

Franklin Township Trustees
Tuesday, December 13, 2022
Regular Meeting Minutes

At 7:00pm Chairman Scott Swan called the meeting to order. Minutes from the previous regular meeting were approved by a motion made by Glenn Russell; 2nd Kellie Kapusta. All three trustees voted yes.

PUBLIC COMMENT

- PCSO Detective Nick DeSerio – reported that in the month of October 279 calls for service in Franklin Township were answered by the sheriff’s department and in November 264 calls were answered. These calls included but were not limited to calls for suspicious persons or vehicles, thefts, domestic disputes, sexual assault, welfare checks, accidents, assists to other agencies, property complaints, and traffic stops. Another deputy sheriff attended the meeting with Detective DeSerio. The township is grateful for the department’s commitment to the township and their participation with our residents.
- Kevin Smith – 848 Hudson Road – spoke as the manager of the Burnt Pickle located on East Main Street in Franklin Township. His attorney, Oliver Koo, of 250 S. Chestnut Street, Ravenna, addressed the trustees with a request for a process to be put in place, if none currently exists, to seek exceptions to zoning, building, or fire guidelines on sporadic events Mr. Smith wishes to hold at the Burnt Pickle. Current occupancy limitations prevent them from holding some events they would like to host. Mr. Swan responded that no such process is in place because zoning regulations, fire code requirements, and building department requirements are all established with the location, safety of all attendees, adherence to set parameters, and consideration for neighboring property owners in mind when they are set. These decisions are made with the location, size of buildings, parking availability, zoning designation, and county or state codes taken into consideration prior to the trustees hearing any requests for exceptions to be made. Mr. Loo explained that his client is not seeking permanent changes to be made but is instead seeking exceptions to be considered on an event-to-event basis. Mr. Swan reiterated that it would be the responsibility of the client to consider what inhibiting factors are preventing such an event from meeting all criteria and then all departments leading up to the board of trustees would have to be engaged in the discussions and approve prior to the request being brought to the trustees. The board does not consider an exception-based request as any different that a permanent use or variance request. The frequency of non-complying events being held is not the issue, it is the legality of the event. Mr. Russell agreed and stated that the board of trustees would rely heavily on the recommendation of the zoning, fire, and building departments. Another representative of the Burnt Pickle, John McNeil of 7557 Birkner spoke about changes already made to move toward compliance in order to have their zoning status changed to allow for a higher occupancy designation. He states that they believe they were given a larger occupancy by a different governing body at the township and then changed, hence the need to make these changes, such as the HVAC system, among other things. Mr. Swan responded in the same manner as before, stating that all events should comply with what designation the establishment is given by the county and township governing bodies.
- Ron Wiggins – 6500 Lakeview Events at Parkside owner addressed the board with an informal proposal to consider tying into the natural gas well belonging to the township and adjacent to their facility as a cost saving measure for them and a source of revenue for Franklin Township as they would pay for the gas used at a lower rate than they are being charged through their supplier. The topic will be considered and discussed at the next meeting.

- Eric Leichter – 6772 Hudson Road – asked for any status update on information he could get on the upcoming Hudson Road projects of Phases IV and V. He is looking for specifications regarding road width, utility pole placement, etc. Mr. Swan responded that he did speak with Mike Collins at the engineer’s office and relayed that the lanes will be eleven feet wide with a four-foot paved shoulder/bike lanes. The roadside ditch will be 18”. Mr. Collins is putting together more information and will forward to us when ready so that it can be posted on our website.
- City of Kent Fire Chief Bill Myers addressed the board and all present to express his sincere gratitude for the outpour of community support for the department and all of the first responders who were on scene for the large mill fire downtown last weekend. He is grateful for the skill and dedication of his firefighters and those from all of the many agencies and service departments who came to provide support. A tragedy was averted due to their ability to work together.

ROAD REPORT

Submitted as written by Dave Akerley and is attached to the official record. Additionally, Mr. Akerley will move forward with the purchase of a new hot water tank, generator and the installation of better lighting at the maintenance garage provided these meet the criteria of qualification of NOPEC grant projects.

