

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

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

February 6, 2019
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Paul Malchesky, Chairman
Caroline Luhta, Vice Chairwoman
Christopher Galloway, 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
Chief Frank Leonbruno, Sheriff's Department

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

1 7:01 p.m.

2 CHAIRMAN MALCHESKY: I am going to call to order
3 the -- at 7:01 -- the public hearing that was set for 7:00 for
4 the Zoning Map Amendment and Preliminary Plan Application
5 Number 1118-5 from Sommers Real Estate Group LLC for a
6 proposed Residential Conservation Development, R-2 RCD
7 District, on a portion of land currently known as Permanent
8 Parcel Number 08-A-002-0-00-008-0, whose address is 12395
9 Winchell Road, as further described in Exhibit A, being
10 24.6198 acres of land. The site is located off of Winchell
11 Road, south of Concord-Hambden Road, north of Meredith Lane,
12 and adjacent to Concord Ridge subdivision.

13 We have all received packets and including an email
14 of those packets as well. So that was nice to have today,
15 Heather.

16 We have an applicant here which I think,
17 Mr. Sommers, why don't you come up here and explain to us what
18 we have here.

19 MR. SOMMERS: Are you going to do the slide?

20 MS. FREEMAN: Yeah. We can do -- You can't see it
21 right now.

22 (Whereupon, a brief discussion was held off the
23 record.)

24 MR. SOMMERS: Okay. Thank you.

25 Good evening. The proposed rezoning tonight that
26 we're here for is for 24.16 acres of land located at
27 12395 Winchell Road. This property is directly south of Lilly
28 Lane and the Concord Ridge subdivision, which would be the
29 left side of the map. The total parcel, Lilly parcel, is 30.1
30 acres. This land is currently zoned R-4, which requires one

1 acre lots. We've designed a yield plan, as per the township
2 code, that indicates that we can do 22 one acre lots on the 24
3 acre site. Under the RCD District in Concord, we can, with
4 the density bonus, we can go to 24 half acre lots, which is
5 what we're proposing at this site. The proposed plan has
6 10.47 acres of open space, resulting in 42 percent of the site
7 being open, preserved in perpetuity.

8 This design was -- used the following design
9 criteria for maintaining and preserving sensitive natural
10 resource areas, including fringe woods, wetland streams,
11 riparian corridors, and natural drainage areas. These are
12 primarily located across the top of the property adjacent to
13 Concord Ridge subdivision open space.

14 We've used buffers to both subdivisions to the north
15 and south using dedicated green space. These will not have
16 any buildings, swing sets, any type of structures will be
17 allowed in these open buffer spaces.

18 We've minimized the impact to sensitive areas by
19 landscaping and lawns at individual residences on half acre
20 lots. We're also protecting adjacent properties from post-
21 stormwater impacts by using the drainage basins in primarily
22 the north side of the property, which is the low side of the
23 property.

24 Today the site consists of farm fields with a small
25 wetland and stream in the northwest corner, again, the top
26 left corner, the green space. Soil conditions will support
27 the proposed development. We've done the testing.

28 Home prices in this development are expected to be
29 from 350 to 500 thousand and, on average, will be homes
30 consisting of 2,300 to approximately 3,200 square feet per

1 dwelling. We expect that there will be 3.4 residents per
2 dwelling and the net population increase to Concord Township
3 would be 81 people.

4 We would, assuming this is constructed starting this
5 year, we would expect to sell approximately 18 homes in the
6 first 12 months and six homes in the second year after
7 completion and dedication.

8 The density of the proposed development is 1.07
9 dwelling units per acre.

10 The development of this area is served by
11 Painesville Water and Lake County Sewer, which is a component
12 of the requirements for the RCD District. All the utilities
13 are located at or adjacent to the site. The stormwater system
14 will be designed to meet all Lake County Engineer standards,
15 as well as obtaining an Ohio EPA pollution and stormwater
16 permit. We will be meeting all the Lake County Soil and Water
17 requirements for both construction period and post-
18 construction water discharge.

19 CHAIRMAN MALCHESKY: Preliminary, the stormwater is
20 going to be to the, at least on the preliminary plan, that's
21 going to be in the rear of Sublot 16, 17 and 18?

22 MR. SOMMERS: That is correct.

23 CHAIRMAN MALCHESKY: Okay.

24 MR. SOMMERS: The site falls from the south to the
25 north, that's the terrain. And there is a stream, outflow
26 stream currently on the property that flows to the north --

27 CHAIRMAN MALCHESKY: Okay.

28 MR. SOMMERS: -- to a large retention basin. It's
29 approximately two and a half acres that was constructed as
30 part of Concord Ridge subdivision.

1 CHAIRMAN MALCHESKY: You have, you have open space,
2 that open space Block 1 for Concord Ridge?

3 MR. SOMMERS: Correct. The water flows --

4 CHAIRMAN MALCHESKY: That's permanent open space?

5 MR. SOMMERS: Yes. That's all been recorded and
6 that plat has been recorded and that's permanent open space.

7 CHAIRMAN MALCHESKY: What about, what about the
8 stormwater behind the Sublot 6 and 7, for instance?

9 MR. SOMMERS: Again, those lots fall from, the
10 terrain, falls from south to north. And if required, the Lake
11 County Engineer requires rear yard drains in -- at every other
12 corner, there will be a rear yard drain that will then connect
13 to the stormwater system that's in the street.

14 CHAIRMAN MALCHESKY: And the open space would be
15 deed restricted?

16 MR. SOMMERS: Correct. Also, the deed, that
17 conservation easement will be held by a third party,
18 independent third party.

19 MS. LUHTA: Oh, okay.

20 MR. GALLOWAY: Who?

21 MS. LUHTA: That was my question.

22 MR. SOMMERS: I don't know if Lake County Soil and
23 Water is going to take this one. That would be our preference
24 since they hold the other one. They haven't committed yet
25 but, if not, it will be a third party.

26 MR. GALLOWAY: Not a homeowners' association?

27 MR. SOMMERS: Correct.

28 MS. LUHTA: Okay.

29 MR. GALLOWAY: I assume the county has already --
30 sanitary has already signed off and they have the capacity?

1 MR. SOMMERS: Correct.

2 MR. GALLOWAY: In terms of the sewer.

3 MR. SOMMERS: They have seen the preliminary design.
4 We worked with them. The sewer actually comes out of Concord
5 Ridge. There were provisions made to extend the sewer.
6 Whenever you put a subdivision in, they require that you take
7 the sewer to the property line.

8 I might note that the sewer will not serve the lots
9 on Winchell due to grade constraints and 208 plan
10 requirements.

11 MR. GALLOWAY: I wondered about that. I know that
12 had been part of a previous discussion.

13 MR. SOMMERS: If you remember, Concord -- the land
14 along Winchell and going to the north was, also, there were
15 issues there and the adjacent neighbors were concerned about
16 density, so we made a plan change then.

17 Any other questions at this time?

18 CHAIRMAN MALCHESKY: I am sorry. What was your
19 sewer connecting into?

20 MR. SOMMERS: It actually comes out of Scarlet
21 Drive, which is, Scarlet is the last phase was Phase 6 in
22 Concord Ridge. That's these lots right here, Sublot 30 to 36.

23 CHAIRMAN MALCHESKY: Is that the same line that
24 eventually goes through, like, Keystone, goes across, you
25 know, goes across, through Summerwood and then over to
26 Keystone. Is that the same line?

27 MR. SOMMERS: Correct.

28 CHAIRMAN MALCHESKY: Okay.

29 MR. SOMMERS: If you go down Summerwood Drive, the
30 sewer, there's an easement that goes through there and there's

1 a temp -- basically, a gravel road we had to put in so that
2 the county could maintain the sewers. So, yes, it goes to the
3 pump station ultimately on Ravenna Road.

4 CHAIRMAN MALCHESKY: Okay.

5 MR. GALLOWAY: Heather, we don't have a copy of the
6 yield plan in front of us but I assume staff reviewed and
7 signed off on this yield plan in terms of the density bonus?

8 MS. FREEMAN: Yes, correct. When we had our
9 preapplication conference between the Zoning Commission and
10 the Trustees back in July of 2018, it was determined that the
11 yield plan was reasonable and it did meet, based on the open
12 space set aside versus what they could build under the R-4
13 versus this plan, it did warrant the density increase which
14 allowed him two additional lots rather than the 22 that he
15 could have done under the yield plan.

16 MR. GALLOWAY: Okay.

17 MR. SOMMERS: I have a few other things. There will
18 be -- Basically, we're using the same deed restrictions that
19 were approved by the Trustees and the legal counsel for
20 Concord Ridge. The most important item in those deed
21 restrictions is that they cannot be changed, certain things
22 cannot be changed without the approval of the Trustees. So
23 those can't be changed unless you meet them. Those issues are
24 square footage, exterior requirements, hard surface driveway,
25 similar items like that to protect the neighborhood. Those
26 were approved by, again, this Board and Mr. Lucas for the
27 other subdivision. They work well.

