

Working Session 4:30 PM:

For the purposes of: Obtaining signatures for payment of the bills; including but not limited to agenda review.

General Session:

The regular meeting of the Monclova Township Board of Trustees commenced with the Pledge of Allegiance at 5:30 PM.

Roll call: Trustee Chuck Hoecherl, present; Trustee Trudy Vicary, present; Trustee Barbara Lang, present.

Induction Ceremony for the nine newly hired full-time firefighters. Judge David Hazard was present to swear in the newest members of the Monclova Township's Fire Department while family and loved ones participated in the pinning ceremony. Those interested attendees were invited to the Fire Department training room for a social gathering with the new employees.

Road Maintenance Superintendent Ken Bucher was recognized prior to his retirement date in recognition of 17 years of public service with Monclova Township.

At 5:51 PM, Lang moved to add to news business: Engagement letter with attorney; Executive Session conferring with Law Director Sanderson. Vicary seconded the motion to make those changes. Mr. Pike called roll: Hoecherl, yes; Lang, yes; Vicary, yes

Moved by Trustee Lang, seconded by Trustee Vicary, to approve payment of the bills as presented by Fiscal Officer Pike totaling \$268,171.53. Mr. Pike called roll: Hoecherl, yes; Lang, yes; Vicary, yes.

Fiscal Officer's Report:

Fiscal Officer Pike noted items to be presented at the next meeting. Hoecherl mentioned that he and Fiscal Officer Pike went through budget line items. Fiscal Officer Pike commented that some fund items are trending upwards.

Hoecherl moved to enter into a public hearing for file Z17-C375; seconded by Lang. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Zoning Administrator Wagner was asked by Chair Hoecherl to give a summary of the case, which he did, noting 16 units as stated in Plan Commission report. (Later in the meeting this number was corrected by applicant's agent to 40 units.)

Hoecherl asked for those desiring to give testimony this evening to identify themselves and be sworn in en masse. Three individuals were sworn in by Chairman Hoecherl.

Hoecherl stated that he has been advised to recuse himself from the zoning case. Upon questioning, Hoecherl specified that Law Director Sanderson and Ohio Ethics Commission suggested recusal. Lang inquired further and it was stated by Hoecherl that it was his personal decision to recuse himself based upon recommendations. Hoecherl stated that he informed Vice Chair Vicary of his decision on Friday so that she would be aware of facilitating the public hearing.

Lang asked for Law Director Sanderson to enter the meeting to provide commentary on the situation.

Sanderson stated that the applicants are clients of Premier Bank. Rather than the appearance of impropriety, Trustee Hoecherl has chosen to recuse and should leave the dais. Sanderson believes that it is not necessary for Mr. Hoecherl, but it is based on his personal belief. Hoecherl stated that he is making his decision based on the Ohio Ethics Committee. Lang compared a theoretical possible conflict with her employer, Mercy Foundation. Lang stated that she will stay and conduct the business of Monclova Township.

Hoecherl left the Meeting Room.

At 6:07 PM Vice Chair Vicary stated that the meeting would continue and asked for testimony in favor of the proposed change to come forward; state name and address.

Greg Feller, Feller Finch and Associated, 1683 Woodlands Drive, Maumee, stood before the Board. Feller stated that the request is for C-2 and R-3 currently zoned C-2 and C-3. Reducing C-2 acreage from what is current. Feller read page 82 of Monclova Township Land Use Plan. Noted that Plan Commission staff recommended approval and read a portion of the analysis into the record. Feller spoke of density-5000 square feet per unit; 6.7 units per acre. Density is less than what zoning allows. Professional commercial uses, professional offices, maybe a diner. Then residential around this. Residential will serve as a transition area to larger lot Agricultural Residential. Consistent with zoning on other corners.

Jim Sayed, 5312 Quail Creek, in Homestead, stood before the Board. Sayed stated that they will reduce commercial. Low profile, nothing high rise (6:15 PM). Consistent with Land Use Plan. This is a step down in zoning.

