Concord Township Board of Trustees

May 16, 2007

The Concord Township Board of Trustees met for Public Hearing on May 16, 2007, 7:00 p.m., at the Township Hall located at 7229 Ravenna Road. Trustees present were Christopher A. Galloway, Paul R. Malchesky and Caroline N. Luhta.

It was established legal notice had been made.

Purpose of meeting was to consider Zoning Commission Text Amendments – Auburn-Crile Corridor Zoning Recommendation to the corresponding sections of the Zoning Resolution:

Amendment #1:	Repeal existing Sections XXII (B-1), XXIV (BX) and XXVIII (RD-2). Add New Section XXII – B-1, GB, BX, and RD-2 District Regulations
Amendment #2:	Proposed Amendments Section V, Definitions
Amendment #3:	Proposed Amendments to Conditional Use Permits, Section XIII
Amendment #4:	Proposed Amendments to Section XXXIX, Parking
Amendment #5:	Add New Section XXXVI – Site Plan Review
Amendment #6:	Add New Section XXXVII – Design Standards
Amendment #7:	Add New Section XXXVIII – Landscaping & Screening
Amendment #8:	Misc. Amendments to other Sections of the Resolution (detailed description attached)
Amendment #9:	Amendments to Fee Schedule

AUDIENCE:

Don Whitaker, Normandy Development, 7865 Auburn Road, (he has been a resident since 1967), has been acutely involved with the rezoning. Mr. Whitaker questioned if Trustees should rezone the entire area—doesn't know how much retail is needed in the area. Recommended the frontage be rezoned retail, but leave the back BX.

The Trustees explained this Public Hearing is for the Text; there will be additional Public Hearings regarding the rezoning.

Public Hearing closed at 7:10 p.m.

(See Transcript of Proceedings attached to minutes' page 68, pages 2-4, available at Town Hall for viewing)

The Concord Township Board of Trustees met for regular meeting on May 16, 2007, 7:30 p.m., at 7:30 p.m., in the Township Hall located at 7229 Ravenna Road. Chairman Christopher A. Galloway led in the Pledge of Allegiance. Trustees present were Christopher A. Galloway, Paul R. Malchesky and Caroline N. Luhta.

PRESENTATION: Podium by Richard Terriaco

Dick Terriaco, 6464 Coleridge, former Fire Chief, built the beautiful new wood podium for Town Hall. He presented the following information about Town Hall:

The Concord Township Town Hall was built in 1870 for use as a one-room meeting house.

This 24x34 foot room area is pretty much how it looked in 1870 as it looks today except for the furniture & cable television equipment.

The interior is the same: raised platform, tongue & groove wainscoting, with ash wood floors, tall windows, transom over the front double doors (replacements), and the rock hard benches which were built by the Thompson Chair Factory (located at Chair Factory Falls). New cushions were added later for comfort.

In the late 1960's, and after almost 100 years of use, Concord Town Hall was a deteriorated building with no running water & no indoor plumbing.

Concord Township, a fast growing community, had run out of office space to conduct township business. There was also a concern about keeping township records in private homes, as was the practice back then.

The then Board of Trustees was considering appropriating room above Fire Station #1 for offices & meetings. The Fire Dept. said "No-Way" as they were growing also. They also considered selling, abandoning or demolishing the old Town Hall, as the Trustees felt renovations with an addition would be too expensive. They wanted to build a New Town Hall. But the old run down building had too many friends in the community who felt Town Hall should be preserved. Others proposed Town Hall be saved as a museum.

Controversy continued when the Trustees, apparently without prior notice to citizens, rented office space at the Tanglewood Inn, now known as Quail Hollow.

Eventually the Trustees decided the old Town Hall was worth saving, and by 1975 celebrated the restoration, and the 1st of 2 major additions being added to what Town Hall is today. The 2nd addition was in 1976.

Concord Township Board of Trustees

May 2, 2007

The Trustees round table was built in 1976 by a local home builder, Kirk Betteley. Kirk builds upper end homes, many in Concord Township. Kirk, a senior at Riverside High School, built the table as school woodworking project.

The table is unique as Kirk designed that table so that every piece, made out of solid black walnut, was cut to fit without the use of nails or screws.

The new podium, that I built, was designed to match the Trustees table. It also was built out of rough sawed black walnut from an Amish Sawmill in Middlefield.

But, I cheated. I used nails and screws.

Thanks for allowing the Terriaco Family be a part of this project.

ANNOUNCEMENT: Memorial Day Ceremony will be at Noon on Monday, May 28th, at the Concord Ceremony located on Concord-Hambden Road.