28 MR. GALLOWAY: You mentioned landscaping and the
29 open space. Obviously, once that is handed over to a third
30 party, I am not sure what your covenants are going to read but

1 I don't know if that would allow future plant, planting. But
2 what is your, when you say "landscaping," what is your
3 intention there? Is that wooded, lots of trees? Are you
4 putting them in? Are you making them ornamental? Are you
5 letting it go natural meadow? What is the --

6 MR. SOMMERS: The plan is to allow it to go back to,
7 from farm field, to what we call open meadows. We will plant
8 some trees that are conducive but, primarily, it will be going
9 back to what it was many years ago before it was --

10 MR. GALLOWAY: Obviously, over time, a meadow will
11 start to forest.

12 MR. SOMMERS: Correct. There is no intention to do
13 any ornamental trees or landscaping in these green space
14 areas.

15 MR. GALLOWAY: Okay.

16 MR. SOMMERS: We would propose a landscaped sign at
17 the Winchell Road end and, possibly, something down in the
18 green space at the other end.

19 MR. GALLOWAY: What about clear, designated markers
20 at the end of each lot?

21 MR. SOMMERS: Those will -- They're started to be
22 installed in Concord Ridge. They will be the fiberglass
23 markers, they're approximately three feet tall, and there will
24 be one at the corner of every lot so people clearly know where
25 that demarcation line is. They're not supposed to put grass
26 clippings, brush --

27 MR. GALLOWAY: Right.

28 MR. SOMMERS: -- things like that, and that's why we
29 have third-party inspection.

30 MR. GALLOWAY: That's important in terms of people

1 that move in that don't understand what they're reading when
2 they take ownership, what "open space" means.

3 MR. SOMMERS: Correct.

4 MR. GALLOWAY: And future owners after the property
5 transfers.

6 MR. SOMMERS: Correct.

7 MR. GALLOWAY: We've had occasions of those types of
8 violations and then the township has to go and enforce it.

9 MR. SOMMERS: Well, the nice thing about a third
10 party holding it, Soil and Water or anything, they send them a
11 letter and then they are in the deed restrictions, there's
12 enforcement language that, if they don't do it or if Soil and
13 Water has to do it, they can become a lien against the
14 property. Same as the fees that are due every year, if they
15 don't pay them, they can become a lien on the property.

16 MR. GALLOWAY: Anything else?

17 CHAIRMAN MALCHESKY: No. I think maybe it's just to
18 explain to the general public what they're talking about in
19 density bonus and the yield plan is, originally, you would be
20 able to put approximately 22 lots on this property. Concord
21 has a certain provision that Mr. Sommers has went through and
22 the idea of that is to create open spaces surrounding
23 neighborhoods or developments that had been put in place.

24 And the idea of those open spaces are they're areas
25 that, A, become buffers to neighboring communities,
26 neighboring neighborhoods; but, additionally and probably more
27 importantly, they're areas that allow for deflection of water.
28 And what we have found in a lot of our older neighborhood here
29 is that we have stormwater problems that go from one
30 neighborhood to the next neighborhood because of the lack of

1 open area.

2 And so in a way to entice developers and encourage
3 this type of zoning, if they can produce a yield, they're able
4 to have some additional lots, if viable. And so the
5 difference in the two would be either, A, 22 lots, regular one
6 acre lots, or in this case, 24 lots that will really go on
7 about 10.47 acres, leaving probably a significant, what, 46
8 percent open space.

9 MR. SOMMERS: Forty-two percent open space.

10 CHAIRMAN MALCHESKY: Forty-two percent open space.

11 MR. SOMMERS: On 10.47 acres.

12 CHAIRMAN MALCHESKY: So that's the purpose of it.
13 That's the, you know -- Hopefully, those save basements from
14 flooding later on, you know, as years -- as these
15 neighborhoods grow up. And so that's what we're trying to do
16 to protect from what we've had happen in our older
17 neighborhoods.

18 MS. LUHTA: Right.

19 CHAIRMAN MALCHESKY: Chris, any questions?

20 MR. GALLOWAY: I have no more.

21 CHAIRMAN MALCHESKY: Connie, any questions?

22 MS. LUHTA: No, no more.

23 CHAIRMAN MALCHESKY: All right. We're going --
24 Anything else additionally?

25 MR. SOMMERS: No. I'd be glad to answer any
26 questions.

27 CHAIRMAN MALCHESKY: So this being a public hearing
28 and we heard from the applicant, we can hear from anybody who
29 is -- I think the first thing we would do is anybody who is in
30 favor or wants to make a comment in favor of the application,

1 this would be the time to make those comments. And then after
2 those are done, we will then have anybody who has some
3 opposition or other additional questions.

4 So if there is nobody in favor or has any questions
5 regarding that to the applicant, then how about anybody who is
6 not in favor or has additional questions, just step up to the
7 podium and we will address those.

8 If you would just state your name.

9 MS. POKORNY: Certainly. Nancy Pokorny, and I own a
10 home at one of the bottom of the hills, 12346 Winchell Road.
11 And I did not want to prevent the Lillys from, certainly,
12 earning what they would in the land as development has come
13 around them. I understand what they may need to do.

14 My biggest concern is with stormwater. And living
15 at the bottom of that valley there, everybody that's come in
16 recently has said, "Oh, we're taking care of it." The floods
17 this past year have been significant. My neighbors across the
18 street, Jen and Ray Heiden, formerly Jen Stanford, they've had
19 their driveway washed out and he had to put in very pricey
20 culverts to preserve that.

21 I've had -- We have a spring that runs through our
22 place that has existed as it has for about 100 years and that
23 just washed out. So -- And then as I looked at the Stanford
24 Springs drainage, there is a basin there and nobody maintains
25 it, so it is filled with weeds and you can just see the water
26 running off.

27 So my question is, who maintains that two-and-a-half
28 acre basin to ensure that it is collecting the water and is
29 disposing of it correctly?

30 CHAIRMAN MALCHESKY: And just -- We will have, we

1 will have Mr. Sommers address that issue.

2 I guess, are you on this map somewhere here, on this
3 Winchell Road portion?

4 MS. POKORNY: No. We --

5 CHAIRMAN MALCHESKY: You're below it?

6 MS. POKORNY: Yes.

7 CHAIRMAN MALCHESKY: You would be down here
8 somewhere?

9 MS. POKORNY: I would be on the south side, correct.

10 CHAIRMAN MALCHESKY: Okay.

11 MS. POKORNY: And I know there is the sewers and
12 stormwater and so on but then there is the runoff from the
13 cement driveways and that, obviously, just follows the pattern
14 of the road.

15 CHAIRMAN MALCHESKY: What's directly behind you at
16 this time?

17 MS. POKORNY: Directly behind us is a big hill that
18 leads up to Stanford Springs.

19 CHAIRMAN MALCHESKY: Up to Stanford Springs.

20 MS. POKORNY: Yes.

21 CHAIRMAN MALCHESKY: Which this would be in between,
22 correct, now?

23 MS. POKORNY: That would be just north of Stanford
24 Springs, yeah.

25 MR. GALLOWAY: Well, I think the -- Rick can answer
26 how he intends to write up the maintenance on the retention
27 pond. I think what we'll do is look at the -- what
28 infrastructure, if there is something at Stanford Springs that
29 is not being maintained to see if there is something that
30 needs to be done either by the Stormwater Department,

1 homeowners' association.

2 MR. ROSE: We will be looking at that tomorrow.

3 MR. GALLOWAY: Take a ride out there. Thanks for
4 letting us know about that.

5 MS. POKORNY: Thank you. Thank you.

6 MR. GALLOWAY: Rick, do you want to come up and
7 address the --

8 MR. SOMMERS: Based on the topography of this site,
9 this basically sits on the -- the hill basically crests on
10 just the north side of Stanford Springs. The north side of
11 Stanford Springs is the break point. All the water from this
12 subdivision will be going north. I don't believe there will
13 be water going towards the Pokorny residence, which is, what,
14 approximately a half mile to the west.

15 MS. POKORNY: Yes.

16 MR. SOMMERS: If not more. So the water goes north
17 from this point. If there is any situation where there is
18 flooding because -- There was an event last July, I believe,
19 was it, or August? It was a 500-year storm and the creeks and
20 ditches just didn't take it. But I believe all that flooding
21 that occurred down Winchell to the west was from subdivisions
22 that are further to the west, even as far over as Ravenna
23 Road.

24 As far as the maintenance of the on-site storms,
25 that's basically a responsibility of the homeowners'
26 association. And I would note that Lake County, there is now
27 the Lake County Stormwater Management. They inspect these
28 ponds now twice a year and, if there is a violation or an
29 issue, they send them out. They send a letter. It ultimately
30 is the responsibility of the homeowners' association. That's

1 why they're created, to create -- We do collect minimal dues
2 and it's enough budgeted to properly take care of the
3 stormwater management facilities.

4 A properly constructed stormwater management
5 facility is designed by the engineer to take event rains like
6 this. We've had no issues in Concord Ridge even during that
7 storm. It did come over one road on Lilly but it didn't flood
8 any people, and I think that was just due to a 500-year event
9 storm.

10 CHAIRMAN MALCHESKY: Mr. Sommers, with regards to
11 getting access and coming through, my guess is you'd be coming
12 through the Concord Ridge open space for that pond. Is that
13 not accurate, or where would you go?

