

**SHAWNEE TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
September 24, 2018**

On September 24, 2018, 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.

Vice Chairman Spieles called the meeting to order at 10:00 a.m.

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

Trustee Spieles made a motion to Table the September 10, 2018 Minutes. Mrs. Seddelmeyer seconded the motion. Motion passed 2-0.

FISCAL OFFICER:

Nothing to report

LEGAL ADVISOR:

Medical Marijuana Policy discussion

TRUSTEES BUSINESS:

RESOLUTION 108-18

ASSESSMENT TO TAX DUPLICATE FOR PROPERTY ABATEMENT 2614 ADGATE ROAD, LIMA (ALLEN CO.), OHIO

WHEREAS, on Monday, September 10, 2018 the Shawnee Township Board of Trustees through legislative action and Resolution #103-18 declared the residence located at 2614 Adgate Road, Lima, Ohio (Kurt M. Umlauf) to be a public nuisance in accordance with Ohio Revised Code, Section 505.87. This is due to grass height was found in excess of 12 inches in height, uncontrolled vegetation about the property and noxious weeds, briars and other growth growing uncontrolled about the front, side and rear lawn.

WHEREAS, notice of zoning violation was sent US Regular Mail on August 29, 2018 to the homeowner at 14200 Spruce Forest Drive, Lowell, Michigan. In addition, notice of violation was posted in the Lima News on August 31, 2018 (Legal 467) as well as the Shawnee Township Internet Web Site in excess of 4 days with no action being taken by the landowner to abate the violation. As a result, this matter was brought before the trustees for further action.

WHEREAS, in accordance with Resolution #103-18, Kurt M. Umlauf was directed to mow the front, side and rear lawn of the residence located at 2614 Adgate Road, Lima, Ohio to a height consistent with adjoining property owners and below the allowable height limit of 8 inches. All noxious and uncontrolled weeds need to be abated and removed from all foundation beds and areas in front, side and rear yard. This is to be completed no later than September 17, 2018. If this is not corrected by the date given, or plan of action submitted to the Board of Trustees before that date, Shawnee Township employees will abate the violation and all costs associated with this process to include a \$250.00 Administrative Fee will be assessed upon the property as a lien, through Allen Co. Auditor’s Office.

WHEREAS, September 19, 2018 uncontrolled vegetation, grass, weeds, and debris were still existent upon the property located at 2614 Adgate Road, Lima, Ohio (Allen Co. Tax ID 46-0304-07-026.000). The owner (Kurt M. Umlauf) failed to abate said violation after being properly directed to do so, on or before September 17, 2018. Shawnee Township officials entered upon the property and proceeded to abate the violation. This is the second nuisance declaration within 12 months. On May 29, 2018 the Shawnee Township Board of Trustees passed Resolution 84-18, declaring the residence located at 2614 Adgate Road a public nuisance in accordance with O.R.C. Sect. 505.87.

Cost incurred to abate this violation is as follows:

Address	Tax Parcel #	Total Cost
2614 ADGATE ROAD	Par. 46-0304-07-026.000	\$457.68

BE IT HEREBY RESOLVED that the Shawnee Township Trustees hereby certifies and submits the above said name to the Allen County Auditor, for the expense incurred in the abatement of public nuisances from the above said parcel located in Shawnee Township. Said expenses are to be placed on the tax duplicate of the land owners for collection of expenses incurred by the Township, in accordance with Section 505.87 of the Ohio Revised Code.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded and the motion carried 2-0.

Roll Call: Mr. Belton, absent

Mr. Spieles, yes

Mrs. Seddelmeyer, yes

RESOLUTION 109-18

ASSESSMENT TO TAX DUPLICATES FOR PROPERTY ABATEMENT 4040 FT. AMANDA ROAD, LIMA (ALLEN CO.), OHIO

WHEREAS, Mr. William H. Gunns & Hazel L. Gunns, owners of the residence located at 4040 Ft. Amanda Road, Lima, Ohio have failed to control vegetation, lawn height, as well as noxious weeds about the property. Notice of violation was sent to 4040 Ft. Amanda Rd., Lima, Ohio on August 29, 2018 via U.S. Regular Mail as this was a second nuisance violation within 12 months. Notice of this violation was additionally posted in Lima News, Legal #467 on August 31, 2018 and finally posted on the Shawnee Township Web Site, Zoning Section on August 30th, 2018. Notices directed the owners of the property to mow front, side and rear yard, control noxious weeds and remove vegetation debris no later than September 4, 2018; and

