

CONCORD TOWNSHIP BOARD OF TRUSTEES
LAKE COUNTY, OHIO
PUBLIC HEARING and REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

December 5, 2018
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Christopher Galloway, Chairman
Caroline Luhta, Vice Chairwoman
Paul Malchesky, Trustee
Amy Dawson, Fiscal Officer

Also Present:

Michael Lucas, Esq., Legal Counsel
Andy Rose, Administrator
Matt Sabo, Fire Chief
Frank Kraska, Service Director
Heather Freeman, Zoning Director/Zoning Inspector
Debra Bechel-Esker, Recreation Director
Chief Frank Leonbruno, Sheriff's Department

Melton Reporting
11668 Girdled Road
Concord, Ohio 44077
(440) 946-1350

1 7:02 p.m.

2 CHAIRMAN GALLOWAY: I am going to call to order the
3 public hearing for the Zoning Amendment Application 1018-4
4 by Sommers Real Estate Group, LLC, requesting a Zoning Map
5 Amendment to 8.636 acres of land on Concord-Hambden Road,
6 currently known as Permanent Parcel 08-A-013-0-00-002-0 and
7 08-A-013-0-00-003-0, from the current zoning district of Town
8 Hall Neighborhood to the R-1 Residential District.

9 I think what I'll do is, at this time, Heather, if
10 you'd like to say anything about this, about where it's been,
11 how it got here, give maybe just a brief synopsis of all of
12 that, and then I'll turn it over to Mr. Sommers if he'd like
13 to say anything.

14 MS. FREEMAN: Okay. Thank you. So this amendment
15 was initiated by an application, as you stated, by the Sommers
16 Real Estate Group, LLC. We forward it to the Lake County
17 Planning Commission, per the Ohio Revised Code, which they did
18 come back with a positive recommendation for this Board to, to
19 approve it with no stipulations.

20 Subsequently, the Zoning Commission held their own
21 public hearing last month and they, again, also confirmed that
22 they would recommend approval to this body as well by a
23 unanimous vote.

24 So that brings us to this evening where they are
25 looking for the approval to go to the R-1 District.

26 CHAIRMAN GALLOWAY: All right.

27 MS. FREEMAN: That's it unless you want something
28 else further.

29 CHAIRMAN GALLOWAY: No, no. I'll probably just --
30 Thank you.

1 MS. FREEMAN: Sure.

2 CHAIRMAN GALLOWAY: Mr. Sommers, since you are the
3 applicant, I would give you an opportunity to speak to this.

4 MR. SOMMERS: Richard Sommers, Sommers Real Estate
5 Group. As Heather said, this is a proposed zoning from a Town
6 Hall Neighborhood, which currently does not allow any
7 residential zoning, to an R-1 Residential District. We feel,
8 after working with the neighbors and being before this Board
9 before, we feel that this is the most compatible zoning
10 category to go along with the houses to the south on Hunting
11 Lake Drive.

12 Another item that's come up in the past is the
13 headstone in the rear southeast corner of the property. We
14 will do a deed restriction and protect an area with about 20
15 feet around that headstone. We have located it now and we're
16 not going to disturb it at all or try and move it or see if
17 it's really a grave. We're just going to protect it.

18 As Heather said, the proposed zoning has been
19 recommended by Lake County Planning Commission and the Concord
20 Township Zoning Board.

21 CHAIRMAN GALLOWAY: Okay.

22 MR. SOMMERS: I would be happy to answer any
23 questions.

24 MR. MALCHESKY: Do we have --

25 CHAIRMAN GALLOWAY: Connie?

26 MS. LUHTA: I have no questions.

27 MR. MALCHESKY: Do we have the ability to zoom? Can
28 you zoom up on this? You tell me where you -- Or can I come
29 to you?

30 THE VIDEOGRAPHER: No, just --

1 CHAIRMAN GALLOWAY: Meet in the middle.
2 THE VIDEOGRAPHER: That's as close as I get.
3 MS. LUHTA: Oh, dear.
4 MR. MALCHESKY: That's not very good then. That's
5 why we need a split screen.
6 Okay. I had nothing further, maybe just a question
7 for Heather when she gets a chance.
8 CHAIRMAN GALLOWAY: Okay. I don't have any
9 questions. Do you have any questions for Mr. Sommers?
10 MS. LUHTA: I don't, no. Thank you.
11 CHAIRMAN GALLOWAY: All right. Thank you.
12 MR. SOMMERS: Thank you.
13 CHAIRMAN GALLOWAY: Okay. I would -- Do you want to
14 ask your question of Heather now?
15 MR. MALCHESKY: Yeah. Heather, if you could just
16 kind of just remind us how we got to the Town Hall
17 Neighborhood and Town Hall Commons. I mean, that was -- We
18 rezoned that when, if you know? I was here, you weren't.
19 MS. FREEMAN: I know, yeah. I believe it was 2009.
20 CHAIRMAN GALLOWAY: I was going to say, she's only
21 been around --
22 MS. FREEMAN: I believe it was 2009 --
23 MR. MALCHESKY: Okay.
24 MS. FREEMAN: -- when either the text or the map was
25 amended to include that district in that area.
26 CHAIRMAN GALLOWAY: Sounds about right.
27 And just for folks at home to know, the surrounding
28 zoning to the south is R-2 PUD, that's Quail Hollow. To the
29 west is R-3. Directly to the north is Town Hall Neighborhood,
30 as well as R-1. There is a two -- Is it two-acre parcel

1 that's zoned R-1? And then just to the, to the northeast is
2 R-1. To the east is Town Hall Commons. And then sort of to
3 the -- catty-corner to the northwest is manufacturing. So
4 there is a there is a blend and transition from residential
5 uses and light uses in the area.

6 MR. MALCHESKY: I am going to move to this camera.

7 CHAIRMAN GALLOWAY: If folks at home can imagine the
8 entrance to Quail on Concord-Hambden Road, as well as Ravenna
9 or the intersection of Ravenna and 608, Concord-Hambden Road.
10 Paul is showing you now or is about to show you the map of the
11 map.

12 I don't know that you have it on the right camera,
13 Rick.

14 MR. MALCHESKY: He is going to bring it. He's going
15 to put it on.

16 CHAIRMAN GALLOWAY: You've got to switch it over?

17 MR. MALCHESKY: You got me doing a lot of that work.

18 CHAIRMAN GALLOWAY: Yeah, we're -- okay.

19 MS. LUHTA: Making him do work.

20 CHAIRMAN GALLOWAY: All right. There we go.
21 Everyone at home can see it.

22 MS. LUHTA: Oh, that's good.

23 CHAIRMAN GALLOWAY: That's the property being
24 inquired -- that's being applied, within the yellow, that is
25 being asked to go from Town Hall Neighborhood to R-1. So
26 allow everybody at home to get a good visual of that lay of
27 the land.

28 MR. MALCHESKY: Basically, it's the property between
29 the entrance and the nursery.

30 MS. LUHTA: Uh-huh.

1 MR. MALCHESKY: Thanks.

2 MS. DEL BANE: Can we ask questions now with regard
3 to that?

4 CHAIRMAN GALLOWAY: Yep. I am going to have you
5 come up and do that. I am not going to make Paul stand there
6 all night. Okay. Now that Paul has come back to his proper
7 location --

8 MR. MALCHESKY: Thank you.

9 CHAIRMAN GALLOWAY: I am going to ask if there is
10 any members of the public that would like to address the Board
11 regarding this application, either for or against. Come on
12 up, state your name and address for the record.

13 MS. DEL BANE: Okay, I'd like to come up. I do have
14 a question with regard to the thing. Jeanette Del Bane,
15 11411 Labrador Lane in Concord Township. I have a question
16 with regard to what Paul showed. There was that one line. It
17 looks like there are two parcels or is that considered one
18 parcel?