Vice Chair called for opposition.

Jackie Ankenbrandt, 3561 Albon Road, noted most dense residential allowed in township zoning. 2006 zoning change for all commercial was turned down. Owner sued township in 2008 and was referred to judge and was allowed a change. Does not fit general character of immediate areas. Does not enhance abutting A-R family homes. Not adequate step-down. C-2 is not a compatible use to homesites. High density residential is not stepdown. Minimum of 40 units, but could be 58, on 6+ acres. Board voted down apartments on the former Gedert's property, suggested same for this location. Believes C-2 is high density. At 6:24 PM gave list of possible uses. Suggests C-1 neighborhood commercial. Concerned about welfare of neighborhood. Land Use Plan suggests possibilities but not written in stone.

Lang stated that as Hoecherl left, it requires a unanimous decision to change zoning.

Lang asked Wagner if he concurred in general with Ankenbrandt's historical summary. Wagner confirmed that generally it was correct.

Wagner noted that Plan Commission wrote 16 units. Feller corrected this information.

Wagner read into record definition of multi-family (6:32 PM). Code allows for development standards for three-story. Lang and Wagner commented on other areas that has PUDs.

Feller spoke of setback, stormwater requirements.

Lang talked about township preparations knowing that the area will be commercial, i.e., TIF agreement, requirement to join JEDD.

Vicary asked about possible roundabout at the intersection of Maumee-Western Road (20-A) and Albon Roads.

Wagner stated he is not aware of future intersection plans. Vicary asked about effect of interchange for that road.

Vicary asked if there were additional comments.

Dave Schmidt, 5135 Main, Sylvania Ohio, identified himself as one of the partners in Stoney Creek, confirmed that the State is preparing to do a roundabout. Commented on multi-family; becoming a society of renters as

more individuals for a variety of reasons are not looking for home ownership. Current commercial zoning does not have transition area.

Ankenbrandt stated that they are not doing a PUD, so the property could be flipped, or owners could change their design.

Jim Sayed commented on rural community – 20-A is going to be a highway when the interchange is complete. High density is a misnomer. Stated that they are not looking for that. 40 individual units. Cluster of 6; garages. Lang commented that you saying it, doesn't mean that is what's going to happen. Cannot do PUD because of the green space. Lang suggested conditions. Feller stated that there is landscaping requirements.

Sayed commented on density allowability. Will commit to single-story, 40 units.

Lang asked why C-2 and not C-1.

Feller stated that maximum 5,000 square feet – max is 58 units. Can only fit 40.

Sayed-Consistent with Land Use Plan.

Vicary confirmed that this will be a private interior road if approved.

Ryan Bauman, 5411 Black Road, commented on previous developers that have received approval for a zoning change then changed the plans. Commented on intentions; encouraged acceptance of conditions. Encouraged talking to neighbors and show that you care.

Lang concurred that there can be a win-win.

Vicary asked if there was anyone else in attendance that wanted to speak.

Greg Feller asked about possible thought process of trustees for conditions.

Wagner commented at 7:09 PM on condition for JEDD on commercial portion.

Vicary moved at 7:09 PM to close that portion of the public hearing that accepts public testimony; seconded by Lang. Roll Call: Vicary, yes; Lang, yes.

Lang commented that the apartment portion is not as difficult to accept as the C-2.

Vicary made comments about local developer. Lang stated her belief that the conditions need to be in place so that it goes with the property and protects the neighborhood.

Lang asked for Vicary's confirmation that she would approve the request as presented. Vicary and Lang discussed philosophy of residential on 20-A.

General discussion regarding Overlay District and restrictions. Feller noted that nearly the entire commercial property would be in the overlay. Feller stated that currently looking at 20,000 square foot building in the proposed commercial design.

Unidentified resident comment (7:28 PM).

