

# **MINUTES OF THE ROOTSTOWN TOWNSHIP TRUSTEES**

## **April 26, 2022**

The regular meeting of the Rootstown Township Trustees opened at 5:30 p.m. on April 26, 2022. Those in attendance were Trustees Brett Housley, Joe Paulus and David McIntyre, JoAnn Townend, Fiscal Officer, Fire Chief Charles Palmer, Zoning Inspector, Mark Tirpak, and Trustees Administrative Assistant, Julie Gonzales.

The meeting was called to order at 5:30 p.m., the Pledge of Allegiance followed.

**Resolution No. 2022-066** – Motion was made by Joe Paulus and seconded by Dave McIntyre to accept the minutes of April 12, 2022. Upon roll call the vote as follows: Dave McIntyre, yea, Joe Paulus, yea, Brett Housley, yea.

### **FIRE CHIEF REPORT**

Chief Palmer indicated that Stongard will be starting on the floors on Thursday and should take (3) three days.

About thirty (30) National Honor Society students visited the fire station and left cookies for our role in the community.

Chief Palmer said the basement walls are still too wet to work. He will keep the Trustees posted.

The striping and lettering have been put on the new truck. They are waiting for the lights and sirens to arrive and be installed.

Chief Palmer reported during the Dussel Farm fire in Brimfield our tanker hit the back corner of Atwater's tanker. Written statements from the crew have been taken. Chief Palmer met with Atwater's Fire Chief the next day. The part that was damaged has been ordered and arrangements have been made for it to be installed. There is no cost on the damage until the part comes in.

Joe asked Mark to remove the Zoning Department sign on the mailbox at the Town Hall. He also suggested that the arrow on the door at new location be removed. It gets a little confusing. Brett thanked the fire department for their community service. He said he appreciates the crew and are always very professional.

**5:35 PM Public Hearing – Zoning Amendment**  
**ZC 2022-001 – Section 150.02 B - Definitions**

**ZC 2022-002 – Section 350.03 C - Schedule of Permitted Uses, Commercial Districts**  
**ZC 2022-003 - Section 390.06 BB - Supplemental Regulations for Specific Uses**

**Resolution No. 2022-067** – Motion was made by Joe Paulus and seconded by Dave McIntyre to open the public hearing at 5:35 PM for proposed Zoning Amendment ZC 2022-001 – Section 150.02 B – Definitions, Zoning Amendment 2022-002 – Section 350.03 C – Schedule of Permitted Uses, Commercial Districts and Zoning Amendment 2022-003 – Section 390.06 BB – Supplemental Regulations for Specific Uses. Upon roll call the vote as follows: Dave McIntyre, yea, Joe Paulus, yea, Brett Housley, yea.

The proposed zoning amendments discussed in this public hearing have been reviewed and approved by the Portage County Regional Planning Commission and the Portage County Prosecutor’s Office.

**Resolution No. 2022-068** – Motion was made by Joe Paulus and seconded by Dave McIntyre upon the recommendation of the Rootstown Zoning Commission to amend the following Zoning Amendment 2022-001:

**Zoning Amendment # 2022-001**

**Section 150.02 B - Definitions**

**Proposed New Definition:**

(110) MEDICAL MARIJUANA DISPENSARY: A retail establishment holding a current, valid, retail license issued under Section 3796 of the Ohio Revised Code.

Comments: Marion Gordon of Sanford Road asked who proposed these amendments and who is going to benefit from it. Joe said this is an amendment for definition purposes that the State revised; no one requested the amendments. Mrs. Gordon thanked Chief Palmer for their excellent job and updating their equipment and buildings. Mrs. Gordon also thanked Bill Hahn and the Road Crew for the excellent job at the cemetery amidst all the rain we have had.

Upon roll call the vote as follows: Dave McIntyre, yea, Joe Paulus, yea, Brett Housley, yea.