19 CHAIRMAN GALLOWAY: There are actually two parcels
20 as part of this application. Mrs. Spear actually -- Those
21 were actually two separate parcels.

22 MS. DEL BANE: And they are both the Spear property?

23 CHAIRMAN GALLOWAY: They were owned by Mrs. Spear,
24 yes.

25 MS. DEL BANE: Okay. So this zoning here that we're
26 looking at right now is for both of them or just one of them?

27 CHAIRMAN GALLOWAY: No, both of them.

28 MS. DEL BANE: Okay. So this includes both of them?

29 CHAIRMAN GALLOWAY: That's correct.

30 MR. MALCHESKY: Both properties total 8.636 acres.

1 MS. DEL BANE: Okay. So that's the two.

2 MR. MALCHESKY: That's the two lots.

3 MS. DEL BANE: There is that line when you showed it

4 and it was a little confusing there.

5 CHAIRMAN GALLOWAY: Yes.

6 MS. DEL BANE: Okay. That's what I wanted to know.

7 Thank you.

8 CHAIRMAN GALLOWAY: You're welcome.

9 Come on up.

10 MR. FALCONE: Go ahead, sir.

11 MR. GLIEBE: I didn't know you were going.

12 Good evening. Ron Gliebe, 7223 Hunting Lake Drive.

13 If this zoning is passed tonight, what happens next? What is

14 the -- What is the events that happens if this is passed and

15 moves forward?

16 CHAIRMAN GALLOWAY: From the township's standpoint,

17 nothing formally unless a plan is submitted under the new

18 zoning, you know, in terms of a development plan. That would

19 be on Mr. Sommer's timeline. So there is no other, there is

20 no other action.

21 MR. GLIEBE: He does not have to submit a plan?

22 CHAIRMAN GALLOWAY: Sure, he does. Any development

23 would require a development plan that would go through site

24 plan review.

25 MR. GLIEBE: And he has to do that when?

26 CHAIRMAN GALLOWAY: Before he is moving dirt. He

27 has, he has to submit a plan under site plan review.

28 MR. GLIEBE: And then someone -- Who reviews that

29 plan?

30 CHAIRMAN GALLOWAY: That will be reviewed by the

1 County Planning Commission, our Zoning Commission and -- or,
2 actually, it doesn't go to the Zoning Commission, does it,
3 Heather?

4 MS. FREEMAN: No, no, correct, it does not go to the
5 Zoning Commission. It would go to the Lake County Planning
6 Commission.

7 CHAIRMAN GALLOWAY: Planning Commission.

8 MS. FREEMAN: Right.

9 CHAIRMAN GALLOWAY: Yes.

10 MR. GLIEBE: During that time frame, will there be a
11 printed proposal available to review submitted by Mr. Sommers
12 to someone and that we can view.

13 CHAIRMAN GALLOWAY: All those are public documents,
14 yes.

15 MR. MALCHESKY: I think it's important that all, all
16 that's here before us today is moving it from one zoning
17 classification to the second zoning classification, so Town
18 Hall Neighborhood to R-1. What happens when it's R-1, there
19 may be nothing that happens or, or there may be a development
20 plan that comes up with which would have to go through all the
21 processes that you would have to do in, you know, development,
22 you know, whether it's the Planning Commission, the Zoning
23 Commission, variances.

24 But they would have to comply with the R-1
25 regulations; whereas, now, right now, if someone would do
26 something, they would have to comply -- they would have to
27 comply with the Town Hall Neighborhood classifications.

28 MR. GLIEBE: So that would all have to fit into the
29 ruling of what R-1 allows and that would require Mr. Sommers
30 to have a proposal laid on the table for someone to review?

1 CHAIRMAN GALLOWAY: Yes. You don't get to just
2 build whatever you want.

3 MR. GLIEBE: Okay. Would that proposal include
4 setbacks and buffer zones and all those things? That would
5 all be part of it?

6 CHAIRMAN GALLOWAY: All of that.

7 MR. GLIEBE: Okay.

8 CHAIRMAN GALLOWAY: And you can find all of that on
9 our website. The Zoning Code is on our website that lays all
10 that out.

11 MR. GLIEBE: Okay. I'll review that.

12 CHAIRMAN GALLOWAY: Setbacks, buffers, all that.

13 MR. GLIEBE: And what about stormwater, the flooding
14 issue that happened?

15 CHAIRMAN GALLOWAY: That would be reviewed by the
16 County Stormwater Department. Any plan is reviewed by them, I
17 believe, the County Engineer, the Planning Commission.

18 MR. ROSE: Soil and Water.

19 CHAIRMAN GALLOWAY: Soil and Water. They all, they
20 all review those plans.

21 MR. GLIEBE: I had some pictures of some flooding
22 that was -- There was flooding there again today now with the
23 heavy rain. So that's a major concern of us, the residents
24 behind that property, obviously.

25 And I guess, finally, my last question is, is there
26 any schedule to have Mrs. Spear's property, building, house
27 torn down? Is there anything scheduled?

28 CHAIRMAN GALLOWAY: We would have to ask Mr. Sommers
29 or whoever would end up owning it. That's not our decision.

30 MR. GLIEBE: Okay. We feel it's a concern. We

1 addressed that had with Andy.

2 MR. ROSE: Yes, sir.

3 MR. GLIEBE: You had told us some things were
4 pending; is that correct, Andy?

5 MR. ROSE: That is correct. I've been --
6 Mr. Sommers is here in the audience but we've spoken about the
7 property base upon some resident concerns. Once he has
8 control of the property, he has expressed that he will
9 demolish that property shortly after obtaining control of the
10 property. But that control, I believe -- and correct me if I
11 am wrong, Mr. Sommers -- but that control is predicated upon
12 successful rezoning in order to take control.

13 So am I correct?

14 MR. SOMMERS: That is correct. And assuming that
15 this were to pass tonight, we've already contacted the
16 building department and the house will be torn down by the end
17 of the year.

18 MR. ROSE: Thank you.

19 MR. GLIEBE: Okay. That's it.

20 MR. SOMMERS: And I have another comment, if I may.
21 The Planning Commission, when we submit any subdivision plan,
22 is submitted approximately one month before the meeting date.
23 So that is available for review. And you have the same rights
24 to go to the Lake County Planning Commission and speak for or
25 against any subdivision plan or your concerns.

26 MR. GLIEBE: And we can get a copy of that plan at
27 that time?

28 MR. SOMMERS: Sure.

29 MR. GLIEBE: Okay. Thank you very much.

30 MR. MALCHESKY: Yeah, those are all, those are all

1 -- Just let me add something here. As you take a look at our
2 Zoning code, you are going to notice there's a Town Hall
3 Neighborhood and there is going to be all the regulations and
4 setbacks that are necessary. You're going to see the same
5 thing for Town Hall Commons. But as you look in this
6 document, this picture we have here, R-2, the PUD, they'll
7 have their setback regulations. The R-3, which is, which is
8 the condominiums to the left on the other side of this area,
9 they will have their setback regulations. I think you will
10 find that, in the R-1, those are going to be the greatest.
11 Okay? And that's going to allow, you know, hopefully, allow,
12 you know, the greatest amount of space for that stormwater
13 issue that you're talking about.

14 MR. GLIEBE: Okay. And that's all available online?

15 MR. MALCHESKY: All available online.

16 MR. GLIEBE: Thank you very much.

17 MR. FALCONE: Hello. I'm Mark Falcone. I live at
18 10185 Page Drive. I oppose this conversion to a Residential
19 District, R-1, on the grounds that it's reducing our capacity,
20 our tax base in the future, for future development, for
21 commercial. I think it should stay as a Town Hall District.

