

MAY 10 2024

FAITH ANDREWS  
CLERK OF COURT  
LAKE COUNTY, OHIO

**IN THE COURT OF APPEALS  
ELEVENTH APPELLATE DISTRICT  
LAKE COUNTY, OHIO**

State of Ohio ex rel.  
BRIAN M. AMES  
2632 Ranfield Rd, Mogadore, OH 44260

Relator,

v.

CONCORD TOWNSHIP BOARD OF TRUSTEES  
7229 Ravenna Rd • Concord Twp, Ohio 44077

Respondent

**2024-L-036  
COURT OF APPEALS**

**VERIFIED PETITION FOR WRIT  
MANDAMUS**

**ORIGINAL ACTION**

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**PETITION FOR A WRIT OF MANDAMUS**

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**JURISDICTION**

1. This Court has original jurisdiction of this action under Article IV: §3(B)(1)(b) and R.C. 2731.02.

**VENUE**

2. The activity that gave rise to this claim for relief was conducted in Lake County, Ohio. Therefore, venue is proper in Lake County pursuant to Civ.R. 3(C)(3).

**PARTIES**

3. Relator Brian M. Ames ("Mr. Ames") is a resident Randolph Township, in Portage County, Ohio.
4. Respondent Concord Township Board of Trustees (the "Board") is the board of trustees established by R.C. 505.01 for Concord Township (the "Township") in Lake County.

## STATEMENT OF FACTS

5. At all periods of time relevant to this Petition, the Board consisted of three members: Amy L. Lucci, Morgan R. McIntosh, and Carl H. Dondorfer IV.
6. Andy Rose currently serves as administrator (the "Administrator") for Concord Township.
7. On May 6, 2024 at 12:43am, Mr. Ames, using a pseudonym, submitted by email the following public records request (the "Request"): (Exhibit 1.)

Pursuant to R.C. 149.43, the Public Records Act, I hereby request authentic copies of the following official records of the Concord Township Board of Trustees:

1. the rule(s) for notification of meetings required by R.C. 121.22(F) in effect for the years 2023 and 2024.
  2. the minutes for the staff meetings held in the years 2023 and 2024.
  3. the current records retention schedule (RC-2).
8. On May 7, 2024 at 1:40pm, the Administrator responded (the "Response") to the Request by an email with 15 attachments. A true and accurate copy of the response is attached hereto as Exhibit 2.
  9. Attached to the Response were the following 15 documents:
    1. 2018 RC-2 Concord Twp Records Retention Schedule-APPROVED.pdf,
    2. 07312023.pdf,
    3. 08282023.pdf,
    4. 09252023.pdf,
    5. 10302023.pdf,
    6. 12042023.pdf,
    7. 12272023.pdf,
    8. 06052023.pdf,
    9. 06262023.pdf,

10. 03042024.pdf,
  11. 04012024.pdf,
  12. 01292024.pdf,
  13. 04292024.pdf,
  14. 01032024 Minutes.pdf, and
  15. 01042023 Minutes.pdf.
10. Attachments 2 through 13 purport to be minutes for the staff meetings held on June 5, 2023, June 26, 2023, July 31, 2023, August 28, 2023, September 25, 2023, October 30, 2023, December 4, 2023, December 27, 2023, January 29, 2024, March 4, 2024, April 1, 2024, and April 29, 2024, respectively.
  11. True and accurate copies of Attachments 2 through 13 are attached hereto as Exhibits 3 through 14 respectively.
  12. No minutes were attached to the Response for the staff meetings held on January 30, 2023, February 27, 2023, April 3, 2023, and May 2, 2023.
  13. The so-called minutes are not signed or approved and hence not official.

**COUNT 1**  
**Failure To Provide Public Records**

14. Relator incorporates the above paragraphs as if fully rewritten herein.
15. On May 6, 2024 at 12:43am, Mr. Ames electronically submitted a valid request for public records of the Board.
16. Respondent is obligated under R.C. 149.43(B)(1), the Public Records Act, to promptly prepare such records and make them available for inspection and copying upon request.
17. The Board has failed to provide documents fully responsive to the Request.
18. The Board has not asserted that the Request is ambiguous or overly broad.

19. The Board has not asserted that it cannot reasonably identify what public records are being requested.
20. The Board has not provided an explanation, including legal authority, setting forth why the Request was denied as required by R.C. 149.43(B)(3).
21. Mr. Ames is a person aggrieved by the failure of the Board to promptly prepare the public records requested and provide copies to him as required by R.C. 149.43(B)(1).

## **LAW AND ARGUMENT**

### **a. The Public Records Act**

#### *Public Records*

R.C. 149.43(A)(1) defines “public record” as “records kept by any public office, including \* \* \* [a] township \* \* \*.” That definition is further refined by R.C. 149.011(G), which defines “records” to include “any document \* \* \* created or received by or coming under the jurisdiction of any public office \* \* \* [that] serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.” Meeting minutes fall squarely within the definition of a public record.

#### *Public Office’s Duty to Provide Public Records on Request*

The Board has a legal duty under R.C. 149.43(B)(1) to make copies of the requested public record available to the requester at cost and within a reasonable period of time.