Lang commented on change. Think we can get the units to be of the nature we need them to be- single story; no more than 40 units; all 2 car garages; provide parking areas; all units would have appropriate outdoor lighting; no invasive lighting; no street lights over standard size. On R-3 and C-2, extra buffering wherever there is current residential homes abutting subject property; no outdoor dumpster-neighborhood collection only; extra buffering not touching lot line; privacy fencing. Buffering was discussed.

Wagner noted landscape plan must be approved by his office.

Lang asked if neighbor wants fencing. Sayed would rather do a natural buffering, stating that there are only two current neighbors.

Lang stated that C-2 property would be in JEDD; overlay district will apply.

Lang commented on no restaurant drive-thru; no building larger than 20,000 square feet and no more than one story high.

Discussion.

Lang commented on natural stone accents; subtle building colors; complimentary roofing color.
Extra buffering on current two residential properties
Feller recommended not touching current lot line neighbor that has creek and natural area.

Lang commented on going beyond standards for those two properties.
Zoning Administrator overseeing solid buffer for neighboring properties. This may include landscape material, possible fencing, mounding if warranted. Additionally Lang commented on small designated parking spots and preserving natural landscaping along creek

Lang-must join JEDD; reiterated Overlay District applies. This C-2 will not allow gas station.
Discussion with applicant regarding restrictions on the 'hard corner.'

Lang review her desired conditions at 8:13 PM that included but was not limited to street lighting and following a photometric plan; protect existing natural features; all property in JEDD; Overlay District would apply to the entire area. In C-2, no standalone under 3,000 feet; no drive-through.
Can stipulate that if, in the future, someone wants a drive-through, it would be modification of zoning condition.
Lang stated no gas station would be allowed.

C-2 no stand-alone of 3,000 square feet or under; no gas station; no building greater than 20,000 square feet.
Discussion regarding architectural control.
Modification to potential conditions that would be applied could be approved by the Board of Trustees.
Wagner commented that the Overlay District requirement would help control uses (8:22 PM).

Lang states that she is familiar with future plans and conversations for the area; want to be smart for the residents.
Knows that Feller wants straight zoning, but that is not going to happen tonight. Best compromise for the residents.

Lang moved to approve Z17-C375 with all condition of the Lucas County and additional conditions:

1. All property will be in a Joint Economic Development District;
2. Overlay District applies;
3. R-3 conditions:
 - a. Will be single story;
 - b. No more than 40 units;
 - c. All units will have 2-car garage;
 - d. Natural stone accents, subtle building colors; and complimentary colors for roofing;
 - e. Appropriate outdoor lighting; no street lights above standard size; and they will follow a photometric plan;
 - f. No outdoor dumpster for garbage. Collected through the neighborhood in small residential containers;
 - g. Wherever this property abuts neighbors, will preserve natural landscape and buffering;
 - h. Work to provide extra buffering for neighbors so that they receive solid buffering. Neighbors are defined as those who abut this property. Zoning Administrator will oversee process. Zoning Administrator may ask for additional landscape, possible fencing or mounding; and
 - i. There will be extra parking spots in R-3.
4. Regarding C-2 of this proposal, condition of C-2 zoning:
 - a. No stand-alone drive-through restaurants of 3,000 square feet or under;
 - b. No gas station;
 - c. No building greater than 20,000 square feet ;
 - d. No building over one story;
 - e. These buildings will go through an architectural review process;

- f. If modifications need to occur to these conditions, changes will go to the Board of Trustees for approval.

Lang looked to the applicant and agent for agreement, which was given.

Seconded by Vicary.

Roll Call: Vicary, yes; Lang, yes. Hearing ended at 8:28 PM.

Vicary moved to close the public hearing. Seconded by Lang. Roll Call: Vicary, yes; Lang, yes.

Lang moved, seconded by Vicary, to dispense with the reading of the January 6, 2023 minutes and approve as submitted by Fiscal Officer Pike. Roll Call: Lang, yes; Vicary, yes.

Hoecherl re-entered the meeting.