22 I think, at the last Trustee meeting I was at, the
23 topic of Concord petitioning for a specific ZIP Code, which I
24 think is a good idea, no intentions of building a post office.
25 I think this parcel here or this area, Town Hall Neighborhood,
26 would really be great for a post office.

27 My question to the Trustees, is this Town Hall
28 zoning that we have, would that incorporate -- could it
29 incorporate the building of a post office? I think that would
30 be a viable option for this property.

1 I am against this rezoning to residential,
2 basically, on that premise of reducing our commercial
3 property.

4 And if you could answer if this post office would
5 fit Town Hall Neighborhood, it would be great. Thank you.

6 CHAIRMAN GALLOWAY: Thank you for your comments. I
7 don't have it in front of me. I believe Town Hall
8 Neighborhood would probably allow for building of a post
9 office, but I would tell you that the Postal Service is not
10 looking to build any new post offices. We have inquired on
11 that point repeatedly and that's -- with their massive budget,
12 2. some odd billion for this year budget shortfall, they are
13 not building post offices.

14 MS. DAWSON: They also don't pay any taxes.

15 CHAIRMAN GALLOWAY: And they don't pay any taxes.

16 MR. ROSE: Correct.

17 CHAIRMAN GALLOWAY: So you would defeat your desire
18 of, you know, expanding the tax base, if you will.

19 I understand your sentiment about conversion of
20 something that is commercial in nature, as is Town Hall
21 Neighborhood, to something that is not as it relates to taxes.
22 I would say, in this case, the amount of land and the
23 development that will take place, I'm not, you know -- And all
24 of it depends on what Mr. Sommers builds versus what somebody
25 else might have built under some sort of commercial
26 development sometime indefinitely in the future. But, you
27 know, that all comes down to valuation in terms of what the
28 township gets.

29 So there is no real way to know exactly what, you
30 know, what the value of something would have been versus, you

1 know, what Mr. Sommers would do. There, obviously, would be a
2 gap long term because, generally, commercial is more than
3 residential, but the gap may not be as much as you and I, as
4 you and I think.

5 So -- And I did, I opposed the rezoning of the two
6 acres to R-1 on the other side, on the north side of Concord-
7 Hamlden for that reason, to leave that northern side Town Hall
8 Neighborhood. But in our last -- During that public hearing,
9 you may recall that I did, I did, at least, yield to the idea
10 that the Town Hall Neighborhood, being that it butts up
11 against this other denser residential, may not -- you know,
12 R-1 may be an acceptable fit on that parcel, the parcels that
13 we're discussing this evening based on the residential around
14 it to the south and to the west. So, you know, that's where I
15 have stood historically.

16 Paul?

17 MR. MALCHESKY: Yeah, with respect to R-1 and Town
18 Hall Neighborhood and Town Hall Commons, those were all
19 transition points that I think we wrestled with, I guess, now
20 in 2009 that how are we going to deal with those pieces of
21 property as we enter into either the Quail Hollow Subdivision
22 or you head towards Town Hall. You had residential property
23 across the street even though that was not originally zoned or
24 somehow was unzoned from R-1. It was being occupied as an R-1
25 piece. I'm talking about that little R-1 red that's sitting
26 in that, in that area. That's always been a residential home
27 for -- I don't know -- the 40, 50 years that it's been there
28 right next to the church.

29 So this area has always -- we've always struggled
30 with, I guess, what we thought would be the proper zoning for

1 there. It's bounced around. I think it was manufacturing and
2 commercial.

3 CHAIRMAN GALLOWAY: At one time.

4 MR. MALCHESKY: A little bit of R-1. Certainly, had
5 the government building there. So it's an unusual piece.

6 CHAIRMAN GALLOWAY: Thoughts? Comments?

7 MS. LUHTA: No. You two have said, said it very
8 well.

9 CHAIRMAN GALLOWAY: We usually talk too much.

10 And I would also point out that, even though Town
11 Hall Neighborhood is classified as a commercial zone when it
12 was crafted back in '09, there is language in there -- It's
13 called Town Hall Neighborhood. There was language in there
14 referencing residential but it was never well -- it was never
15 defined. I think the intention was at the time, if I
16 remember, was to probably address the concept of residential
17 within Town Hall Neighborhood at some point in the future but
18 that never, that never occurred because we never, you know, no
19 plans ever came forward in terms of somebody looking to
20 develop it.

21 Obviously, now, with Mrs. Spear's passing, that is
22 something that is -- Now we have something before us.

23 MR. MALCHESKY: Well, you had two. You had
24 Mrs. Spear's property and you had the property across the
25 street that were both residential. So when we were making it
26 Town Hall Neighborhood, we included residential in it as --

27 CHAIRMAN GALLOWAY: Correct. We moved it from
28 residential to commercial because it had been residential
29 prior to that.

30 MS. LUHTA: Right. So, actually, we are just

1 backing up.

2 CHAIRMAN GALLOWAY: Well, yeah, and that was why
3 Town Hall Neighborhood referenced residential uses.

4 MS. LUHTA: Right.

5 CHAIRMAN GALLOWAY: Even though we didn't define
6 them or lay out a game plan, if you will, because it was
7 residential at one time.

8 So, okay, anybody else want to speak to this?

9 MS. DEL BANE: Chairman Galloway, I do want to have
10 a question and I am going to digress.

11 CHAIRMAN GALLOWAY: Come on up.

12 MS. DEL BANE: I have some questions.

13 CHAIRMAN GALLOWAY: You have do digress at the --

14 MS. DEL BANE: I'm going to digress.

15 CHAIRMAN GALLOWAY: At the --

16 MS. DEL BANE: Okay. Jeanette Del Bane,
17 11411 Labrador Lane. We were talking about the township area
18 and all of the zoning there. I really think it would be nice
19 to have some very nice homes in the section that Mr. Sommers
20 is considering putting there.

21 I do have a question. Nobody seems to ask about it
22 or consider about it. The homes that are directly north
23 across the street from the Township Hall -- Where are we here?
24 This way, those homes there, those are private residences that
25 is zoned residential. Is there any future consideration for
26 having those homes removed and having part of that as the
27 Township Commons or Campus? Nobody seems to know. And those
28 homes are there and I know they've been there forever.

29 CHAIRMAN GALLOWAY: I will, I will --

30 MS. DEL BANE: But you're talking about a nice area,

1 making a nice area.

2 CHAIRMAN GALLOWAY: I will tell you that that is
3 private property and it would be inappropriate for anybody on
4 this Board to reference that property in any, in any fashion.
5 It's currently zoned R-1.

6 MS. DEL BANE: It is?

7 CHAIRMAN GALLOWAY: Or I'm sorry, no. It's in the
8 Town Hall -- It's in Town Hall Commons. That area was
9 rezoned. There is -- It is privately owned, families live
10 there, and we won't make comment as to anything beyond that.

11 MS. DEL BANE: Okay. Well, that --

12 CHAIRMAN GALLOWAY: It would be inappropriate for us
13 to discuss that in terms of what you're referencing.

14 MS. DEL BANE: All right. Because most of the
15 people in the community, they see it. It's been there and
16 whatever and nobody really knows and you talk about the
17 Township Commons and whatever. And my question would be if
18 there is any -- would be any future plans to remove those
19 homes and put in, say, another ball field or something of that
20 nature. So that would not be in contemplation whatsoever?

21 CHAIRMAN GALLOWAY: Yeah. We don't, we don't just
22 remove homes.

23 MS. DEL BANE: Well, I did not know -- Okay. That
24 is zoned Township Hall, Township Commons area but it is
25 actually an R-1?

