

FISCAL OFFICER:

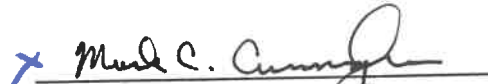


Mandie Andrews

APPROVED:

\_\_\_\_\_  
Dick Heidecker, Chairman

x   
\_\_\_\_\_  
Tony Manning, Vice Chairman

x   
\_\_\_\_\_  
Mark C. Cunningham, Trustee

Vice Chairman Tony Manning called the regular meeting on February 21, 2023 to order at 7:00 p.m. in the Columbia Town Hall.

After the Pledge of Allegiance, Rita Plata took roll call attendance and Trustees Manning and Cunningham were present. Trustee Dick Heidecker and Fiscal Officer Mandie Andrews were absent.

Fiscal Officer Mandie Andrews sent all meeting reports to the Trustees electronically.

Minutes from the previous meeting on February 6, 2022 were tabled because Trustee Cunningham was absent on February 6<sup>th</sup> and Trustee Dick Heidecker, who was present on February 6<sup>th</sup>, was absent from this meeting.

Bills and payroll totaling \$71,140.15 were presented for approval.

**Motion Cunningham to pay the bills and payroll as written. Seconded Manning. Vote unanimous.**

#### **CORRESPONDENCE:**

Auditor of State Advisory Memo from Keith L. Faber regarding how the auditor will handle payment or non-payment of the employer's share of fraudulent unemployment claims made to Ohio Job and Family Services.

#### **SHERIFF'S DEPARTMENT:**

There was no one present from the Sheriff's Department.

#### **ZONING INSPECTOR:**

**Permits** – For February 1-17, 2023, Zoning Inspector Bob Eichenberg reported issuing 25 permits for three decks, one home addition, two barns, one patio, two pools and 16 new homes. Year-to-date, he has issued 27 permits for new homes.

**Violations** – Eichenberg taped an ORC 505.87 violation letter on the door at 10184 Aldridge Avenue for debris. He met with Dave Pirro of Done Rite Landscaping about cleaning up the property. When Eichenberg and Pirro went over to the property, they discovered the house had been purchased because they met the new owners at the site. The new owners will talk to Pirro about a price to clean up the property.

**Board of Zoning Appeals** – The BZA will meet on Monday, February 27, 2023, at 6:30 p.m. They will hear case 2023-01 which is a request from Ummah Inc. for a conditional use permit to operate a school for Pre-K through 4<sup>th</sup> grade beginning in the fall of 2023.

**Zoning Commission** – The Zoning Commission will meet on March 2, 2023 at 6:30 p.m. They are reviewing the Zoning Resolution for updates.

**Subdivision Status** – Nothing new reported.

**MS4'S** – No complaints or problems reported.

**ROAD DEPARTMENT:**

**Equipment** – Service Director Bob Rundle reported all Fire Department and Road Department equipment up and running.

**Issue I Status** – Rundle has not heard anything new from the Integrating Committee. Cunningham noted the committee has not met yet. He will let Rundle know when a meeting is scheduled.

**Subdivision Status** – Nothing new reported.

**MS4'S** – No complaints or problems reported.

Rundle would like to use the NOPEC Energized Community Grant for the additional lighting in the park.

**Motion Cunningham to use the NOPEC grant money for lighting in the park.  
Secinded Manning. Vote unanimous. 2-21-2023-30**

**FIRE DEPARTMENT:**

Chief Anthony was absent so Trustee Cunningham gave his report.

**Personnel** – Chief Anthony reported 40 members on file and 35 members on call.

**Runs** – To date, runs total 99.

**Transport Billing** – January 2023 receipts totaled \$9,442.81.

**Mutual Aid** – Mutual aid was given 14 times and requested 4 times.

**Station Coverage** – All hours offered are being covered.

**Department Input** – The annual Pancake Breakfast is on April 2<sup>nd</sup>. A Red Cross Blood Drive will be held in conjunction with the breakfast. Blood donors can pre-register on line.