14 MR. SOMMERS: If you look between Lot 21 and 20.

15 CHAIRMAN MALCHESKY: Okay.

16 MR. SOMMERS: There is a 20 foot access strip for
17 access to the green space on both sides of the road.

18 CHAIRMAN MALCHESKY: Okay.

19 MR. SOMMERS: Between 4 and 5 and 20 and 21, and
20 those were designed specifically to allow heavy equipment, if
21 needed, to get in there, even a dump truck that's 8 feet wide,
22 if you ever had to dredge the pond or maintain or do grading
23 or if there was a failure of a pipe or something. So there is
24 access from this subdivision.

25 MR. GALLOWAY: It says "reserved for future sanitary
26 sewer access." I assume that the deed itself will a little
27 more --

28 MR. SOMMERS: That is also a -- It serves two
29 purposes. That's where the sanitary sewer will be. And if
30 you look below, it says "access to open space."

1 MR. GALLOWAY: Okay. Future access on the one,
2 okay, on the south side, oh, yeah.

3 MR. SOMMERS: And those are not in the open space
4 calculations because they're not 50 feet wide.

5 MS. LUHTA: Right.

6 MR. GALLOWAY: How is -- Just thinking long term, as
7 this becomes a meadow and starts to become wooded, you're
8 going to have to write something in there that's going to
9 allow some level of access. I mean, as trees start to grow
10 in, you might have an access point through lots but, at some
11 point, if you're taking a bulldozer back to clear sediment out
12 or, you know, a backhoe, okay, you're not going to be able to
13 get access through here without clearing trees.

14 MR. SOMMERS: I think that would be included in
15 the -- as is the gravel road that goes from Summerwood back to
16 the pond in Concord Ridge, if you remember that, where we
17 installed the gate to keep out the four-wheelers.

18 CHAIRMAN MALCHESKY: Yes.

19 MR. SOMMERS: There is a gravel road there and
20 those -- that would be indicated on the improvement plans.

21 MR. GALLOWAY: Yeah, you are going to have to have
22 some access point to it, is what I am saying.

23 MR. SOMMERS: Correct.

24 MR. GALLOWAY: And some -- You are going to have to
25 write in those covenants, when you transfer them, the ability
26 to remove trees and things like that -- you know, obviously,
27 this is long in the future --

28 MR. SOMMERS: Correct.

29 MR. GALLOWAY: -- if you need get access to this
30 thing. At some point, this is all going to grow up with

1 little saplings and little trees and then there will be a
2 physical barrier of getting equipment back there. So I just
3 point that out that that should be somehow written in for
4 future maintenance. It has to be some level of that allowed.

5 MR. SOMMERS: I believe Lake County Soil and Water
6 will require -- if they don't, we'll put it in the plans or
7 both -- that that gravel road be maintained as usable access.

8 MR. GALLOWAY: Okay. Yeah, that's going to be
9 important long term.

10 MR. SOMMERS: Do you have any other questions,
11 Mrs. Pokorny?

12 MS. POKORNY: No, thank you.

13 CHAIRMAN MALCHESKY: Okay. Additional comments,
14 questions? Come on up.

15 MR. ASPINWALL: One question. Robert Aspinwall,
16 7559 Sarah Lee Drive.

17 Mr. Sommers, which way is the water going to go once
18 it goes north?

19 MR. SOMMERS: There is a stream that goes actually
20 behind this and a wetland, a big wetland.

21 MR. ASPINWALL: Okay.

22 MR. SOMMERS: Filtration system that's behind the
23 new school and that's part of the green space of Concord Ridge
24 development, which is downstream from this.

25 MR. ASPINWALL: So it goes down, it's going to go
26 down Concord-Hambden Road, correct?

27 MR. SOMMERS: Not the road.

28 MR. ASPINWALL: I mean, it will go down that way.
29 The grade goes down toward the valley?

30 MR. SOMMERS: Correct. It ultimately goes, winds in

1 behind the school and it goes across Girdled Road at some
2 point eventually.

3 MR. ASPINWALL: Yeah, to my back yard. That's why I
4 am -- This is, I mean, nothing against you. I know you're
5 trying -- But the question I have to the Trustees is that
6 you're pushing more water down to the valley, and I'm in the
7 valley. And when is enough is enough? You have to divert the
8 water somewhere else.

9 And when it comes towards the septic, I know on
10 Christine Avenue, they get, last year, they got the heavy
11 rain, they backed up. So the county is down there for 12
12 hours trying to keep that thing open.

13 CHAIRMAN MALCHESKY: On Christian?

14 MR. ASPINWALL: Yes, I'm sorry, Christian, yes.
15 Because they --

16 CHAIRMAN MALCHESKY: There is that --

17 MR. ASPINWALL: There's a pump station there.

18 CHAIRMAN MALCHESKY: -- pump station there.

19 MR. ASPINWALL: That gets backed up because of all
20 the water and you are going to add more water down there, too,
21 because, you know --

22 CHAIRMAN MALCHESKY: Just below that pump station is
23 Jordan Creek though.

24 MR. ASPINWALL: Right.

25 CHAIRMAN MALCHESKY: So that pump station is on the
26 slope downwards compared to --

27 MR. ASPINWALL: I have, you know, a pump station in
28 my subdivision, too, or in our development. On Cali and Sarah
29 Lee, there is a pump station. I mean, it's just getting to
30 the point you're putting so much pressure on that.

1 CHAIRMAN MALCHESKY: No, I get it.

2 MR. ASPINWALL: It's getting to the point, you know,
3 I have friends that live three doors down from that and
4 they're constantly, whenever it rains, their sewers are
5 starting to back up. So it's just that, you know, you are
6 putting so much pressure on everything. That's what has to
7 be -- The infrastructure is not there.

8 CHAIRMAN MALCHESKY: So if I understand it
9 correctly, so if you had the topo map, you're telling us that
10 the, the water that, you know -- So the individuals that are
11 below this, south of this on Winchell, they're not really
12 getting the water from this property because that water from
13 this property is heading in a northern direction towards this
14 stormwater basin, correct?

15 MR. SOMMERS: Correct. What I might note, if I
16 may --

17 CHAIRMAN MALCHESKY: Yes.

18 MR. SOMMERS: When we, when our engineers design a
19 subdivision, the EPA requirements today are that we cannot --
20 They do a study of the land as it is today. And then you
21 analyze the impervious surface that's going to be added with
22 driveways and rooftops. That stormwater basin is designed to
23 hold the difference between what's there today and what's
24 there after the impervious surface, and they're restricting
25 pipes in these ponds that let the water out at a rate that is
26 the same as pre-construction.

27 That's how these stormwater pipes work. They have
28 orifices and they have a distance. If you've ever been back,
29 anyone's been back at Concord Ridge, that two-and-a-half acre
30 lake has about a 10 foot freeboard. That water can come in,

1 it comes up, and then it goes down slowly. You will see it
2 over time. And it's much more restricted during construction
3 times when there is possibility of mud and silt. They're also
4 overdug to allow them to fill in a little bit during that
5 period.

6 So -- And then once it's, all the seeding is done
7 and it's permanent, you open the orifice up but it still can't
8 flow in a 100-year storm more than you had when we started.

9 CHAIRMAN MALCHESKY: Then behind this is Concord
10 Ridge and then we get to the Cali subdivision and Far Hills,
11 Christian, right?

12 MR. SOMMERS: I am not sure where Christian is but
13 Far Hill and Cali are miles north. I mean, they're quite a
14 bit.

15 CHAIRMAN MALCHESKY: Well, Christian and Jason and
16 those are right there. I mean, they're right behind us right
17 now. Those are right behind us, those subdivisions.

18 MR. SOMMERS: Okay. I thought the way the crow flew
19 that you'd have to cross Girdled Road.

20 CHAIRMAN MALCHESKY: Right, right.

21 MR. SOMMERS: And then --

22 MR. ASPINWALL: It all runs that way.

23 MR. SOMMERS: Again, the stormwater ponds are
24 designed to minimize the flow post-construction to the
25 pre-construction levels.

26 MR. GALLOWAY: Here, the basin is here. The problem
27 with this map is it doesn't have all the --

28 CHAIRMAN MALCHESKY: It doesn't have all the roads?

29 MR. GALLOWAY: It doesn't have all the creeks. It
30 has all the roads, has all the lots, but it doesn't have the

1 creeks. This zoning map doesn't have all the topo.

2 MS. LUHTA: Right.

3 MR. GALLOWAY: I mean, it's going to travel through
4 past Summerwood, north towards Girdled, towards Connie's
5 airport.

6 MS. LUHTA: Yeah. We're at the top. We're higher.
7 Our elevation is at the very top. I don't even have a culvert
8 pipe at the driveway because it goes both ways.

9 MR. GALLOWAY: Oh, it goes --

10 MS. LUHTA: It goes both ways.

11 MR. GALLOWAY: Yeah, without a topo map, I can't
12 really -- Well, regardless, to Robert's point, I mean, this is
13 why we've been looking at the idea of trying to get Stormwater
14 to do a watershed study. Obviously, right now, Mr. Sommers
15 can develop this property that he's acquired and put 22 homes
16 on one acre. He can do that today without our having any --

17 MS. LUHTA: Right.

18 MR. GALLOWAY: -- process or otherwise. The RCD,
19 obviously, creates a great deal of open space that is
20 preserved. That is a big part of the reason we passed that
21 years ago was to try to help with those stormwater functions.

22 MS. LUHTA: Right.

23 MR. GALLOWAY: It doesn't always. It doesn't, you
24 know -- You get massive rain events. Part of the issue that
25 we have found, obviously, is that our creeks are getting
26 overwhelmed with all the runoff. In Concord Township, the
27 creeks and streams are what's been used from a stormwater --
28 by developers for a long time in terms of managing stormwater,
29 with county and EPA approval.

30 As there is more and more development, Robert is

1 right that there is more and more stormwater hitting those
2 creeks. It's why we had to acquire that land on 608, several
3 lots, remove homes and create more of a floodplain at a point
4 where we were seeing some extreme flooding below Christian.
5 And we're dealing, we're dealing with the issues of a mature
6 community, those stormwater issues that you start to see in
7 mature communities.

8 But, I mean, we will -- I can tell you that we are
9 aggressive when we find these things, that we try to find
10 solutions, an example being Aria's Way. I mean, we've had
11 County Stormwater. We did not -- In the end, the way that was
12 designed, it was not sufficient. It was causing flooding
13 problems within homes across the street, development across
14 the street, actual homes within the development. And we had
15 Stormwater come out and make a bunch of changes.

16 CHAIRMAN MALCHESKY: Stormwater was out there, made
17 two significance changes.

18 MR. GALLOWAY: Widening, deepening the retention.

19 MS. LUHTA: Right.

20 MR. GALLOWAY: Creating a separate flow area. So, I
21 mean, we will continue to look at those things if it creates
22 -- If there is going to be stormwater issues from this
23 property, it's going to start in places like Crossroads and
24 Scarlet and those local -- Summerwood. They're going to
25 experience it first and that would be our opportunity to have
26 Stormwater make remedies in terms of slowing down water and
27 feeding it properly.

28 MS. LUHTA: Right.

29 CHAIRMAN MALCHESKY: When was the Christian -- When
30 did Christian get overwhelmed?

1 MR. ASPINWALL: The last year when we had that
2 storm, we had that heavy rain. I am not -- excuse me. I
3 mean, the last couple, I mean, it's every five years, we're
4 seeing more and more heavy storms. It's just not every 500
5 years, it's every couple, five years.

6 CHAIRMAN MALCHESKY: That water that goes down
7 Christian comes from, comes from above, which, as you know --

8 MR. ASPINWALL: Right.

9 CHAIRMAN MALCHESKY: -- comes past, you know, comes
10 down, comes down Cali hill, down.

11 MR. ASPINWALL: Right.

12 CHAIRMAN MALCHESKY: Which was flooding those
13 properties along 608 here, which is the reason why those
14 houses were removed. And I know how much water comes off that
15 hill but it comes -- That substation just sits there and just
16 over it is a ridge that the water comes over, it comes down.
17 It's got --

18 MR. GALLOWAY: But we're also talking about two
19 different things here.

20 CHAIRMAN MALCHESKY: Yeah.

21 MR. GALLOWAY: We're talking stormwater within the
22 creek systems and then we're talking sanitary, which means
23 that there is water leaking into the county's sanitary lines.
24 There is water getting into those sanitary lines that
25 shouldn't be. Otherwise, they should not be having an issue
26 with backing up. Which means that there is either, A, illegal
27 tie-ins, people have illegally tied into the sanitary sewer
28 for their stormwater on their property, or there is manhole
29 issues, which we have found from time to time. We have found
30 that down on -- What's the subdivision right there by Button?

1 We had the, we had the creek, our first stormwater project.

2 CHAIRMAN MALCHESKY: Oh, Ellison, that's Ellison
3 Creek.

4 MR. GALLOWAY: No, no, no. Anyway, we found --

5 CHAIRMAN MALCHESKY: That's the upper part though,
6 right?

7 MR. GALLOWAY: It was on -- Off of Mountain Park, we
8 had storm covers that were failing. They were letting
9 stormwater in and, therefore, they were flooding people's
10 basements with sanitary because there was problems with it.

11 So we're really talking two separate things. As far
12 as sanitary leakage goes in terms of stormwater going in,
13 obviously, that's something that, if we are made aware of, you
14 know, we can -- obviously, the county was aware of it. They
15 were out there. That's where they have to maintain and
16 upgrade their facilities.

17 MR. ASPINWALL: Oh, I know that. I understand what
18 you are saying but it just seems like it's happening more and
19 more. I mean, they're out there in the middle of the night
20 pumping. You can hear. They bring their trucks out and
21 they're pumping one after another, pumping, trying to keep
22 that clear without backing up to other people's houses.

23 You know, it's the same thing with Sarah Lee and
24 Cali, there is a drain that goes right along where the pump
25 station is. There is, you know, the creek supply right into
26 the pond there. The pump station is right there. It's the
27 same area. I mean, it's just, you know -- And Lake County
28 Water, Soil and Water, they always, you know, they're so busy,
29 I mean, you know, and to have them say they're going to
30 maintain retention basins, I mean, it's hard to -- I don't

1 know. I just --

2 CHAIRMAN MALCHESKY: Well, the difference from way
3 back when to now is there is a Stormwater, there's an active
4 Stormwater Department that does do those things.

5 MR. ASPINWALL: Yeah. Just when you call them to do
6 something, it seems like you're, you know, twisting arms to
7 get them out there.

8 CHAIRMAN MALCHESKY: Stormwater?

9 MR. ASPINWALL: Yeah.

10 CHAIRMAN MALCHESKY: I, well --

11 MR. ASPINWALL: I mean, just, you know, as a
12 resident, I should say.

13 CHAIRMAN MALCHESKY: Depends on what projects, I
14 guess, they are. They're very responsive on some, some
15 they're just -- I don't want to say they're pokey at. But
16 what the phenomenon was that they did not have personnel,
17 subcontractors to do the projects timely, and that's because
18 there was all the construction was going on in the area.
19 There was excavating material and equipment were being used
20 constantly. So they're doing a lot of projects now in the
21 middle of February and March that they just told us they were
22 going to start doing. So --

23 MR. ASPINWALL: I know, with the new development
24 that's going off Keystone that's now the second phase, that's
25 going to be more water into that area, too. I mean, you
26 know --

27 CHAIRMAN MALCHESKY: That's certainly going to go
28 down to that area.

29 MR. ASPINWALL: Yeah. And the neighbor across the
30 street, he's about to lose his driveway because of all the

1 stormwater. I think Chris has talked to him. So it's, you
2 know, we have a problem. It needs to be addressed. I am not
3 against Mr. Sommers developing the property. I don't have a
4 problem with it but it eventually is coming down to our area.
5 It is going to affect our area.

6 CHAIRMAN MALCHESKY: No. And as we talked about and
7 encouraged the Stormwater Department to do a study, the unique
8 problem with Concord is the expense of that study based upon
9 the fact that we have all this terrain and all these rivers.
10 And so the water -- It's not like you've got one area that is
11 always flowing this way. You've got different places. Like
12 Connie's property goes from south to north, right? Water goes
13 there? You're on the top of the hill. You know, everybody is
14 cut off by different -- whether it's a hill or a mountain or a
15 stream that requires additional studies.

16 MR. GALLOWAY: You're not wrong. You're a hundred
17 percent right. The only thing I can tell you right now,
18 tonight, is the fact that --

19 MR. ASPINWALL: Oh, I understand that.

20 MR. GALLOWAY: -- we continually do stormwater
21 projects. We're doing -- We've done more stormwater projects
22 in the last six, seven years, millions of dollars of them.

23 MS. LUHTA: Yeah.

24 MR. GALLOWAY: We continue to push for them. We
25 continue to locate places, work. We have spent, you know,
26 where we can, township dollars. We've had the county spend
27 dollars. You know, we are going to continue to be aggressive
28 about it. Unfortunately, that's really the only thing I can
29 say is we're going to continue to push to try to find
30 solutions to these things.

1 CHAIRMAN MALCHESKY: On your property taxes, you pay
2 your stormwater fees and we have that calculation. We have
3 the Stormwater Department in here every year to make sure that
4 we at least get, at least, get those dollars and cents put
5 back into the township and we've always exceeded that.

6 MS. LUHTA: Right.

7 CHAIRMAN MALCHESKY: We've always been able to get
8 additional, additional dollars and cents because --

9 MR. GALLOWAY: We've been successful at pairing it
10 with other or outside dollars.

11 CHAIRMAN MALCHESKY: Yes.

12 MR. GALLOWAY: Other grant dollars and other things.

13 MS. LUHTA: I was just going to say that. Thank
14 you, Paul.

15 CHAIRMAN MALCHESKY: Okay. Anybody else?

16 MR. SOMMERS: One more comment.

17 CHAIRMAN MALCHESKY: Yes.

18 MR. SOMMERS: Just so the public knows and everybody
19 here, two things have happened in the last 10 or 12 years
20 since a lot of those subdivisions off 608 were built. One,
21 the stormwater is much better managed and they paid a lot more
22 attention to basins and flow off the site.

23 The second thing that's happened is, approximately
24 three years ago, Lake County Utilities no longer allows sewers
25 to go under a footer. They're now what are called hung
26 plumbing or high-wall sewers. So if there is an issue with
27 the pump station or it also helps people that they -- it's so
28 high that they can't tie their gutters into them anymore or
29 their footer drains. That's taken a lot of pressure off the
30 sewer system and there's a lot less basement flooding in new

1 homes with all high-wall systems. It is now a requirement
2 Lake County wide, which will also help the basement flooding
3 issues.

