

Trustee Regular Meeting
June 15, 2021

Chairman Burns called the meeting of the Hinckley Township Board of Trustees to order at 6:32 p.m. on June 15, 2021. Present were Trustees Melissa Augustine, Jim Burns and Chris Kalina, 42 residents and media. Joining virtually were Police Chief Centner and 56 residents. All joined the Pledge to the Flag.

Ms. Augustine made a motion to approve the Meeting Minutes of June 1, 2021. Burns second.
Vote: A-yes B-yes K-abstain

Mr. Burns made a motion to approve the June 10, 2021 Special Meeting Minutes with an amendment to the total bills paid of \$104,818.32. Augustine second. K-yes, A- yes, B- yes

Resident Matt Riley of 1090 River Rd, representing Keep Hinckley Rural (KHR), presented a PowerPoint presentation to the Board. Riley stated during the presentation that KHR is not about freezing time or rolling things back, it is simply about keeping Hinckley's rural feel. He stated that 11% of Hinckley is protected by the Metroparks and shared data of average lot sizes from various neighboring communities. He stated that Hinckley was below average lot size for the area. Riley stated that KHR would like to increase the R1 minimum to 5 acres and discussed the legality of the change and stated he that precedent existed supporting the 5-acre minimum proposal.

Mr. Burns discussed the presentation in regards to the comparison of the acreage to other communities and pointed out that Hinckley is not below average. Mr. Burns requested the legal cases that Mr. Riley cited as setting precedent.

Mr. Kalina mentioned he had previously served on several Township Zoning Commissions, including Hinckley's, and elaborated on his experience with changing zoning regulations. He expressed his interest in keeping Hinckley as is and preserving its current atmosphere. He is not surprised the lot sizes have decreased citing the impact of conservation development within the Township. He added that during his tenure on the Hinckley Township Zoning Commission, commencing in 2018, only one new subdivision has been approved, he added that he facilitated the Sharon Township Comprehensive Plan and the importance of soliciting input from residents to obtain data to guide future decision-making as it relates to Zoning.

Ms. Augustine thanked Mr. Riley for accepting her invitation to attend the meeting and inform the Trustees as to the mission of KHR. She stated she has received calls from residents who oppose a 5-acre minimum and none in support of the proposal. She feels the Trustees must speak for the people, not themselves and would like to initiate a Comprehensive Plan Update soon in order to assess the community's goals and desires at this point in time.

Nikki Long asked the Trustees if they could place a vote on a November ballot or survey the residents. The Trustees stated that they want to assure they are correctly undertaking the process due to the potential cost to taxpayers and explained that the topic may be better

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served by addressing it in a Comprehensive Plan Update that may include a Township-wide survey.

Burns replied that he also likes the rural feel of Hinckley and stated his concern that by changing to 5-acre minimum lot sizes government expansion into people's lives is increased and personal property rights are negatively impacted.

Augustine spoke about the 2006 Green Space initiative/ levy that was rejected by voters. If the ballot measure had been approved the levy funds would have assisted the community in maintaining green space by allowing the Township Trustees the ability to purchase land to conserve in perpetuity. She supported the idea of a survey but thought it would likely be better to invest time and money into surveys that coincide with a Comprehensive Plan Update in order to maintain costs.

Medina County Prosecutor Brian Richter stated that no decisions can be made tonight. Mr. Riley added that the decision and the request for the increase in minimum lot size needs to come from the Trustees.

Kalina mentioned that the Medina County Department of Health determines where septic systems need to be and be able to handle the discharge. Hinckley needs justification to change the law. Burns stated that if large landowners want to change their zoning, they can approach the Zoning Board with this request in order to protect land for the future. The landowner has the choice to build on a minimum of 2-acres or larger without any zoning regulation changes. Mr. Burns added that the Zoning Board is the legislative branch which undertakes this process for the Township and there is a process that would need to be undertaken to change the zoning, it is not solely up to the Trustees.