**OLD BUSINESS:**

**Land Swap on Snell Road** – Cunningham reported he has all of the paperwork for this land swap, and it has been approved by Lorain County Prosecutor Greg Peltz. Sandra Elliott, a resident on Snell Road, wants to swap land with the Emerald Woods Golf Course Development Group (EWGC). Mrs. Elliott owns land on the other side of the Baker Creek that is not easily accessible. This swap would give her land she can easily access. Both parties are agreeable to the land swap and it will not affect the terms of the Consent Decree with the Emerald Woods developers.

**Motion Manning to accept the land swap on Snell Road. Seconded Cunningham. Vote unanimous. 2-21-2023-31**

**Cell Tower Lease** – Cunningham explained that at one time the Trustees thought the lease had been extended to 2040. The documents that both the lease company and the Township have were never signed off on. The current lease expires in 2025. Cunningham suggested the lease company's representative send their best and final offer for discussion by the Trustees in March. The lease company wants 8 5-year renewal periods. Cunningham asked for four or five 5-year renewal periods. Also, Cunningham wants the lease to include that if they abandon the tower they will be responsible for disassembling it.

**Motion Manning to request the lease company representing American Tower present their best and final offer. Seconded Cunningham. Vote unanimous. 2-21-2023-32**

**Zoning Amendments 2022-03 and 2022-04 –**

**2022-03 Article 9 Official Schedule of District Regulations**

9.40R Other Regulations

5. In a Residential District a new construction home may be built to replace a current existing home provided:

- a. The current existing home is a conforming use in its current Residential District.
- b. The new construction home meets all lot and setback restrictions in its current Residential District.
- c. The existing home shall be removed from the premises within 3 months of "Certificate of Compliance" for the new dwelling from the zoning inspector.

d. All other District Regulations applicable to construction and for development are met.

**Motion Manning to approve Zoning Amendment 2022-03. Seconded Cunningham.**

Cunningham explained how if someone was building a house on a lot with an existing house they had to go before the Board of Zoning Appeals. The property owner has three months to tear the old house down after getting a compliance from the Zoning Inspector. Cunningham said we have had several people do this and this makes it easier to do because you don't have to pay \$500 to go before the Board of Zoning Appeals.

With discussion concluded, the vote was taken.

**Vote unanimous.**

**2-21-2023-33**

**2022-4 Article 7 Provisions for Official Zoning Map**

Zoning Board proposes to rezone the Route 82/Royalton Road corridor from the eastern boundary of Strongsville and Columbia Township westerly to the Rocky River from current Zoning Districts Recreational and Residential R-1, R-2, and R-3 to General Business District. This General Business District will extend for a depth of 1,300 feet in both the northern and southern side of Route 82/Royalton Road.

Note: So as not to create harm to existing Residential properties in the newly rezoned area, all conforming lots will enjoy the current uses provided to them — i.e., adding patios, garages, sheds/outbuildings, etc. However, no new Residential construction will be allowed.

The Trustees received a letter from Leonard and Juanita McManus of Janell Drive. Their letter listed the reasons they are against Zoning Amendment 2022-04.

Residents from Station Road, West River Road, Janell Drive, Royalton Road, Castlebar Court, Emmons Road, East River Road and North Boone Road signed the attendance sheet.

Manning commented that he has looked at the amendment and he is not in favor of it. He said, if this is in our zoning, they could build a building back as far as 1,300 ft. Manning said the problem I have with this is they if they go to 1,300 ft. and that building is 25 ft. from a house. He said that is totally unacceptable. Manning said my vote is against it.

Manning said you probably know we have a Comprehensive Plan in the works for the Township that will mesh with the Zoning Resolution. There will be some adjustments

made then. The Lorain County Commissioners will fund \$40,650 of the cost for the Comprehensive Plan and Zoning Resolution review through a grant. Right now, Manning said he finds it detrimental to the community that we are going to spend \$81,300 to have somebody look at this and then say what did you do?

When a resident complained they did not know about the Public Hearing on February 6, 2022, Manning explained it was advertised in the Rural Urban and Chronicle-Telegram. Notice was also posted on Columbia Township's website and on Facebook.

