

RECORD OF PROCEEDINGS

Minutes of

Austinburg Township

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 18

13

Held

20

The regular meeting of Austinburg Township held March 18, 2013 was called to order at 7:30 pm. Trustees Burke, Kusar, Spade, David, Molly Schurping, Laura, Lindsay Mullins, Alice Orth, Ginny, Ted Seifert, Joe Hejduk Jr., Jeff Orth, Byron Dutton, Tim Viands, Andrew McElroy, Cindy Kane, Mary Jane DiAnna, Nelson Hejduk, Donald Brail, Molly Smith, Todd Dutton, Joel Laughlin, Erika Heath, Bill Wilms, Rob Lapuh, Jackie, Gary Quine were present.

Res. 416-13 John moved to approve the minutes of the previous meeting as presented. Jerry seconded. The roll call vote; Burke, aye. Kusar, aye. Spade, aye.

Res. 417-13 John moved to pay the bills of the township. Jerry seconded. The roll; Spade, Burke, aye. Kusar, aye.

Receipts were \$389.32. Bills were \$9,908.58.

The fiscal officer read a letter from Tom Orth who requested it be read into the record. Mr. Orth owns property on College St. and strongly disagrees with the closing of the road.

Zoning Administrator John Beninato gave his zoning report.

Res. 418-13 Janie moved to advertise for proposals for the township clean up day, and they be opened at 7:00pm on April 15. Dumpsters needed will be the same as last year. John seconded. The roll; Burke, aye. Spade, aye. Kusar, aye.

Res. 419-13 Janie moved to file the paperwork with the county after Memorial Day, asking for reimbursement of expenses. The township donates \$100.00 to the VFW for their participation. Jerry seconded. The roll; Kusar, aye. Spade, aye. Burke, aye.

The fiscal officer reported that the Auditor's office had charged an extra 3% onto residents' financing for sewer tap in fees, above the 5% the county had offered through ACDES. Larry Meany of ACDES went to the commissioners and Roger Corlette to have it removed. Charges will be refunded.

Chief Wilms reported the department is looking at purchasing new reflective safety vests.

John K. presented a proof of the newsletter. It is ready to go to print.

John stated he has received comments about the closing of College St.

Res. 420-13 John moved to hold the Trustees' Public Hearing on the proposed zoning amendments on April 1, 2013 at 7:00pm. Jerry seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

Janie stated NAD met on March 6 at 7:00pm. Austinburg had 31 calls as of Feb. 28. There were 391 calls to the district. The next meeting is April 3 at 7:00pm.

Janie reported on the meeting with the Port Authority regarding the abandoned gas station. Ted Seifert added the Port Authority is not as interested as previously thought. The township can tear the building down. John Beninato said there is a legal procedure, and stated that Roger Corlette will confer with the Prosecutor as to the process. Discussion was held on the remediation of the property. The Port Authority will only guide the township through the process. Alice Orth inquired about having a fund set up to clean up that corner. Jerry said he will look into the legalities of that.

Janie said she had a look at the web site and it is coming along well.

Janie stated she received calls from two past township trustees. She spoke with one, and he is against the closing of College St. He feels the township has invested much money in the road, it should not simply be turned over.

Janie read a statement from Vince Gildone of NAD about the road closing. Vince stated he was ok with it as long as emergency vehicle access was always available.

Jerry reported he had the electrician repair a switch for the light outside the town hall.

Jerry said C&G Landscape and Snowplowing contacted him and said they would like to continue with the township for mowing parks and cemeteries. They are willing to keep their price the same.

Res. 421-13 Jerry moved to keep C&G Landscape and Snowplowing at the same price as last year's season. John seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

Audience members present gave comments on Grand River Academy's closing of College St. proposal. Comments listed below are summaries of the feelings presented.

Molly Smith stated she was present in support of Grand River Academy.

Molly Sharping also supports GRA.

Alice Orth is strongly against the closing.

Joe Hejduk said he is not in favor of closing the road. He also asked if the zoning public

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hearing will advertised for the residents. It will be advertised. Joe also stated he feels zoning is becoming too restrictive and hurting the township.

Laura Mullins stated she is against the GRA request for College St. to be closed and turned over to them.

Byron Dutton asked if the sewer project punch list is complete. It is not yet. John K. said the sign must stay until project completion. The underground system is working and has been accepted. The county has requested bids for the GH Dr. extension.

Tim Viands asked where the township was at regarding the discussions and decision on College St. Janie stated the trustees are taking comments tonight.

Andrew McElroy said he has no problem with either decision regarding College St.

Cindy Kand of GRA said the school does pay property tax on their undeveloped properties. She feels they are active in Austinburg and support the businesses.

Mary Jane DiAnna said she supports GRA.

Nelson Hejduk is against closing College St. and agrees with points made by Tom Orth. He said he owns property there and feels the GRA should teach the students properly about safety.

Donald Brail spoke against the closing of College St.

Tim Viands reminded everyone of a suggestion of installing a guardrail along Rt. 307 to close that end of College.

Jeff Orth stated he felt the notice of the proposal to close College St. should have gone out to all residents, not just the residents there.

Todd Dutton said he is against closing College St. and uses it often. He has not seen any problems with the GRA students and feels it should remain open.

Joel Laughlin said he is in charge of maintenance at GRA. He feels there are traffic issues with the kids there and this needs to be figured out.

Erica Heath stated she grew up on College St. There were always lots of community kids there. She is also opposed to the closing of the road.

Bill Wilms stated he is only concerned that fire trucks and equipment have complete access to the road. Both ends of the road must be accessible.

Jackie Quine said she is a resident of College St. and came to learn about the issue. She said she leans toward keeping the road open. If it were to close she feels it would not be their street anymore.

Gary Quine said maybe more patrols should be put in place. Closing the road is not the solution.

Jerry suggested reconfiguring the end of the road near Orth's, and create a sharper turn to slow and possibly eliminate some traffic.

Tim Viands said he would have to take away academy property, and believes it would make a more dangerous intersection.

John said he has spoken with many residents who are against closing the road. He feels this is a property rights issue, and is against the closing as long as the Orth's are against it. The township can't take their road away. Unless an agreement is made with Orth's he is against the closing as a trustee.

Janie feels an ODOT study must be done before this should be considered. The county engineer also needs to do a traffic study. She is also concerned for the Burton property. It will turn that property into a non-conforming lot. Janie stated there is insufficient information to make a decision. Janie will contact ODOT to see about their opinion.

John said he is against the idea due to numerous property rights issues.

Jerry thanked everyone for coming and expressing their concerns.

Res. 422-13 Jerry moved to adjourn the meeting. Janie seconded. The meeting adjourned at 9:00pm.

Jerry Burke
Barbara Schaub