#### *Relief under the Public Records Act*

Under R.C. 149.43(C)(2), the “requester shall be entitled to recover” statutory damages if (1) he submits a written request “by hand delivery, electronic submission, or certified mail,” (2) the request “fairly describes the public record or class of public records,” and (3) “a court determines that the public office or the person responsible for public records failed to comply with an obligation” imposed by R.C. 149.43(B). Statutory damages accrue “at one hundred dollars for

each business day during which the public office or person responsible for the requested public records failed to comply \* \* \*, beginning with the day on which the requester files a mandamus action to recover statutory damages, up to a maximum of one thousand dollars.” R.C. 149.43(C) (2).

R.C. 149.43(C)(3)(a)(i) provides for an award of court costs if a court orders the production of requested public records. ¶32.

**b. Mr. Ames has submitted a valid request for public records.**

It is indisputable that the records Mr. Ames requested are public records. It is indisputable that the Request is valid. It is indisputable that the Board has refused to provide the requested meeting minutes.

**c. Mandamus**

Mandamus is a writ, issued in the name of the state to an inferior tribunal, a corporation, board, or person, commanding the performance of an act which the law specially enjoins as a duty resulting from an office, trust, or station. R.C. 2731.01. The writ of mandamus may be allowed by the supreme court, the court of appeals, or the court of common pleas and shall be issued by the clerk of the court in which the application is made. R.C. 2731.02. Such writ may issue on the information of the party beneficially interested. R.C. 2731.02. The writ of mandamus may require an inferior tribunal to exercise its judgment, or proceed to the discharge of any of its functions, but it cannot control judicial discretion. R.C. 2731.03. Application for the writ of mandamus must be by petition, in the name of the state on the relation of the person applying, and verified by affidavit. R.C. 2731.04. The court may require notice of it to be given to the defendant, or grant an order to show cause why it should not be allowed, or allow the writ without notice. R.C. 2731.04. The writ of mandamus must not be issued when there is plain and adequate remedy in the ordinary course of the law. R.C. 2731.05.

The Supreme Court of Ohio has recently held:

“Mandamus is [an] appropriate remedy to compel compliance with R.C. 149.43, Ohio’s Public Records Act.” *State ex rel. Physicians Comm. for Responsible Medicine v. Ohio State Univ. Bd. of Trustees*, 108 Ohio St.3d 288, 2006-Ohio-903, 843 N.E.2d 174, ¶ 6; R.C. 149.43(C)(1)(b). To obtain the writ, [a relator] must show that he has a clear legal right to the requested relief and that the [public office] has a clear legal duty to provide it. *See State ex rel. Ellis v. Maple Hts. Police Dept.*, 158 Ohio St.3d 25, 2019-Ohio-4137, 139 N.E.3d 873, ¶ 5.

*State ex rel. Lusane v. Kent Police Dept.*, 170 Ohio St.3d 382, 2023-Ohio-480 ¶ 9.

**d. Mr. Ames need not demonstrate that there is no plain and adequate remedy in the ordinary course of the law.**

Since mandamus is the statutorily prescribed remedy for public records disputes, Mr. Ames need not demonstrate that there is no plain and adequate remedy in the ordinary course of the law. R.C. 149.43(C)(1)(b).

**PRAYER FOR RELIEF**

WHEREFORE, Relator Brian M. Ames prays that this Court:

- (1) Issue a peremptory writ of mandamus directing Respondents to provide copies of the public records Mr. Ames requested;
- (2) Award statutory damages, attorneys’ fees, and costs; and
- (3) Order any other relief available under R.C. 149.43 or R.C. 2731.01 et seq., and any other relief as is appropriate.

Respectfully Submitted,



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Brian M. Ames  
2632 Ranfield Road  
Mogadore, OH 44260


**AFFIDAVIT OF VERITY**

State of Ohio            )  
                                  )SS  
County of Portage        )

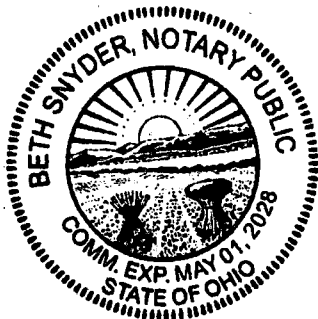
Now comes Brian Ames, who, having first been duly cautioned and sworn deposes and says as follows:


1. I am, and have been during all time periods relevant to the foregoing Petition, a citizen residing in Portage County.
2. I am competent to testify to all matters stated in this affidavit and the foregoing Petition.
3. I have read the foregoing Petition and swear that I have personal knowledge of the facts stated therein and that the facts stated therein are true and accurate to the best of my information, knowledge, and belief.
4. Exhibit 1 is a true and accurate copy of the original public records request made on May 6, 2024.
5. Exhibit 2 is a true and accurate copy of the response made on May 7, 2024 to the public records request made on May 6, 2024.
6. Exhibits 3 through 14 are true and accurate copies of attachments to the response made on May 7, 2024.
7. All exhibits attached hereto are true and accurate copies of the originals.

Further, Affiant sayeth naught.

  
\_\_\_\_\_  
Brian M. Ames

Before me, a Notary Public in and for said county and state, personally appeared Brian M. Ames who swore to the truth of the foregoing Verification and subscribed same in my presence at Rootstown, Ohio on this 8<sup>th</sup> day of May, 2024.



