

Clinton Township Board of Trustees – Regular Meeting
April 10, 2023 – 7:00 p.m.

All Board members answered roll call – Trustee Dan Schmitz, Trustee Dennis Baugher, Trustee Jim Distel, and Fiscal Officer Jennifer Bates.

Guests: Steve Welter, Chris Hafley, Jeff Bish, Rhonda Best, Dennis Moyer, Brent Kagy, and Lisa Kagy.

Correspondence: Seneca County Engineer – utility permit, OSS Solid Waste District – recycling site signage info, Seneca County Board of Elections – equipment drop-off info

The minutes of the regular meeting held March 27, 2023 were read and approved.

Zoning Inspector Steve Welter reports that he received a variance application for 1290 N. TR 73 and that meeting will be on April 17th. He also did a shed permit, an above ground pool permit, and received 2 emails about upgrading communications towers. Also, he spoke to Tiffin's zoning inspector about Airbnb's who says if they are not offering any amenities, they are treating them as a rental and are not looking to make any changes their zoning code for them.

Fire Chief Chris Hafley reports that on Saturday they held the Seneca County EMA LEPC Hazmat live drill and 9 of our staff participated. He also reports that he finished the drug license change over to the new medical director. Chief Hafley says he also applied for the Ohio EMS grant. Also, Clouse Electric is looking to do the electrical drops for apparatus and run the plenum cable soon. Regarding Engine #32, it could possibly be done this week. Chief Hafley talked to Handy Grafix and they are going to chevron the back while it is at Keller's. Also, there have been 114 runs year-to-date, which is similar to last year.

Resident Jeff Bish says he spoke to one of his neighbors who is involved in the prairie project next door and came to restate his point. There is a property on the other side of SR 53 that has an established prairie of non-evasive tall grass but they have a property buffer around the prairie. He says the property next to him has no buffer and is all evasive species of weeds that have come up. Mr. Bish says they have planted the prairie 3 times and he believes it continues to fail because it was not implemented correctly. He provided information to the Board from the OSU extension office about how to implement a prairie and would like the property owner to come up with a successful plan to implement their prairie.

Judge Rhonda Best introduced herself and says she used to be the township's attorney from 2013 to 2018 and came to ask for our support in the May primary election. Since she took over as judge in December, she has been trying to expand services for people. The PIVOT court only serves Seneca County residents and she is trying to expand recovery services to Fostoria residents who live in Wood and Hancock counties also. She says she is really enjoying serving the public as judge and hopes to continue to do so.

Brent Kagy introduced himself as the nearest neighbor to Tilly's and says he has attended numerous Zoning Board of Appeals meetings and finds their decisions unsatisfactory. He specifically refers to the areas of parking, sound abatement, and maintenance of the right-of-way in the Zoning Code. He believes the right-or-way should remain clear for safety and says without the right-of-way he does not believe Tilly's has the parking space to handle the amount of traffic the location brings. He says when he purchased his property in 2013 there were only 1-3 events per year, but there are currently events 2-4 times per week. He understands the Board of Appeals has the right to grant variances but he believes all provisions of the zoning code still apply to that variance. He also has photographic evidence that Mr. Gibson is holding events in the house which is not covered by the variance and does not have an occupancy permit. He also believes that the portable restrooms by the pavilion have been removed for

the winter and guests are using the restrooms in the house. Resident Denny Moyer also questioned how Mr. Gibson can say that he has a parking plan that was approved by Richland County when Richland County says they do not approve parking plans. Zoning Inspector Welter says he does not have a parking plan and Mr. Gibson is supposed to provide it within 60 days of the last meeting. He also says Clair Forrest says the Board of Appeals has leeway in approving exceptions to the code. Mr. Kagy says Section 1002.2, Conditional Use Standards, states that conditional use shall not cause substantial injury to the value of the property in the neighborhood and shall have adequate landscaping and screening and adequate off-street parking. It also says such use will not be detrimental to any person's property or general welfare by excessive production of traffic, smoke, noise, fumes, odors or vibrations. Mr. Kagy says he objects to Clair Forrest's interpretation of the zoning code and says a variance does not supersede the other areas of the zoning code. Mr. Moyer says Mr. Gibson has been told several times to take care of these issues and he is always given another chance. Trustee Schmitz says we cannot do anything about the parking along the road and that it is a sheriff's issue. Trustee Distel asks Zoning Inspector Welter what happens if Mr. Gibson does not provide the parking plan and sound abatement plan within 60 days. Zoning Inspector Welter says the variance was approved for another year and he does not know if he can ask the Board of Appeals to revoke it. Mrs. Kagy says Mr. Gibson has ignored letters reminding him of items that needed to be taken care of from March of 2022 to June of 2022, and then failed to apply for a new variance before it expired, and still he is given more time to take care of the list of problems. Trustee Baugher says that if nothing is done by June 1st, we should turn it over to the prosecutor's office. Mr. Moyer says the zoning code also says the parking area has to be a hard surface and Mr. Kagy says it specifies that it must be asphalt or concrete. The Board agrees to see what is done on June 1st and then turn it over to the prosecutor's office. Zoning Inspector Welter also says the State says Mr. Gibson's occupancy permit is expired.

