

Franklin Township Trustees
Tuesday, February 26, 2019
Regular Meeting Minutes

At 7:03pm, following a public hearing, Chairwoman Ann Hanna called the meeting to order. Minutes from the previous meeting were approved by a motion made by Keith Benjamin; 2nd Scott Swan. All three trustees voted yes.

PUBLIC COMMENT

- Hal Lehman – 2218 Leonard St. – stated the road crew was to be commended for the great job done keeping roads cleared and maintaining safe roads on which to travel in the former village area.
- Candace Curtis – co-owner at 7692 and 7680 Clio – addressed the board with concerns about flooding on the road which, when frozen, makes the road nearly impassable.
- Alicia Schneider – 7680 Clio (tenant) supported Ms. Curtis’s claims and asked for help. This is an area that has seen ongoing flooding problems. Grade, lake levels, and the geographical makeup of the area all contribute to the problem. Ms. Schneider spoke with a soil and water representative today, Jim Berlier, and he suggested more gravel, specifically #304 size and #57 size, might help build up the road enough to curtail the problem enough to keep it passable. The freeze and thaw and flow of water from the lake under and on the road have caused large holes and ruts, in which cars become stuck in icy/slick conditions. Members of the road crew in attendance, Adam Boron, Lee Smith, and Ben Mathie, addressed the concerns with both residents. They stated that a resident or owner added some gravel already and it might have exacerbated the issue. While a long term solution is not possible at this time of year the due to unavailability of the requested size gravel for fill, the board asked that the road crew drive out there and assess the situation and see what they can do. The crew surmises that filling the holes with grindings from the tennis courts and some leveling will be a possible temporary fix.
- Jill Grimm – 1509 Merrill – reported that the Twin Lakes area residents have been increasingly concerned about coyotes in the area; small pets are disappearing, the coyotes are out in the daytime and coming closer up to homes. The board responded that township statutes state that firearms may be used on private property by owners, or on other private property with express written consent from the owners to use discharge a firearm to shoot the animals. The person using the firearm is responsible for where the bullet ends up. It was also suggested that she direct residents to contact ODNR.

ROAD REPORT

Keith Benjamin, interim road superintendent, listed jobs completed by the road crew as snow and ice treatment of roads, cleaning of trucks, cold patch fill on potholes, truck maintenance and making sure the salt barn is full. They have done a great job meeting the needs of the township.

ZONING REPORT

Submitted by Sam Abell and is attached to the official record.

OLD BUSINESS

- **Resolution 2019-09** – this is a resolution that will bring about the end to a long and drawn out dispute over the debt incurred by the former village held by Hometown Bank. In brief summary, Brady Lake Village took out a general obligation bond in 2004 in the amount of \$450,461. Repayment of the bond was tied to a recreation levy renewed every five years generating enough revenue to make the biannual payments, with the bond being paid off in 2024. Upon the village’s dissolution in 2017, the recreation levy in place to repay the debt became null and void. Representatives of the Auditor of State’s office involved in assisting with the dissolution and closing up of financial matters for the village did not fulfill their responsibility in seeing the debt settled and making sure that all assets transferred to the township were free and clear of any obligation prior to closing the audit conducted of village records and finances. The debt did not transfer to the township when the properties became part of the township’s jurisdiction. Hometown Bank approached township officials looking for Franklin Township to assume the debt. In lieu of litigation on the part of the bank, a resolution transferring previously held properties of the village that were absorbed by the township upon the dissolution to the bank has been reached. The principal due on the bond is \$218,736.52. The former village hall located at 6500 Lakeview, with its surrounding parcels, and the former fire building, police building and smaller old hall located at 2123 Merrill with its surrounding parcels appraised at a combined value of \$215,000. Trustee Scott Swan, following the recap of events leading up to this stated for the record that the township exhausted all other options available to us to retain the properties mentioned above in order to sell them and utilize the proceeds for extensive road repairs in the Brady Lake area and throughout the township. The trustees came to the realization that seeking an agreement in lieu of litigation was the best way to control as much as possible the outcome. In the resolution agreed upon by representatives of the Bank and Township officials, the following will occur:
 1. The above mentioned properties will be transferred by quit claim deed to HomeTown Bank and the Bank will pay costs associated with closing.
 2. Should Hometown Bank sell the properties for a total in excess of the \$213,045 (the balance due on principal as of December 31, 2017) all net proceeds over that amount will be paid to Franklin Township.
 3. Should Hometown Bank sell the properties and receive less than the amount of principal due as of December 31, 2017, Franklin Township will not be held accountable for any remaining amount due to Hometown Bank.
 4. Hometown Bank will receive the real property in “As Is” condition.
 5. The Bank has reviewed the zoning for these properties and accepts them as is in full awareness that a perspective buyer has the option to appeal to the Board of Zoning Appeals for a permitted use variance compliant with code.
 6. Closing to this transaction will take place as soon as possible

Resolution 2019-09 was approved by unanimous vote after a motion made by Scott Swan; 2nd Ann Hanna. All three trustees voted yes.

NEW BUSINESS

- **Resolution 2019-07** establishes zoning fees consistent with the setbacks definition approved in the previously held hearing. Motion to approve made by Scott Swan; 2nd Keith Benjamin. All three trustees voted yes.

- **Resolution 2019-08** – a resolution adopting the proposed five year plan set forth by the Portage County Solid Waste District. Bill Steiner, PCSWD director, summarized the plan for all in attendance. The township board expressed their ongoing support for the district. Resolution 2019-08 was approved by a motion made by Ann Hanna; 2nd Scott Swan. All three trustees voted yes.

CORRESPONDENCE

Fliers received by trustees pertaining to upcoming elections in May were shared and Hazard Mitigation webinar opportunities and accompanying schedule for them was shared.

FINANCES

Payment of bills submitted, warrants # 24453 through 24468, including payment vouchers, totaling \$48,748.93 was approved by a motion made by Keith Benjamin; 2nd Ann Hanna. All three trustees voted yes.

At 8:15 a motion to adjourn was made by Ann Hanna; 2nd Scott Swan. All three trustees voted yes.

Date _____ Fiscal Officer _____

Chairwoman _____