  
\_\_\_\_\_  
Beth Snyder  
Notary Public

## Public records request

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From Lavrentiy Beria <LavrentiyB@proton.me>

To John Patriarca<jpatriarca@concordtwp.com>, Karen Pirc<kpirc@concordtwp.com>

BCC Miller-Novak, Matt<mmn@bpbslaw.com>, Robert Thompson<Robert@rthompsonlegal.com>,  
Vanessa Wells<vebay31@gmail.com>

Date Monday, May 6th, 2024 at 12:43 AM

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1. the rule(s) for notification of meetings required by R.C. 121.22(F) in effect for the years 2023 and 2024.
2. the minutes for the staff meetings held in the years 2023 and 2024.
3. the current records retention schedule (RC-2).

Responsive documents should be emailed to [LavrentiyB@proton.me](mailto:LavrentiyB@proton.me)

Thanks,

Lavrentiy Beria

Sent with [Proton Mail](#) secure email.



## RE: Public records request

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From Rose, Andy <ARose@ConcordTwp.com>  
To LavrentiyB@proton.me  
CC Trustees<Trustees@ConcordTwp.com>, Karen Pirc<KPirc@ConcordTwp.com>, bmatheney@tddlaw.com<BMatheney@tddlaw.com>  
Date Tuesday, May 7th, 2024 at 1:40 PM

Lavrentiy Beria,

Good afternoon. Attached are the records that are responsive to your request.

With regard to #1 – The meeting schedule for the year is established during the organizational meeting and is outlined on page 1 in the 01042023 and 01032024 minutes which are attached. This conforms to ORC 121.22(F).

Please contact me should you have any questions.

v/r,

**Andy Rose**

Administrator

Concord Township

7229 Ravenna Road

Concord Twp, OH 44077

440-354-7513

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**From:** Patriarca, John M. <JPatriarca@ConcordTwp.com>  
**Sent:** Tuesday, May 7, 2024 1:27 PM  
**To:** Rose, Andy <ARose@ConcordTwp.com>  
**Subject:** FW: Public records request

**From:** Lavrentiy Beria <[LavrentiyB@proton.me](mailto:LavrentiyB@proton.me)>  
**Sent:** Monday, May 6, 2024 12:43 AM  
**To:** Patriarca, John M. <[JPatriarca@ConcordTwp.com](mailto:JPatriarca@ConcordTwp.com)>; Pirc, Karen <[KPirc@ConcordTwp.com](mailto:KPirc@ConcordTwp.com)>  
**Subject:** Public records request

**Caution:** This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact IT x14444.

Pursuant to R.C. 149.43, the Public Records Act, I hereby request authentic copies of the following official records of the Concord Township Board of Trustees:

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2. the minutes for the staff meetings held in the years 2023 and 2024.
3. the current records retention schedule (RC-2).

Responsive documents should be emailed to [LavrentiyB@proton.me](mailto:LavrentiyB@proton.me)

Thanks,

Lavrentiy Beria

Sent with [Proton Mail](#) secure email.

**4.96 MB** 15 files attached

2018 RC-2 Concord Twp Records Retention Schedule-APPROVED.pdf 451.74 KB			07312023.pdf 538.38 KB
08282023.pdf 460.71 KB	09252023.pdf 245.79 KB	10302023.pdf 445.98 KB	12042023.pdf 277.12 KB
12272023.pdf 358.43 KB	06052023.pdf 430.13 KB	06262023.pdf 369.21 KB	03042024.pdf 348.21 KB
04012024.pdf 259.81 KB	01292024.pdf 548.57 KB	04292024.pdf 65.72 KB	

**REL\_EVID\_003**

01032024 Minutes.pdf 142.19 KB

01042023 Minutes.pdf 132.00 KB

3x3 + FO

Start @ 1500

STAFF MEETING AGENDA - 6/5/2023

Start Promis exam 6/27 to est 450.  
for LT + Capt

updates on Personnel/FIOP 284.5 hrs this year  
last year 166 hrs  
- same period

Fire

for Gaber's Fest  
this weekend

- 1. Personnel & Staffing
- 2. Fire Prevention & Education MB covered. Giving classes. Red Cross sponsored
- 3. Grants - working several grant requests - ELKS, AFG, AWC
- 4. Fire Station - ongoing - updated progress report - non compliance issues - end of Feb
- 5. MOU - set for 6/21 meeting w/ resolution.
- 6. 2022 Annual Report - will be presented at 6/7 meeting -

Zoning

look at  
eliminators  
to make  
open space

- 1. EV Charging Stations - Need to address in our TWP Resolutions
- 2. Joint Trustee/BZA/ZC/JEDD meeting for September 2023 - need date
- 3. Nuisances regarding tall grass and ORC 505.87 - need resolution for ↑ grass w/ HF
- 4. Open space Summerwood - SWCD partnership - need to work on protecting open space  
(also Concord Ridge) very small encroachments work w/ HF -

Recreation

- 1. Concerts - Thursday w/8 kick off
- 2. Community Day Parade still working line-up (need a Marshall for Parade)
- 3. Tennis Courts \$250-\$260 K to resurface/renovate
- 4. Town Hall Campus - w/ef explore redesign of campus -
- 5. Logo - Sean/Delbric/Andy to work on this -

Service

- 1. Construction update - Cheryl Dr ongoing - Noble Ridge soon - chip seal later in year - end of July - Aug -
- 2. Equipment & New Trucks Update - F450s delivered -
- 3. End of Yard Waste - closed today + reopen in fall.
- 4. Upcoming projects - concrete slabs starting + dump patch - / crack sealing - storage bldg later this year -

Administrator

- 1. Kellogg Creek restoration walk-thru
- 2. Ellison Creek sanitary
- 3. Econ development/CRA

adjourned → @ 16:35

QH Hotel - new  
GM - Same owner

\* Send num copies  
\* of last 3 Fire  
\* annual reports  
\*

→ stenographer

Cancel date was 3/6 per contract  
\$5K/day penalty.