Mr. Moyer says he also has a complaint about 3765 E. TR 122. He says the occupant is now moving stuff onto the neighbor's property. Trustee Distel has he heard he was trying to buy the neighboring property. Trustee Schmitz says he will try to get in touch with someone from the land bank to see where we are with that process.

Trustee Baugher says Chuck Clouse stopped by last Friday and says this Wednesday they are going to put in the transfer switch so Station #1 will be without power for 2/3 of the day. He also would like to put the flashing light on the southeast corner of the Butler building so that we do not have to do the trench and put in conduit. The Board suggests that the fire department keep the overhead doors open on Wednesday so they can get the trucks out. Trustee Baugher also says the recoil cables for the drops are not in yet.

Trustee Distel asks the Board if they should schedule to run the roads and says to let him know what works for everyone. He also asks if they saw the email from Omni Fiber about putting dirt at the township house. Trustee Baugher says we have a lot here already so the Board agrees to tell them we are not interested.

Trustee Distel says the halfway house on SR 101 is going to be under new management and the new manager asks if we have had any problems with the residents there. Fiscal Officer Bates said that CF Professional has not had any problems and Chief Hafley has not heard of any issues. Trustee Distel says the manager wants us to call if we have any issues and he has his cell phone number.

Trustee Distel says the fencing at both recycling locations should be in around the end of the month. He also asks Chief Hafley if he heard anything about insurance on the zodiac boat, and Chief Hafley says he left a message for Joe Worland and will call him again.

Trustee Baugher made a motion to appoint Daryl Moyer to the Zoning Commission for a four-year term ending on March 2, 2027. This was seconded by Trustee Distel. Mr. Schmitz – yes, Mr. Distel – yes, Mr. Baugher – yes.

Jeff Bish may be interested in filling Wayne Smith’s seat on the Zoning Board of Appeals and will attend their meeting on April 17th to see what it entails.

Trustee Schmitz says he talked Drake Taylor at 3953 E. TR 122 who would like to cut a tile in from the shallow ditch on the north side of the road to the deep ditch on the south side of the road. He has water that lays and there is not much fall between his property and the culvert and says he has equipment he can bore with. The Board thinks it should be a 6” tile and says if he can bore a 6” tile they are okay with him doing it.

Bills were presented to be paid:

12726	Jennifer Bates	wages	\$1055.52
12727	Dennis Baugher	wages	\$971.88
12728	James Distel	wages	\$94.16
12729	Andrew Kimmet	wages	\$1295.43
12730	James Lang	wages	\$720.95
12731	Daniel Schmitz	wages	\$923.32
12732	AEP Ohio	township house, station #2	\$678.95
12733	Aqua OH	fire hydrant service	\$6.07
12734	Bright Wireless	internet	\$84.91
12735	North Central Electric Co-op	road lights	\$8.13
12736	Loyal American Life Insurance Co.	cancer insurance policies	\$66.40
12737	Rumpke of Ohio Inc.	monthly trash service	\$57.20
12738	Lowe’s	supplies	\$155.70
12739	Column Software PBC	zoning ad	\$34.08
12740	Auditor of State of Ohio	UAN Fees – 2 nd Qtr 2023	\$876.00
12741	Kuhn Sales & Service	Stihl blower	\$119.99
12742	Central Ohio Farmers Co-op	fuel	\$725.67
12743	Diversified Graphics	zoning applications & permits	\$209.00
12744	Heidelberg Material Midwest Agg	#411 stone	\$2068.88
24-2023	EFTPS	March withholding	\$1335.15
25-2023	Ohio Deferred Compensation	March withholding	\$910.00

There being no other business to come before the Board at this time, Trustee Distel made a motion to adjourn the meeting at 8:30 p.m., seconded by Trustee Baugher. Mr. Schmitz –yes, Mr. Distel – yes, Mr. Baugher – yes.

Dan Schmitz, Ch., Trustee

Dennis Baugher, Trustee

Jim Distel, Trustee

Jennifer Bates, Fiscal Officer