**Resolution No. 2022-069** – Motion was made by Joe Paulus and seconded by Brett Housley upon the recommendation of the Rootstown Zoning Commission to amend the following Zoning Amendment 2022-002:

**Zoning Amendment # 2022-002**

**Section 350.03 C – Schedule of Permitted Uses, Commercial Districts**

**Section 350.03 C Existing:**

	R-O Residential Office	V-C Village Center	C-1 Retail Comm.	C-2 General Comm.	C-3 Highway Interchange
<b>C. General Commercial/Retail</b>					
1. Retail in completely enclosed buildings		P	P	P	P
2. Personal services in completely enclosed buildings		P	P	P	P
3. Bank, financial institution, automated teller machine		P	P	P	P
4. Building trades and storage area	C	C	P	P	P
5. Drive-through facilities in association with a principal use		C		C	P
6. Mini/self storage		C		C	
7. Outdoor display			C	C	P
8. Outdoor storage (a) In fenced-in area				P	P
(b) Not in fenced-in area				C	C
9. Restaurants		P	P	P	P
10. Studios for artist, photography, etc. which may include retail sales	P	P	P	P	P

**Section 350.03 C Proposed (shown in bold):**

	R-O Residential Office	V-C Village Center	C-1 Retail Comm.	C-2 General Comm.	C-3 Highway Interchange
<b>C. General Commercial/Retail</b>					
1. Retail in completely enclosed buildings		P	P	P	P
2. Personal services in completely enclosed buildings		P	P	P	P
3. Bank, financial institution, automated teller machine		P	P	P	P
4. Building trades and storage area	C	C	P	P	P
5. Drive-through facilities in association with a principal use		C		C	P

	R-O Residential Office	V-C Village Center	C-1 Retail Comm.	C-2 General Comm.	C-3 Highway Interchange
6. Mini/self storage		C		C	
7. Outdoor display			C	C	P
8. Outdoor storage (a) In fenced-in area				P	P
(b) Not in fenced-in area				C	C
9. Restaurants		P	P	P	P
10. Studios for artist, photography, etc. which may include retail sales	P	P	P	P	P
<b>11. Medical marijuana dispensary</b>				<b>C</b>	<b>C</b>

There were no comments from the public.

Upon roll call the vote as follows: Dave McIntyre, yea, Joe Paulus, yea, Brett Housley, yea.

**Resolution No. 2022-070** – Motion was made by Joe Paulus and seconded by Dave McIntyre upon the recommendation of the Rootstown Zoning Commission to amend the following Zoning Amendment 2022-003:

**Zoning Amendment # 2022-003**

**Section 390.06 BB – Supplemental Regulations for Specific Uses**

**Section 390.06 BB Proposed:**

**Medical Marijuana Dispensaries** shall comply with the following:

1. The dispensary and any parcel boundary line of the parcel upon which it is located shall not be located within 1000 feet of any parcel boundary line of a school, park/playground, or church.
2. The operation of the dispensary shall comply with all provisions of ORC 3796.

There were no comments from the public.

Upon roll call the vote as follows: Dave McIntyre, yea, Joe Paulus, yea, Brett Housley, yea.

**Resolution No. 2022-071** – Motion was made by Joe Paulus and seconded by Dave McIntyre to close the public hearing at 5:44 PM. Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

## **ROAD SUPERINTENDENT REPORT**

Dave reported the following:

The Road Crew has been patching and chip and sealing the roads. They were able to mow last Friday and Monday at the cemetery.

Brett asked the status of the seasonal worker. JoAnn said it has not been advertised. Dave said the biggest duty for the seasonal worker will be weed eating around the tombstones at the cemetery.

## **ZONING INSPECTOR REPORT**

There were six (6) permits issued.

- 1 Attached garage
- 3 Fences
- 2 Sheds

The Trustees signed the revised zoning maps.

**Resolution No. 2022-072** – Motion was made by Joe Paulus and seconded by Dave McIntyre to hire Brouse McDowell to conduct a presentation to the Zoning Board of Appeals and Zoning Commission members on May 31, 2022, in an amount not to exceed \$500.00. Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

**Resolution No. 2022-073** – Motion was made by Brett Housley and seconded by Dave McIntyre for the Portage County Regional Planning Commission to prepare the deed for the corner lot split at State Route 44 and Tallmadge Road in an amount of \$150.00 plus the recording fee. Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

JoAnn reported the chairs for the Town Hall have nearly doubled in price. She will find the best price and funding will be taken from the General Fund.