START 15:02

STAFF MEETING AGENDA - 06/26/2023

Fire

- 1. Promotional written tomorrow; Assessment Ctr 7/29 - for LT + Capt to create eligibility list
- 2. Grants - 2021 FEMA; 2022 FEMA; Ohio Ambulance Transportation Program Delayed 2021 AFB Staff panel 2022 AFB
- 3. Ohio Ambulance Transportation Program: US Department of Treasury (ARPA) to Ohio Office of Management and Budget - We have registered and waiting final approval will need Resolution to complete once award is announced. \$20k max amount
- 4. add EV issue to zoning code?

Zoning Dept.

- 1. September 19<sup>th</sup> or 26<sup>th</sup> for joint Trustee/JEDD/ZC/BZA meeting 9/19 @ 1800. (Tuesday)
- 2. Villas at Canterwood request for modification
- 3. EV Charging - working on a draft similar to Willoughby's ordinance (enforcement is a concern - should it be a general resolution or in the zoning resolution?)
- 4. Video and audio tapes from BZA and ZC meetings ranging from 1999 thru 2013 (5 boxes) - check, destroy -
- 5. Nuisance abatement (tall grass) - update 2 of 5 high grass cases remain - length of grass (10")  
info sent to legal for review on 6/26

Service Department

- 1. Capital Pkwy. Light Pole replacement project. 3 poles - waiting for poles to arrive -
- 2. 2023 Road Project Update Hide bike this week -
- 3. Stuart Dr. / Harpers Dr. condition report. will do a patch - not a priority - has alleys - 2024 maybe - 2025 likely
- 4. Street Name Signs no help from Engr. we ordered from Fulton Signs -

Recreation Department

- 1. Community Day new lights at cc (NOPEC grant) {shake out Trustees cars for Parade}
- 2. Shirts/Attire - gather list

Administrator

- 1. Stenographer
- 2. Ellison Creek Sanitary update
- 3. Economic Dev update
- 4. Kellogg Creek walk through - mid-July

→ Exec Session - personnel issues? per ORC 121.22 (9)(1)

mar/CD  
full call: all yes 16:07

Will 7/9 - 7/14 out of town

Motion to exit Exec Session CD 2nd AL  
Vote all ayes End Time 11:24  
REL\_EVID\_007

START: 15:04  
END: 16:16

Staffs: → STAFF MEETING AGENDA - 7/31/2023

MW/AL FO (CD - Absent)

Zoning

- 1. Villas at Canterwood Farm RCD - Good for permits on house. Sign permit issued
- 2. ACC - Public training facility - All approvals done. Comm s/b soon.
- 3. ZC public hearing - on 9/1 for pool fence. ? on timing for trustee public hrs. waiting on legal for input
- 4. BZA public hearings - 2 variances about Twp Prop. Chief will set up station tours for ZC - BZA.

Fire

- 1. COVID Premium Pay pass through grant - from OH Amb Transport Program. No cost to Twp.
- 2. Uline PO - w/ agenda. Form for FSI spaces -
- 3. Fire Station - Window cleaning; cabinets; roof/gutters; <sup>up wiring</sup> phone/IT; - Tidy up for Congressman visit
- 4. Community Day - All set + coord w/ Sean. Fireworks set, breakfast set.
- 5. Personnel - from exam on Sat. 9 LT + 1 capt - all passed.
- 6. Switch from Verizon to First Net - new cell svc - w/ savings. Gives priority to 1st resp
- 7. Handle with Care program - new program. Joining by end of year. Works w/ schools. its a school alert notice prog to notify school of possible abuse/neglect. Twp to ADMITS 1022

Service

- 1. Road project update - almost complete. change order coming for 6' depth repairs
- 2. Storage building update - start 8/7. Pre-meeting w/ Pinnacle + Twp.
- 3. Capital Pkwy light poles - 18' poles ship ETA early Sept.
- 4. Equipment - CAT 313 still broken. Part due tomorrow - repair on Wed. New F450s in svc by Oct. New Trucks due mid 2024

Recreation

- 1. Community Day Update - all set + ready Tent Sean - out Thur/Fri
  - a. Parade Marshall - Ron Terivies if avail.
  - b. Citizen of the Year - I will coordinate.
- 2. Rescheduled fall concerts - 9/14 6-8 : Halloween Event
- 3. New outdoor movie event - 9/16 - Main Bldg. 6:00
- 4. Coleridge Park - Memorial Bench.
- 5. Senior Appreciation Event 8/30 - @ 1300. Community Room - Rachel Lamb coord

Administrator

- 1. Resolutions for certifying amounts to the Auditor
  - a. VOTE - RES. 2023-13, DECLARING IT NECESSARY TO LEVY A 6.3 MILL REPLACEMENT TAX LEVY OF FIVE (5) YEARS FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDING FOR POLICE, FIRE, AMBULANCE AND EMERGENCY MEDICAL SERVICES
  - b. VOTE - RES. 2023-14, DECLARING IT NECESSARY TO LEVY A 6.5 MILL REPLACEMENT TAX LEVY OF FIVE (5) YEARS FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDING FOR POLICE, FIRE, AMBULANCE AND EMERGENCY MEDICAL SERVICES