New Business:

Hoecherl moved to approve the engagement of the law firm Spengler Nathanson for township labor and employment matters; seconded by Vicary (8:30 PM). Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Department Reports:

Road Maintenance report accepted.

Zoning: Zoning Administrator Wagner spoke with the Board regarding activity. Hoecherl asked about road mud complaints and process for handling. Lang thanked Zoning Administrator for the advance work he did on the zoning hearing.

Fire~Rescue: Fire Chief Bernhard reviewed monthly statistics for December. Annually, 2022 runs showed a 5-1/2% increase over 2021.

Lang moved, Hoecherl seconded, to increase the hourly rate of pay for Scott May to \$17.65 per hour effective January 26, 2022 in accordance with the pay scale established. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Lang moved, Vicary seconded, to elect Trudy Vicary and Chuck Hoecherl to serve as members elected by the legislative authority on the 2023 Volunteer Firefighters Dependents Fund Board. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Lang commented on the amazing pinning ceremony and stated appreciation to Chiefs.

Township Administrator's Report:

Vicary moved, Lang seconded, to certify that Monclova Township is responsible for maintaining 64.982 miles of public road as of December 31, 2022. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Hoecherl moved, Lang seconded, to appoint Township Administrator as the Lucas County 911 Regional Council of Governments Administrative Technical Advisory Committee representative for 2023. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Hoecherl moved, Vicary seconded, to waive the township's right to a hearing before the Ohio Division of Liquor Control regarding the change of LLC membership interests for Walt Churchill's Market, Ltd., 3520 Briarfield Boulevard. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Citizen comment in regards to agenda items:

None

Executive Session:

Moved by Hoecherl, seconded by Lang, to close General Session and move into Executive Session for the purposes of discussing security arrangements and emergency response protocols for a public body pursuant to O.R.C. 121.22(6) and to confer with Law Director. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

Moved by Hoecherl, seconded by Vicary, to return from Executive Session and enter into General Session. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes. Hoecherl stated that there is no actionable work as a result of the Executive Session.

Adjournment:

Moved by Hoecherl, seconded by Vicary, to adjourn at approximately 9:20 PM. Roll Call: Hoecherl, yes; Lang, yes; Vicary, yes.

ATTEST: _____
Gavin S. Pike, Fiscal Officer

BOARD OF TRUSTEES Accepted 02/06/2023

Charles V. Hoecherl

Trudy Vicary

Barbara S. Lang

Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at monclovatwp.org during that same calendar year. Also on file in the Office of the Fiscal Officer in accordance with the township’s Records Retention Schedule.