4 So I don't think a lot of people are aware of that.
5 Unfortunately, if you put a finished basement, you have to
6 have a pump in your basement, but it's better than being
7 flooded.

8 CHAIRMAN MALCHESKY: That's right.

9 MR. SOMMERS: And that's countywide. I think it was
10 a great decision by Lake County Sanitary Sewer to do that.
11 Thank you.

12 CHAIRMAN MALCHESKY: I grew up in a wet basement, so
13 I am very sensitive to basement flooding. At the bottom of
14 the hill.

15 MR. GALLOWAY: I know. I have heard the war
16 stories.

17 CHAIRMAN MALCHESKY: Three crocks, six sump pumps.
18 Okay. Anybody else?

19 All right. Any questions, Connie, or anything like
20 that?

21 I am going to close the public hearing.

22 MR. GALLOWAY: All right.

23 CHAIRMAN MALCHESKY: We will close the public
24 hearing.

25 Take a break or go right into the next meeting?

26 MR. GALLOWAY: Let's rock and roll.

27 (Whereupon, the public hearing was closed at
28 7:44 p.m. and the regular meeting was called to
29 order.)

30 CHAIRMAN MALCHESKY: Okay. Then we'll call the

1 Concord Township Board of Trustees meeting to order for
2 February 6, 2019. Please stand for the Pledge of Allegiance.

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

4 CHAIRMAN MALCHESKY: Okay. Roll call.

5 MS. DAWSON: Mrs. Luhta?

6 MS. LUHTA: Here.

7 MS. DAWSON: Mr. Malchesky?

8 CHAIRMAN MALCHESKY: Here.

9 MS. DAWSON: Mr. Galloway?

10 MR. GALLOWAY: Here.

11 CHAIRMAN MALCHESKY: Okay. Approval of January 6,
12 2019, minutes?

13 MR. GALLOWAY: Good by me.

14 MS. LUHTA: Me, too.

15 CHAIRMAN MALCHESKY: Okay. They will be approved.
16 Elected official reports. Amy, what have you got?

17 MS. DAWSON: All right, Mr. Malchesky. As of
18 January 31st, we were 8 percent of the way through the
19 calendar year. Treasury balance for the 19 funds within the
20 Township Treasury was \$4.2 million. The balance also includes
21 \$57,000 in funds set aside for specific projects. Most of
22 that is the Cemetery Trust that can't be spent.

23 Year-to-date expenditures were 16 percent of the
24 Treasury balance for 2019 and revenue was 2 percent. So we
25 are slightly over budget and we will be so until the real
26 estate taxes come in during the month of March and the
27 permanent appropriations get approved next month.

28 I was in Columbus last week seeking my CPIM
29 accreditation. The State Treasurer's Office requires I
30 complete six hours of training annually. I completed seven

1 hours. The Auditor of State also requires 12 credit hours to
2 be completed during my term, along with public records and
3 ethics training. I completed that commitment in 2016 but I
4 added an additional seven more credits this year as well.

5 So if you have any questions, please do not hesitate
6 to call our office. Thank you.

7 CHAIRMAN MALCHESKY: Okay. Thank you, Amy.

8 Connie?

9 MS. LUHTA: Nothing to report.

10 CHAIRMAN MALCHESKY: Chris?

11 MR. GALLOWAY: Mr. Chairman, last week I attended
12 the Ohio Township Association Winter Conference in Columbus,
13 along with Amy and our esteemed Administrator. I was able to
14 attend a Coalition of Large Ohio Urban Township Association
15 function with legislators that was held. This is something
16 that we hold annually to sort of press the flesh with our new
17 and some of our previous reps and senators and impress upon
18 them the need to make changes where we deem fit as it relates
19 to ORC and townships. I attended several classes, one on
20 updates to, changes to township law, as well as one on limited
21 home rule statutes, amongst others. Those would be the
22 highlights. So I just thought I would pass that along.

23 CHAIRMAN MALCHESKY: Thank you. Okay. Those are
24 good organizations to be in.

25 With regards to, I got two major stormwater calls
26 and it appears that a project is on its way to start soon.
27 Again, this is on the, I guess, the western end of Concord
28 Township.

29 And then the other issue is very similar to what we
30 just got done speaking about, which is the back end of Aria's

1 Way rolling down to Rolling Acres and we have a pumping
2 station that is getting overloaded and that's been, that has
3 been in existence. There was a stormwater project originally
4 ready to go in that area which was halted by residents that
5 were not willing to give up their easement rights. But as
6 time changes, you get different residents, and I think they
7 may be a little bit more willing nowadays.

8 Shockingly, all those calls came prior to, you know,
9 the thaw, so to speak, and I didn't really receive anything
10 new. So those were all old, old issues that we'll continue to
11 work on. But Stormwater has been responsive, at least,
12 initially on those, those calls.

13 MR. GALLOWAY: Mr. Chairman, on that point as it
14 relates to Rolling Acres and that original stormwater project
15 that we were not able to get enough private residents' buy-in,
16 I will tell you that there are changes to the law as it
17 relates to limited home rule townships that would seemingly
18 allow a limited home rule township to use eminent domain for
19 purposes of easements to perform those stormwater projects if
20 you did not have complete buy-in.

21 So, obviously, the design is not there to, you know,
22 take people's property but to go in and make stormwater
23 improvements and leave, but the law would allow that now. So
24 those are the types of things that we're going to have to be
25 looking at in the next year in terms of some of these systemic
26 problem areas --

27 MS. LUHTA: Yes.

28 MR. GALLOWAY: In terms of trying to solve some of
29 the things that, you know, like Robert has brought up.

30 CHAIRMAN MALCHESKY: Yeah. I mean, usually, our

1 projects for stormwater purposes are, usually, we've got to
2 get in someone's back yard and dig a trench and, you know,
3 provide for some ability for water to, kind of, expand a
4 little bit in a way so that it delays the constant flow during
5 a storm. You know, these weather phenomenon happen more and
6 more. You know, again, I am very sensitive to it. You wake
7 up at 2:00, 3:00 in the morning just to kind of, you know,
8 they always seem to be sheering, you have sheering of these
9 waters. And a lot of this stuff is going over to these older
10 pump stations and I think some of those pump stations have
11 significant problems there. They're collecting a lot of water
12 they shouldn't be collecting. So --

13 MR. GALLOWAY: Well, obviously, the nature of a pump
14 station is they would typically be at a low spot because
15 they're pumping. So low spots also happen to be, what, that's
16 where water goes.

17 CHAIRMAN MALCHESKY: Yeah, and they're flooded.

18 MR. GALLOWAY: Right.

19 CHAIRMAN MALCHESKY: You know, we were down at the
20 bottom of the Brightwood Lake Dam.

21 MR. GALLOWAY: I recall a midnight visit with you
22 there in the driving, pouring down rain and flooding, yes,
23 tramping around water up to our waist looking at sewer water
24 and God only knows what else we were tramping around in.

25 CHAIRMAN MALCHESKY: That's right.

26 MR. GALLOWAY: A lot of fun.

27 CHAIRMAN MALCHESKY: It is.

28 All right. Department reports, Mr. Rose.

29 MR. ROSE: Thank you, Mr. Malchesky. Good evening,
30 members of the Board, Mrs. Dawson, members of the public. I

1 would like to start with a quick slide presentation regarding
2 funding options for the fire stations. As you know, we are
3 currently exploring and working with an architect to replace
4 our two fire stations. Projected cost based on today's
5 construction costs, both stations would be about \$18 to \$20
6 million. I think that's a little bit on the high side but
7 it's a planning figure for right now until we drill down
8 further.

9 We have current funding sources. We currently have
10 the JEDD funds, TIF funds, that's Joint Economic Development
11 District funds and then Tax Increment Financing. We also have
12 General and Capital Project funds.

13 There are possible funding sources. There is always
14 the SIB loan, which is the State Infrastructure Bank; there is
15 government bond issues; and then there is always the
16 possibility, while that would take some request and some
17 lobbying, but there are opportunities to get money from the
18 State Capital Budget; and we're are continually searching for
19 various grants to see if we qualify for anything in order to
20 help offset the cost.

21 The debt service on our financing options, using an
22 average interest rate right now of about 3 percent, the annual
23 debt service on the full \$18 million would be about \$910,000 a
24 year for 30 years. At \$15 million, that drops to \$758,000 a
25 year for 30 years. And then at \$10 million, it goes down to
26 \$505,920 a year for 30 years.

27 In 2018, the JEDD revenue brought in about
28 approximately \$750,000, TIF revenue was approximately
29 \$200,000, and then Capital Projects was approximately \$85,000.

30 Some of the options include a State Capital Budget

1 line item. That would be on the next budget cycle and we
2 would certainly work with our state representative and state
3 senator to see if we could be included for a portion of money
4 in the next State Capital Budget;

5 Direct JEDD and TIF funds toward this project;

6 A taxpayer levy for a large share. A 1 mil levy
7 currently allocates and brings in \$692,715 a year. The actual
8 net of that -- because not everybody pays their property taxes
9 on time and then there is fees associated with the collection
10 and so forth. What we net is approximately \$600,000 a year
11 from 1 mil. And just a reminder, \$35 a year for each mil per
12 \$100,000 value of your home.