Roll call  
MW - Y  
AL - Y

Roll call  
MW - Y  
AL - Y

Comm Day  
Beer list review  
**Exhibit 5**

Roll call  
MM - 4  
AL - 4

Motion AL  
2<sup>nd</sup> pass

c. VOTE - RES. 2023-15, DECLARING IT NECESSARY TO LEVY A 7.0 MILL REPLACEMENT TAX LEVY OF FIVE (5) YEARS FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDING FOR POLICE, FIRE, AMBULANCE AND EMERGENCY MEDICAL SERVICES

- 2. LGF - update - Budget Commission mtg 8/7 @ 11:00
- 3. Congressman Joyce visit - 10:00
- 4. Staff meeting schedule for remainder of 2023

Aug 28<sup>th</sup>  
~~Oct 2~~ Sept 25<sup>th</sup>  
 Oct 30<sup>th</sup>  
~~Dec 4<sup>th</sup>~~  
 NOV 27<sup>th</sup>

Look @ monthly  
 Staff meeting dates for  
 2024 to move away  
 from just before the  
 1<sup>st</sup> of the month.



AL/CD/JT/AR/CS/TB/MS/MB/SS/HF/KW

VP on phone

Start @ 1500 - End @ 15:49

{ CD chaired mtg  
MUN - out of town -

**STAFF MEETING AGENDA - 8/28/2023**

**Cemetery**

- 1. Repair of monuments - KW covered issue of broken handstones. Contracting for repair.

**FD**

- 1. Approve PO to RMC Resource Management Consultants in the amount of \$8,997.00 for Officer Promotional Testing (take from 2191-319) Motion AL 2nd CD vote: 2-0

MB covered

- 2. EV Charging Resolution for mtg on 9/6
- 3. FD COVID pass through resolution for mtg on 9/6

See reverse

**Action for 9/6 meeting:**

- 1. Approve promotion of Nicholas Light to the position of Firefighter 1 effective 8/28/23
- 2. Approve PO to Countryside Truck Service in the amount of \$10,000 for vehicle service
- 3. Approve promotion of Ryan Nappi to part-time firefighter/paramedic effective August 9, 2023
- 4. Approve promotion of Hunter Garisek to part-time probationary firefighter/paramedic effective August 9, 2023

MS reviewed these

**Zoning**

- 1. No September ZC mtg - just Fire Station Tour
- 2. P.H. Text Amendments - 9/6 at 7:25pm
- 3. BZA meeting - agenda 5 items - all residential
- 4. Sept. 19th Special meeting at CCC
- 5. Assistant ZI position update 12 applications
- 6. Zoning office hours starting Sept. 11 close @ 1530 (3x weeks)
- 7. Outstanding legal issues (get list from Heather)

**Service**

- 1. Equipment <sup>F450 being built - deliver within 2 wks.</sup> CAT 313 is working. {Forklift issues evaluate by NCLT}
- 2. Snow and Ice Removal Lake County Engineer issue
- 3. Storm Damage report
- 4. Extend 4 ten hour days. to 10/6 extends concrete + durapatch.

**Recreation**

- 1. Community Day Recap, 2024 date
- 2. Senior Citizen Appreciation Event - Wed @ 1300 \*fall concert 9/14 (4 Kings + a Queen)
- 3. Dinner & a Movie 9/16 - outdoor movie
- 4. Grapevine printed + mail (this week) \$2K savings -
- 5. Christmas Tree Lighting, December 1 @ 7 pm

**Administrator**

- 1. Power outage update
- 2. DC Fly-in 10/19 - 10/20
- 3. Fire Station status/update provided by chief

Downstairs toilet no.

FS: Magna Grip - 46K change order for additional parts/equip

Fiscal/IT: Need to certify rates @ 9/6 mtg  
need supplemental appropriations review  
Street light resolution on 9/6 mtg

**Warner, Karen**

**Subject:** Staff Meeting  
**Location:** Town Hall  
**Start:** Mon 9/25/2023 2:00 PM  
**End:** Mon 9/25/2023 3:30 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Warner, Karen  
**Required Attendees:** Trustees; ConcordTWPDeptHeads

✓ HR

- 1. APPROVE STEP INCREASE FOR CHAD GILLENWATER TO \$28.23/HOUR EFFECTIVE 9/18/23 (FOR 10/4/23 Trustee meeting)

✓ Cemetery

- 1. Update on restoration work.

✓ Zoning Dept.

- 1. ZC - informal review (RD circle / Trout lake site)
- 2. Cancel Oct. BZA mtg.

Leaf pick up  
\$3500.00

✓ SERVICE

- 1. Roof update 2-3 wks -
- 2. Curbside Leaf pick up? - Tom will schedule
- 3. Brush Days 10/14 + 10/21
- 4. Storage Building construction update. Frame + floor done. Electrical coming next w/ base stone
- 5. Plan to pour roads

✓ Recreation

- 1. Concert/Movie Review
- 2. Meeting with LaMuth new principal
- 3. Candidates Forum - Oct. 16, 7:00pm at Comm center
- 4. Pickleball Courts
- 5. Halloween Event 10/21 11:30-1400 w/ Band
- 6. Community Day - Sat. Aug 10, 2024

✓ Fire

- 1. LCSO Dispatch
- 2. Fire Station Move-In 10/23/23
- 3. Ribbon Cutting/Open House 11/18 @ 10:00

→ Call Katie Berger on FD ribbon cut

✓ Administrator

- 1. SDC 10/2 @ 0900
- 2. Stakeholder meeting 10/3 @ 1800
- 3. Pinehill water lines - waiting on Doug Lewis

d.w. Hearn Rd.

