

**Record of Proceedings**  
**Minutes of the Carlisle Township Board of Trustees**  
**Regular Meeting**  
**September 4, 2018**

The Carlisle Township Board of Trustees met on September 4, 2018 at 7:00 PM. In attendance: Trustee Jared Smith, Trustee James Wright, Trustee Berry Taylor, Administrative Assistant / Zoning Inspector William Oliver, Fire Chief Steve Higgins, and Road Superintendent Paul Sniezek. Eight (8) people signed the attendance sheet.

**Public Participation**

Resident Dale Handley questioned the proposed fence at LaPorte Cemetery. Trustee Smith stated Fallon was not in attendance and they had not received anything yet. He reminded the Trustees they want to make sure they go around the fire hydrant.

Resident Holly Banjoff called the railroad and they will see what they can do.

A resident complained about a limb hanging over Middle Avenue near Butternut Ridge Road is a safety hazard. Trustee Taylor told Mr. Sniezek to call the county and make sure it is taken down. He then questioned who receives a letter for zoning issues. Trustee Smith stated that adjoining property owners receive a letter.

**Fiscal Officer Kimberly Fallons' Report**

None

**Administrative Assistant/Zoning Inspector William Olivers' Report**

Mr. Oliver submitted Resolution 2018-19 A Resolution In Support Of The Proposed Clean Water Fair Pricing Act for approval. Trustee Smith stated that is in support of HB 602 prohibits municipalities cannot charge a higher rate for supplying utilities outside their boundaries. Trustee Smith motioned to approve, Trustee Taylor seconded; roll call, all ayes, motion carried.

Trustee Wright stated that the Clean Water Fair Pricing Act is something that has been needed for a long time. LORCO, who the Township is a member of, was created to have sewer authority to keep the City of Elyria from annexing Carlisle Township. Housing developers come into the area and try to annex the properties to get the sewers they need; not caring about the Township which keep shrinking. If this Act had been in place 20 years ago, we wouldn't have needed LORCO to protect the Townships. There hasn't been much of a threat for the last 10 years, due to the recession. However, as the economy grows, the threat grows. This act prevents the City from raising rates to only those outside their boundaries; they would have to increase their own residents as well. Mr. McDonald stated that the Township taxes shouldn't be used to do anything in Elyria. Trustee Wright stated that a Facility Planning Area was set years ago that went through the heart of the Township that was approved by NOACCA. NOACCA watches over the cities and townships, but the Townships get the short end of the stick. Trustee Taylor used Lorain and

Amherst as an example. Lorain charges Amherst 150% more than their own residents. Mrs. Lowery questioned if the Act will affect the tap in fees by keeping them down as well because it sounds as if the service fees are the only thing covered. Tap in fees are not covered under the act and it will not prevent annexation.

Mr. Oliver will be attending the Northeast Ohio Litter Summit at the Transportation Center on September 7, 2018 and National Planting Day on September 8, 2018.

At a previous meeting, Asst. Prosecutor Jerry Innes had provided a copy of the taxes owed to the Township by Grafton Village with hand written figures on it. Trustee Smith had requested the report be in the County's system and requested another copy without the figures written in. His request was fulfilled.

The power line was removed from East Carlisle last week. BJJAM quote was received and Mr. Oliver will be meeting with Patriot Technologies for their quote.

Sign samples were submitted to the Trustee for review for dedication of the museum and meeting room. Trustee Smith would like to see the entire name on the signs. Trustee Wright stated the meeting room should be the "Hildebrandt Meeting Room" and the museum should be reserved for someone else. Bruce Hall should name the hallway down to the museum. Trustee Taylor wants the full names as well. Mr. Oliver stated above the door would be a good placement, Trustee Taylor disagreed and wants it next to the doors. Trustee Smith stated that Chief Bruce was very proactive and is deserving of having his name on the museum. Retired Fire Chief Hildebrandt was disappointed when the fire department wasn't named in Chief Bruce's name when it was built.

There were 17 permits issued for the month of August with five that will be appearing before the BZA on September 5, 2018.

The Prosecutor was contacted regarding 135 Wanda Street illegal housing. A Zoning citation will be forthcoming. Trustee Wright questioned the consequences of the violation. Mrs. Lowery asked what the violations were. Mr. Oliver stated the owner was ordered a cease and desist after starting to build a garage, then an apartment was put in the garage along with an illegal septic system. The Lorain County Health Department was contacted, but has not yet responded. He stated that the occupant would have to move out, but he believes they would move right back in. This resident purchased a strip of land from his neighbor to install a swimming pool, which was never done. No permits were issued. Wanda Street is not a dedicated street. However, the owner of the property and the street can land lock the offending resident. Trustee Taylor stated it isn't a dedicated road, the Township should not be plowing it.