26 CHAIRMAN GALLOWAY: No, no. I am sorry. I
27 misspoke. It's Town Hall Commons.

28 MS. DEL BANE: It's Town Hall.

29 CHAIRMAN GALLOWAY: Yeah. It had previously, I
30 believe, been R-1 but we -- or whatever it was prior. No, it

1 was --

2 MS. DEL BANE: No, I know those homes have been
3 there forever and ever and ever.

4 CHAIRMAN GALLOWAY: It was commercial zoning and we
5 switched it, yeah, yeah. We can't speak to that property, we
6 just can't.

7 MS. DEL BANE: Okay.

8 MR. MALCHESKY: It would be like saying to
9 Mr. Galloway, you know, "Hey, we're thinking about rezoning
10 your house and we're going to knock" --

11 MS. DEL BANE: I know. But there is eminent domain,
12 Paul.

13 MR. MALCHESKY: -- "We're to knock it down and make
14 it a park."

15 CHAIRMAN GALLOWAY: Well, no. It would be like me
16 actually saying to -- you weren't here and, in a public
17 meeting, I said, "Well, we're taking her house."

18 MS. DEL BANE: Well, but there is --

19 CHAIRMAN GALLOWAY: You would be like, "Hum, wow.
20 Oh, really?"

21 MS. DEL BANE: But there is a legal thing eminent
22 domain and I'm not getting to that point. I wouldn't take
23 somebody's house away, but there has always been that
24 curiosity if any -- there are any future plans to develop that
25 area more in keeping with the Town, Town Hall concept. So
26 there is not?

27 CHAIRMAN GALLOWAY: I think the only thing I would
28 say is, if the property owner approached us and said, "Hey,
29 we're looking to sell. Would you be interested in buying?" we
30 would listen.

1 MS. DEL BANE: Okay.

2 CHAIRMAN GALLOWAY: I mean, that is something that
3 we have done, we did recently --

4 MS. DAWSON: The cemetery.

5 CHAIRMAN GALLOWAY: -- right here to our, right to
6 our east where the property owner approached us about
7 purchasing those two homes that were there on that property
8 and we did and Chief just recently did fire training.

9 MS. DEL BANE: Fire truck, yeah, right, they burned
10 it.

11 CHAIRMAN GALLOWAY: So that's, I think, that's to
12 the extent that we can talk about that.

13 MS. DEL BANE: Okay.

14 CHAIRMAN GALLOWAY: Is that if somebody came to us
15 and said, "Hey, we have property. We want to sell it. Would
16 you be interested?" we would certainly entertain that.

17 MS. DEL BANE: Because I've always had the question
18 whether or not that was in long-range plans, but right now
19 it's not.

20 MS. LUHTA: And I am sure that we would discourage
21 the use of eminent domain.

22 MS. DEL BANE: Actually, so would I.

23 MS. LUHTA: Okay.

24 MS. DEL BANE: Thank you.

25 CHAIRMAN GALLOWAY: Thank you.

26 MR. FALCONE: I have a clarification.

27 CHAIRMAN GALLOWAY: Sure, sure.

28 MR. FALCONE: The parcels in question, is that the
29 one that contains that oil well that's there?

30 CHAIRMAN GALLOWAY: No.

1 MR. FALCONE: No.

2 CHAIRMAN GALLOWAY: No, that's on the north side.

3 MR. FALCONE: North side, okay.

4 CHAIRMAN GALLOWAY: That is remaining Town Hall
5 Neighborhood.

6 MR. FALCONE: Okay, very good. Thank you.

7 CHAIRMAN GALLOWAY: Thank you.

8 All right. Anybody else wish to speak,
9 clarifications or otherwise?

10 Okay. Mr. Sommers, anything you would like to add
11 before I close this public hearing?

12 MR. SOMMERS: Not at this time.

13 CHAIRMAN GALLOWAY: No? Okay. Paul? Connie?

14 MR. MALCHESKY: No.

15 MS. LUHTA: No.

16 CHAIRMAN GALLOWAY: Mr. Lucas?

17 MR. LUCAS: None.

18 CHAIRMAN GALLOWAY: Okay. I am going to go ahead
19 and close this public hearing. Thank you, everyone.

20 MR. MALCHESKY: We have a couple minutes.

21 CHAIRMAN GALLOWAY: We have two minutes until our
22 regularly scheduled meeting, so everybody has a moment for a
23 breather.

24 (Whereupon, the public hearing was closed at
25 7:28 p.m. and there was a recess until the regular
26 meeting was called to order at 7:31 p.m.)

27 CHAIRMAN GALLOWAY: I will call to order the
28 regularly scheduled Concord Township Board of Trustees meeting
29 for Wednesday, December 5th. Please join Amy Dawson in the
30 Pledge of Allegiance.

1 (Whereupon, the Pledge of Allegiance was recited.)

2 CHAIRMAN GALLOWAY: If I could have everyone just
3 continue standing for a moment of silence in honor of
4 President George Herbert Walker Bush, who had his state
5 service today.

6 (Whereupon, a moment of silence was observed.)

7 CHAIRMAN GALLOWAY: Thank you.

8 And in honor of President Bush, I wore my George
9 Herbert Walker Bush socks this evening. He was a man who
10 loved his fun socks. So --

11 Roll call, please.

12 MS. DAWSON: Mrs. Luhta?

13 MS. LUHTA: Here.

14 MS. DAWSON: Mr. Galloway?

15 CHAIRMAN GALLOWAY: Here.

16 MS. DAWSON: Mr. Malchesky?

17 MR. MALCHESKY: Present.

18 CHAIRMAN GALLOWAY: Okay. Approval of minutes.
19 We've got minutes in front of you, public hearing and regular
20 meeting from the 7th. Any changes, corrections or otherwise?

21 MS. LUHTA: No, not for me.

22 MR. MALCHESKY: No. You guys are making the
23 periods?

24 CHAIRMAN GALLOWAY: And commas.

25 MR. MALCHESKY: Periods and commas.

26 MS. LUHTA: There is no commas, just period.

27 CHAIRMAN GALLOWAY: Okay, that is approved.

28 That brings us to elected official reports. Fiscal
29 Officer, Mrs. Dawson.

30 MS. DAWSON: Thank you, Mr. Galloway. As of

1 November 30th, we were 92 percent of the way through the
2 calendar year. The Treasury balance for the 19 active funds
3 within the Township treasury was \$5.2 million. The Treasury
4 balance includes \$77,000 in funds set aside for specific
5 projects.

6 Year-to-date expenditures of \$9.7 million were 74
7 percent of the amount appropriated for 2018, and the revenue
8 received year to date, \$10 million, is 106 percent of the
9 amount budgeted. We are well within budget this year.

10 Finally, at least \$3 million is needed for carryover
11 until our first tax settlement at the end of the first quarter
12 2019.

13 I'd also like to add, please feel free to join us on
14 Saturday, the 15th of December, at noon, in the cemetery for a
15 brief ceremony for Wreaths Across America. We will honoring
16 all of our veterans' graves with wreaths that everybody in the
17 township has so generously donated. So we are overwhelmed
18 with the generosity of the township this year and we'd like to
19 thank you very much.

20 And I'd like to say, have a safe and festive holiday
21 season.

22 CHAIRMAN GALLOWAY: Thank you.

23 MR. MALCHESKY: Thank you.

24 MS. DAWSON: You are welcome.

25 CHAIRMAN GALLOWAY: Mr. Malchesky.

26 MR. MALCHESKY: I have nothing to report.

27 CHAIRMAN GALLOWAY: Mrs. Luhta?

28 MS. LUHTA: I have nothing to report.

29 CHAIRMAN GALLOWAY: Wow, okay.

30 MS. LUHTA: Do you?

1 CHAIRMAN GALLOWAY: I am going to go ahead and just
2 not report anything because then I am going to feel sort of
3 out of place here.