Sunday - 6288 Fay - old house  
2 lots - own conforming

Next Staff mtg  
12/4 @ 1500

STAFF MEETING AGENDA - 10/30/2023 Start @ 1503

12/16  
Dunbar

and  
valley  
along  
Dunbar  
property

✓ Cemetery

- 1. Monument restoration update } KW updated
- 2. WWA Sponsors needed } 44 wreaths shy of goal 11/28 'is  
#17/wreath - sponsor cut off

✓ Zoning

- 1. Zoning Violations - Figer, Viviani } settlement or possible potential legal action on these issues.
- 2. 7480 Auburn Rd - potential uses (Forbes horse prop) - group home/day care
- 3. Review of BZA/ZC agenda HF reviewed upcoming agenda
- 4. Ivy Ridge - model home / Vitas fence } MH asked about Riebe issue HF closed long
- 5. Assistant ZI - starting on 11-6-23 (Mike Gerson)

✓ Fire

- 1. Ribbon Cutting 11/6 16:00
- 2. Old Station Utilities - shut down/winterize after ribbon cut  
Fire parent house down at land bank // service dept demo house.  
(see book)

✓ Service

- 1. New Trucks 1 in service / crew cabs getting outfitted.
- 2. Concrete slab replacement still going for few weeks -
- 3. Storage building status moving along & on track
- 4. Curbside yard waste collection 11/20 drop off closes 11/30
- 5. Storm Water projects - Holly Park catch basin upgrade / Grandridge Pointe - get tech dir Hwy for feasibility
- 6. Garage Door Replacement NOPEC \$\$ - on agenda for 11/1

✓ Recreation

- 1. Special Events review Sean covered recent events Sportsfest / Drive in movie 11/3 / Special needs same w/ kids
- 2. Tree Lighting, December 1 - Friday @ 1900
- 3. Grapevine - going to 2 per year w/ more pages same 26-7K/year Mid Feb + Oct
- 4. Community Day: Saturday, August 10, 2024
- 5. Concert Times move to 6:30 - 8:30 -

✓ Administrator

- 1. Pinehill water lines
- 2. Fire Station Act
- 3. Exec session for 11/20 @ 1600 to interview law directors/firms

HR vac buyout / rollover to Cindy by 12/2

Fire prevent - Halloween events

©imperium update  
applying for radio waves grant (SOK act)

- Occ permit from LC Bldg Dept -

STAFF MEETING AGENDA - 12/4/2023

Cemetery

- 1. WWA update

Karen finalized plans for next Saturday  
Mum and I will be here -

Service

- 1. Storage building Update -
- 2. Crew Activity - Concrete done (over 800 yards) - Snow event @ 11/27 - move into new bldg this week - snow barricades
- 3. Garage Door replacement (NOPEC Funds)

completed! Receive bldg on Tuesday @ 0900 -

- 4. TH generator Keep - sell gear at FSI - install next week

Recreation

- 1. Senior Holiday Luncheon Wed @ 1300 - 70 signed up
- 2. Picnic tables for patio, quotes came in for 10 = \$1K each - PD for meeting -
- 3. Grapevine print edition - 2x year now -
- 4. Town Hall Campus project for Capital Budget - discussion w/ Trustees w/ cost est and architect rendering -

Fire (Mike Biddell)

- 1. Injury report - Sabo/Telfer WB covered this
- 2. Riverside HS First Responder Program
- 3. Generator on site - RFC confirming who is responsible for 1st diesel fill; AR working with Pinnacle on tank Permit
- 4. RFC confirming who is responsible for Painesville Water tap-in fees \$2,727.00
- 5. Fire had Xmas breakfast party yesterday - well attended @ FSI

Zoning

- 1. ZC - public hearing for text amendments <sup>(on pass)</sup> tomorrow's mtg
- 2. BZA - agenda review next week. COP for Crosswalks on agenda
- 3. Villas at Canterwood Farms RCD district Developer needs to resubmit to LC first

Administrator

- 1. Safety Services for 2024 - What does it look like? Discussion ensued -
- 2. Law Director discussion

- Diane Calta Mansour Coan - OJT -

- Roetzel - Diana/Alex

\* - TDD - Bridley

→ Trustees agree to hire Bridley Matheny @ TDD

STAFF MEETING AGENDA - 12/27/2023

Start @ 0900

mail AL + FO  
(Call on phone)  
Bridley + Brandon

Cemetery KW

One Columbarium niche left  
1/16 - Wreath watch -

Rec. (AR) (SS - out)

Grapevine articles in by beginning of January

Zoning HF

BZA and ZC updates provided by HF - TR + Ashley are alternates  
ZC has alternate open

Zoning Board Vacancies BZA was board vac  
Ivy Ridge/Pulte Homes - issue before them re: Pulte procedures -  
being worked out before them

Fire ms

Personnel - 2 injuries Ham - back  
Leamy - knee  
FS1 Generator - still making adjustments

ER Wait Times - extended wait times up to 30 min to 4 hours.  
change policy communicate to residents on ER Trips to where?