WHEREAS, on September 10, 018 Resolution #103-18 was passed by the Shawnee Township Board of Trustees declaring the below listed property a public nuisance; and to notify the property owner as well as lien holders of record that they have failed to maintain their properties within Shawnee Township, and;

Mr. William H. Gunns, P.O. Box 65885, Tacoma, WA as well as Ms. Hazel L. Gunns, 331 E. Rainier Dr., Allyn, WA, Fifth Third Bank, (Party of Interest) 5001 Kingsley Dr., Cincinnati, Ohio and Ms. Amanda Romanello Esq. (Party of Interest), P.O. Box 5480, Cincinnati, Ohio were mailed by U.S. Reg. Mail notice of Resolution 103-18 and directives to abate the violation no later than September 17, 2018. William H. & Hazel L. Gunns addresses were obtained from Lima Municipal Court due to civil matter is pending between the owners and the lien holders in this case; and

WHEREAS, on September 20, 2018 uncontrolled vegetation, grass, weeds, and debris were still existent upon the property located at 4040 Ft. Amanda Road, Lima, Ohio (Allen Co. Tax ID 46-0903-01-027.000). The owners of the property as well as parties of interest have failed to abate said violation after being properly directed to do so. Notice that Shawnee Township officials would enter upon the property and proceeded to abate the violation on or after September 17, 2018. Shawnee Township officials abated said violation, on September 20, 2018. Necessary staff, materials, supplies, labor, and administrative fee was assessed to abate this violation as noted in submitted invoice by Road Superintendent.

Cost incurred to abate this violation is as follows:

Address	Tax Parcel #	Total Cost
4040 FT. AMANDA ROAD	Par. 46-0903-01-027.000	\$472.68

BE IT HEREBY RESOLVED that the Shawnee Township Trustees hereby certifies and submits the above said name to the Allen County Auditor, for the expense incurred in the abatement of public nuisances from the above said parcel located in Shawnee Township. Said expenses are to be placed on the tax duplicate of the land owners for collection of expenses incurred by the Township, in accordance with Section 505.87 of the Ohio Revised Code.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 110-18

Acceptance of Amounts and Rates

BE IT HEREBY RESOLVED that the Shawnee Township Board of Trustees accepts the Amounts and Rates as determined by the Budget Commission and authorizes the necessary tax levies and certifying them to the County Auditor as attached hereto.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

Trustee Spieles made a motion to amend the agenda to include Resolutions 111 through 114. Trustee Seddelmeyer seconded, and the motion carried 2-0

RESOLUTION 111-18

FMLA – Mark Biedenbarn

BE IT HEREBY RESOLVED that the Shawnee Township Board of Trustees authorizes Firefighter Mark Biedenbarn to begin Family Medical Leave on September 19, 2018 accordance with the Family Medical Leave Act.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 112-18

Acceptance of Resignation – Lauren Shulaw

BE IT HEREBY RESOLVED that the Shawnee Township Board of Trustees accepts the resignation of Part-time Dispatcher Lauren Shulaw effective September 21, 2018.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

Trustee Spieles made a motion to amend the agenda to include Resolutions 113-18 and 114-18. Trustee Seddelmeyer seconded and the motion carried 2-0.

RESOLUTION 113-18

ESTABLISHMENT OF EXTERNAL PROPERTY MAINTENANCE CODE ASSESSMENT AND APPEAL FEE

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 will become effective thirty-(30) days after adoption of the resolution which shall be on October 10, 2018.

WHEREAS, in accordance with Section 4.11 (A) The Board of Trustees shall establish a filing fee for appeals associated with the External Property Maintenance Code. In addition in Section 4.14 (F) of the Shawnee Township External Property Maintenance Code, prior to the issuance of any Violation Tag, the Board of Township Trustees shall adopt by resolution an Assessment Fee Schedule.

WHEREAS, the following fee schedule shall be established for the filing of appeals, grass and uncontrolled vegetation abatements, violation citation tag assessments, removal of junk / inoperable motor vehicles and securing unsafe structures.