4 Administration, Mr. Rose.

5 MR. ROSE: Thank you. Mr. Galloway, members of the
6 Board, Mrs. Dawson, good evening. We are continuing to work
7 on the ZIP Code project. We also continue to work with
8 several commercial real estate brokers to recruit new business
9 to the township.

10 At the next meeting on the 19th, the fire, the
11 updated firefighters, full-time firefighters' contract will be
12 presented for your consideration.

13 And we would like to welcome the Verizon store,
14 located at 11129 Gold Court, and the other business, Sounds of
15 Life Hearing Center, located at 8007 Auburn Road, Unit 1, we
16 would like to welcome them both to the township. They both
17 recently opened. And we thank them for their investment in
18 our community. That concludes --

19 CHAIRMAN GALLOWAY: Don't forgot Peace, Love &
20 Little Donuts.

21 MR. ROSE: Yeah, Peace, Love & Little Donuts,
22 actually, was covered in the last report.

23 CHAIRMAN GALLOWAY: Oh, did you? Okay.

24 MR. ROSE: And they are doing quite well, from what
25 I understand. And that's what I know, so that concludes my
26 report.

27 CHAIRMAN GALLOWAY: Okay. Fire Department, Chief
28 Sabo.

29 CHIEF SABO: Good evening, everyone.

30 MS. LUHTA: Good evening.

1 CHIEF SABO: For the -- So far in 2018, we have
2 responded to 2,401 incidents. For the month of November, we
3 had 117 EMS events, with 101 transports; we had 77 fire
4 events, including five fires, one of which was in Concord
5 Township. That went very well. No family was displaced and
6 things -- their lives weren't wrecked to difficultly; with
7 eight hazardous conditions. We gave mutual aid 23 times. We
8 received mutual aid seven times. And this month of November,
9 we overlapped calls 45 times, or 22 and a half percent.

10 Fire prevention was busy with three plan reviews, 14
11 annual inspections, one follow-up inspection, 12 fire
12 protection system testings, four fire alarms, one consult, and
13 one public event inspection. I believe that was the St. Gabes
14 craft fair. We did three installations of residential
15 lock boxes. So we had a busy month of November.

16 For the month of December, we want to remind
17 everyone that winter residential building fires accounted for
18 only 8 percent of the total number of fires in the U.S.
19 between 2014 and 2016; however, they resulted in 30 percent of
20 all fire deaths and 23 percent of all fire injuries. Heating
21 sources was the second leading cause of home fires after
22 cooking.

23 We want everyone to be safe by keeping a clear three
24 foot radius around space heaters. Have your chimney cleaned
25 and inspected and only burn seasoned wood. People have a
26 tendency to put the Christmas wrapping in the fireplace. That
27 builds up creosote, so that's what causes chimney fires. So
28 we would rather everyone be safe and enjoy their holiday
29 season. Thank you very much.

30 CHAIRMAN GALLOWAY: Thank you.

1 MR. MALCHESKY: Thank you.

2 CHAIRMAN GALLOWAY: All right. Service Department,
3 Mr. Frank Kraska.

4 MR. KRASKA: Good evening.

5 MS. LUHTA: Good evening.

6 CHAIRMAN GALLOWAY: Good evening.

7 MR. KRASKA: With November came our first activity
8 related to snow removal operations. Crews were dispatched on
9 five occasions to treat township side streets as needed. In
10 comparison, we only had two dispatches during the same period
11 in 2017.

12 For those viewing this evening, I would also like to
13 take time to better inform residents that may be new to the
14 area of the variety of snowplow services spanning our
15 township. State Routes 44, 90, 84, 86 and 608 are all under
16 the care of the Ohio Department of Transportation.

17 Lake County Engineer's Road Department maintains the
18 following secondary roads within the township: Those include
19 Auburn, Girdled, Hermitage, Pinecrest, Morley, Prouty, Hoose,
20 Ravenna, Crile, the east side of Capital Parkway, Chestnut,
21 Old Johnnycake, Button, Williams, and Carter Roads.

22 Concord Service Department is responsible for a
23 little over 71 straight line miles or close to 150 lane miles.
24 For us, Concord is divided into six routes, with each driver
25 responsible for over ten miles of road each. When required,
26 we plow each road and only treat hills, curves and
27 intersections with deicers. During the typical snow event,
28 which requires, at least, two plow passes on any given route
29 for a complete clean-up, it can be expected to take a full
30 shift or eight hours overall. Typically, in events that only

1 require roads to be treated with deicers, it should only take
2 three or less hours.

3 Residents should also keep in mind that, if it is
4 snowing significantly at the outset of our operations, snow
5 can and will accumulate quickly over areas that may have
6 already been plowed, thus born the phrase, "I've not seen a
7 snowplow all winter."

8 Residents can also do their part by not plowing,
9 shoveling or blowing snow in the road or in neighbors' yards.
10 Also, do not tailgate our snowplows as they may have to take
11 many -- or make many maneuvers which will require your
12 patience.

13 During the last week of November, Major Waste
14 Disposal Service collected 166 compacted yards of bagged
15 leaves throughout the community, which in turn are composted
16 at local nurseries. Composting has significant benefits. It
17 can increase organic matter in your soil, helps plants absorb
18 nutrients, makes clay soils more airy and drain better, helps
19 sandy soils retain water, helps balance the pH of your soil,
20 and can extend the growing season by moderating soil
21 temperatures, and we can even help control soil erosion
22 through the means of using compost.

23 For residents that may still have some bagged leaves
24 that they would like to have composted, we will continue to
25 provide a dropoff container here at the Concord Service
26 Department, Monday through Friday, until December 21st.

27 So it is all about the winter for now. Concord is
28 breathtaking after a new fallen snow. It is our little piece
29 of heaven. Respect it and care for it. That is our goal and
30 that is our objective.

1 In closing, it is still not too late to take
2 advantage of our mailbox snow shield program. The cost is
3 only \$40 for materials and installation. Find this and other
4 related information under the Service Department tab at our
5 website, www.ConcordTwp.com, or call our office at (440)
6 350-3225.

7 Happy holidays to all, and stay safe on the roads by
8 giving yourself extra time and your full attention. That's my
9 report for this evening. Thank you.

10 CHAIRMAN GALLOWAY: Thanks, Frank.

11 MS. LUHTA: Thank you.

12 CHAIRMAN GALLOWAY: Good report.

13 Zoning Department, Heather Freeman.

14 MS. FREEMAN: Good evening.

15 MS. LUHTA: Good evening.

16 MS. FREEMAN: During the month of November, the
17 Zoning Department processed 19 zoning permit applications and
18 collected roughly \$2,900 in fees. Of those 19 permits, four
19 were for fences, four new single-family dwellings, four
20 additions to existing dwellings, two change in uses, two wall
21 signs, one shed, one addition to an accessory building, and
22 one residential structure alteration.

23 Last night, the Zoning Commission met. At their
24 meeting, they scheduled a public hearing that's going to take
25 place at their January 8, 2019, meeting at 7:00 p.m. for a
26 proposed Zoning Map Amendment Application and Preliminary Plan
27 approval for a proposed Residential Conservation Development
28 on a 24.6 acre piece of land that's located off of Winchell
29 Road that directly abuts the Concord Ridge development, which
30 is also a Residential Conservation Development.

1 Finally, the Board of Zoning Appeals meeting for
2 December has been canceled as there were no applications
3 submitted for review. Thank you.

