

## COMMISSIONERS MEETING – MONDAY, JULY 12, 2004

Sharon A. Ray called the meeting to order at 9:30 a.m. with Stephen D. Hambley present. Pat Geissman was on vacation.

The meeting opened with the Pledge of Allegiance and a Prayer.

The minutes of July 6 were inadvertently left out of the meeting packets and were not available for their review and approval.

Doug King, Administrative Assistant in the County Engineer's Office, presented resolutions authorizing the advertisement for bids for "CC" treated rock salt, to close a section of Hamilton Road, authorizing the advertisement for bids for resurfacing of Firestone Road, and approving the use of Subdivision Drainage Maintenance Fund for work in Boston Commons Subdivision Phase IV in Hinckley Township. Mr. Hambley moved to approve the 4 resolutions; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Commissioners reviewed the weekly permits list.

Chris Jakab, Finance Director, presented and reviewed resolutions amending the 2004 appropriations by transferring and increasing/decreasing appropriations, various fund transfers, revenue adjustment for Transit services and bond retirement, expenditure adjustment for Sheriff's D.A.R.E. program, approving submission of a proposal for Title III grant program funding for the Office for Older Adults for FY 2005 for \$294,863 with local matches, authorizing a request for proposal process for tobacco cessation and prevention programs, adoption of the 2005 Tax Budget, declaring county property as excess property in order to post these items for the online auction, revenue adjustment for the General Bond Retirement Fund and General Fund, and the weekly bills in the amount of \$584,638.02. The tobacco cessation and prevention programs are for pregnant women and youth. The funding for these programs came from a grant from the Tobacco Use Prevention and Control Foundation. Attached to the Tax Budget was a comparative summary showing estimated collection amounts and the notification from the Budget Commission. The estimated 2 ½ mills will generate an additional \$452,000 for the general fund and general bond retirement fund next year. Chris noted that this is the second to last year for the Achievement Center bond issue. Mr. Hambley moved to approve the 10 resolutions and payment of the bills; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. He noted that Joyce Farnsworth, County Home Administrator, will be on a leave of absence starting July 12 and on conclusion of the leave will be retiring on December 18. She has been with the County Home since 1957. Lynn Remington is being appointed as Interim County Home Superintendent. Mr. Hambley moved to approve the personnel changes; Seconded by Ms. Ray.

Mr. Hambley questioned Judy Hardesty's departure as a resignation instead of retirement.

Gary stated that will be corrected to retirement.

Mr. Hambley moved to revise the motion to approve the amended personnel changes to show the resignation as a retirement; Seconded by Ms. Ray. There was no further discussion. Roll Call showed both Commissioners voting AYE.

John Stricker, County Administrator, presented a resolution authorizing a change order for Pappas Construction for the Society for Handicapped Citizens Camp Paradise playground. The lineal foot for the sidewalks was substantially increased and the playground equipment that was installed had to be set in concrete, which had to be added to the contract. Mr. Hambley moved to approve the change order; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

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Ken Hotz, Sanitary Engineer, presented a resolution authorizing the release of the escrow account of Northeast Ohio Trenching Services for the S.R. 18 waterline relocation project. This is for the relocation near I-71 and the work is done. Mr. Hambley moved to approve the release of the escrow; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Ken presented a resolution accepting and awarding the bid for the Medina Reservoir sanitary sewer replacement. This sewer runs from S.R. 18 to S.R. 3. The concrete pipes have deteriorated and are being replaced with heavy duty plastic. The estimate for the project was \$1.5 million and the award is for approximately \$1,173,000. Through questioning he stated that the county has done business with Underground Utilities in the past. It took 2 years to design this project because they were dealing with the Army Corp of Engineers for the wetlands and the City has leased property to the Park District. Mr. Hambley moved to accept and award the bid; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Debra Radecky, Office for Older Adults, reported that they held a 4<sup>th</sup> of July celebration. Upcoming activities include the Sheriff bringing in a police dog this Friday, a health talk on the 19<sup>th</sup>, the day trip will have 2 buses going to the Cuyahoga Valley Scenic Railroad, the Sheriff's Department will be doing a terrorism awareness program on the 23<sup>rd</sup>, a physician will be talking about melanoma, and on the 13<sup>th</sup> there will be a demonstration on portable oxygen use. They are planning for the fall festival on Friday, October 18. The Arthritis Foundation will be doing a program in August called "Money Matters and Your Arthritis", and in September their program will be on osteoarthritis.