13 It is possible to run this as a facilities
14 infrastructure levy and go continuous. That way, it can also
15 be used for other projects down the road, Community Center,
16 cemetery expansion, roof repair/replacement, parking lots,
17 park repair, park replacement of equipment, and also ball
18 fields and other recreational facilities.

19 In short, my initial recommendation -- and this will
20 continue to be refined as we get closer and start working down
21 to our cost estimates -- but the Administrator's
22 recommendation right now is to utilize TIF and JEDD funds to
23 cover 50 percent of the construction costs, which is, I am
24 estimating, at approximately \$10 million, with a debt service
25 of \$505,000.

26 The second part of my recommendation is to run a
27 facilities infrastructure land levy at 1 mil continuous to
28 cover 50 percent of the construction, and we run that in
29 November 2019. That would cover the \$10 million, with a debt
30 service of \$505,000. The balance of that levy revenue would

1 be placed into a separate facilities infrastructure land fund
2 to be used for future projects down the road.

3 That concludes my quick and short funding update for
4 right now. And as we drill down and get closer to actual
5 costs, this will continue to be refined and updated as we look
6 for grants and other opportunities to decrease the overall
7 footprint of financing.

8 CHAIRMAN MALCHESKY: What's the expectation of
9 actually when we start getting closer to the costs? I mean,
10 what's the time frame there?

11 MR. GALLOWAY: Maybe three to four months.

12 MR. ROSE: I would estimate early summer.

13 CHIEF SABO: Yeah.

14 MR. ROSE: Late spring, early summer we should have
15 a much better idea of the cost.

16 CHAIRMAN MALCHESKY: Okay.

17 MR. ROSE: So there is time to tweak these numbers
18 and take a look. And, again, that's my initial, that's my
19 initial cut on the numbers so that we can start having some
20 discussions on that.

21 CHAIRMAN MALCHESKY: Okay. Anything additional?

22 MR. ROSE: Yes, sir. We are in discussions with
23 ODOT regarding traffic safety. They will be evaluating the
24 State Route 44 and Capital intersection in the near future to
25 ensure proper signalization is in place to increase safety for
26 vehicles on State Route 44 turning left onto Capital Parkway
27 from either direction, whether you're north or southbound on
28 44.

29 The Fire Chief has been involved, the Sheriff
30 Department has been involved, and I appreciate their comments,

1 concerns, and input. And ODOT has agreed to send a team out
2 to take a look at that signalization to make sure that
3 everything is flowing so that we can try to increase the
4 safety at that intersection.

5 MR. GALLOWAY: Just as a reminder, the initial
6 design of that interchange, ODOT did not believe that arrow
7 signals were warranted and refused to allow them.

8 MR. ROSE: That's correct, sir.

9 MR. GALLOWAY: Making the promise of future review,
10 if necessary.

11 Thank you to the Sheriff's Department and the Fire
12 Chief for continuing to birddog that with ODOT to get them up
13 out of their chair and out to review what we believe needs to
14 happen, which is there should be -- should have been green
15 arrows there since day one and, hopefully, they come to the
16 same conclusion.

17 MR. ROSE: Yes, sir.

18 A little stormwater update. We received an update
19 from Lake County Stormwater regarding the outflow repair at
20 the Country Scene detention basin. The contract has been
21 awarded and work is set to commence in March. I believe it is
22 a three- to five-week job, depending on the weather. So that
23 will be beginning in March and, hopefully, wrap up in April,
24 and that will greatly improve the stormwater issues out at the
25 Country Scene area.

26 And then, lastly, we would like to welcome the
27 following new businesses to our community: Pet Valu, located
28 at 7649 Crile Road; Fitness Together, located at 7651 Crile
29 Road; Elements Massage, located at 7657 Crile Road; and Pixie
30 Salon, located at 9853 Johnnycake Ridge Road, Suite 306.

1 We wish them good fortune and we thank them for their
2 investment in our community.

3 That concludes my report, sir.

4 CHAIRMAN MALCHESKY: Thank you.

5 Fire Department, Chief Sabo.

6 CHIEF SABO: Hello, everyone.

7 MR. ROSE: Good evening.

8 CHIEF SABO: So for the month of January, we
9 responded to a total of 216 total events. We gave mutual aid
10 to our neighbors 24 times, we received mutual aid 16 times.
11 And we were overlapping calls, so we had more than one event
12 going on at once, 46 times or about 20 percent. We had three
13 fires calls within Concord and we had eight fire calls outside
14 at mutual aid districts. We had 128 EMS events and 103 EMS
15 transports.

16 Fire prevention bureau started off the year pretty
17 strong. They had one plan review, 26 annual inspections, one
18 reinspection, six fire protection system testings, 10 fire
19 alarm testings, four acceptance testings.

20 Public education was out, they did five Knox box
21 installations or residential lockboxes and they had one
22 return.

23 So it was a very busy month for us.

24 We just want to remind everyone that February is
25 heart month and, according to the American Heart Association,
26 2,300 Americans die of cardiovascular disease each day, an
27 average of one death every 38 seconds. Specific to Concord
28 Township, in 2018, we were dispatched 133 times for complaints
29 of chest pain. Of these, seven were STEMIs, these were ST
30 elevation myocardial infarctions. This is a very serious type

1 of heart attack where a majority of a major artery to the
2 heart is completely blocked. Our paramedics are trained and
3 equipped to deal with this immediately on scene, and they have
4 the equipment to communicate with the cardiologist at the
5 hospital and get treatment started right away.

6 So it's important to call 911 immediately. STEMIs
7 can be treated with clot-busting drugs or cardiac
8 catheterization. However, time is of the essence with both of
9 these interventions.

10 Be aware of the warning signs of a heart attack:
11 Chest discomfort; light-headedness; nausea, vomiting; jaw,
12 neck, or back pain; discomfort or pain in the arm or shoulder;
13 shortness of breath. And if you're not sure, call 911 and we
14 will come out for a no obligation evaluation. How is that?

15 CHAIRMAN MALCHESKY: Chief, how long have -- Remind
16 me how many years we have been able to communicate with the
17 doctors and they have been able to read these patients from
18 the squad?

19 CHIEF SABO: So it's been -- I think we're going on
20 ten years now.

21 CHAIRMAN MALCHESKY: I remember sitting in this room
22 when we first announced it, you and I. And so it's been ten
23 years?

24 CHIEF SABO: Yeah, I think it's right around ten
25 years now. And we've come a long way in our communication to
26 the hospital and how we're able to transmit that data
27 immediately to the cardiologist who is waiting in the cath lab
28 for our patient.

29 On a separate note, and I know this is actually
30 February's event, but yesterday Concord Township was assisted

1 by Perry Fire Department, Painesville City Fire Department,
2 Fairport Fire Department, Leroy Fire Department, Lake
3 Metroparks rangers for a water rescue down at Liberty Hollow.
4 The victim was fishing. The water was very calm when he went
5 out. It was not moving fast at all. He actually showed a
6 picture that he had taken of the stream prior to making entry
7 to go fishing and it was actually very calm. He heard a large
8 crash, and what he was hearing was the ice jam breaking free
9 further upstream. By the time he realized what was going on,
10 he didn't have time to react and he got swept up by the ice
11 jam and got moved down river. He was able to catch onto a
12 piece of ice and, basically, rescue himself to an island but
13 he was stranded.

14 So we had to go down to the park. Ultimately, we
15 ended up making the rescue off of I-90. The rescue crews
16 repelled down with a 24-foot extension ladder and extended the
17 ladder over to him and climbed back up onto 90 and got him
18 treated.

19 So it was a good rescue. Many thanks to the
20 communities that were involved and to our own Concord Fire
21 Department for the training. It was evident yesterday, the
22 time and effort that they put into their training. So I thank
23 everyone very much, and I am sure the gentleman does, too.

24 Just on a side note, on the agenda under Item D, the
25 Fire Department, this is not a purchase but a purchase order
26 from Countryside.

27 MS. DAWSON: Correct.

28 CHIEF SABO: That's my only thing. Thank you.

29 CHAIRMAN MALCHESKY: Okay. Service Department,
30 Frank Kraska.

1 MR. KRASKA: Good evening.

2 CHAIRMAN MALCHESKY: Good evening.

3 MR. ROSE: Good evening, Frank.

4 MR. KRASKA: January turned out to be an active
5 month on the winter front. The Township Service Department
6 dispatched snowplow crews on 25 occasions to plow and treat
7 roads throughout each snow and ice-related event. During the
8 course of those operations, we dispensed 1,289 tons of rock
9 salt on hills, curves, and intersections. Occasionally, when
10 severe icing conditions warrant it, it will also -- we will
11 also spot salt straightaways.

12 As we progress into the latter part of winter, we
13 continue to ask the residents to not follow our trucks too
14 closely and be prepared for them to stop, turn often, and back
15 up occasionally. Again, we remind our residents to not
16 shovel, snow blow, or plow snow from driveways into the road
17 as it is counterproductive to what we are trying to accomplish
18 and could create an unnecessary hazard.