APPROVAL OF MINUTES:

March 21, 2007 Trustees' regular meeting minutes were approved as written.
March 28, 2007 Trustees' Special Meeting minutes were approved as written.
April 4, 2007 Trustees' regular meeting minutes were approved as written.
April 18, 2007 Trustees' regular meeting minutes – TABLED
May 2, 2007 Trustees' regular meeting minutes – TABLED

CORRESPONDENCE – FISCAL OFFICER:

1. April newsletter from Lake County Board of Mental Retardation & Developmental Disability.
2. Letter from Wellesley Chase Homeowners Association re: Sheriff Dept. coverage.
3. Spring newsletter from Services for Independent Living.
4. Letter from Lake County General Health District re: Home Sewage Disposal Law.
5. Letter from the Illuminating Co. re: proposed changes in electric rates.
6. Letter from Time Warner Cable re: official notification of new channels.
7. Memo from Ohio Department of Public Safety re: Large Project Meeting.
8. Invitation to Distinguished Citizen of the Western Reserve Awards Dinner from Lake Erie College.
9. Fax of copy of letter to Ronyak Paving form Lake County Engineer re: pre-construction meeting for 2007 Road Program.
10. Fax from Aqua Ohio re: request for rate increase.
11. Concord Community Days Agenda of 5/9/07, 4/25 & 5/9 minutes, Scholarship being offered, and time line chart.
12. Thank you letter from Michael Shoaf, Superintendent of Painesville Twp. Schools.
13. Meeting reminder of 5-22-07 from Mentor Area Chamber of Commerce.
14. May newsletter of the Ohio Township Association.
15. Letter from resident requesting support of World Deaf Swimming Championships.
16. The State of Fair Housing in Northeast Ohio: April 2007 Report.
17. Letter from Lifeline for the Empowerment & Development of Consumers, Inc. re: focus groups.
18. Invitation from Friends of Laketran to 18th Annual Golf Tournament.
19. Invitation from Lake County Narcotics Agency to the 2007 Spring Peers Learning Usable Skills (P.L.U.S.) Graduations.
20. Thank you letter for attending groundbreaking for TriPoint Medical Center from Lake Hospital System.
21. Letter from Don Helwick or Hobbit Court re: curb-side recycling program.
22. Letter from Time Warner Cable re: channel change notification – corrections.
23. OSU Extension of Lake County 1st quarter newsletter.
24. Letter from Mrs. Luhta to Mr. Galloway & Mr. Malchesky re: Zoning Commission Text Amendments as they related to the AP District.
25. E-mail from Zoning Inspector to Trustees re: Auburn-Crile Recommendations, revisions.
26. E-mail from Mrs. Luhta re: Public Hearing, grammatical corrections.

CORRESPONDENCE – TRUSTEES:

Mrs. Luhta:

- E-mail inquiry if Concord may incorporate to a village – the question came from a non-resident who works in Concord, and is worried about an income tax.
- Attended the memorial service for long-time resident Victoria Van Loon; met the attorney from the conservation group Grand River Partners.
- Call re: unlicensed vehicle; resolved by the Zoning Department.
- Attended the Waterfowl Way meeting.
- Attended the Community Improvement Corporation meeting.
- Call from Brightwood resident with complaints about Time-Warner service.

Concord Township Board of Trustees

May 2, 2007

Mr. Malchesky:

- All Trustees attended the Lake County Township Association meeting with the Lake County Engineer. – Several projects are underway in Concord.
- Attended the East Side Fire Chiefs' Meeting; very informative. – Discussed.

Mr. Galloway:

- E-mails re: Drop-off Recycling. – Discussed.

(See Transcript of Proceedings for all Trustees' correspondence attached to minutes' page 68, pages 8-10, available at Town Hall for viewing)

AUDIENCE:

Tony Discenza, Wickliffe, representative of Waste Management of Chardon. Thanked Concord for awarding the Recycling contract to Waste Management. Mr. Discenza is concerned that the "per-hauling" charge was omitted from their Recycling bid and would like the Trustees to entertain the idea of adding $3,000 - $4,500 to their payments to fix the oversight. Pointed out that Waste Management has been cooperative—they supplied Concord with the type of container requested, which was not in the contract.

Mr. Galloway replied that the Trustees were made aware of the oversight from Administrator Jack Nettis. Mr. Nettis explained that everyone has signed the contract. Trustees can discuss with Legal Counsel Mike Lucas and at June Staff Meeting.

Mr. Malchesky suggested that Mr. Discenza submit his request in writing to Mr. Lucas along with a copy of the signed contract.