Payment Listing

January 2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
1-2023	01/11/2023	01/12/2023	CH	Payroll	\$69,597.26	O
2-2023	01/17/2023	01/12/2023	CH	Republic Services	\$83,733.94	O
3-2023	01/17/2023	01/12/2023	CH	Padgett Business Services	\$395.00	O
4-2023	01/17/2023	01/12/2023	CH	GUARDIAN ALARM	\$435.42	O
5-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$1,993.18	O
6-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$616.41	O
7-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$566.81	O
8-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$200.52	O
9-2023	01/17/2023	01/12/2023	CH	HOME DEPOT CREDIT SERVICES	\$60.76	O
10-2023	01/17/2023	01/12/2023	CH	STAPLES CREDIT PLAN	\$152.83	O
11-2023	01/17/2023	01/12/2023	CH	VERIZON WIRELESS	\$79.70	O
12-2023	01/17/2023	01/12/2023	CH	TOLEDO EDISON COMPANY	\$29,375.52	O
13-2023	01/17/2023	01/12/2023	CH	spectrum enterprises	\$880.75	O
14-2023	01/17/2023	01/12/2023	CH	Ohio Deferred Comp	\$1,195.00	O
15-2023	01/17/2023	01/12/2023	CH	DELTA DENTAL PLAN OF OHIO	\$1,077.07	O
16-2023	01/17/2023	01/12/2023	CH	TOLEDO EDISON COMPANY	\$1,552.93	O
17-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$1,596.63	O
18-2023	01/17/2023	01/12/2023	CH	TRI-COUNTY FUELS	\$1,221.48	O
19-2023	01/12/2023	01/12/2023	CH	Consumer Life Insurance company	\$415.82	O
20-2023	01/12/2023	01/12/2023	CH	CITY OF TOLEDO	\$439.95	O
21-2023	01/12/2023	01/12/2023	CH	VISION SERVICES PLAN	\$648.75	O
22-2023	01/17/2023	01/16/2023	CH	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$12,973.06	O
23-2023	01/17/2023	01/16/2023	CH	OHIO POLICE & FIRE PENSION FUND	\$14,779.64	O
5450	01/17/2023	01/12/2023	AW	LUCAS SOIL & WATER CONSERVATION DI	\$1,400.00	O
5451	01/17/2023	01/12/2023	AW	TMACOG	\$7,633.00	O
5452	01/17/2023	01/12/2023	AW	Lucas County Treasurer	\$1,592.53	O
5453	01/17/2023	01/12/2023	AW	Five Point Embroidery	\$249.05	O
5454	01/17/2023	01/12/2023	AW	SUPERIOR UNIFORM SALES, INC.	\$885.25	O
5455	01/17/2023	01/12/2023	AW	Bubba's Towing	\$600.00	O
5456	01/17/2023	01/12/2023	AW	Phoenix Safety Outfitters	\$4,437.50	O
5457	01/17/2023	01/12/2023	AW	Fisher Auto Parts, Inc.	\$234.11	O
5458	01/17/2023	01/12/2023	AW	SOUTHEASTERN EMERGENCY EQUIPMEN	\$32.65	O
5459	01/17/2023	01/12/2023	AW	FORREST AUTO SUPPLY	\$117.30	O
5460	01/17/2023	01/12/2023	AW	THOMAS EQUIPMENT, INC.	\$216.00	O
5461	01/17/2023	01/12/2023	AW	Tireman Truck and Farm	\$100.00	O
5462	01/17/2023	01/12/2023	AW	MASS MEDIA COMMUNICATIONS	\$4,372.00	O
5463	01/17/2023	01/12/2023	AW	ACE SANITATION	\$175.00	O
5464	01/17/2023	01/12/2023	AW	TOLEDO EDISON COMPANY	\$300.36	O
5465	01/17/2023	01/12/2023	AW	AT & T	\$481.19	O
5466	01/17/2023	01/12/2023	AW	Teamsters Local 20	\$518.00	O
5467	01/17/2023	01/12/2023	AW	National DRIVE	\$3.00	O
5468	01/17/2023	01/12/2023	AW	Empower Trust Company	\$275.00	O
5469	01/17/2023	01/12/2023	AW	MONCLOVA TOWNSHIP FIREFIGHTERS AS	\$78.00	O
5470	01/17/2023	01/12/2023	AW	Douglas Holland, II	\$62.25	O
5471	01/17/2023	01/12/2023	AW	OHIO TOWNSHIP ASSOCIATION	\$200.00	O
5472	01/17/2023	01/12/2023	AW	Ram Exterminators, LLC	\$100.00	O

Payment Listing

January 2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
5473	01/17/2023	01/12/2023	AW	TRIOTECH CORPORATION	\$1,590.50	O
5474	01/17/2023	01/12/2023	AW	Corporate Intelligence Consultants	\$227.50	O
5475	01/17/2023	01/12/2023	AW	EMS Technologies	\$365.86	O
5476	01/17/2023	01/12/2023	AW	Lucas County Treasurer	\$2,201.85	O
5477	01/17/2023	01/12/2023	AW	PRECISION BUSINESS SOLUTIONS, INC.	\$5,290.66	O
5478	01/17/2023	01/12/2023	AW	Sanderson Law Offices LLC	\$10,444.54	O
Total Payments:					\$268,171.53	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$268,171.53	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.