I. GRASS, NOXIOUS WEEDS, TREES, BUSHES, AND UNCONTROLLED VEGETATION		
A.	Administrative Fee	\$50.00
B.	Mobilization (Transport of Equipment and Workers)	\$40.00 (Flat Rate)
C.	Employees (Min. 2 Hr. Chg.)	\$23.17 (Per Employee / Per Hour)
D.	Equipment	
1.	Mowing Tractor and/or Bush Hog	\$75.00 (Per Hour)
2.	Z-Mower	\$50.00 (Per Hour)
3.	Brush Trimmer or Weed Trimmer	\$20.00 (Per Hour)
4.	550-Dump Truck (Vegetation Removal If Required)	\$75.00 (Per Hour)
II. VIOLATION CITATION TAG (Section 4.99 of External Property Maintenance Code)		
A.	First Offense	\$50.00
B.	Second Offense	\$100.00
C.	Third Offense	\$250.00
D.	Fourth Offense	\$500.00
E.	Fifth or more (within a 12 month period)	\$1000.00
III. JUNK / INOPERABLE MOTOR VEHICLE REMOVAL (Contract Service Provider)		
A.	Flat Bed	\$59.00 + Tax @6.75%
B.	Wheel Lift	\$48.00 + Tax @6.75 %
C.	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. NOTICE OF VIOLATION APPEAL		
(Appeal, Filing Fee, Appeal Board Members-3 Min. 3 Req.)		\$100.00 per appeal case
Filed with Fiscal Officer of the 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 October 10, 2018 to coincide with implementation of the External Property Maintenance Code.

Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

RESOLUTION 114-18
ASSESSMENT TO TAX DUPLICATES FOR PROPERTY ABATEMENT 4040 FT. AMANDA ROAD, LIMA (ALLEN CO.), OHIO

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Mr. William H. Gunns, P.O. Box 65885, Tacoma, WA as well as Ms. Hazel L. Gunns, 331 E. Rainier Dr., Allyn, WA, Fifth Third Bank, (Party of Interest) 5001 Kingsley Dr., Cincinnati, Ohio and Ms. Amanda Romanello Esq. (Party of Interest), P.O. Box 5480, Cincinnati, Ohio were mailed by U.S. Reg. Mail notice of Resolution 103-18 and directives to abate the violation no later than September 17, 2018. William H. & Hazel L. Gunns addresses were obtained from Lima Municipal Court due to civil matter is pending between the owners and the lien holders in this case; and

WHEREAS, on September 20, 2018 uncontrolled vegetation, grass, weeds, and debris were still existent upon the property located at 4040 Ft. Amanda Road, Lima, Ohio (Allen Co. Tax ID 46-0903-01-027.000). The owners of the property as well as parties of interest have failed to abate said violation after being properly directed to do so. Notice that Shawnee Township officials would enter upon the property and proceeded to abate the violation on or after September 17, 2018. Shawnee Township officials abated said violation, on September 20, 2018. Necessary staff, materials, supplies, labor, and administrative fee was assessed to abate this violation as noted in submitted invoice by Road Superintendent.

Cost incurred to abate this violation is as follows:

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4040 FT. AMANDA ROAD	Par. 46-0903-01-027.000	\$472.68

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Mr. Spieles motioned for approval, Mrs. Seddelmeyer seconded, and the motion carried 2-0.
Roll Call: Mr. Belton, absent Mr. Spieles, yes Mrs. Seddelmeyer, yes

DEPARTMENT BUSINESS:

Fire:

- LSU Training-Evidence Collection
- Hose Tester fittings
- Pancake Breakfast on October 20, 2018 – Money used for scholarships

Police:

- Background checks on 11 applicants
- ALYCE Training at school and at Wrightway Foods
- Background checks on 10 potential new hires to fill full-time position and 2 SRO positions

Roads:

- Amblewood project
- Brush behind road department being ground up by Wright Mulch

Zoning:

- Abatements reported
- 2800 Shawnee Road to be demolished to begin Casey’s project

Cemetery:

- Price for Gazebo from Barns Unlimited - \$21,000.00
- Design not complete yet
- Will be picking up lights

COMMUNICATIONS:

- JSMC
- OTA
- Shawnee

BILLS: Trustee Spieles motioned that the board approve paying the bills by resolution, Trustee Seddelmeyer seconded, and the motion was Passed 2-0.

Roll call:

Mr. Belton (absent)

Mr. Spieles (yes)

Mrs. Seddelmeyer (yes)

Adjournment

With no further business to be brought before the Board of Trustees, Mr. Spieles motioned for adjournment, Mrs. Seddelmeyer seconded and the motion carried 2-0. Meeting adjourned. 10:22 a.m.

Board of Trustees Regular Meeting held Sept 24, 2018

Dave Belton, Chairperson

Clark Spieles, Vice Chairperson

Chris A. Seddelmeyer, Trustee at Large

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