A resident asked about the Sharon Township surveys and how they stopped ballot stuffing. Kalina mentioned that the surveys were numbered to keep track of who turned it in. The resident also talked about land conservation district. Burns spoke about how land conservation can save large amounts of land.

Mr. Krause spoke against the proposed Conservation Development 500' set back and the 5-acre lot size increase. He mentioned that the legality would be towards 2-acres and no additional frontage and setback. He spoke on how to protect land in other ways.

Mr. Branson spoke about the Aldi commercial use. Burns stated that they are tax abated in compliance with agreements administered by the Medina County Economic Development Department.

Several residents cited concerns about the recent senior housing proposal and the Board of Zoning Appeals process. The Trustees replied that all Township, County and Federal regulations

were adhered to during this process and any Township modifications to the zoning regulations must follow a prescribed process.

Ms. Long replied that the Township needs to identify loopholes in the zoning regulations so Hinckley isn't caught on our heels. Augustine mentioned that we need to quantify what the residents want and took a quick survey of the room and those online of who would want what. Augustine asked the room and online who would want a 5-acre minimum. 18 hands were raised in the room, 2 virtually. When asked by a show of hands how many people supported more than a 2-acre minimum, there were 23 hands raised and 5 more virtually. Augustine then explained to Ms. Long about the legal process by which to amend the Zoning Resolution Codes through the Zoning Commission as outlined in Ohio Revised Code 519.12.

POLICE

Chief Centner joined virtually

Augustine made a motion for appropriations to purchase one (1) Mobile Data Terminal for the new cruiser from **Dell Computers** at a total cost of **\$2,266.66**. Kalina second. Vote: A-yes B-yes K-yes

Augustine made a motion for appropriations to install window tint through **North Coast Two Way Radio** at a total cost of **\$370.00**. Kalina second. Vote: A-yes B-yes K-yes

Augustine made a motion for appropriations to install the graphics on the new cruiser through **Classic Designs** at a total cost of **\$525.00**. Kalina second. Vote: A-yes B-yes K-yes

Augustine made a motion to adopt **Resolution # 61521-01**, entering into an **Intercounty Mutual Aid Agreement** with Medina County for Law Enforcement effective June 15, 2021. Kalina second Vote: A-yes B-yes K-yes

FIRE

Chief Grossenbugh was on vacation and could not attend.

Augustine made a motion for appropriations to purchase 12 uniform badges (10 firefighter, 1 chief & 1 lieutenant) through **Galls** at cost of **\$850.36**. Kalina second. Vote: A-yes B-yes K-yes

SERVICE

Burns made a motion for reimbursement to resident **Ken Jacko** to repair sprinkler system damaged by snow plow at a cost of **\$44.00** (Husney's Landscaping and Irrigation invoice). Augustine second. Vote: A-yes B-yes K-yes

TRUSTEES

Kalina noted that Fiscal Officer Catherwood recommended a way to simplify the lengthy bonding process for future employees and elected officials through the Ohio Township Association Risk Management Authority. Kalina read the full employee dishonesty and faithful performance of duty policy which would allow Ms. Medwid, the new administrative assistant, and future employees to accept payments along with expediting the process for future elected officials.

Kalina made a motion to adopt **Resolution # 61521-2**, as follows:

Whereas Hinckley Township, Medina County's employee dishonesty and faithful performance of duty policy through the OTARMA coverage document complies with ORC 3.061: and NOW THEREFORE, BE IT RESOLVED, that on this date June 15, 2021 the Board of Trustees of Hinckley Township, Medina County hereby authorizes the township to purchase and use employee dishonesty and faithful performance of duty policy through OTARMA instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.

Augustine second. Vote: A-yes B-yes K-yes

Kalina made a motion for appropriations for additional professional fees to **Tactical Planning (George Smerigan)** for third-party planning assistance for the Board of Zoning Appeals and Zoning Commission in regards to the Senior Housing Project, not to exceed \$1,200 and to be paid up front by applicant. Burns second. Vote: A-yes B-yes K-yes

Kalina discussed hiring OHM for Board of Zoning Appeals third-party planning assistance. OHM previously facilitated the 2015 Hinckley Township Comprehensive Plan Update. Conversation ensued as to additional services OHM may provide as to comprehensive planning. It was determined at this time to retain OHM for only third-party assistance.