Mead Wilkins, Job & Family Services Director, presented statistical information on PRC expenditures and a summary of the client visits to their office. They are averaging about 2000 visits to their office per month. Mead presented resolutions amending an agreement with the Office for Older Adults to expand the hours for adult protective services, authorizing a contract for the quarterly information consolidation system (QuIC) with Maximus, authorizing a contract with Medina City Schools, and authorizing the advertisement for bids for temporary employee services. Mead stated that the Office for Older Adults is doing a good job working with the adult protective services program. Through questioning he stated that most of the referrals for the protective services are from the police or hospitals. Most of those cases are self-neglect. The QuIC is their financial reporting for the State. The contract with Medina City Schools is for summer educational assistance for children from kindergarten through 2<sup>nd</sup> grade that aren't meeting their grade levels. The authorization for temporary employee services would authorize RFP's to get the best rates from temporary agencies to get assistance with the backlog of screening cases.

Mr. Hambley noted that the resolution authorizing a contract with Medina City Schools lists Buckeye Schools within the resolution.

Mead stated that this program moves around between the different school districts and he believes the contract is supposed to be with Buckeye.

Mr. Hambley moved to approve the 4 resolutions, with the contract resolution for the summer education program being with Buckeye Schools; Seconded by Ms. Ray. There was no further discussion. Roll Call showed both Commissioners voting AYE.

Mead stated that a new program has been added for community based foster care. The training was completed on Saturday to provide for specially trained foster parents. They had 7 families complete the program.

Mr. Hambley noted that on the PRC resolution there were 7 listed for shelter and he asked if those were related to the flood disaster program.

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Mead stated that the flood disaster program was a separate issue and not listed on this PRC resolution.

Mr. Hambley noted that there were 9 applications returned for the flood disaster program and asked about their status.

Mead believes there were only 2-3 that qualified. They haven't had a good response to their program. They send out a lot of applications, but they have an income eligibility requirement that makes many people go in another direction for assistance.

Dr. Daniel Raub, Don Stewart and John Heben of the Health Department presented an update on their mosquito control program and the West Nile Virus. Dr. Raub noted that last year they were looking at a levy to fund this program and then looked into doing the program by township. After discussion and review they decided to do something countywide. They have been using their general fund and have been able to support the program so far.

John Heben, Coordinator of the program, presented and reviewed an update. To prepare for the 2004 program, the Health Department purchased 2 full-sized pickup trucks and equipped one with a 200 gallon Skid-Sprayer as well as purchasing larvicide and backpack sprayer units, hired the coordinator and 4 season employees. The larvicide is mosquito-specific and has the least effect on non-targeted species and the environment. The 4 seasonal employees work approximately from May through October. They started the program in 25 of the 26 political subdivisions of the county, with Seville being the exception as they contract with a private company for adulticiding and larviciding. There are approximately 6000 catch basins and 75 acres of roadside ditches countywide that are being treated 4 times during the mosquito breeding season. They provided the City of Brunswick with larvicide pouches to treat their 1000 catch basins 4 times during the season as well. The City of Medina had leftover larvicide that is being used by the Health Department to handle the program within the City limits and it is anticipated that by August their product will be gone and the Health Department will continue the treatment of their catch basins and retention/detention ponds with their own product. "Sediment traps" that are located at new construction sites, retention/detention ponds and woodland pools as well as citizen complaints are also being treated throughout the county. The program also includes the collection of mosquitoes and dead birds to send to the Ohio Department of Health for West Nile Virus testing. There have been no positive results from mosquito pools and one crow from Westfield Township did test positive late last week. They have also been providing an education program with presentations being made to various groups, approximately 30,000 "Fight The Bite" pamphlets being distributed, and a commercial that is running on the local cable stations. The estimated budget for 2004 is \$300,000, which initially included construction of a storage building that is, at this time, not being planned. They have spent \$41,976.48 on the 2 pickup trucks, \$33,829.05 for larvicide products and equipment, \$662.22 for miscellaneous equipment and supplies, salaries for the seasonal employees is estimated at \$45,000, and \$1,500 on printing and advertising. They estimate spending another \$650 on miscellaneous supplies and equipment for the 2004 season and estimate \$100,000 for the 2005 season. Relative to the West Nile Virus update, there have been 15 birds from 11 counties that tested positive, with Medina County being one of those with 1 bird. There were 31 mosquito pools that tested positive in the surrounding counties of Lake, Lorain and Summit. There were no human or horse cases in Ohio, but 78 human cases nationwide with Michigan being the closest to Ohio with one case reported.