Cunningham said his opinion is that the Zoning Commission was tackling this issue and did a lot of work. Cunningham read the criteria for adopting a zoning amendment from the Ohio Township Association Zoning Manual which states *"The controlling consideration when adopting a zoning amendment is it should be compatible with the township's comprehensive plan for future land use and development and should further the implementation of the plan and the plan's intent. Zoning amendments should never be based on popularity alone. Common sense should always prevail. Zoning Amendments are subject to referendum."*

Regarding Zoning Amendment 2022-04, Cunningham explained the Lorain County Planning Commission disapproved the amendment and the Community Development Staff also disapproved it. The reason is, while they did not object to rezoning large parcels, there are no protections in place if a business moves in right next to an existing house. Their second concern has to do financing for homes in a business district. Cunningham took the map and drew a line from the Strongsville line and this rezoning would make a lot of non-conforming parcels. Cunningham spoke to Ryan and Emil from Envision about this issue and they thought this is something we shouldn't do until they work on the Comprehensive Plan. They do think we need more business.

Cunningham added that Lorain County Engineer Bob Klaiber said the sewers will not be done this year, but they could be done next year. Cunningham researched how Strongsville rezoned Royalton Road, and they did not do a complete rezoning of all of the properties. Some are still residential.

The board opened the meeting to public input.

Frank Zola asked if anyone had a design plan. He noted SR 82 is still two lanes in that area and properties would be rezoned a quarter mile off the road.

Manning answered that is why the Township is doing a Comprehensive Plan. He reminded everyone to watch for the multiple meetings for the public. There will also be surveys. Manning reminded everyone that the moratorium is still in place. He said we want to have smart development.

Resident Wayne Brassell noted 7 to 8 homes would bring in the tax revenue that Tractor Supply is paying. He said the desire to rezone SR82 is for the schools and the 8 percent the Township gets. Brassell commented on the TIF monies financing the sewers. It will be 20 years before the schools get 100 percent of their share of the tax revenue. He asked why is the County would be against the amendment? He said they need to be in favor of this commercial development because they would get more property tax.

A resident asked why the amendment was produced.

Cunningham explained the Zoning Commission thought they had to do something with the sewers coming. The Zoning Commission was trying to take a proactive approach. He said looking at the Township it makes sense for SR 82 to be General Business. He said he doesn't know where they came up with the 1,300 ft., but on SR 82 some of the parcels should be commercial.

Potential litigation was discussed with Manning explaining the Lorain County Prosecutor is the Township's attorney. He said our insurance company covers up to \$50,000 for litigation, but the Lorain County Prosecutor is the lead. A lawsuit in Grainger Township was handled by their prosecutor and it went to the Supreme Court without costing Grainger Township a dime.

Resident Dennis Ross said he is on the Zoning Commission. He participated in the Comprehensive Plan and Land Use Plan. Regarding the 1,300 ft., he said we looked at this as being proactive. Ross said everybody knows change is coming whether we like it or not.

John Kelly said this is not going to happen overnight. He said we are not running people out of their houses. Kelly said we don't have anything negative in the book. He said we tried to set aside an area for future growth that won't be another development. Traffic from a development is more than commercial traffic.

A resident believed with this amendment she could not do anything to her house.

Cunningham said you can do whatever you want to your home. He said, if you read the amendment, it will not affect how you fix your house.

A resident said he has lived here 27 years and they are bringing sewers in and will make us tie in to them. He asked how many people to we need before we are a city?

Manning said we going to develop a Comprehensive Plan that will address all of this and the company we are hiring is out of Cleveland. Some of their staff members have golfed in Columbia.

Manning called for a motion to adopt Zoning Amendment 2022-04.

**Motion Cunningham to deny Zoning Amendment 2022-04. Seconded Manning to deny the amendment. Vote unanimous. 2-21-2023-34**

Resident Wayne Brassell expressed his displeasure with the decision to deny the zoning amendment.

**NEW BUSINESS:**

**Approve MOU for SWAC Planning Grant** – Rundle reported this planning grant is for the Ives Ditch from Station Road to Plum Creek Drive. The project will be done in two phases.