November 2, 2018 will be the Zoning Workshop in Cleveland. Mr. Oliver requested approval to send the Zoning and BZA with a cost of \$110 if paid prior to September 20<sup>th</sup>. Trustee Wright stated the invitation should be extended to the Trustees as well; he would like to attend. Trustee Wright motioned to approve, Trustee Taylor seconded; roll call, all ayes, motion carried.

Mr. McDonald stated that if East Carlisle is a safety and health issue. Trustee Taylor stated a report is required regarding the asbestos and what can be done to abate the asbestos before it can go out for demolition bid. Trustee Wright said the demolition needs to be done sooner rather than later. The building is a liability even with the windows boarded up and the fence around it.

### **Road Superintendent Report**

Street signs have been purchased and reported as stolen at Hastings and Lost Elm. Custom brackets will be made to prevent further theft.

Carlisle Avenue will have some work done on it. Flyers will go out to the residents. Asphalt grading was done on Parson's Road. Grading will continue on the LaGrange Township side by LaGrange.

When out mowing the roadsides, an employee came on a soft spot and the drain was crushed in. The affected resident complained that it affected his drainage to the ditch; he opened it up a bit. After reviewing the ditch, it was decided that it needed to be cleaned. He received and submitted to the Trustees. With an initial installation, the homeowner can be charged; with a replacement, the road department is obligated to replace the pipe and not charge the homeowner. Mr. Sniezek did a poll of other Townships and how they handle the replacements. One Township has owner buy the cost at cost, one hires a contractor to replace, and another has no fees to the resident. He stated we should consider how the Township handles replacements as the costs add up when the Township does it. He then stated that the current owner in question has three driveway pipes and wanted direction on what he should actually replace. Trustee Wright stated that if all three are in the right away, we should replace all three. The resident already paid to have those installed and now per the Ohio Revised Code, the Township is responsible. We do not have the right to pick just because we think three pipes is excessive. Mr. Sniezek stated for the future we should consider placing a limit. Trustee Wright stated that our job is to serve the people. This is a service that our residents are entitled to.

Ohio Revised Code 5589.6 discusses swails: any obstruction in the ditches or redirecting of water onto a public roadway. Mr. Sniezek stated that the mailboxes at Carrington Pointe are incorrectly installed. He wanted to know how to make the owners compliant. Trustee Wright stated that if a swails was filled in resident must remove the fill. If they do not want to remove the fill, the Township can do it and charge the resident. Mr. Oliver stated a certified letter should be sent from the Road Superintendent; if it is ignored, the Prosecutor should get involved. Mr. Sniezek stated the ORC states the road superintendent brings the issue to the Trustees and the Trustees address the issue. Trustee Wright stated that a document should be produced and signed by the resident at the time of gathering permits as to what the residents can and cannot do. Mr. Oliver stated that the Trustees would be then acting as a Home Owner Association (HOA) which the Trustees cannot. He reiterated the sending of letters. Mr. Sniezek stated letters had been sent. Mr. Oliver said the road superintendent has the power and it isn't a Trustee issue yet. If there is no response, the road department can act and assess the property owner. An HOA is the backer of housing plans, which Carrington does not have an HOA. One of the homeowners from Carrington Points is now for an HOA, however, his mailbox is not on the right street and was

placed where the owner wanted it. This is a small issue, but the swails are listed on the drawings at the Lorain County Engineers to back up the requirement. The swails need to be put back where they were. Trustee Wright said send the letter and explain the swails and that it is illegal to fill in. If they choose to ignore the demand, spell out the consequences and set a time frame. Mr. Sniezek stated the consequences would be for the road department to perform the job and then assess the property owner.

**Fire Chief's Report**

None.


**Additional Business & Announcements**

1. September 11, 2018 is Patriot Day.
2. Next regularly summer scheduled Trustees' Board Meeting is on Monday September 17, 2018 at 7PM.
3. Keep up with Township events and contact information at carlisletownship.com.

**Adjournment**

There being no further business to come before the Board, motion to adjourn was made by Trustee Smith, seconded by Trustee Taylor, roll call: all ayes, meeting adjourned at 8:12PM.

  
Chairman Jared Smith

  
Trustee Berry Taylor

  
Trustee James Wright

  
Attested: Kimberly Fallon  
Fiscal Officer

10/15/18