4 MS. LUHTA: Thank you.

5 CHAIRMAN GALLOWAY: Thank you.

6 All right. Next up, Rec. Debra Esker, how are we?

7 MS. ESKER: Good evening, everybody.

8 MS. LUHTA: Good evening.

9 MS. ESKER: Thanks to everyone who attended Concord
10 Township's First Annual Christmas Tree Lighting Celebration
11 last Friday evening. Excitement was building as the Trustees
12 warmly welcomed guests and began the countdown for the tree
13 lighting. Concord Township Citizen of the Year, Bettie Leiby,
14 pressed the button to light the beautiful tree generously
15 donated by Mountain Creek Tree Farm in Concord Township. A
16 few carols were sung by the Maple Mountain Chorus and the
17 arrival of Santa and Mrs. Claus by fire truck. Everyone
18 headed inside Town Hall to continue the festivities, including
19 personal visits with Santa and his lovely wife, Mrs. Claus,
20 who will be back in town later this month for a children's
21 program.

22 Guests were also treated to a few more songs by the
23 chorus, hot cocoa, homemade cookies. Children had the
24 opportunity to create crafts with the staff from Morley and
25 Mentor Public Library. They wrote letters to Santa that were
26 already delivered to the big guy.

27 Special thanks to the Concord Garden Club for
28 donating funds to help decorate the gazebo, and Concord
29 resident Robert Aspinwall for donating sturdy lights that
30 helped beautifully illuminate the campus.

1 Now, before Santa left, he gave me a list. Santa
2 shared this with me. It contains the names of the children in
3 Concord Township that made Santa's nice list. So we, at the
4 Recreation Department, cross-referenced this list with the
5 children to live in Concord Township. And I am here to
6 report, thrilled to report that all Concord Township kids made
7 the list. Santa was so impressed and he asked me to share
8 this nice list with our Trustees.

9 CHAIRMAN GALLOWAY: Thank you.

10 MS. ESKER: So I humbly submit it.

11 MR. ROSE: I will give that to the Chair, the list.

12 CHAIRMAN GALLOWAY: I am going to review this and
13 double check that Emma and Danny are on this list.

14 MS. ESKER: That's right. We'll also have that list
15 available at the Christmas program coming up.

16 Mrs. Claus returns to Concord Township on Saturday,
17 December 15th, when the Recreation Department hosts our annual
18 children's holiday program, Letters to Santa with Mrs. Claus,
19 at the Old Stone School. Mrs. Claus will help children write
20 letters to Santa, read an old-fashioned Christmas story, and
21 enjoy cookies and warm cocoa and savor the charm of the Old
22 Stone School. There are still a couple of seats left for the
23 program, so people can register today at www.ConcordTwp.com.

24 If you decorate your home for the holidays, consider
25 entering our Ninth Annual Light Up Concord House Decorating
26 Contest. Categories include traditional reds and greens, all
27 white lights, lights set to music, and the popular Clark
28 Griswold category for those who are especially enthusiastic
29 with their holiday decorations. Entry forms are available on
30 our website, at Town Hall or the Community Center. Any home

1 or business in Concord Township is eligible to be nominated
2 and win. You can vote for your favorites through our website
3 and Facebook page December 11th through the 19th, and winners
4 will be announced on December 20th.

5 This afternoon, the Recreation Department hosted our
6 legendary holiday Bingo for our 55+ Group. The competition
7 was fierce but very friendly, and then everybody enjoyed
8 cookies and cupcakes.

9 Our next 55+ event is our Annual Holiday Luncheon on
10 Wednesday, December 19th, beginning promptly at noon at the
11 Community Center. The Cruzin' Crooners will provide
12 entertainment, along with our much loved and equally hilarious
13 rendition of the 12 Days of Christmas, Crooners' style, where
14 audience participation is heartily encouraged. There are only
15 a few seats left, so contact the Recreation Department soon if
16 you would like to attend.

17 The Recreation Department's been hard at work
18 planning enjoyable and useful classes for the winter/spring
19 2019 semester. You can find them in the new edition of the
20 Grapevine, our township newsletter, in everyone's mailbox in
21 early January.

22 For details about any recreation class or event,
23 please contact us directly at (440) 639-4650 or visit the
24 township's website.

25 And, in closing, I just want to take a brief moment
26 to thank the Board of Trustees, our Fiscal Officer, our
27 Administrator, and our legal counsel for their dedicated and
28 inspiring leadership. Thank you for believing that recreation
29 is vital to Concord Township and supporting everything we do.
30 We couldn't be more thankful to work for an awesome team and a

1 vibrant township.

2 So on behalf of everybody at the Recreation
3 Department, joyous holidays, and thank you so very much.

4 CHAIRMAN GALLOWAY: Thank you.

5 MR. MALCHESKY: Thank you.

6 MS. LUHTA: Thank you.

7 CHAIRMAN GALLOWAY: I must say, to say so
8 publicly -- I mean, I did say on social media -- but you and
9 your staff did a great job with the first Christmas tree
10 lighting. I heard nothing but praise from the -- I don't
11 know -- couple hundred residents that showed up and enjoyed
12 it.

13 MR. ROSE: Yeah.

14 CHAIRMAN GALLOWAY: So big kudos to you and the team
15 for everything you guys did in putting that together.

16 MS. ESKER: Thank you.

17 CHAIRMAN GALLOWAY: It was really wonderful.

18 MR. MALCHESKY: This room, this building was filled
19 with people. I didn't think that many people would fit in
20 here. It was packed and they were waiting, waiting to get in.

21 CHAIRMAN GALLOWAY: Shhh, don't tell Chief.

22 MR. MALCHESKY: I think he was here eating cookies.

23 MS. LUHTA: Yeah. And I am glad it's a first annual
24 event. Thank you.

25 CHAIRMAN GALLOWAY: Yes. We are looking forward to
26 next year.

27 MS. LUHTA: Yes.

28 CHAIRMAN GALLOWAY: Already, we are.

29 MS. ESKER: Awesome. Thank you.

30 CHAIRMAN GALLOWAY: That brings us to Concord law

1 enforcement, Chief Leonbruno, aka the Grinch.

2 MS. LUHTA: Oh, since when?

3 CHIEF LEONBRUNO: Well, we are investigating a
4 complaint by Kris Kringle, who is missing a listing of good,
5 naughty and nice children from this area.

6 For the month of November, we had 771 billable hours
7 that Concord paid for and we were here an additional 321 hours
8 in the township on various investigations and follow-up calls,
9 for a total of 1,092 hours the Sheriff's Office spent in
10 Concord Township, which of that was 1,203 calls for service.
11 We handled two injury accidents, 14 property damage accidents.
12 We had an arrest for possession of drugs, a disorderly
13 conduct, a domestic violence arrest, and a warrant arrest. We
14 visited 253 businesses during November, handled 65 alarm drops
15 or responses to alarms in Concord. And we did 177 crime
16 prevention interactions where we look for open doors, lights
17 on inside of vehicles and such.

18 We've increased, for the holiday season, traffic
19 enforcement, so we had 113 warnings in Concord Township and
20 issued 13 citations. We had six driving under suspensions,
21 three DUIs. And we have two burglary investigations, one on
22 Auburn Road and one on Alecia Court, a sex offense in
23 Summerwood, and eight theft offenses in Concord Township that
24 we're currently investigating.

25 I'm not an astrophysicist but I did stay in a
26 Holiday Inn Express last night, so I am going to talk a little
27 bit about speed and surfaces. It's the winter driving season.
28 I came today from Perry, and Perry Village had about seven
29 inches of snow in it, to here where there was --

30 MS. LUHTA: Hard to believe.

1 CHIEF LEONBRUNO: -- not as much snow in terms of
2 traveling. So what that means is we're in that time of year
3 we're experiencing black ice, which is caused in any number of
4 locations. We have a lot of dips and different weather
5 patterns on our roads. It's always bad to find out you're on
6 black ice when you're in the middle of a skid. So we ask
7 everyone to slow down, take their time on turns.