**Motion Cunningham to approve the MOU for the SWAC Planning Grant for the Ives Ditch. Seconded Manning. Vote unanimous. 2-21-2023-35**

**Hot Stove Request to Display a 3X5 Banner at the Intersection of SR 82 and S252 for 2-3 Weeks** – Cunningham explained that this request was made by Phil Oberhaus, the president of Hot Stove. This intersection is well traveled by the residents living in the new subdivisions who don't know about Hot Stove. Cunningham does not have an issue with them putting a sign there for a couple of weeks if it would generate some interest in Hot Stove. They also want to put some banners with advertisements on the bleachers and on the fences. Cunningham does not have a problem with the advertisements either as long as they take them down at the end of the season.

**Motion Cunningham to allow Hot Stove to put a sign at SR 252 and SR 82 and banners on the fences and bleachers.**

There was some discussion about the location of the sign. Cunningham will talk to Phil Oberhaus to make sure the sign does not interfere with the landscaped areas.

**Seconded Manning. Vote unanimous. 2-21-2023-36**



**Approve Resolution and Contract Hiring Envision for the Comprehensive Plan and Zoning Resolution Review** – Manning read the entire resolution to enter into the agreement with Envision.

**Motion Cunningham to approve the resolution.**

Manning explained the Steering Committee looked at two consultants. One out of Pittsburgh would take 16 months for the project. Envision said they can get it done in a year.

**Seconded Manning.**

Resident Wayne Brassell expressed concern that they could build a 600-house development in the meantime.

Cunningham explained it would not happen with our zoning because a developer has to follow our zoning or go to court. Cunningham said our zoning was changed to one house per acre after the Emerald Woods Development so it is different now than it was back then.

Brassell asked is there a clause in there that says the Comprehensive Plan will protect the Township from any litigation? Manning said there is no guarantee in litigation. He added that Envision has not had any litigation. Manning also researched Envision with five people and the townships that hired them. Everyone he spoke to said they would hire them again so they came with five recommendations.

With discussion concluded, Manning called for a vote on the motion to approve the resolution.

**Vote unanimous.**

**2-21-2023-37**

**Dumpster Days – April 20, 21 and 22** – Bob Rundle said these dates are up for discussion, depending on the weather. Rundle tries to hold off on the dumpsters until people can get into their yards.

**Resident Request for “No Jake Brake” Sign on SR 82** – Cunningham reported the Trustees received an email from resident Shane Goodman requesting a “No Jake Brake” sign on SR 82. Cunningham said we can request the sign, but it is up to ODOT to decide whether or not they will do it. Mr. Goodman said you can hear the brakes from a mile to 2 miles away.

Cunningham asked Rita Plata to prepare the letter to ODOT.

**COMMITTEE REPORTS:**

**Cunningham** reported he will attend a RLCWA Policy Committee meeting on March 1<sup>st</sup>. The Lorain County Township Association will meet in Amherst Township on March 16<sup>th</sup>. Nothing new was reported about NEORSD.

**Manning** reported the SWGH Board will meet on March 29<sup>th</sup>.

The Comprehensive Plan Steering Committee will be notified when Envision wants to get together. Manning will notify Envision that they have been hired, and they should get started immediately. Manning commented that there will be opportunity for community input.

**COMMUNITY INPUT:**

The Trustees gave everyone present the opportunity to offer comments and/or ask questions.

The next regular meeting will be on Monday, March 6, 2023, at 6:30 p.m.

**Motion Manning to adjourn. Seconded Cunningham. Vote unanimous.**

**RECEIPTS**

ZONING INSPECTOR	\$ 10,808.00
RECREATION FEES	5,400.00
CEMETERY	2,800.00
DISCOUNT FOR YEARLY CONTRACT	198.82
OHIO TOWNSHIP ASSOCIATION SAFETY GRANT	500.00
OHIO TOWNSHIP ASSOCIATION FIRE GRANT	<u>1,000.00</u>
TOTAL	\$ 20,706.82

Minutes submitted by Rita Plata.