ZONING REPORT

Submitted as written by Joe Ciccozzi and is attached to the official record. Additionally, Mr. Ciccozzi brought the board’s attention that the Portage County Board of DD wishes to erect a homerun fence at Brady Lake ballfield – a six-foot fence with padding and eight foot poles – to better serve their needs during the special Olympics. The trustees have no objection.

FIRE REPORT

Submitted as written by Richard Smith and is attached to the official record.

OLD BUSINESS

- Interior painting at town hall was discussed. The last time it was done was in 1996. There are some places chipping or peeling. The trustees asked Mr. Akerley to inspect and make a determination if the crew needs to paint.
- The next meeting workshop for the Employee Procedures and Policy Handbook will be held Wednesday, February 8, 2023 at 5:30pm.
- After discussion regarding snow ban parking signs, it was decided that a flyer will be created and distributed to residents on streets most impacted by cars parking in the street which prohibits effective or safe snowplowing. A reminder will also be placed on the website about not parking in the street during snow events. Problem areas might need some one-on-one contact with residents to make them understand that streets cannot be plowed when cars are parked in the road.
- Spring cleanup signs will be ordered or made to reflect that it will be held the last weekend in April.

NEW BUSINESS

- The trustees approved the appointment of Joe Ciccozzi as the Franklin Township representative for a two-year term as the Franklin Township representative for the Portage County Regional Planning Commission January 2023 – and Jenny August will be the alternate – by a motion made by Glenn Russell; 2nd Kellie Kapusta. All three trustees voted yes.

- A D1 liquor permit request was received from TRICO Pizza, Inc (DBA Pizza Hut) at 1715 East Main Street. The trustees have no objection and waived their right to request a hearing.

FINANCES

- An invoice for \$217,957.00 to refurbish a medical unit for the City of Kent Fire Department (as per our agreement signed in 2021) was approved by a motion made by Scott Swan; 2nd Kellie Kapusta. All three trustees voted yes.
- Resolution 2022-37 approving Appropriations for the 2023 year was approved by a motion made by Scott Swan; 2nd Kellie Kapusta. All three trustees voted yes.
- Payment of bills, warrants #25941 through 25980, including payment vouchers and totaling \$519,650.69 was approved by a motion made by Glenn Russell; 2nd Scott Swan. All three trustees voted yes.

At 8:25pm Mr. Swan asked for anything else for the good of the order. Resident Austin Lesak – 124 Wanda Court – introduced himself as a new resident to Franklin Township and expressed his willingness to become involved and help out in any way possible if needed. He also expressed concern about biweekly recycling pickup versus weekly as he is accustomed to and asked why the county does it that way. Mr. swan explained that the county made the decision to save money, decrease wear and tear on roads from heavy trucks, and make uniform contractual practices throughout surrounding county entities. He also stated that should Mr. Lesak wish to have another bin since his fills up so fast that he can request one. Mr. Lesak has been unsuccessful reaching help at the recycling center. We will keep trying. Then Kevin Smith – who spoke earlier regarding the Burnt Pickle asked for clarification from Mr. Swan of statements made earlier in the meeting regarding the board being aware that work at the Burnt Pickle has been done during periods of time when it shouldn't have been and that rules were not always followed. Mr. Swan explained that he stood by the statement but had no intention of further discussing the matter. Mr. Smith asked for a retraction publicly and Mr. swan declined to issue one.

At 8:28pm a motion to suspend regular session and enter executive session for the purpose of discussing the compensation of a public employee per ORC 121.22 was made by Scott Swan; 2nd Kellie Kapusta. All three trustees voted yes. At 8:36pm a motion to resume regular session was made by Scott Swan; 2nd Kellie Kapusta. All three trustees voted yes. A motion was made by Scott Swan to issue bonuses to auxiliary employees Jenny August, Joe Ciccozzi, Richard Smith, and Dave Akerley in the amount of \$1,000 each for their exemplary work and willingness to go the extra mile whenever needed; 2nd Glenn Russell. All three trustees voted yes. At 8:38pm a motion to adjourn was made by Scott Swan; 2nd Kellie Kapusta. All three trustees voted yes.

Date _____ Fiscal Officer _____

Chairman _____