8 Studies have been done in terms of speed. And in
9 one of the most recent studies in a -- Under 500 miles, if you
10 go 10 miles over the speed limit, you're going to save about,
11 on an hour's drive, about 12 minutes, and that's if you hit no
12 lights, that's if you hit no bad traffic. All of those can
13 affect your speed -- your time of arrival. So end all be all,
14 it's not worth driving fast, certainly not 10 miles an hour
15 over.

16 And the cost in terms of property damage to your
17 car, other people's is not worth that risk. So we ask
18 everyone to slow down, especially going into winter months.

19 Also, now that everyone has the electronic cars,
20 during this time of year you're noticing your tires are
21 deflated because you're getting those alarms. And that's
22 from, obviously, the cold whether that shrinks your tire
23 inflation.

24 CHAIRMAN GALLOWAY: Will you tell Roger Goodell that
25 because that's what Tom Brady's argument was?

26 CHIEF LEONBRUNO: There you go. So as you speed up,
27 your tires warm up and do increase a little bit on inflation,
28 but we ask everybody to keep your tires inflated so that you
29 can handle the ice and snow better.

30 CHAIRMAN GALLOWAY: Thank you.

1 MR. MALCHESKY: Thank you.

2 CHAIRMAN GALLOWAY: Thanks, Chief.

3 Okay. That's going to bring us to the audience
4 portion. Would anybody like to address the Board on any
5 township matters?

6 Okay. There is no Old Business. That's going to
7 bring us to New Business and the first thing we need to do is
8 approve the November financial statements which were dutifully
9 provided by our Fiscal Officer.

10 MS. LUHTA: I move that we approve the November
11 financial statements.

12 MR. MALCHESKY: I second that.

13 CHAIRMAN GALLOWAY: All those in favor?

14 (Three aye votes, no nay votes.)

15 MR. MALCHESKY: I also make a motion to approve
16 the 2019 temporary, temporary appropriations, that would be
17 Resolution 2018-33.

18 MS. LUHTA: I second.

19 CHAIRMAN GALLOWAY: Okay. Any questions or anything
20 to inquire with Mrs. Dawson on that which is before us on that
21 matter?

22 MS. DAWSON: So these are appropriations that take
23 place on January 1st, basically, through March 31st or until
24 the permanent appropriations for next year are voted upon once
25 I have the budget figures for next year. And I am estimating
26 we're going to spend about \$4.5 -- We won't exceed spending
27 \$4.5 million in the first quarter of next near year. And I
28 will need a roll call vote on that, please.

29 CHAIRMAN GALLOWAY: And you shall have one.

30 MS. DAWSON: Thank you.

1 CHAIRMAN GALLOWAY: I have a motion and a second. I
2 need a roll call, please.

3 MS. DAWSON: Mrs. Luhta?

4 MS. LUHTA: Yes.

5 MS. DAWSON: Mr. Malchesky?

6 MR. MALCHESKY: Yes.

7 MS. DAWSON: Mr. Galloway?

8 CHAIRMAN GALLOWAY: Yes.

9 MS. DAWSON: Thank you.

10 CHAIRMAN GALLOWAY: Thank you. Okay. Take that off
11 the docket.

12 MS. DAWSON: My apologies for missing that earlier.

13 CHAIRMAN GALLOWAY: Okay. One of the duties of this
14 body is we need to appoint a member to the Concord-Painesville
15 Joint Economic Development District Board. The term for
16 myself is up as Concord's representative. And under the rules
17 of our Board, I have served the maximum number of terms that
18 is allowed. So as of December 31st, that will be my last day
19 as the Concord representative on the JEDD Board.

20 So we need to appoint a new member as Concord's
21 representative to that board, and so I am recommending that we
22 appoint Concord resident Jim O'Leary to that position. And I
23 have spoken with him and he has agreed to serve, if nominated
24 and appointed by this body, effective January 1st.

25 So I would need, if agreeable by both of you, a
26 motion to appoint Mr. O'Leary as the Concord Township
27 representative on the Joint Economic Development District
28 Board effective January 1, 2019.

29 MS. LUHTA: I so move.

30 MR. MALCHESKY: Second. He sits there as the

1 chairman now, currently.

2 CHAIRMAN GALLOWAY: He is the chairman now, yes.

3 MS. LUHTA: And how long is the term?

4 CHAIRMAN GALLOWAY: The term is four years.

5 MS. LUHTA: Okay.

6 CHAIRMAN GALLOWAY: And you may serve two terms.

7 And it would provide for some continuity.

8 MR. MALCHESKY: Good.

9 CHAIRMAN GALLOWAY: So let's do a roll call on that
10 as well. Sorry. You know, you're still over there writing.

11 MS. DAWSON: I am sorry. I am. Mrs. Luhta?

12 MS. LUHTA: Yes.

13 MS. DAWSON: Mr. Malchesky?

14 MR. MALCHESKY: Yes.

15 MS. DAWSON: Mr. Galloway?

16 CHAIRMAN GALLOWAY: Yes. Okay.

17 MS. DAWSON: I have caught up now. Thanks.

18 CHAIRMAN GALLOWAY: All good. So we've got, we've
19 got some Fire Department hires. Paul, do you want to handle
20 the motions on those?

21 MR. MALCHESKY: Yeah. I make a motion to make a
22 conditional offer of employment to the full-time fire safety
23 inspector, Steven Bohm, pending background check and physical.

24 MS. LUHTA: Second.

25 CHAIRMAN GALLOWAY: All those in favor?

26 (Three aye votes, no nay votes.)

27 MR. MALCHESKY: I make a motion to -- or motion to
28 hire, as a conditional offer of employment, to part-time
29 firefighter/EMT basic Walter Jackson, pending background check
30 and physical.

1 MS. LUHTA: Second.

2 CHAIRMAN GALLOWAY: All those in favor?

3 (Three aye votes, no nay votes.)

4 MR. MALCHESKY: I make a motion to make a
5 conditional offer of employment to part-time firefighter/EMT
6 basic Daniel Lallitto, Lallitto --

7 CHIEF SABO: Lallitto.

8 MR. MALCHESKY: -- Lallitto, pending background
9 check and physical.

10 MS. LUHTA: Second.

11 CHAIRMAN GALLOWAY: All those in favor?

12 (Three aye votes, no nay votes.)

13 MR. MALCHESKY: I'm rolling there. I might as well
14 purchase something for the Service Department.

15 CHAIRMAN GALLOWAY: If you want to. I was going to
16 have Connie do it but you can keep rocking.

17 MR. MALCHESKY: I make a motion to approve P.O.
18 64-2018 to ECM Contractors in the amount of \$6,200 for Service
19 Department lighting improvements, and this is through a NOPEC
20 grant.

21 MS. LUHTA: Second.

22 CHAIRMAN GALLOWAY: All those in favor?

23 (Three aye votes, no nay votes.)

24 MR. MALCHESKY: Along with that and included in that
25 NOPEC grant, I would make a notion to approve P.O. 65-2018 to
26 Lake County Door, in the amount of \$4,175 for the Service
27 Department.

28 MS. LUHTA: Garage door.

29 MR. MALCHESKY: Garage door improvement.

30 MS. LUHTA: NOPEC grant as well.

1 MS. DAWSON: Mr. Kraska has already received
2 approval for the reimbursement for -- from NOPEC for these
3 purchases.

4 MS. LUHTA: I'll second that.

5 CHAIRMAN GALLOWAY: And that is that R rated 17.5
6 door, as we learned yesterday.

7 MR. ROSE: That's right.

8 CHAIRMAN GALLOWAY: Very good, yes. All those in
9 favor?

10 (Three aye votes, no nay votes.)

11 MR. MALCHESKY: I think it's important to note, both
12 those grants and using those dollars and funds, that we were
13 eliminating more than half the lights and then the current
14 lights would have, provide better lighting, as well as more
15 efficient and cheaper electric bill.

16 And the same thing with the garage door. It just,
17 you know, again, in the long run, it saves us much money.

18 MS. LUHTA: Right. Okay. And the, for the Zoning
19 Department, I would move that we do a conditional offer of
20 employment to Assistant Zoning Inspector and planning
21 technician Martin Pitkin at an annual salary of \$38,000,
22 pending completion of new hire paperwork.

23 MR. MALCHESKY: Second.

24 CHAIRMAN GALLOWAY: All those in favor?

25 (Three aye votes, no nay votes.)

26 CHAIRMAN GALLOWAY: Great, get Heather some help
27 down there.

28 MS. LUHTA: Right. And then we --

29 CHAIRMAN GALLOWAY: And then we have H.A or B or
30 whatever we want to do.

1 MS. DAWSON: We can just move it.

2 CHAIRMAN GALLOWAY: H.2.

3 MS. DAWSON: We can insert an I.

4 CHAIRMAN GALLOWAY: That's right. So this would be
5 a vote on the public hearing that was just before us.

6 MS. LUHTA: Okay.

7 CHAIRMAN GALLOWAY: Assuming that you guys would
8 like to move forward with a vote.

9 MS. LUHTA: Let's do that.

10 CHAIRMAN GALLOWAY: Okay. All right. I would
11 entertain any comments.

12 MR. MALCHESKY: How about I make a motion, then we
13 get a second. As this Board is aware of, you have to make
14 these motions in the affirmative. So I would make a motion,
15 under Application 1018-4 by the Sommers Real Estate Group,
16 LLC, in the affirmative to make an amendment to the 8.636
17 acres of land on Concord-Hambden Road currently known as
18 Permanent Parcel Number 8-A-13-2 and 8-A-13-3, as commonly
19 known, in the current zoning district of Town Hall
20 Neighborhood to the R-1 Residential District.

21 MS. LUHTA: I'll second that.

22 CHAIRMAN GALLOWAY: Okay. I have a motion and a
23 second. Discussion?

24 Amy, those are for you.

25 MS. DAWSON: Thank you.

26 MR. MALCHESKY: I guess, whether discussion or some
27 comments, the concern and argument for the preservation of
28 commercial property certainly is something that I agree on
29 doing. However, this piece is an unusual piece. It's a
30 transition piece where we have the beginning of it starts at

1 the entrance of Quail Hollow and Hunters Trail and extends
2 east to, to the nursery property directly across the street
3 from us. It abuts, obviously, Hunting Lake. And so it's not,
4 certainly, not enough buffer for, at least, in my opinion, the
5 residential zoning in that R-2 PUD. R-2 PUD is generally
6 denser. R-3, to the west of that, is actually more dense than
7 the R-2. What we're talking about, the amendment here, is to
8 an R-1, which is not as dense as either one of those.

9 MS. LUHTA: That's right.

10 MR. MALCHESKY: And so that should alleviate any of
11 the stormwater concerns.

12 My concern is, also, if you put a piece of
13 commercial property there, you're looking at a large parking
14 lot and nonporous surface and then, again, there are
15 stormwater concerns there.

16 So it appears to be the right fit and character for
17 that particular neighborhood, which I think ultimately
18 requires us to be more protective of other commercial pieces
19 or look for additional commercial pieces in the future, which
20 this Board seems to do quite often.

21 MS. LUHTA: I have the same concerns and I think you
22 have stated them very well. I have nothing really to add.

23 CHAIRMAN GALLOWAY: Okay. I, as you know, I was
24 opposed to the rezoning of the parcel to the north from THN to
25 R-1. I felt it was spot zoning, as well as more that side of
26 the, the north side of that road was better served with some
27 commercial.

28 Although I don't have -- And, in that, I voiced, I
29 guess, a general level of comfort with a residential component
30 to the parcels in front of us. I don't have any objection to

1 this rezoning from THN to R-1.

2 I will, however, disagree with your statements and
3 your concurrence with those statements on the record as it
4 relates to future considerations within the bordering THC
5 District. I believe that the buffers that we have in place
6 are solid. I believe the stormwater plans that we have in
7 place are solid as they relate to commercial bordering up on
8 residential. And I would have had no necessary objections --
9 I mean, obviously, some of that comes down to site plan
10 review -- as it relates to these parcels had somebody chosen
11 to develop them commercially. I don't have -- I don't share
12 your concerns as it relates to that.

13 I do understand that this is a good transition.
14 This is all a transition area, both categories, THN and THC.
15 But I would point out for the record that I believe that the
16 text and the buffers and the regulations that we have in place
17 would adequately, be it parking lots or otherwise, protect the
18 R-2 PUD zoned property that borders both these
19 classifications.

20 So let's go ahead and have a roll call on this.

21 MS. LUHTA: I knew that was coming.

22 CHAIRMAN GALLOWAY: Let's have a roll call.

23 MS. DAWSON: Mr. Malchesky?

24 MR. MALCHESKY: Yes.

25 MS. DAWSON: Mrs. Luhta?

26 MS. LUHTA: Yes.

27 MS. DAWSON: Mr. Galloway?

28 CHAIRMAN GALLOWAY: Yes.

29 All right. Future meetings and announcements,
30 Mrs. Dawson.

1 MS. DAWSON: Okay. On Wednesday, December 12th, at
2 7:00 p.m., the previously scheduled Board of Zoning Appeals
3 meeting has been canceled;

4 On Friday, December 14th, at 8:00 a.m., there will
5 be a JEDD Board meeting here at Town Hall;

6 On December 17th, at 10:00 a.m., there will be a
7 special meeting for the Trustees, who will go into executive
8 session to discuss performance evaluations;

9 And on Wednesday, December 19th, at 6:30 p.m.,
10 Trustee office hours will be held here at the conference room;
11 at 7:30 p.m., Trustee meeting here at Town Hall.

12 CHAIRMAN GALLOWAY: And a reminder, on Saturday, the
13 15th, at the cemetery, we have --

14 MS. DAWSON: Wreaths Across America.

15 CHAIRMAN GALLOWAY: At noon.

16 MS. DAWSON: Noon.

17 MR. MALCHESKY: At noon.

18 MS. DAWSON: Immediately following Deb's thing at
19 the Schoolhouse.

20 MS. ESKER: At 11:00.

21 MR. MALCHESKY: At 11:00.

22 CHAIRMAN GALLOWAY: Rain --

23 MS. DAWSON: Snow.

24 CHAIRMAN GALLOWAY: -- shine or blizzard --

25 MS. DAWSON: We will be placing those wreaths at
26 veterans' graves.

27 CHAIRMAN GALLOWAY: -- it's happening. We hope you
28 will join us.

29 MS. DAWSON: Yes.

30 CHAIRMAN GALLOWAY: And to all our friends in the

1 Jewish community, happy Hanukkah, and I hope everybody has a
2 safe couple of weeks and we will see you next time. Thank
3 you.

4 MR. MALCHESKY: Thank you.

5 (Whereupon, the meeting was adjourned at 8:97 p.m.)
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STATE OF OHIO)
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COUNTY OF CUYAHOGA)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceeding was reduced by me to stenotype shorthand, subsequently transcribed into typewritten manuscript; and that the foregoing is a true and accurate transcript of said proceedings so taken as aforesaid.

I do further certify that this proceeding took place at the time and place as specified in the foregoing caption and was completed without adjournment.

I do further certify that I am not a friend, relative, or counsel for any party or otherwise interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 17th day of December 2018.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023