Additional comments that were made about recycling were that rinsing out recyclables will reduce odor. Recyclables can be deposited in trash bags. We are very lucky to have a voluntary system!

(See Transcript of Proceedings attached to minutes' page 68, pages 10-17, available for viewing at Town Hall)

OLD BUSINESS:

No old business.

NEW BUSINESS:

A PUBLIC HEARING DECISION ON NINE PROPOSED ZONING TEXT AMENDMENTS FOR THE AUBURN-CRILE CORRIDOR. The process started last year: studying businesses, traffic, and other elements affected by the potential growth from the hospital. The Zoning Commission and Staff did a good job with these recommendations.

Concord has one opportunity to make sure the Corridor is developed to its maximum potential.

The only audience was concerned with the rezoning, not the Text Amendments.

Mrs. Luhta submitted her comments in writing, which have been included in the file.

Trustees attended Zoning Commission meeting—residents can watch the Zoning Commission meetings on line.

AMENDMENTS:

#1 ***Repeal existing Sections XXII (B-1), XXIV (BX) and XXVIII (RD-2). Add New Section XXII – B-1, GB, BX, and RD-2 District Regulations.*** Mrs. Luhta moved to approve Amendment 1 as recommended by the Zoning Commission. Mr. Malchesky seconded. Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes; Mrs. Luhta – yes.

#2 ***Proposed Amendments Section V, Definitions.*** Mrs. Luhta moved to approve Amendment 2 as recommended by the Zoning Commission with the following modifications:

Pages 5.4 – 5.14, the following are grammatical corrections to Definitions:

28 & 29	Should be "axle"
54	Should be "Community Center"
93	Home Occupation 6th line should read "except as grown"
103	Should be "Library/Museum: A room"
106	Should be "Lot Area"
111	Should be "Dealer"
120	Should be "Dealer"

Mr. Malchesky seconded. Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes; Mrs. Luhta – yes.

#3 ***Proposed Amendments to Conditional Use Permits, Section XIII.*** Mrs. Luhta moved to approve Amendment 3 as recommended by the Zoning Commission. Mr. Malchesky seconded. Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes; Mrs. Luhta – yes.

#4 ***Proposed Amendments to Section XXXIX, Parking.*** Mrs. Luhta moved to approve Amendment 4 as recommended by the Zoning Commission. Mr. Malchesky seconded. Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes; Mrs. Luhta – yes.

#5 ***Add New Section XXXVI – Site Plan Review.*** Mr. Malchesky moved to approve Amendment 5 as recommended by the Zoning Commission with the following modifications:

36.03 B	Add BX District	Conditional Use Permit applications proposed in the GB, Gateway Business District, and BX, Business Interchange District, will be subject to design review by the Zoning Commission. Also, the flow chart on page 9 should also include a reference to the "BX" District in the last circle.
36.03A	Remove AP District	

Mr. Galloway seconded.

Mrs. Luhta recused herself from the vote because of a conflict of interest.

Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes.

#6 ***Add New Section XXXVII = Design Standards.*** Mr. Malchesky moved to approve Amendment 6 as recommended by the Zoning Commission. Mrs. Luhta seconded.

Discussion: By ORC, townships cannot deal with materials.

Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes; Mrs. Luhta – yes.

#7 ***Add New Section XXXVIII – Landscaping & Screening***. Mr. Malchesky moved to approve Amendment 7 as recommended by the Zoning Commission with the following modifications:

38.02A	Remove AP District	
38.10	Remove AP District	…from first paragraph and from B.2.b and B.2.c
	Remove AP District	…from F

Mr. Galloway seconded.

Mrs. Luhta recused herself from the vote because of a conflict of interest.

Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes.

#8 ***Misc. Amendments to other Sections of the Resolution (detailed description attached).*** Mr. Malchesky moved to approve Amendment 8 as recommended by the Zoning Commission with the following modifications:

34.01	Remove AP District
35.13	Remove AP District

Mr. Galloway seconded.

Mrs. Luhta recused herself from the vote because of a conflict of interest.

Roll Call Vote: Mr. Galloway – yes; Mr. Malchesky – yes.

#9 ***Amendments to Fee Schedule.*** Mrs. Luhta moved to approve Amendment 9 as recommended by the Zoning Commission. Mr. Malchesky seconded. Vote: 3 ayes.

