, reading "Chuck Hillier", written over a horizontal line.

Chuck Hillier, Chairman

A handwritten signature in blue ink, reading "Michael A. Patriarca", written over a horizontal line.

Michael A. Patriarca, Fiscal Officer

Payment Listing

UAN v2016.2

4/20/2016 to 5/3/2016

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
808-2016	04/21/2016	04/21/2016	CH	TIME WARNER CABLE	\$117.99	C
809-2016	04/22/2016	04/21/2016	CH	ANTHONY ILIANO	\$192.31	C
810-2016	04/22/2016	04/21/2016	CH	KENNETH B. MYLLYKOSKI	\$192.31	C
811-2016	04/22/2016	04/21/2016	CH	MARK T. MYLLYKOSKI	\$192.31	C
812-2016	04/22/2016	04/21/2016	CH	PATRICK TOSTI	\$192.31	C
813-2016	04/22/2016	04/21/2016	CH	WILLIAM WHALEN	\$192.31	C
815-2016	04/30/2016	05/02/2016	CH	FIRSTMERIT BANK	\$84.67	C
52726	04/20/2016	04/20/2016	AW	REED ACTIVEWEAR	\$1,606.00	C
52727	04/29/2016	04/27/2016	AW	AIRGAS GREAT LAKES	\$163.70	O
52728	04/29/2016	04/27/2016	AW	ATWELL'S POLICE & FIRE EQUIP. CO.	\$15.00	O
52729	04/29/2016	04/27/2016	AW	AUTOZONE, INC.	\$337.75	O
52730	04/29/2016	04/27/2016	AW	BROWN ENTERPRISE SOLUTIONS	\$5,516.00	O
52731	04/29/2016	04/27/2016	AW	CAREWORKSCOMP	\$7,818.00	O
52732	04/29/2016	04/27/2016	AW	CHARDON OIL COMPANY	\$411.95	O
52733	04/29/2016	04/27/2016	AW	CINTAS CORPORATION	\$215.44	O
52734	04/29/2016	04/27/2016	AW	CONFIDENT CAR REPAIR AND TIRE	\$99.95	O
52735	04/29/2016	04/27/2016	AW	COSE/MEDICAL MUTUAL OF OHIO	\$37,219.72	O
52736	04/29/2016	04/27/2016	AW	DIVERSIFIED FITTINGS, INC.	\$32.94	O
52737	04/29/2016	04/27/2016	AW	DOMINION EAST OHIO	\$541.10	O
52738	04/29/2016	04/27/2016	AW	UH GEAUGA MEDICAL CENTER	\$80.00	O
52739	04/29/2016	04/27/2016	AW	HALLMARK EXCAVATING	\$675.00	O
52740	04/29/2016	04/27/2016	AW	HANDY RENTS	\$63.80	O
52741	04/29/2016	04/27/2016	AW	HUMANADENTAL INS. CO.	\$3,274.89	O
52742	04/29/2016	04/27/2016	AW	LAKE COUNTY CENTRAL PURCHASING	\$8.55	O
52743	04/29/2016	04/27/2016	AW	LAKE COUNTY SHERIFF'S DEPARTMENT	\$660.00	O
52744	04/29/2016	04/27/2016	AW	*MRLM LANDSCAPE MATERIALS	\$266.00	O
52745	04/29/2016	04/27/2016	AW	NAPA CHAGRIN VALLEY AUTO PARTS	\$256.59	O
52746	04/29/2016	04/27/2016	AW	OHIO STATE FIREFIGHTERS' ASSOCIATIOI	\$100.00	O
52747	04/29/2016	04/27/2016	AW	OSBORNE CONCRETE & STONE CO.	\$67.37	O
52748	04/29/2016	04/27/2016	AW	SHANE VACHET	\$150.00	O
52749	04/29/2016	04/27/2016	AW	SHERWIN-WILLIAMS	\$81.48	O
52750	04/29/2016	04/27/2016	AW	STAPLES ADVANTAGE	\$880.00	O
52751	04/29/2016	04/27/2016	AW	LAKE COUNTY TELECOMMUNICATIONS DE	\$1,179.42	O
52752	04/29/2016	04/27/2016	AW	THE ILLUMINATING COMPANY	\$2,592.25	O
52753	04/29/2016	04/27/2016	AW	THE NEWS-HERALD	\$74.00	O
52754	04/29/2016	04/27/2016	AW	VERIZON WIRELESS	\$246.29	O
52755	04/29/2016	04/27/2016	AW	VISION SERVICE PLAN (OH)	\$906.01	O
52756	04/29/2016	04/27/2016	AW	WARREN FIRE EQUIPMENT, INC.	\$127.00	O
52757	04/29/2016	04/27/2016	AW	WITMER ASSOCIATES, INC.	\$2,320.37	O
52758	05/02/2016	04/28/2016	AW	THE ILLUMINATING COMPANY	\$30.44	O
52759	05/02/2016	04/28/2016	AW	MENTOR LUMBER	\$12.15	O
52760	05/02/2016	04/28/2016	AW	AT&T	\$190.80	O
52761	05/02/2016	04/28/2016	AW	DOMINION EAST OHIO	\$905.87	O
52762	05/02/2016	04/28/2016	AW	LAKE COUNTY LANDSCAPE AND SUPPLY,	\$1,040.00	O
52763	05/02/2016	04/29/2016	AW	ATWELL'S POLICE & FIRE EQUIP. CO.	\$193.98	O
52764	05/02/2016	04/29/2016	AW	MARLIN BUSINESS BANK	\$128.00	O

Payment Listing
4/20/2016 to 5/3/2016

UAN v2016.2

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
52765	05/02/2016	04/29/2016	AW	SHERWIN-WILLIAMS	\$4.39	O
52766	05/02/2016	04/29/2016	AW	TRIAD TECHNOLOGIES, LLC	\$306.97	O
52767	05/02/2016	04/29/2016	AW	WARREN FIRE EQUIPMENT, INC.	\$82.64	O
52768	05/02/2016	04/29/2016	AW	WITMER ASSOCIATES, INC.	\$692.53	O
52769	05/02/2016	04/29/2016	AW	LBP LEASING INC.	\$129.00	O
52770	05/02/2016	05/02/2016	AW	SANDRA DALRYMPLE	\$210.00	O
Total Payments:					\$73,077.55	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$73,077.55	

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.