19 Further, as we -- excuse me. Further, as you lay
20 out your travel plans during significant weather, winter
21 weather events, allow extra time for your travels and make
22 driving your primary focus. Do not allow for your mind to be
23 elsewhere other than focused on the road.

24 With the sudden potpourri of temperature changes and
25 snow-to-rain events, we are witnessing a tremendous burden on
26 our road surfaces which, with it, comes with the aggravating
27 crumbling of the road surface and subsequent chuckholes. Our
28 crews remain proactive in response to these conditions and we
29 continuously inspect and repair town side -- township side
30 streets on a regular basis and report observations of county

1 and state road conditions to their authorities, if required.

2 Residents can still have snow barricades installed
3 to protect their mailboxes, so give us a call or visit our
4 website.

5 And, again, residents that have any questions or are
6 in need of service that our department provides, they may find
7 this and other related information under the Service
8 Department tab at our website at www.ConcordTwp.com or call
9 our office at (440) 350-3225.

10 In closing, again, I would like to speak of this, as
11 we ask that residents always take into consideration on how
12 they might contribute to our long-term environmental needs by
13 landscaping their properties with purpose and long-term
14 benefits in mind. It will ensure for water to be clean and
15 that air will remain fresh in Concord. Concord's charm is
16 sustainable through efforts by all. Thank you, and that's the
17 report for the Service Department.

18 CHAIRMAN MALCHESKY: Thank you.

19 MS. LUHTA: Thank you, Frank.

20 MR. ROSE: Thanks, Frank.

21 CHAIRMAN MALCHESKY: Zoning Department, Heather.

22 MS. FREEMAN: Good evening. I am going to be brief.
23 During the month of January, the Zoning Department processed
24 11 zoning permits and collected just over \$1,300 in fees. Of
25 those permits, three were for decks, three fences, one
26 accessory building, one residential addition, one new
27 business, one pool, and one sign.

28 Last night the Zoning Commission met. We had a work
29 session to discuss potential zoning amendments. We will
30 continue to have future work sessions on those topics.

1 And, finally, next week the Board of Zoning Appeals
2 will meet on Wednesday evening and we will continue a public
3 hearing for one appeal case.

4 If there is any zoning-related questions, feel free
5 to contact me at the Zoning Department. You can find our
6 information on the township's website. Thank you.

7 CHAIRMAN MALCHESKY: Thank you.

8 MR. GALLOWAY: Heather, am I right to understand
9 that we have or we should be having a plan submitted soon for
10 the connection on Hunting Lake Drive?

11 MS. FREEMAN: Oh, yes. The Zoning Department --
12 Thank you. We did review -- The Lake County Planning
13 Commission did submit Quail Hollow Number 10, Phase 10, which
14 comes off of Hunting Lake Drive where Rockdove is and will --
15 Hunting Lake Drive will eventually come through and connect to
16 the newer development that Todd Victor did off of Crile Road.

17 MR. GALLOWAY: That's Quail 11, right?

18 MS. FREEMAN: Quail 11, yeah. Quail 11 off of
19 Crile, Hunting Lake, we'll finally get that last piece of
20 connection. So I know the developers did get conditional --
21 or preliminary plan approval from the Lake County Planning
22 Commission with a handful of stipulations. So I am assuming
23 he is going to move forward with the final improvement plans
24 this spring and likely will start construction this year.

25 CHAIRMAN MALCHESKY: What about, is he -- Will he
26 have to extend that water line then, too, or by the road or is
27 it --

28 MS. FREEMAN: The water line is already in place.
29 The water line has been in since the '90s. Sewer is already
30 in. The detention basin is already in. There is an agreement

1 between the developer of Phase 11 and Phase 10, so the
2 majority of those improvements are already there.

3 CHAIRMAN MALCHESKY: Okay.

4 MS. FREEMAN: It is basically putting the storm, I
5 believe, the storm sewers and the road itself. So --

6 MR. GALLOWAY: Great. Thank you.

7 CHAIRMAN MALCHESKY: Thank you.

8 Mr. Rose, you've got the Rec report to read?

9 MR. ROSE: Oh, boy. I am going to read this for Deb
10 Esker. I'm going to try. I promised -- She asked me to be as
11 enthusiastic as she is, so here we go.

12 Good evening. The Concord Township Recreation
13 Department encourages everybody to check out the classes at
14 Concord Community Center in February. And, gosh, we've got a
15 lot of great classes. We have Martial Arts. We have yoga for
16 beginners. We have mixed-level yoga. We have Pound! That's
17 an exercise class using weighted drumsticks. Okay. we have
18 mixed-media art. And then one of my favorites is a make-and-
19 take workshop for bath and body products. I'm very excited
20 about that. You can learn how to play poker. We've got
21 stained glass for beginners. We've got retirement planning.
22 And we've got DreamQuest, which is a type of dream
23 interpretation, which sounds kind of interesting. Okay?

24 Also, in collaboration with the Morley and Mentor
25 Public Libraries, we are pleased to present the following
26 workshops in February. On February 5th, we've got Color Me
27 Concord. February 12th, we've got Learning to Use E-Books for
28 those of you that need some help putting books on devices,
29 like me. And then the really exciting one -- Mr. Galloway
30 will like this because he's an historian -- the French

1 Revolution with Dr. John Foster is on February 19th. And then
2 February 26th, another one of my favorites, Make Jewelry with
3 Pages out of Books. So that will be exciting.

4 MR. GALLOWAY: Will we have a working -- Will we
5 have a working guillotine at the French Revolution?

6 MR. ROSE: We may have a working guillotine, that
7 would be awesome.

8 All right. Valentine's Day is coming up and here is
9 a great opportunity. Bring your sweetheart to the Valentine's
10 Mystery Game at the Old Stone School on February 14th and
11 enjoy the charm of the schoolhouse while you solve the
12 Valentine's mystery. It's free. You just have to call the
13 Rec Department to reserve your spot.

14 This afternoon, the 55+ Group learned how to
15 "un-retire" themselves as the Home Instead Senior Care
16 Services presented information on how to stay active and
17 increase your income after retirement. Okay?

18 Our next 55+ Group gathering will be on
19 February 20th when one of the favorites, Chuck Tamblyn, is
20 back to entertain guests with his special style of music.

21 Now, these events are free. So you have to call the
22 Recreation Department at 639-4650 just simply to reserve your
23 seat. Okay?

24 And then you've heard this before. In 2022, Concord
25 Township is celebrating its 200th anniversary. Be a part of
26 the celebration and enter the Concord Township Bicentennial
27 Logo Contest. The application forms and guidelines are
28 available at Town Hall or at the Community Center or you can
29 download them from our westbound. And we're very excited to
30 see what kind of entries we're going to get.

1 All of this information and even more can be found
2 in the winter/spring edition of the township newsletter. It's
3 also on the -- The Concord Grapevine -- and also online at
4 ConcordTwp.com. Okay? You can also simply call the
5 Recreation Department at (440) 639-4650 for assistance or if
6 you have any other additional questions.

7 And I'll be glad when Deb is back. Thank you very
8 much.

9 (Applause.)

10 CHAIRMAN MALCHESKY: She may just send you out to
11 make house visits.

12 MR. GALLOWAY: That's right.

13 CHAIRMAN MALCHESKY: Okay. Concord law enforcement.

14 MR. ROSE: Beat that, Chief.

15 CHAIRMAN MALCHESKY: Chief Leonbruno.

16 CHIEF LEONBRUNO: January was an exciting month. We
17 had some domestic violences, we had a few breaks-in, and we
18 had a few thefts and --

19 (Laughter.)

20 January was busy. We had 1,569 calls in Concord
21 Township. We had seven accidents, 18 property damage
22 accidents. We arrested an adult female for stealing an
23 ambulance at TriPoint Hospital, one adult female for
24 disorderly conduct, and one male, falsification. We responded
25 to 53 alarms. We did 269 business checks, 232 crime
26 prevention calls where we look for construction sites,
27 problems with contractors, and open doors at residences.

28 We stepped up addressing the traffic issues in the
29 township with the increased traffic, so we issued 267 warnings
30 in January and issued 52 citations from that. There were 12

1 driving under suspensions and five DUIs in Concord Township.

2 We have a number of new investigations, one for an
3 overdose, one burglary, two assaults, five disturbance calls,
4 nine domestic violence calls, four drug investigations, 54
5 suspicious circumstances we were called to for people or
6 vehicles, 10 theft investigations.

7 On our website today, I put out information
8 regarding a number of new scams nationwide but that are
9 affecting our area. One is a Social Security scam and they're
10 calling, they will call you and say that your Social Security
11 card has been compromised and that they had to freeze your
12 Social Security account. There has been 35,000 reports of
13 this across the nation in 2018 and about \$10 million in losses
14 so far from this.

15 They'll say that they need your -- that your bank
16 account information is being compromised and so they need you
17 to withdraw that money and either send it to them and they
18 will keep it safe or they're asking people to purchase gift
19 cards or Google cards and then give them the codes from those
20 cards so that they can keep your money safe. Recently, here
21 in Concord Township, it happened to one individual who lost
22 about \$22,000 in that scam, unfortunately.

23 Also, with the increase in internet traffic for
24 purchasing, another scam that's out there right now is they
25 will send you an email or call you that your Amazon account
26 has had numerous purchases that are questionable, and so they
27 need to confirm your identity and ensure that your credit card
28 information is safe. And so they'll ask you for that
29 information and then they have your credit card information.