Don added that the City of Medina is allowing them to store the surplus material in their old water treatment plant at no cost.

Dr. Raub added that they are not doing the adulticide. There are some surrounding counties that are doing this and the biggest program uses the larvicide that prevents the adults from hatching. He agreed that the communities of Seville, Lodi, Gloria Glens and Chippewa are doing the adulticide in their own programs.

Ms. Ray presented and read a resolution appointing Millie Fedeckyj to fill the vacated position as the Commissioners' representative to Community Action Wayne/Medina. Millie will

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complete the term that expires December 31, 2004. Mr. Hambley moved to approve the appointment; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

The meeting was opened for public comment and there was no one present wishing to comment.

The Clerk read the resolution to allow expenses of county officials. Mr. Hambley moved to allow the expenses; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley moved to recess into Executive Session for the purpose of discussing personnel/compensation at 10:08 a.m.; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

At 1:30 p.m. the Assistant Clerk received bids for liquid asphalt for the County Engineer's Office from JASA, Unique Paving Materials Corp., and Middleport Terminal Inc. The bids were turned over to the Engineer's Office for review and recommendation.

The meeting reconvened at 1:30 p.m. for the discussion session.

Mr. Hambley noted that a letter was received from the City of Cleveland acknowledging receipt of the county's plan to terminate the water contract. He stated that he would like a formal response sent to Cleveland recognizing that they have received the letter and that they have indicated they would like to negotiate regarding the gradual withdrawal of their water service. Mr. Hambley moved that Ken Hotz and Jim Troike be authorized to commence those negotiations and that given the nature of politics in Cleveland that any overtures from their office be directed solely to the Sanitary Engineer; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Ken asked to receive a copy of the letter to the City of Cleveland.

Mr. Hambley stated that Mead Wilkins had called and the resolution to contract for a summer educational program is with Medina City Schools and not Buckeye Schools. Mr. Hambley moved to amend the resolution to approve the contract with Medina City Schools; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley presented a drawing of the University Center/Technology Park property and noted that talks have taken place with the University of Akron about re-alignment of the road. They have tentatively agreed to the re-alignment and taking over the northwest quadrant. They have indicated that because of the revision that they wish to be reimbursed for additional services of soil borings that were done in the area.

Ken noted that they did 6 borings that were 36 feet deep.

Mr. Hambley stated that is something the Port Authority can take advantage of when this is done. Through questioning he stated that he does not know the approximate cost and Ken added that he received a copy of the borings from their engineer.

Mr. Hambley stated that they're going to forward consultant proposals for the Board's approval so there is still some negotiations needed. Before the proposal for re-alignment was made they had said there wasn't much already done for the property and we didn't know there would be any additional costs involved but we do have to deal with the wetlands anyway. In the letter their contact talks about some site design that was done and when he talked with Dave Pierson he had not idea what has been done. Mr. Hambley has talked with Mike Salay, County Engineer, and Jim Gerspacher, representing the Port Authority, and their preference is to make a counter-proposal for the roadway configuration to slightly tweak it. Through discussion and

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questioning, he noted on the map where the University Center will be located and the area for the business park, which actually is an increase in acreage since the University has taken stewardship of the wetlands. He showed on the map where Jim indicated a preference for the division of the land and where the University will be located. In terms of storm water drainage it makes sense that they have total control of that area. He's not sure if McCoy and Associates has thought about that so this is an issue that needs to be addressed. At this point there is a consensus agreement that the University is willing to move and that they believe the northwest portion of the site will work for them. It is just a matter of tweaking the road a little. He, Mike and Jim will be discussing this and sending back a counter-proposal. There is a hearing tomorrow night on the PUD zoning and hopefully the Lafayette Zoning Commission will approve it. They were told before this re-alignment was set up that there would be a change but that it won't change the buffers in the area or anything with the PUD zoning. The buffers will still be maintained along the front, sides and edges. This will also work out better for the Boy Scout camp as it leaves them basically undisturbed and there's no reason they have to move any time soon even as the University starts going in. Regarding the PUD zoning, the Trustees have talked with some of the Zoning Commission members and Trustee Lynda Bowers has been going with them to visit a similar site in Greene in Summit County. That site has a similar type of corporate park and they have seen the type of architecture that the PUD zoning text emulates. He feels they will support the text. One thing he likes about this site change is that it will show off the architecture of the University Center more than before when they were basically hiding behind the woods. Mr. Pierson has indicated that the street names may need to be switched around, which is something that can be taken care of when the land is re-platted.

Mr. Hambley stated that comprehensive planning grant applications were received from Brunswick City, Brunswick Hills, Chatham, Lafayette, Liverpool, Montville and Seville. The Planning Department has been going through them and he sat down with Patrice Theken to review them. Lafayette's application only meets the requirement to demonstrate their need for assistance and that is met based on the growth and building in their area. Their application does not deal with public participation, thoroughfare plan or link their plan to zoning, any kind of commitment, or goals of ongoing education for the public and officials. The township is aware of this and he will be doing a letter encouraging them to reapply. Through discussion, he stated that the Trustees didn't handle the application. Basically the Clerk wrote a letter and didn't fill out the application. Although the Planning staff has bent over backwards to try to legitimize a grant to them because of their high need, it's difficult to justify a recommendation when they don't meet the basic criteria. There were 6 good applications received and the amount of money requested falls under the \$25,000 that was allocated. The Planning Department will be coming in with an official recommendation in the next week or 2. There is one they'll suggest not to award the full amount because of how far along that township is in planning.

There was a brief discussion about the grants being available next year. Ms. Ray and Mr. Hambley would like to see this funding continue.

Mr. Hambley noted that the grant period runs from August 1 through July next year. As liaison to the Planning Department, he will prepare a letter to Lafayette indicating that their application didn't meet the criterion that was set up and he will strongly suggest that they reapply. Assistance in filling out the application and answering any questions will be offered to them. He wants to demonstrate that the Board feels there is a need to assist them but that an award to them cannot be justified when they didn't make the basic application requirements.

Commissioners discussed the advocacy consultant proposals. These had been narrowed down to get references for Coleman Professional Services and the LNE Group. The 2 references received for each company were very good. In further review of the proposals, it was noted that Coleman is very good in the housing area but has little infrastructure experience, while LNE has experience in all 4 areas listed in the request for proposals. The award will be made for 6 months and then will be re-evaluated. At that time the agreement can be continued or another request for proposals can be sent out. Mr. Hambley moved to authorize Chris Jakab to proceed with the preparation of a resolution for next week to award the proposal to the LNE Group with the

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agreement beginning August 1; Seconded by Ms. Ray. There was no further discussion. Roll Call showed both Commissioners voting AYE.

The Clerk noted that relative to the joint meeting with city councils the City of Wadsworth is completely unavailable on July 27<sup>th</sup>. After a brief discussion, it was agreed to change the date to Wednesday, July 28<sup>th</sup>. The meeting will be held at 7:00 p.m. in a Balcony Room.

Through questioning, the Clerk stated that the hearing on the dog license fees is scheduled for August 2.

There was a brief discussion relative to an elected officials/department head meeting being held in September. Mr. Hambley noted that he has a meeting already scheduled for September 10<sup>th</sup>. Ms. Ray and the Clerk will work together to set this meeting up.

Commissioners recessed the meeting at 1:50 p.m.

At 2:00 p.m. the meeting was reconvened for the public hearing on revisions to the Subdivision Regulations. An attendance sheet is attached at the end of the minutes as Exhibit A.

Susan Hirsch presented and reviewed the proposed revisions, which are attached as Exhibit B. The Planning Commission has recommended approval of the revisions. The highlighted areas are new and those with lines through are being taken out. An email was received from the Health Department regarding Sections 503 C & D that deal with site evaluations. The proposed revision refers to the Health Department handling the evaluations for 1 and 2 family dwellings and the Environmental Protection Agency (EPA) handling the evaluations for more than 2 family dwellings and non-residential. The Health Department email clarifies that they do handle the evaluations for 1, 2 & 3 family dwellings, community care homes, and agricultural and non-commercial outbuildings. This section will be revised to reflect the corrections from the Health Department.

There was a discussion relative to whether the Planning Commission is required to approve this change before the Commissioners approve them. Through a brief discussion, Mr. Hambley feels that the Planning Commission approval is required, noting that this is a change to what they have already approved and recommended for adoption. This will be reviewed with the Planning Commission prior to Commissioners' adoption.

Jim Kamps, Hinckley Township Zoning Commission, stated that the last statement in 605C3c states who has final approval of systems and ends with "any other appropriate authority". He questioned if this would include the Phase 2 Stormwater Management Coordinator, and stated that he feels this is a broad statement that needs more definition.

Patrice Theken, Department of Planning Services Director, stated that it's intended to be broad in case another agency comes in that has some kind of authority.

Mr. Hambley noted that the systems involved are sanitary sewers, home septic systems and home water supply systems. Conceivably this could involve a village or city, such as Wadsworth that has their own systems. If Wadsworth didn't annex some land and provided the services into Wadsworth Township their authority would apply in this situation. He does not know how the Phase 2 jurisdiction would apply to a water or sanitary sewer system.

Ron Rhodes, Hinckley Township Trustee, presented a highlighted map of Hinckley, which is attached as Exhibit C. The highlights show the present through streets as well as how the township is cut up into 22 sections between those streets. The original language of the Subdivision Regulations was satisfactory as it said the townships' desires would be considered when it came to cul-de-sac streets. Unfortunately the Commissioners' representatives on the Planning Commission as well as the representatives of the cities, who are used to planning cities in grids and not rural planning, vote against the township all the time. There are little areas that

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have been developed that are considered neighborhoods. As the longest elected official in Hinckley he knows the people want these neighborhoods. Hinckley has a master policy plan and a codified zoning ordinance. The only thing they have asked is that cul-de-sac streets be allowed instead of the dead end streets that are later connected to another parcel of land. The Planning Commission thinks in terms of cities and doesn't understand residential rural planning. Hinckley representatives are present today to request relief from the sections that tell them they can only have cul-de-sac streets if they are limited to 40 homes and 2500 feet. If a developer comes in with a street that is 2600 feet and has 42 homes the Township is required to have a through street. They have beautiful subdivisions that recently opened and the people are happy not having through traffic. The Medina County Trustees & Clerks Association wrote a letter stating they agree that Hinckley should have the right to develop their township in the manner they and their people want. He stated that he disagrees that the Commissioners cannot approve the regulations without the Planning Commission approving them first as the Commissioners are the ultimate authority.

Through questioning, he stated that suggested language was submitted saying "a temporary cul-de-sac or stub street will not be allowed unless approved by 2 or more township trustees". Bill Thorne, Assistant Prosecutor, said that general law of Ohio doesn't give the authority. He feels Commissioners are the ultimate authority over Medina County. Although they don't have authority over the cities they do have authority over townships. The growth management strategy reads "coordinated with planning decisions at all levels of government", and yet they get no consideration at the Planning Commission. Hinckley Township is pretty much gridded with through streets now.

Ron Majewski, Hinckley Township Trustee, stated that he wholeheartedly agrees with Mr. Rhodes.

Mark Iacona, developer, stated that there are philosophical and legal differences between planning and Hinckley. He has been developing for 17 years and done 8-9 projects in Hinckley. One of the first things he's asked by people he's selling lots to is whether their street is going to be through street. He is trying to create and market rural residential neighborhoods. These people probably come from neighborhoods with interactive streets they didn't like and their perception of not having a through street is that they are able to be familiar and secure in the area because they recognize cars and face that belong on the street. They see a rural residential section with no sidewalks. By not having through streets and sidewalks, the road is used as a walkway and kids are riding their bikes there. Not having through traffic lessens the incidents on those streets. In doing research for a senior community, the National Council on Aging had statistics showing that the amount of crime in a single access subdivision is dramatically less because someone planning a crime wants a couple of ways to get out. These safety issues don't hit the statistics. He questioned whether having a stub street to a vacant piece of land is earth shattering when it comes down to the practical living things people are dealing with and desire.

Through questioning, Mr. Iacona agreed there are no sidewalks in Hinckley and stated that people in the rural neighborhoods of Hinckley walk along the side of the roads, and even people from outside the subdivision will walk them because there is much less traffic and therefore safer. That safety aspect isn't always considered when you look at a thoroughfare plan or safety forces.

Mr. Kamps stated that he strongly endorses the change in language in 405E that the preliminary plats must have total approval and all items must be taken care of before the final plat submittal. From experience there have been preliminary plats approved and when they come in for final plat approval there are items not cared for and there are things in limbo. He would even support stronger language. Relative to the stub street issue, they have talked with their police chief about the lower crime statistics in single access developments. He has been on the Zoning Commission for 10 years, been a resident for 35-40 years and grew up in Granger Township. He's constantly heard from people that have moved to Hinckley from Parma, Strongsville and North Royalton that they want the rural atmosphere and they don't want the small blocks with intersecting streets, etc. He would like to see the existing language of 604

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made stronger. There is language that allows for trustees to have an input into a decision, but their input is religiously disregarded. The Hinckley Zoning Commission has unanimously supported not having stub streets that are like a loaded gun aimed at the next door undeveloped property. There are enough developers around to take advantage of developing the properties and no one in Hinckley's administration is in the business of developing the township. Hinckley is in the business of maintaining a rural residential area for their residents. The people go to the township when all else fails as they don't know the county maybe the ultimate rule. They depend on their township representatives and actually believe there's a lot of authority in the township.

Don Wochna stated that from time to time he gives legal advice to Hinckley and has had the chance to sit in on some of their meetings and address the Planning commission on these changes. His observation is that platting, which is a Subdivision Regulation function, and is not zoning. Platting is fundamentally based on good technology and engineering and is administered by "technocrats". In reading the Regulations, they do not tell you what kind of community you're supposed to end up with. They simply tell you how long the streets should be, how many homes should be on them, the number of lots, etc. With regulations and their engineering premises you end up impacting a community's definition of neighborhoods. The regulations can almost always be justified on engineering principals such as justifying the number of entrances on the grounds of safety, etc. However, it's harder to justify only one entrance on the grounds of neighborhood or community. Where the technocrats and community meets is where the politicians are supposed to come in to exercise their legislative authority and good judgment to try to fix the problem. He feels at the Commissioners' level they should find a way to accommodate the desires of the township by asking if what they are proposing is dangerous or objectionable, and not necessarily asking what the Subdivision Regulations require. Hinckley is looking for the ability to have cul-de-sacs without restriction and to let their fire and police agencies have an input. When the 40 homes were first brought up for cul-de-sacs, the lot size was going to let the length of the cul-de-sacs take care of itself. Hinckley likes the idea of 40 homes because it was linked to the arterial definition of street size. However, when you calculate 40 homes at 175 foot by lot, it's going to be a long cul-de-sac. The Planning Commission then came up with the 40 homes and 2500 foot limitation, which is a good engineering concept but it smacks right dab into the idea of neighborhood. He is supportive of the proposition that Hinckley Township be allowed to have cul-de-sacs without length limitations.

Patrice noted that the cul-de-sac and stub street issue is not a section of the Regulations that is being reviewed today. The section fused for determining the extension of a stub street is 604B3 and it does list some criteria for those extensions. The first criterion is that a resolution may be provided by the Township Trustees. Other criterion has to do with the potential of future use for the land the stub might be provided for. Topography and emergency vehicle issues are other criterion used. On the night the Township Association's letter was presented Bill Thorne responded that the Planning Commission does not have the authority to delegate the platting of streets to the townships. On the night the letter was presented there were 3 subdivisions approved without stub streets to undeveloped tracts of land as they were able to show a certain amount of criteria, such as topography. It is necessary to have requirements for the continued development of a community. She has said before that she came from a community after 14 years and as they reviewed subdivisions they found older subdivisions that were adjacent to the new ones that didn't provide for stub streets and they were facing questions about why they were developed to provide an interior traffic pattern. Doing that makes it safer for the residents of both subdivisions. Cul-de-sacs are less likely to have police presence and if there's an emergency not having another way in can be hard. As far as people walking or children playing in the streets, there are some long cul-de-sacs with no other accesses and residents at the end can get up to more than 25 MPH and that becomes a safety issue. There are a lot of issues that are pro and con. She understands Hinckley wants to keep the cul-de-sacs and they do have a different topography than other townships. We have to remember the Regulations are county regulations and that they regulate development within all of the townships. Although 604B3 is not part of the proposed revisions today, she feels the issue of stub streets should be left in the manner it is written.

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At this time Commissioners took a 5-minute break.

Mr. Rhodes stated that Patrice is an employee of the county and he's an elected official and he faces the people day after day. If he were given 45 days and an evening meeting the people of Hinckley would flood in if he told them what's going on and he asked for their support, just as they did for the water meeting. They depend on the elected officials of Hinckley to carry this out for them. It is harder to get through Medina County that it is to go through the State House and Senate. It would be impossible to have a dead end street being a mile long in Hinckley. Through discussion he noted that McKee Trail was supposed to be a street that looped over to River Road, but the County Engineer said the dirt in the area wasn't suitable for a street. Then West Wood Trail was put in and it was okay for them to make the loop. It was not Hinckley that complained about the loop, it was the County Engineer.

Mike Salay, Assistant County Engineer, stated that it was the consultant that said the dirt wasn't suitable.

Mr. Rhodes stated that Hinckley really needs relief on this issue. It is correct, there are things in the Regulations that allows the Planning Commission to give relief, but the problem is they don't work because the Commissioners' and city representatives vote against them every time. He was at one meeting that the Planning Commission president treated residents of Montville Township badly. Once this mindset gets in, there is no relief.

Mike stated that that he's seen a couple of different statistics over the years with planning. When planning was covered by the 3-mile jurisdiction from cities, if there was a parcel adjacent you put a stub street in just because the parcel was there. Now the process is that it's a tough issue, especially in Hinckley, but if you're asking for a stub street it has to be for the right reason. He questioned the number of projects Mr. Iacona has done that don't have interconnection, noting that his projects off Mattingly Road and S.R. 94 as well as others don't have that interconnection. The one on Route 303 by the cemetery was turned down for what he feels were good reasons.

Mr. Rhodes feels the reason was to connect to Babcock Road later so there will be more development and more little cutups in Hinckley.

Mike stated that the point is the stub streets aren't carte blanche. It is a tough issue and it shouldn't be easy one way or the other.

Patrice stated that relative to the makeup of the Planning commission, there are 4 township members and 5 alternate township members. Generally at the meetings there are 8-9 members present and half of those are township members. Through questioning, she stated that 8 members are needed as a super majority for a variance.

Mr. Hambley noted that stub streets are not a variance situation. When he became a Commissioner a variance was needed under the Regulations in order not to have a stub street. That has changed and the required length of the street as well as the number of permissible units for a cul-de-sac was increased. It has become more permissive and they are trying to be consistent on a rational basis as to why there is a cul-de-sac and why there isn't. Elected officials are where the decisions are made between the various factions or points and are accountable to the people for those determinations. Although there are some changes made we need to work on the stub street and cul-de-sac issue to find a way to accommodate everyone. Hinckley has more state highways going through than most townships do and basically those state highways are the recipients of the traffic with the county roads being the other major collectors. He understands the township wanting to place the traffic there rather than having more township roads to maintain. He noted that if we did not have a Planning Commission the 3-mile jurisdiction with the cities would still be effective. That law changed and the only way to avoid the 3-mile jurisdiction is to have a county planning commission. Clearly the state legislature felt a planning commission is important in coordinating the public interest with the

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county and townships. We need to work more on this issue and find a way to evolve the process. He hasn't always agreed with the decisions made, but ultimately the process is supposed to work out so that all of the interest groups have an opportunity to provide their information. He believes where a township has done a significant amount of planning, such as their comprehensive planning, and they have taken responsibility for their growth there should be some latitude.

Mr. Rhodes stated that it is unfortunate, but the attitude among some trustees is that it doesn't make a difference to present an issue because the Planning Commission will do what they want.

Mr. Hambley stated that there are voters like that as well. The best approach is involvement in the process. He believes a commitment has been made to revisit this provision to try to find a solution without saying the default is no cul-de-sacs.

Mr. Rhodes stated that Mr. Iacona brought in a conservation easement with a stub street that is acceptable because where it would have connected would not have been a convenient cut through for traffic. When a street comes in from Route 303 and stubs at the end and then another street can come in from Babcock Road to connect, then you have a "zoom through". The people buying on these stub streets are lulled into feeling they're on a cul-de-sac and then later it turns into a through street.

There were no further questions or comments.

Mr. Hambley moved to close the hearing; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

Mr. Hambley noted that an answer is needed regarding significant changes to the regulations. He feels the Planning Commission will need to approve it before Commissioners.

Mr. Hambley moved to adjourn the meeting at 3:08 p.m.; Seconded by Ms. Ray. There was no discussion. Roll Call showed both Commissioners voting AYE.