(See Transcript of Proceedings attached to minutes' page 68, pages 17-27, available for viewing at Town Hall)

B. APPOINT BUSINESS ADVISORY COMMITTEE. Tabled

C. RESOLUTION 2007-08 / FIRE LEVY RENEWAL. Mr. Malchesky summarized and moved to adopt the following Resolution:

Concord Township Board of Trustees

May 2, 2007

RESOLUTION 2007-08

A RESOLUTION BY THE CONCORD TOWNSHIP BOARD OF TRUSTEES,
LAKE COUNTY, OHIO, REQUESTING THAT THE COUNTY AUDITOR
CERTIFY THE TOTAL CURRENT TAX VALUATION
OF CONCORD TOWNSHIP AND THE DOLLAR AMOUNT
OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL
OF THE 2.7 MILL FIRE LEVY

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Concord Township, Lake County, Ohio,

NOW THEREFORE BE IT RESOLVED by the Concord Township Board of Trustees, Lake County, Ohio, a majority of members concurring, that it is necessary to levy a renewal of 2.7 mills for the benefit of Concord Township, for the purpose of providing and maintaining fire apparatus, appliances, buildings or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance or lines of fire alarm telegraph, the payment of permanent, part-time, or volunteer firefighters or firefighting companies to operate the same, including the payment of the firefighters employer's contribution required under Section 742.34 of the Ohio Revised Code, or to purchase ambulance equipment, or to provide ambulance or emergency medical services operated by a fire department or firefighting company, at rate not exceeding 2.7 mills for each one dollar of valuation which amounts to 27 cents for each one hundred dollars of valuation for a period of five (5) years commencing with the tax year 2007, for collection commencing in 2008.

BE IT FURTHER RESOLVED that the renewal levy be submitted to the Electors of Concord Township at the election to be held at the usual voting places within the Township on November 6, 2007.

BE IT FURTHER RESOLVED that the levy be placed upon the tax lists for tax years 2007 through 2011 in accordance with Ohio Revised Code Section 5705.19(I) if a majority of the electors voting thereon vote in favor thereof.

BE IT FURTHER RESOLVED that pursuant to Ohio Revised Code, the Lake County Auditor is hereby requested to certify the total current tax valuation of Concord Township, and the dollar amount of revenue that would be generated by a renewal of an existing 2.7 mill levy.

BE IT FURTHER RESOLVED the Fiscal Officer is hereby directed to certify a copy of the Resolution to the Lake County Auditor and Board of Elections of Lake County, Ohio.

Mrs. Luhta seconded. Vote: 3 ayes.

D. FAY / CASCADE ROAD ENGINEERING CONTRACT. Tabled.

E. SET BUDGET PUBLIC HEARING. Trustees set Budget Public Hearing for June 6th at 7:25 p.m.

F. ADD TO AGENDA: PERMISSION FOR ADMINISTRATOR JACK NETTIS TO ATTEND TEAM NEO DINNER FOR $60. Mr. Malchesky moved to approve attendance of Administrator Jack Nettis to NEO Dinner for $60. Mrs. Luhta seconded. Vote: 3 ayes.

FUTURE MEETINGS & ANNOUNCEMENTS:

Thur.	5-17	9:30 AM	SR 44 MEETING / Concord Community Center – Kellogg Rd.
Wed.	5-23	7:00 PM	CONCORD COMMUNITY DAYS MEETING / Conference Room
Mon.	5-28	CLOSED	In observance of Memorial Day
		NOON	MEMORIAL DAY CEREMONY / Concord Cemetery (608)
Wed.	5-30	7:00 PM	CONCORD COMMUNITY DAYS MEETING / Conference Room
		7:30 PM	BOARD OF ZONING APPEALS SPECIAL MEETING / Town Hall
Fri.	6-1		ZONING OFFICE CLOSED
Tues.	6-5	1:00 PM	TRUSTEE STAFF MEETING / Conference Room
		7:00 PM	ZONING COMMISSION MEETING / Town Hall
Wed.	6-6	6:30 PM	TRUSTEE OFFICE HOURS / Conference Room
		7:25 PM	TRUSTEE BUDGET PUBLIC HEARING / Town Hall
		7:30 PM	TRUSTEE MEETING / Town Hall
Thur.	6-7	7:00 PM	SUMMER CONCERT / Gazebo

Meeting adjourned at 8:20 pm

Trustees approved and signed the following checks:

(Complete list of vouchers available at Town Hall for viewing)

Concord Township Board of Trustees

May 2, 2007

Transcript of Proceedings: Public Hearing: Zoning Commission Text Amendments; Trustees Correspondence; Audience – Tony Disenza/Waste Management; New Business: Item A – Public Hearing Decision: Zoning Commission Text Amendments. PAGE 68 are available for viewing at Town Hall.

Original Transcript of Proceedings are on file and available for viewing in Town Hall.