Mark said when the Road Crew moved the Zoning Department filing cabinets they were rusted to the floor and buckled when they tried to move them. Chief Palmer ordered five (5) filing cabinets from Independence Business Supply.

Jordan gave Joe a picture of the complaint the Zoning Department received on Rosalind Drive.

Brett reported they attended a mediation yesterday with Patty Melton of Tallmadge Road. There was no success, or a resolution made. They will put it back on the docket.

Mark reported on Thursday they will also be attending a mediation with the State of Appeals Court in Warren. This mediation is regarding the court's mathematical error in the amount on the records. Dave, Mark, and Jordan will be attending. No one will be negotiating the cost.

### **CITIZEN'S COMMENTS**

Dr. Gadd of Tallmadge Road gave the Trustees information regarding a Railroad Crossing Elimination Grant Program Fact Sheet. The FRA supports this grant to improve the crossings. Joe said it is the railroad's responsibility to fix the crossings. Dave said the crossing at Hatrick Road needs repaired more than New Milford Road. Dave thanked Dr. Gadd for the information. Dave asked Chief Palmer if there is record of how many crashes occurred at the railroad crossings. Chief Palmer will contact AMATS for that information.

### **UNFINISHED BUSINESS**

**Resolution No. 2022-074** – Motion was made by Dave McIntyre and seconded by Joe Paulus to amend Resolution No. 2022-048, adopted March 8, 2022, approving a bonus in an amount not to exceed \$1,000.00 to Jordan Michael, Administrative Assistant of the Zoning Department for additional duties he has acquired *managing the ARP Funding. This bonus will be paid through the ARP Funding.* Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

**Resolution No. 2022-075** – Motion was made by Brett Housley and seconded by Joe Paulus to amend Resolution No. 2021-223, adopted November 23, 2021, for the Rootstown Park Commission to move forward with R&T Fencing to place fencing and entry gates around where the dog park will be placed at the Rootstown Community Park in an amount not to exceed \$24,000. The Road Crew will do the necessary items to get the project prepared. This purchase will be paid through ARP Funds. *Today, the Board of Trustees wishes to amend the amount not to exceed \$35,386.00.* Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

Brett suggested using ARP Funding to purchase the new fire pickup truck. Chief Palmer said this purchase is being made through the ambulance billing and not their actual budget.

Chief Palmer will prepare a proposal for the Trustees review for the fire levy that will be on the ballot in the fall. The deadline to place it on the ballot is in August.

### **NEW BUSINESS**

Dave received an email from Doug Matthews, Eagle Scout Master and they would like to donate a bench for the new dog park.

**Resolution No. 2022-076** – Motion was made by Dave McIntyre and seconded by Joe Paulus to purchase two (80 vault) columbarium niches to hold cremation urns to be placed at the Homeland Cemetery. The covers will be constructed of gray granite with black plates covers at a cost not to exceed \$46,436.00. This purchase will be made through the ARP Funding. Upon roll call the vote as follows: Brett Housley, yea, Dave McIntyre, yea, Joe Paulus, yea.

Dave presented a copy of a drawing of the restrooms for the Community Park. Joe suggested installing a pavilion off the concession stand with picnic tables for somewhere to eat. Joe also suggested moving the women’s and men’s restroom on the same side of the building and have the storage areas on the same side.

Joe recommended replacing the panels on the garage door of the concessions building and installing gutters and downspouts on the Pavilion by the concessions building. Dave will contact Cousins’ Seamless Gutter to get a quote or to possibly purchase a banner for trade.

**Resolution No. 2022-077** - There being no further business before the Board of Trustees, Chairman Housley adjourned the meeting at 6:57 p.m.

Respectfully submitted,

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Brett Housley, Chairman

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JoAnn Townend, Fiscal Officer