Kalina made a motion for appropriations to **OHM** for funds not to exceed **\$500** (\$125 per hour) of work for the Township. Burns second Vote: A-yes B-yes K-yes

Kalina stated his desire to initiate a zoning text amendment regarding the current definition of Senior Citizen Residential Facility and Senior Citizen facilities. The initiation of such would not stop the current conditionally approved senior housing proposal, but may restrict them from growing in the future. The discussion turned to the legality of such an action and would it open the Township up for legal action. Augustine said that she would like to have the Zoning Commission review the current senior housing language as well, but cautioned against removing it completely. Burns indicated that the Township legal advisor needs to look at it as well to ensure the Trustees ensure legality of any amendments. Discussion ensued. It was decided that they will approach the Medina County Prosecutors and readdress at the next Trustee Meeting.

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Kalina discussed the review of the proposed re-plat for Mount Pleasant Home Sites Subdivision which consists of the removal of sub-lots 25, 29, 30 and 31 from the original plat. He indicated that although there are deed restrictions on the lots, the Trustees are signing off that the lots meet Zoning as the Township has no authority over deed restrictions. The site surveyor, Jeremy Sack, replied that the re-plat indicates a vacation (or removal) of sub-lots 25, 29, 30 and 31. These sub-lots are now part of the proposed senior housing development. The deed restriction will remain with the sub-lots and will require further review and approval through Medina County.

Kalina made a motion to accept re-plat #1 for Mount Pleasant Home Sites Subdivision as presented. Burns second. Vote: A=yes B=yes K=yes. The re=plat must be recorded by 6/15/23.

Kalina began a discussion of the Annual Complete Managed Security for HFD, Admin/Zoning and Service through Light House Solutions at a cost of \$5,746.00. Light House Solutions also suggested upgrading Hinckley's firewall protection. This topic was tabled for further review.

Kalina stated that he walked the Riverwoods Nature Preserve Conservation and said it was well maintained due to the volunteerism of a Township resident and is a wonderful asset to the community.

Augustine discussed the 2021-22 Kimble Trash Opt-Out Letter and Forms. The Trustees agree that the timing should stay the same and be done electronically as in 2020, email is the preferred form of communication. The Trustees also spoke of the option to fax in the opt out letter. Because of issues with a busy phone line in 2020 and the fact that time stamps are important, faxes caused problems. Emails were more successful and able to be time stamped. The Trustees agreed that email will be the only way to submit opt-in requests and a full color letter will be sent to all residents in order to emphasize important information on the letter and form.

Augustine told the Board that Domokur Architects were chosen for the Police Station renovation. The concept of using the current Administration building for the police station will be explored to determine feasibility.

Augustine stated that July 1st begins hybrid (in-person/virtual) meetings. The meetings will still be broadcasted via Zoom for resident convenience, but will be observation only on Zoom. Those residents that would like to participate must attend in person. Trustees will be in-person attendees.

Burns discussed Medina County fiber node contract. Hinckley was looking to put a node at the Police Station, but the contract didn't mention the \$60 monthly payment to the Township for electrical costs that was previously discussed and they need to also add relocation costs to the contract should Township renovations be required. The Trustees agreed to move forward with the changes to the contract and forward it to the Prosecutor for review before returning it to Medina County Fiber Network.

FISCAL OFFICER

Ms. Catherwood had an excused absence.

FLOOR

The floor was opened to public comment and questions.

Mr. Pearl discussed the trash service for 2020 and 2021 and asked how many people opted out of the program. Augustine stated that she believes 158 requested to opt-out and 32 were not approved, but didn't have the numbers in front of her. She stated she would email stats to him.

Ms. Chesnick asked about the new cell tower. Burns stated it was a County tower put in place for the police radios.

Burns motioned to adjourn at 9:23 p.m Augustine second. Vote: A-yes B-yes K-yes

The minutes of the meeting were approved by:
