

**SHAWNEE TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 14, 2019**

On January 14, 2019 the Shawnee Township Board of Trustees met at the Shawnee Township Administration Building, 2530 Fort Amanda Rd., Lima, Ohio for their regular meeting of the Board.

Chairman Spieles called the meeting to order at 7:00 p.m.

Boy Scout Troop #37 and Cub Scout Pack #106 were in attendance and lead the Pledge of Allegiance for the Board.

Roll call indicated those present as follows: Trustee Belton, Trustee Spieles, Trustee Seddelmeyer, Chief Todd Truesdale, Chief Mike Keith, Superintendent Howard Gray, Attorney Clay Balyeat, Zoning Inspector Mark Bishop, Fiscal Officer John Newland and Joe Hicks.

Trustee Belton made a motion to approve the December 21, 2018 Regular and Re-organizational Meeting Minutes. Trustee Seddelmeyer seconded the motion. Motion passed 3-0.

FISCAL OFFICER:

- December Financials
- Health Insurance rates and adjustments

LEGAL ADVISOR: Lima Growth Association Resolution

POF: Donald Yoakam of 5241 Norfolk discussed an ongoing drainage problem on his property. Mr. Yoakam feels as if the issue was created when the owner of the neighboring property stoned over an existing paved drive, raising the height of the drive, causing the run-off water to flow towards Mr. Yoakam's property and going into his garage. Mr. Yoakam was concerned that the issue would not be resolved before the current owner sold the property. Mr. Yoakam was informed by Attorney Balyeat that it was a civil suit and that Donald should contact a Civil Attorney.

Trustee Belton made a motion to recess the Regular Meeting of the Board to Open the Volunteer Firefighter's Dependent Board Meeting. Trustee Seddelmeyer seconded the motion and all voted in favor of the recess.

Trustee Belton made a motion to reconvene the Regular Meeting of the Board. Trustee Seddelmeyer seconded the motion and roll being called, all voted in favor to reconvene the Regular Meeting of the Board at 7:24 p.m.

TRUSTEES BUSINESS:

RESOLUTION 1-19

Lima Growth Association Transfer of Property to Allen County Port Authority

Whereas: Shawnee Township Trustees were approached by the Lima Growth Association a nonprofit organization currently owning real property Shawnee Township which is further identified as parcel number 46-1300-03-001.001. The Trustees of also reviewed an agreement which was executed on October 28, 1995 between Lima Growth Association and the Village of Fort Shawnee which references the above referenced real property.

Pursuant to the agreement, the Village of Fort Shawnee transferred said real property to the Lima Growth Association. Further, the Trustees understand that the Lima Growth Association desires to transfer the remaining real property to the Port Authority of Allen County in an effort to further develop the industrial park.

Shawnee Township Trustees do not object to the transfer of said property and hereby release any lien which may have been created based upon the October 28, 1995 agreement. Shawnee Township acknowledges that it assumed all contractual obligations of the Village of Fort Shawnee at the time when the Village of Fort Shawnee dissolved.

Therefore, the undersigned trustees, by this Resolution do consent to the transfer of said real property, and hereby release any lien, right, title or any interest in said above referenced property which was arose from the 1995 contract.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 2-19

Resignation of Geoffery Ketcham

BE IT RESOLVED that the Shawnee Township Board of Trustees hereby accept the resignation of Part-time Police Officer Geoffery Ketcham effective November 14, 2018

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.
Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 3-19

Amendment of Resolution 123-18 – Start Date of Daniel Burnett

BE IT RESOLVED that the Shawnee Township Board of Trustees hereby amends Resolution 123-18 to reflect a start date of December 10, 2018 for full-time Road Worker, Daniel Burnett.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.
Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 4-19

Ending FMLA – Teresa Paxson

WHEREAS the Shawnee Township Board of Trustees authorized Teresa Paxson to begin Family Medical Leave on December 14, 2018 accordance with the Family Medical Leave Act on December 14, 2018 by passage of Resolution 135-18, and;

NOW THEREFORE BE IT RESOLVED that the Shawnee Township Board of Trustees hereby end Ms. Paxson’s FMLA effective December 21, 2018.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.
Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 5-19

2019 – PERMIT & ADMINISTRATIVE FEE SCHEDULE

WHEREAS, In accordance with Shawnee Township Zoning Resolution, Section 510, The Board of Township Trustees shall by Resolution establish a schedule of fees for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other procedures and services pertaining to the administration and enforcement of this Resolution after considering the recommendations of the Zoning Inspector with respect to actual administrative costs, both direct and indirect.

WHEREAS, The 2019 Zoning Application, Permit, and Administrative Fee Schedule has been reviewed and updated accordingly. Said fee schedule is as follows:

NON-COMMERCIAL BUILDING / CONSTRUCTION PERMITS

Residential Home Construction per square foot	\$100.00 Application / Permit Fee plus 5 cents
Double Family Home / Condo Construction per square foot	\$150.00 Application / Permit Fee plus 7 cents
Three Family, Triplex Home / Condo Construction per square foot	\$250.00 Application / Permit Fee plus 10 cents
Four + Family Multi Home / Condo Construction per square foot	\$350.00 Application / Permit Fee plus 10 cents
Residential Room Additions per square foot	\$100.00 Application / Permit Fee plus 5 cents
Residential Footing / Foundation Contractor Early Start	\$50.00 -Flat Rate
Accessory Building 300 Square Foot or Less / Permanent Base	\$100.00 Application / Permit Fee – Flat Rate
Accessory Building, Attached / Detached Garage – 301-999 Square Foot / Permanent Base per square foot	\$100.00 Application / Permit Fee plus 5 cents
Accessory Building Construction – 1000+ Square Foot (Non Agric. Exemption) per square foot	\$100.00 Application / Permit Fee plus 7 cents
Above Ground Swimming Pool 12 feet Greater, Non-Seasonal, Permanent Sited	\$100.00 Application / Permit Fee – Flat Rate
In-Ground Swimming Pool Construction	\$250.00 Application / Permit Fee – Flat Rate
Car Port (Residential or Commercial)	\$100.00 Flat Rate
Garage Sale Signage	No Charge
Fences (Non-Commercial / Industrial Construction)	No Charge

COMMERCIAL AND INDUSTRIAL CONSTRUCTION PERMIT FEES

Commercial New Building Construction per square foot	\$300.00 Application / Permit Fee plus 10 cents
Commercial Building Addition / Expansion per square foot	\$250.00 Application / Permit Fee plus 10 cents
Commercial Fencing / Screening per foot length	\$100.00 Application / Permit Fee plus 10 cents
Commercial Swimming Pool construction project value	\$100.00 Application Fee plus 1% of
Industrial Complex Expansion / Addition per square foot	\$300.00 Application / Permit Fee plus 10 cents
Industrial Fences, Electrical Fences, Screening dollar per foot length	\$100.00 Application / Permit Fee plus 1.00
Commercial / Industrial Footing / Foundation Early Start	\$100.00 – Flat Rate
Large Commercial / Industrial Project – Undetermined or Unobtainable Square Footage	\$1.00 per \$1,000.00 of value (value x .001)

ADDITIONAL & SPECIAL PERMIT FEES

Vendor Permit (Door to Door Sales – Allen County, Ohio Business) days)	\$100.00 Application / Permit Fee (Valid 90 days)
Vendor Permit (Door to Door Sales – Out of County or State) days)	\$150.00 Application / Permit Fee (Valid 90 days)
Signage – Home Occupation (8 SF)	\$100.00 Application / Permit Fee
Signage – Commercial / Industrial – Non Electric square foot	\$200.00 Application / Permit Fee plus \$1.00 per square foot
Signage – Commercial / Industrial – Electric / LED / Electronic Message Boards square foot	\$300.00 Application / Permit Fee plus \$1.00 per square foot
PODS – Portable On Demand Storage Units	\$50.00 Per Unit for 90 days
Solar Energy System (Residential or Commercial) per solar collector	\$200.00 Application / Permit Fee plus \$10.00
Development and / or Fill within Flood Area or Riparian Corridor Review	\$300.00 Application / Permit Fee and Site Plan
Pond Construction – Architectural Plan Design, Drainage, Mounding, Soil Testing, Inter-Agency Review	\$500.00 Application / Permit Fee – Flat Rate

ADMINISTRATIVE PERMIT FEES:

External Property Maintenance Code - Appeal of Violation Notice Hearing – (Ext. Prop. Maint. Code Appeals Board.) \$100.00 – Appeal Fee	
External Property Maintenance Code Administrative Fee (Not including any other associated fees and charges) Admin. Doc. Fee	\$50.00 –
Internet Sweepstakes Terminal Cafés (Board of Zoning Appeals) (Excludes Building and Construction Fees) \$500.00 – Appeal Fee	
Variance Hearing – Residential Issue (Board of Zoning Appeals) Appeal Fee	\$350.00 –
Variance Hearing – Commercial / Business Issue (Board of Zoning Appeals) Appeal Fee	\$500.00 –
Variance Hearing – Industrial Issue (Board of Zoning Appeals) Appeal Fee	\$750.00 –
Conditional Use Public Hearing - As Required By Zoning Resolution (Board of Zoning Appeals) Appeal Fee	\$500.00 –
Re-Zone Non-Commercial Property (Zoning Commission) Hearing Fee	\$500.00 –
Re-Zone Commercial / Industrial Property (Zoning Commission) Hearing Fee	\$750.00 –
R-PUD or SP-PUD Plan Development, Rezoning and Public Hearings (Zoning Commission) Hearing Fee	\$750.00 –
Mobile Home Park Plan Review (Zoning Commission) Hearing Fee	\$750.00 –
Mobile Home Park Plan Alterations and Changes (Zoning Commission)	\$250.00 – Hearing Fee

Modification to Approved R-PUD or SP-PUD and Public Hearings (Zoning Commission)	\$250.00 – Hearing Fee
Zoning Resolution Additions or Modifications and Public Hearings (Zoning Commission)	\$500.00 – Hearing Fee
Const. w/o Permit or Commercial Vendor Activity w/o Approval or Permit / Stop Work Order	\$100.00 – Flat Rate
Re-Issuance of Expired Permit	½ of Original Permit Fee
Transferring Permanent Sited Structure to New Parcel Location	\$250.00 – Flat Rate
Demolition of Building or Structure	No Charge

- All related fees shall be paid in full prior to Shawnee Township Zoning Permit being issued to owner or construction representative
- All fees are payable by check or money order made out to “Shawnee Township” – No cash shall be accepted.
- All fees associated with the Zoning Commission and Board of Appeals Hearings shall be paid in full no later than 48 hours prior to the scheduled date and time of the hearing, so that timely notifications can be made to all parties of interest.

THEREFORE BE IT RESOLVED:

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meeting of this Board, and that all deliberations of this Board that resolute in formal actions were taken in meeting open to the public, in compliance with all legal requirements, including but not limited to Ohio Revised Code 121.22, except as otherwise permitted thereby.

This Resolution shall take effect, and be in force from or after the earliest period allowed by law.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 6-19

EXTERNAL PROPERTY MAINTENANCE CODE ASSESSMENT FEE SCHEDULE FOR 2019

WHEREAS, On September 10, 2018 the Shawnee Township Board of Trustees adopted by resolution an External Property Maintenance Code for Residential, Commercial and Industrial properties within the unincorporated area of Shawnee Township. This maintenance code became effective October 10, 2018.

WHEREAS, in accordance with the Shawnee Township External Property Maintenance Code, prior to the issuance of any Violation Tag and/or Property Code Citation Tag, the Board of Township Trustees shall adopt by resolution an annual Violation Assessment Fee Schedule.

WHEREAS, in consultation with Roadway Superintendent the following fee schedule shall be established for various abatements and enforcement actions associated with the Shawnee Township External Property Maintenance Code.

I. GRASS, NOXIOUS WEEDS, TREES, BUSHES, AND UNCONTROLLED VEGETATION

A.	Administrative Fee	\$50.00
B.	Mobilization (Transport of Equipment and Workers)	\$25.00 (Flat Rate)
C.	Employees (Min. 1 Hr. Chg.)	\$25.00 (PerEmployee/ Per Hour)
D.	Equipment	
	1. Utility Mowing Tractor or Bush Hog	\$75.00 (Per Hour)
	2. ZTR - Z-Mower	\$50.00 (Per Hour)
	3. Brush Trimmer or Weed Trimmer	\$25.00 (Per Hour)
	4. 550-Dump Truck (Vegetation Removal If Required)	\$75.00 (Per Hour)

II. PROPERTY VIOLATION CITATION TAG

A.	First Offense	\$50.00 plus \$50.00 Administrative Fee
B.	Second Offense	\$100.00 plus \$50.00 Administrative Fee
C.	Third Offense	\$250.00 plus \$50.00 Administrative Fee
D.	Fourth Offense	\$500.00 plus \$50.00 Administrative Fee

III. JUNK / INOPERABLE MOTOR VEHICLE VIOLATION (Contract Service Provider)

A.	Notice of Violation	
	1. Administrative Fee	\$50.00
	2. First Offense	\$50.00 per vehicle
	3. Second, Third, Fourth	\$100.00 per vehicle

- B. Vehicle Removals / Towing Charges (Local Contractor)
 - 1. Flat Bed \$59.00 + Tax@6.75%
 - 2. Wheel Lift \$48.00 + Tax@6.75%
 - 3. Storage Fee \$25.00 per day

IV. SECURING OF UNSECURED & UNSAFE STRUCTURES / DEBRIS REMOVAL (Contract Service Provider)

- A. Administrative Fee \$50.00
- B. Materials / Independent Contractor Prevailing Wage and Materials / Contract

V. APPEAL TO THE EXTERNAL PROPERTY MAINTENANCE CODE APPEALS BOARD \$100.00 – Notice and Hearing Fee
Payable to the Fiscal Officer of Shawnee Township

BE IT HEREBY RESOLVED that the Shawnee Township Trustees hereby adopts the Fee Assessment Schedule for the External Property Maintenance Code. This fee schedule shall be implemented effective January 14, 2019.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 7-19

Acceptance of Resignation – O. Newland, Zoning Commission

BE IT RESOLVED that the Shawnee Township Board of Trustees hereby accept the resignation Zoning Commission Member Ottis Newland effective November 8, 2018.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 8-19

Appointment of Daven Stedke to Zoning Commission

BE IT RESOLVED that the Shawnee Township Board of Trustees authorizes the appointment of Daven Stedke as a member of the Shawnee Township Zoning Commission effective January 1, 2019.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 9-19

Acceptance of Resignation – R. Morrisey, Zoning Commission

BE IT RESOLVED that the Shawnee Township Board of Trustees hereby accept the resignation Zoning Commission Member Richard Morrisey effective January 1, 2019.

Trustee Seddelmeyer motioned for approval, Trustee Spieles seconded, and the motion carried 3-0.

Roll Call: Mr. Belton, yes Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 10-19 Amendment to External Property Maintenance Code

A Resolution Amending the External Property Maintenance Code for Shawnee Township

WHEREAS, On September 10, 2018 The Board of Trustees for Shawnee Township reviewed, modified and adopted through Resolution #107-18 for the development of an External Property Maintenance Code for Shawnee Township, to supplement the Shawnee Township Zoning Resolution.

WHEREAS, The purpose of this Exterior Property Maintenance Code is to protect the public health, safety, morals and general welfare as it pertains to areas, premises and buildings used for residential, commercial, industrial, travel, and public purposes by establishing minimum standards for maintaining residential, commercial and industrial environmental quality as well as to preserve and achieve the presentable appearance of existing structures and premises.

WHEREAS, In accordance with Section 34.4.15 (Rule Making Authority) of the Exterior Property Maintenance Code, the Board of Township Trustees shall have power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations to implement the provisions of this Code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code or violating approved practice involving public safety.

WHEREAS, It has been determined that an amendment to the Exterior Property Maintenance Code is needed to serve in the best interest of the Shawnee Township Community, as well to conform with current practices and local agency regulations.

THEREFORE BE IT RESOLVED: The Shawnee Township Board of Trustees accepts the recommendations and amendments to the External Property Maintenance Code. This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meeting of this Board, and that all deliberations of this Board that resolute in formal actions were taken in meeting open to the public, in compliance with all legal requirements, including but not limited to Ohio Revised Code 121.22, except as otherwise permitted thereby. This Resolution shall take effect, and be in force from or after the earliest period allowed by law.

DEPARTMENT BUSINESS:

Fire:

- Submitted Monthly Report
Trustee Belton made a motion to accept the report as submitted. Trustee Seddelmeyer seconded the motion.
Motion passed 3-0
- Car Seat Instruction going well
- CPR Training

Police:

- Submitted Monthly Report
Trustee Belton made a motion to accept the report as submitted. Trustee Seddelmeyer seconded the motion.
Motion passed 3-0
- SRO start date 1/21/19 Cody Warris will be at the High School effective January 21, and Jon Baker will be at the Middle School with a later start date
- 4th year with Apollo SRO program

Roads:

- Submitted Monthly Report
Trustee Belton made a motion to accept the report as submitted. Trustee Seddelmeyer seconded the motion.
Motion passed 3-0
- Snow and leaf removal

Zoning:

- Submitted Monthly Report
Trustee Belton made a motion to accept the report as submitted. Trustee Seddelmeyer seconded the motion.
Motion passed 3-0

Cemetery:

- Submitted Monthly Report
Trustee Belton made a motion to accept the report as submitted. Trustee Seddelmeyer seconded the motion.
Motion passed 3-0
- Ready for Spring planting
- Pricing snow blowers

COMMUNICATIONS:

- Credit Card Policy by 2/2/2019
- State Emp. Relations Board Update
- Parcel Clean up / property lines and mane change from Ft. to Shawnee Township
- Public Official's Dialogue
- Litigation regarding Ohio Insurance Services

BILLS: Trustee Belton motioned that the board approve paying the bills by resolution, Trustee Seddelmeyer seconded, and the motion was Passed 3-0.

Roll call: Mr. Belton (yes)

Mr. Spieles (yes)

Mrs. Seddelmeyer (yes)

Adjournment

With no further business to be brought before the Board of Trustees, Trustee Belton motioned for adjournment, Trustee Seddelmeyer seconded and the motion carried 3-0. Meeting adjourned. 8:00 p.m.

Shawnee Twp. Board of Trustees Meeting –January 14, 2019

Board of Trustees Regular Meeting held January 14,2019

Clark Spieles, Chairperson

Chris A. Seddelmeyer, Vice Chairperson

Dave Belton, Trustee at Large

Minutes prepared by Missy Van Meter, Administrative Assistant, Shawnee Township.