### RESOLUTIONS PASSED:

- |         |   |
|---------|---|
| 04-0603 | RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS   |
| 04-0604 | RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR "CC" TREATED ROCK SALT FOR USE BY THE MEDINA COUNTY HIGHWAY DEPARTMENT          |
| 04-0605 | RESOLUTION DETERMINING THE NECESSITY TO CLOSE HAMILTON ROAD (C.H. 76) BETWEEN PLUMCREEK PARKWAY (T.H. 203) AND FRANTZ ROAD (T.H. 188)                       |
| 04-0606 | RESOLUTION AUTHORIZING THE MEDINA COUNTY ENGINEER TO ADVERTISE FOR BIDS FOR THE RESURFACING OF FIRESTONE ROAD (C.H. 26) WITH ITEM 402CS ASPHALT             |
| 04-0607 | RESOLUTION APPROVING USE OF SUBDIVISION DRAINAGE MAINTENANCE FUND FOR WORK IN BOSTON COMMONS SUBDIVISION PHASE IV IN HINCKLEY TOWNSHIP, MEDINA COUNTY, OHIO |
| 04-0608 | RESOLUTION AMENDING THE 2004 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS   |

**COMMISSIONERS MEETING – MONDAY, JULY 12, 2004**

- 04-0609            RESOLUTION AMENDING THE ANNUAL APPROPRIATION RESOLUTION
  
- 04-0610            AUTHORIZIGN THE COUNTY AUDITOR TO TRANSFER FUNDS FOR VARIOUS COUNTY DEPARTMENTS
  
- 04-0611            REVENUE ADJUSTMENTS FOR VARIOUS FUNDS
  
- 04-0612            EXPENDITURE ADJUSTMENT FOR SHERIFF'S D.A.R.E. PROGRAM
  
- 04-0613            APPROVING THE SUBMISSION OF A PROPOSAL FOR TITLE III GRANT PROGRAM FUNDING FOR THE OFFICE FOR OLDER ADULTS FOR FY 2005
  
- 04-0614            AUTHORIZING A REQUEST FOR PROPOSAL PROCESS FOR TOBACCO CESSATION AND PREVENTION PROGRAMS
  
- 04-0615            ADOPTION OF THE 2005 TAX BUDGET
  
- 04-0616            RESOLUTION DECLARING MEDINA COUNTY PROPERTY AS EXCESS PROPERTY
  
- 04-0617            REVENUE ADJUSTMENT FOR THE GENERAL BOND RETIREMENT FUND AND THE GENERAL FUND
  
- 04-0618            RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
  
- 04-0619            RESOLUTION AUTHORIZING A CHANGE ORDER FOR PAPPAS CONSTRUCTION CO. INC. FOR SOCIETY FOR HANDICAPPED CITIZENS CAMP PARADISE PLAYGROUND
  
- 04-0620            RESOLUTION AUTHORIZING THE COUNTY SANITARY ENGINEER TO RELEASE THE ESCROW ACCOUNT OF NORTHEAST OHIO TRENCHING SERVICES INC. FOR THE S.R. 18 WATERLINE RELOCATION PROJECT MCSE #WR-500/00-7.1.2
  
- 04-0621            RESOLUTION ACCEPTING AND AWARDDING BID FOR MEDINA RESERVOIR SANITARY SEWER REPLACEMENT 2004 #SR-500/10-1.2
  
- 04-0622            RESOLUTION AMENDING AN AGREEMENT BETWEEN MEDINA COUNTY OFFICE FOR OLDER ADULTS AND MEDINA COUNTY JOB AND FAMILY SERVICES

**COMMISSIONERS MEETING – MONDAY, JULY 12, 2004**

- 04-0623            RESOLUTION AUTHORIZING A CONTRACT FOR THE QUARTERLY INFORMATION CONSOLIDATION SYSTEM (QUIC) BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES AND MAXIMUS INC.
- 04-0624            RESOLUTION AUTHORIZING A CONTRACT WITH MEDINA CITY SCHOOLS FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 04-0625            RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR TEMPORARY EMPLOYEE SERVICES FOR MEDINA COUNTY JOB & FAMILY SERVICES
- 04-0626            RESOLUTION APPOINTING A MEMBER TO COMMUNITY ACTION WAYNE/MEDINA COUNTIES
- 04-0627            RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

**MEDINA COUNTY COMMISSIONERS:**

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Sharon A. Ray

Respectfully submitted,

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Stephen D. Hambley

Pamela J. Terrill, Clerk