Service TB

Crew Activity reviewed by TB monitor/ditched lighter plowing/burials

Gov deals update reserves not met (will repost)

2024 Road Projects - submitting to Eugene for review (joint road project)

Capital Plan est - ~508K plus add ~75K for re-signature + prolong roads  
lights being delivered

Administrator AR

New Law Director - intro Bridley + Brandon

RID - beginning research

Resolution on rec marijuana dispensary? discussion w/ Trustees  
Moratorium sales + Mfg -

Executive Session

Motion to have Andy Rose, Matt Sabo, and Cindy Sadler join in executive session

Motion AL 2nd MM

Bar + BD  
legal

Motion to enter into Executive Session to discuss grievance and employee compensation pursuant to ORC 121.22 (G) (1)

Motion AL 2nd MM @ 09:50

2.75% <sup>NON bargaining</sup>  
2.25

Exit executive session @ AL/MM 10:17

VOTE - 2024 compensation rates for Township employees Motion: AL 2nd: MM  
2.75 / 2.25  
vote: 2 ayes -

Smoke/vape shops - HF brought up -  
separate in zoning code.

encl handbook -  
copy to legal.

Andy's copy

START @ 1500

STAFF MEETING AGENDA - 1/29/2024

Cemetery Karen

- 1. columbarium's Kw updated on plan for new columbariums

Fire

DC Biddell presented - Covered staffing changes to reduce costs -

- 4. 2/5 Promote William Laganke, Gabriel Kovats & Cody Bendlock to Part-Time Regular Firefighter/EMT-Basic effective January 28, 2024
- 2. 2/5 PO for \$10,245.00 to Phoenix Safety Outfitters for firefighter turnout gear
- 3-3-0 Request to eliminate probationary pay rate ~~mm/AL~~ AL/mm VOTE = 3-0
- 4. Quail Hollow update no water - broken - to Wednesday
- 5. Radios - purchasing used from Platte twp on 2/5 agenda
- 6. Staffing

class cost updated to 60/PP MM 25/PP

for 2/5/24 agenda

HR Cindy Sadler

Buc grant - we received it. lower our premium

- 4. Transitional Work Bonus
- 2. FD request to make 2.25% increase across the board for entire department. AL/mm VOTE = 3-0

Service Tim Brown -

- \* 3-0 4. VOTE- SERVICE DEPARTMENT PO TO TRUCK ENTERPRISES IN THE AMOUNT OF \$197,735.00 FOR THE PURCHASE OF A 2024 KENWORTH T480 TANDEM DUMP TRUCK ~~mm/AL~~ VOTE = 3-0
- 2. Snow Events 10 events in Jan for snow/ice
- 3. Crew Activity maint/drainage
- 4. Equipment Purchase
  - a. Tandem Dump
  - b. Aluminum Truck Bed for # 20 - bed rotted out 3 quotes - best is # 3700.00
- 5. 6823 Farfield Rd. Info stormwater issues. private lines - issue w/ stormwater + owner

Zoning Heather Freeman

- \* 3-0 4. Vote - Appoint Ashley Garcar to Regular Board of Zoning Appeals Member to fulfill the vacant position for the term effective January 29, 2024 through March 31, 2026. AL/mm
- \* 3-0 2. Vote - Appoint Brian Falkowski to Board of Zoning Appeals Alternate Member for the term effective January 29, 2024 through January 28, 2026. mm/AL
- 3. Trustee public hearing for text amendments Section 16 at the 2-5-24 Mtg. public hrs at 7:20
- 4. Villas at Canterwood RCD developer withdrew request
- 5. No February ZC meeting
- 6. BZA - Todd V postponed the tabled issue - will delay.

amendment # 2 -

Recreation Sean Supler

- 4. Grapevine Update - finalizing the print edition
- 2. Registration numbers - good interest already (36 kids in BB) 29 see comment
- 3. Easter Egg Hunt Sat 3/23 at Corn Ctr @ 10:00
- 4. Concert Series all bands booked 18:30 - 20:30



✓ Administrator

- ✓ 1. CEI electric reliability – meeting on Tuesday @ 1430
- ✓ 2. JEDD Board member appointment
- ✓ 3. RID update
- ✓ 4. Sheriff contract update
- ✓ 5. Rec marijuana moratorium — prohibition

✓ Appropriations workshop ▽ 2/20 @ 1500 -

2/28 or 2/29

STAFF MEETING AGENDA - 3/4/2024

Start @ 1500

Service

- 1. Concord Hills Park water service. *backflow preventer needed. only for water fountain and sprayer*
- 2. Clothing Allowance increase. 200 → 250.00 *Trustee v*
- 3. Plow Truck update. Delivery in June 2024
- 4. Garage Structure next to Old Stone School *Tim wants to tear down - old garage not needed. OK to tear down as Trustee's concern*
- 5. Activity *Tim reviewed recent activity*

*Garden hats are sold out*

Recreation

- 1. Easter Party 3/23 @ Comm Ctr. w/ egg hunt + bunny
- 2. Community Room Doors- NOPEC Grant } *agenda on 3/20/24*
- 3. Bright Ideas & Fireworks PO's
- 4. E-Grapevine & member numbers *growing + 332 to list now at 3,032 w/ 59% open rate*

*Rentals/ly all filled booked through end June.*

Zoning

- 1. Zoning Commission work session on cups for Commercial + Residential uses -
- 2. BZA agenda *Todd Victor / find of fact review parking signs for RVs -*
- 3. Public records request huge - *partially done. 4/7 years done* - *35 report/Indicate added*
- 4. Villas at Canterwood update
- 5. Possible developments - *Revenue/Graded corner / Nisicini property*
- 6. *Fan Rd composite - HF updated Trustees*