30 MR. GALLOWAY: I got that email. Delete.

1 CHIEF LEONBRUNO: Delete. Unfortunately, there is
2 people still that are doing that. Way back, a number of years
3 ago, there was someone here in the township that lost about
4 \$220,000 to the Nigerian email scam. So it does happen. We
5 have that information out.

6 I also put a website out there today from the Trade
7 Commission that has about ten of the biggest scams that are
8 going on right now in the area, so you can get that on our
9 Facebook page or you can call us and we will get you that
10 information.

11 That's it from the Sheriff's Office.

12 CHAIRMAN MALCHESKY: Thanks, Chief.

13 MS. LUHTA: Thank you.

14 CHAIRMAN MALCHESKY: Okay. Anything from the
15 audience?

16 Seeing none, I will move to New Business. January
17 financial reports.

18 MR. GALLOWAY: Mr. Chairman, I make a motion to
19 approve the January financial reports as provided by the
20 Fiscal Officer.

21 MS. LUHTA: Second.

22 CHAIRMAN MALCHESKY: All in favor say "aye."

23 (Three aye votes, no nay votes.)

24 CHAIRMAN MALCHESKY: How about the Resolution
25 2019-01.

26 MR. GALLOWAY: Sure. I've got it right here in
27 front of me.

28 MS. LUHTA: Good.

29 MR. GALLOWAY: I make a motion to approve
30 Resolution 2019-01. This is a resolution authorizing the

1 Board of Trustees for Concord Township to enter into an
2 agreement for the purchase of approximately .56 acres of real
3 property located at 6955 North Meadow Drive in Concord
4 Township.

5 For those at home, this is the second house on the
6 north side of North Meadow Drive, directly behind Fire
7 Station 2. We are purchasing it as part of the fire station
8 reconstruction and expansion project. So we already own the
9 house on the corner of North Meadow, on the south side of the
10 fire station, and this would allow us to be able to complete
11 the project that was referenced earlier by Mr. Rose.

12 CHAIRMAN MALCHESKY: Again, this was -- Mr. Rose and
13 I were out there but, again, we're looking for probably to
14 place somewhat of a basin or some other stormwater feature
15 there that will help relieve some of that area that gets
16 water.

17 MS. LUHTA: I will second the motion.

18 CHAIRMAN MALCHESKY: Or a levy. We've got a motion.
19 We've got a second. All in favor say "aye."

20 (Three aye votes, no nay votes.)

21 MR. GALLOWAY: The first house on the corner of
22 North Meadow, we bought ten years ago, eleven years ago.

23 MS. DAWSON: 2004.

24 MR. GALLOWAY: No. I was a trustee then.

25 MS. DAWSON: No, I'm sorry.

26 MR. GALLOWAY: Seven?

27 MS. DAWSON: Six, seven, it was right after I
28 started.

29 MR. GALLOWAY: So that was an investment made long
30 ago in anticipation of this day would eventually come. The

1 timing worked well because the folks that own this house were
2 actually looking to, as I understand, retire and move, so the
3 timing work out beautifully.

4 CHAIRMAN MALCHESKY: Mr. Galloway, I would entertain
5 a motion on our public hearing.

6 MR. GALLOWAY: Oh, okay. Mr. Chairman, I would make
7 a motion to approve the Zoning Map Amendment and Preliminary
8 Plan Application, which is Number 1118-5, from Sommers Real
9 Estate Group LLC for a proposed Residential Conservation
10 Development, R-2 RCD District, on the portion of land
11 currently known as Permanent Parcel Number
12 08-A-002-0-00-008-0, whose address is 12395 Winchell Road, as
13 further described in the exhibit you have in front of you,
14 being 24.6198 acres of land.

15 MS. LUHTA: I will second that.

16 CHAIRMAN MALCHESKY: Okay.

17 MS. LUHTA: Do you want a roll call?

18 CHAIRMAN MALCHESKY: Yeah, let's do a roll call on
19 this one.

20 MS. DAWSON: Mrs. Luhta?

21 MS. LUHTA: Yes.

22 MS. DAWSON: Mr. Galloway?

23 MR. GALLOWAY: Yes.

24 MS. DAWSON: Mr. Malchesky?

25 CHAIRMAN MALCHESKY: Yes.

26 I would ask our Administrator, with regards to this
27 area, can you grab those floodplain maps and maybe work with
28 Mr. Sommers to pull all the data he may have with regards to
29 stormwater issues there so we will see how -- we will see if
30 his firm has anything more accurate than what was -- what we

1 have in the maps from Stormwater.

2 MR. ROSE: Yes, sir.

3 MR. GALLOWAY: Mr. Chairman -- Oh, go ahead.

4 MS. LUHTA: I was going to move that we approve the
5 Fire Department purchase order from Countryside Truck Service
6 in the amount of \$15,000 for recurring maintenance for the
7 fire trucks and rescue squads.

8 MR. GALLOWAY: I will second that. This is an
9 annual endeavor.

10 CHAIRMAN MALCHESKY: All in favor say "aye."

11 (Three aye votes, no nay votes.)

12 MR. GALLOWAY: This is the P.O.

13 CHAIRMAN MALCHESKY: The advertisement.

14 MR. GALLOWAY: I will make a motion to grant
15 permission for our Service Department to advertise for the
16 2019 Concord Township-Painesville Township resurfacing
17 project.

18 MS. LUHTA: Second.

19 MR. GALLOWAY: A joint project.

20 CHAIRMAN MALCHESKY: All in favor say "aye."

21 (Three aye votes, no nay votes.)

22 CHAIRMAN MALCHESKY: I would ask also that we
23 maintain that, that it's not done too late in the year, so we
24 will have to keep an eye open for that. That's what happened
25 to Button Road.

26 MS. LUHTA: Yes.

27 MR. GALLOWAY: Mr. Chairman, I would make a motion
28 to appoint Cindy Sadler as the Concord Township's credit card
29 compliance officer.

30 MS. LUHTA: I'll second that.

1 CHAIRMAN MALCHESKY: All in favor say "aye."

2 MR. GALLOWAY: That is something that is required by
3 the Auditor, a new rule.

4 MS. DAWSON: New law.

5 MR. GALLOWAY: It's a new law.

6 MS. LUHTA: Yeah.

7 CHAIRMAN MALCHESKY: I guess we have to make a vote
8 to revise the staff meeting dates, which I believe we were
9 going to change our staff meetings to the Friday before our
10 Wednesday.

11 MR. GALLOWAY: Yes. We previously voted and
12 approved staff meeting dates at 9:00 a.m. on the Tuesday prior
13 to the first Wednesday meeting, and we would like, per a
14 recommendation of staff, to change that to Fridays at
15 9:00 a.m., the Friday preceding the first Wednesday of the
16 month meeting.

17 MS. LUHTA: I would second that.

18 CHAIRMAN MALCHESKY: All in favor say "aye."

19 (Three aye votes, no nay votes.)

20 CHAIRMAN MALCHESKY: It's a great idea.

21 MS. LUHTA: Yes.

22 CHAIRMAN MALCHESKY: We need to set dates for the
23 Appropriation Workshop. I am meeting with Amy on Friday.

24 So --

25 MR. GALLOWAY: Amy, you were going to recommend the
26 20th?

27 MS. DAWSON: The 20th at 5:30.

28 MR. GALLOWAY: Works for me.

29 CHAIRMAN MALCHESKY: All right, the 20th at 5:30.

30 MR. GALLOWAY: Can we have a calendar sent out?

1 MS. DAWSON: Sure.

2 MR. GALLOWAY: Thank you.

3 MR. ROSE: 5:30?

4 MS. DAWSON: Yes, please.

5 CHAIRMAN MALCHESKY: 5:30.

6 Future meetings and announcements:

7 We have Wednesday, February 13th, at 7:00 p.m., we
8 have the Board of Zoning meeting in Town Hall;

9 On Monday, February 18th, we will be closed in
10 observance of President's Day;

11 On Wednesday, February 20th, at 5:30, we will have
12 our Appropriation Workshop; at 6:30, we will have our
13 Trustees' office hours; and we will do this all over again at
14 7:30 on February 20th.

15 MS. LUHTA: Right.

16 CHAIRMAN MALCHESKY: Anything for the good of the
17 order?

18 MR. GALLOWAY: I have nothing, Mr. Chairman.

19 CHAIRMAN MALCHESKY: No, all right.

20 MR. GALLOWAY: Happy Valentine's Day.

21 CHAIRMAN MALCHESKY: Happy Valentine's Day.

22 MS. LUHTA: Happy Valentine's Day.

23 CHAIRMAN MALCHESKY: Have a good month. We'll see
24 you. The meeting is closed.

25 (Whereupon, the meeting was adjourned at 8:26 p.m.)

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1 STATE OF OHIO)
2 COUNTY OF CUYAHOGA)

CERTIFICATE

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

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

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

17 IN WITNESS WHEREOF, I have hereunto set my hand
18 and affixed my seal of office this 6th day of March 2019.

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Melinda A. Melton
Registered Professional Reporter
Notary Public within and for the
State of Ohio
My Commission Expires:
February 4, 2023