*Flyer for our business see a Eclipse water below*

FD

- 1. Solar Eclipse Planning Update *4/8/24* *EMA Planning*
- 2. Grants - AFG Regional Radio; AFG Monitors; EMS
- 3. Staffing *several PT leaving/looking @ FT elsewhere*
- 4. Fire Station - roof; sanitary; generator fence; water meter; electric meter
- 5. Quail Hollow - JEDD tour Thursday
- 6. Hertz EV charger - *rework due to lack of permit*
- 7. 1313 Back in Service "Christine is alive"

Administrator

- 1. CAC meeting on Friday *@ 1600*
- 2. News-Herald subscription *\$1900/year - switch to online version*
- 3. Understand your taxes class set for April *4/2 + 4/10*
- 4. Next Gen 911 Committee
- 5. OWDA / Painesville
- 6. 3/21 class - Legal & Ethical Requirements for Twp Communications

*end @ 1620*

Amy Wren + John Patriarca

MEETING AGENDA - 4/1/2024

Cemetery

- 1. Indigent burial policy *Coming soon. KW working w/ Bradley. Likely on next mtg agenda for 4/17/24*

Zoning

- 1. BZA update *4/10 mtg*
- 2. ZC work session *4/2 mtg reviewing uses in com'l dist*
- 3. Taco Bell *next to Waffle House. questions on gas well/drive-thru possibly on May meeting -*

Service

- 1. Activity
- 2. Salt order
- 3. Summer Help *2 applications (includes CDC)*
- 4. Yard waste *- started today - steady flow*

*Cindy house + Red Barn  
selling/roof quotes*

Fire

- 1. Promotions - May 15 Trustee Interviews *for officers -*
- 2. HR - Cimperman *(withdrew bid claim) 38 years*
- 3. Personnel Update
- 4. Citizens Fire Academy - *what is cost?*
- 5. Pet CPR Program
- 6. Tech Rescue - Lake County

*- Station 2 roof patched up  
\* 5/10 IAFF Fundraiser*

Recreation

- 1. Easter Party Update *good party ~400 people*
- 2. Spring Programs
- 3. Community Center Updates *upgrade doors/windows*

*Tour*

*\* 4/11 tour school w/ Sean*

Administrator

- 1. RID
- 2. Eclipse *Mon 4/8*
- 3. CAC update *3rd mtg*
- 4. CPF submission for FS2  
*Matt Stubeck -*

*- crossroads - reworking building #4  
- June Verr property project  
- Ivy Ridge - house permits approved*

## STAFF MEETING AGENDA – 4/29/2024

Present at the meeting: CD, AL, MM, JP, CS, HF, MS, MB, TB, SS, KW

The meeting began at 3:05 pm and adjourned at 3:57 pm.

### Cemetery

1. Memorial Day Ceremony-5/27/24 @ 9:00 am, Trustees will be there, FO to let me know
2. Walking Tours-2024 Township Legacies (residents buried in Township) working with Dan Maxson on tour

### Zoning

1. Review of BZA agenda-working with Law Director to create educational classes for BZA Board
2. Violation - Legal letters sent to 2 property owners-Law Director sent letters to violators who have not complied in the allotted time
3. Moreno-Ravenna Road-Zoning Director to send letter for zoning violation
4. Villas at Canterwood final development plan phase 3-preliminary plans looked good, reviewed by departments and will soon have mylar to sign

### Service

1. OPWC Round 39-preapplication completed for Cascade Road
2. Reclimite parking lots-consider applying application to TH campus and Community Center parking lots to, would be a change order to Joint Road Resurfacing projects.
3. Property maintenance update- using NOPEC funds for roof/siding at 9911 Old Johnnycake Ridge Rd. and Red barn; crews have been busy with curb repairs, ditching, culverts, mowing, pothole patching and downed tree response on 4/27.
4. Storm water projects update-Grandridge Pointe Dr. storm sewer outfall repair, Tewksbury stormwater basin cleaning and regrading, Hunting Lake Drive storm outfall/flexamat repair, Sarah Lee sewer rerouting and outfall erosion repair, Oakridge storm water sewer repair and additional curb inlet improvement, Holly Park storm sewer improvement, Winchell Rd. culvert replacements-estimated cost of all projects to come from the Storm water funds-\$563,470.00

### Recreation

1. Garage Sale-good attendance (550-600 attendees)
2. Summer Hire – on agenda 5/1/2024, to complete small projects and assist garden club
3. Community Center Updates-planning going well, invites went out for parade
4. Concert Series/Community Day-begins at 6:30 pm on 6/6-8/1/2024 (No July 4 concert). Amy brought up 6/20 Trustees meeting is on the same night as concert

## Fire

1. Eclipse-went well, people stayed off the roads
2. Operations-staffing looking good, several people will be leaving for full time positions; June schedule to come out soon
3. Roof Station 1 – investigated the mezzanine leak (looked at roof, brick) and it was determined to be the brick facing and flashing. Landscaping is also being addressed
4. Education-Babysitter Class had 20 students with some being boys; five high school students will be working with FD for senior projects
5. EOP's – updating and reviewing with EMA Director and then the Township
6. Construction – Ice cream store/car wash moving along