

**Brimfield Township Board of Trustees  
Regular Meeting  
Wednesday November 20, 2019**

The Brimfield Township Board of Trustees met in a regular meeting on the above date, at the Brimfield Town Hall. Present were Trustees Sue Fields, Mike Kostensky, Nicholas Coia and Fiscal Officer John Dalziel.

The meeting was called to order at 8:00 AM.

Sue Fields announce that Brimfield Township won the NOPEC 20 year recognition award.

MOTION #2019-288

Sue Fields moved to approve the minutes from the 11/6/19 regular meeting. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Passed

MOTION #2019-289

Mike Kostensky moved to approve agenda as amended to include PD 2. Executive Session, Adm. 5. Census 2020, Parks 2. Safety Town, Fiscal 2. Liquor Permit. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Passed

MOTION #2019-290

Mike Kostensky moved to approve PO's. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Passed

MOTION #2019-291

Mike Kostensky moved to approve the warrants. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Passed

**Public Comments:** Dave Soos 3993 Sunnybrook had questions about development and additional safety forces.

**Roads:**

MOTION #2019-292

Mike Kostensky moved to approve to take the cemetery dump truck #21 to the Edinburgh Auction for disposal. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Passed

**Police:** No Action

**Fire:** No Action

**Administration:**

MOTION #2019-293

Nicholas Coia moved to approve the TIRC meeting minutes from 3/19/19 as displayed below. Sue Fields second.

**Enterprise Zone agreements reviewed, status, recommendations, actions and/or comments**

**Business:** Insite / Rubbermaid (EZ)  
**Agreement reviewed?** (Yes or No) Ye  
s  
**TIRC Recommendation (circle one):**  **Continue**  **Amend**  **Terminate**  **Expired**  
**Actions, recommendations and/or comments:** The TIRC reviewed the spreadsheet/report and a motion was made by Mr. Ginn to recommend continuation of the agreement, seconded by Mr. Hlad. All voted in favor and the motion carried.

**Business:** Maplecrest TIF  
**Agreement reviewed?** (Yes or No) Ye  
s  
**TIRC Recommendation (circle one):**  **Compliant**  **Non-Compliant**  
**Actions, recommendations and/or comments:** This is a new TIF and buildings should be going up soon. A motion was made by Mr. Ginn that the developer is in compliance, seconded by Mr. Hlad. All voted in favor and the motion carried.

**Business:** Brimfield Crossing (TIF)  
**Agreement reviewed?** (Yes or No) Ye  
s  
**TIRC Recommendation (circle one):**  **Compliant**  **Non-Compliant**  
**Actions, recommendations and/or comments:** After some discussion of this project, a motion was made by Mr. Ginn that the developer is in compliance, seconded by Mr. Hlad. All voted in favor and the motion carried.

**Business:** Kelso-Schroer (TIF)  
**Agreement reviewed?** (Yes or No) Ye  
s  
**TIRC Recommendation (circle one):**  **Compliant**  **Non-Compliant**  
**Actions, recommendations and/or comments:** A motion was made by Mr. Ginn that the developer is in compliance, seconded by Mr. Hlad. All voted in favor and the motion carried.

**Additional Comments:** \_\_\_\_\_

Mike Kostensky - yea                      Sue Fields - yea  
Nicholas Coia - yea                      Motion Passed

MOTION #2019-294

Sue Fields moved to approve the attached CRA resolution below. Nicholas Coia second.

**BRIMFIELD TOWNSHIP, OHIO**

**A RESOLUTION**

**IN SUPPORT OF THE CREATION OF A NEGOTIATION COMMITTEE FOR COMMUNITY REINVESTMENT AREAS LOCATED WITHIN BRIMFIELD TOWNSHIP**

**WHEREAS,** The Portage County Board of County Commissioners has previously adopted legislation, with the support and consent of the Township, creating community reinvestment areas

within Brimfield Township including, but not limited to, Portage County Commissioners Resolution No. 85-331; and

**WHEREAS**, upon review of the CRAs existing within the Township, the Township Trustees have determine that the creation of a “negotiation committee” as contemplated by the Ohio Development Services Agency and Ohio Revised Code Chapter 3735 is in the best interest of the Township and its residents, as such committee will allow for additional and timely input, exchange of information, and transparency regarding CRA applications coming before the County and impacting Brimfield Township and the Field Local School District; and

**WHEREAS**, it is recognized that the current CRAs existing within the Township are “pre-1994” CRAs, and thus the involvement with and review of applications is more limited, the role of such a negotiation committee may be expanded upon in the event any CRA becomes a “post-1994” CRA by operation of law; and

**WHEREAS**, a negotiation committee will currently assist the political subdivision as well as applicants in understanding the CRA program, process, the potential impacts on the School District, Township and County, and the circumstances under which the maintenance and construction of structures in certain areas would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

**WHEREAS**, the creation of the negotiation committee is not in any way intended to impact or infringe upon the responsibilities or duties of the County, housing council, or the designated housing officer that may responsible for reviewing and verifying elements of CRA applications.

**NOW, THEREFORE, BE IT RESOLVED** by the Trustees of Brimfield Township, County of Portage and State of Ohio:

**Section 1.** That the Brimfield Township Trustees hereby indicate their support for the creation of a “negotiation committee” as contemplated by the Ohio Development Services Agency and Ohio Revised Code Chapter 3735 concerning community reinvestment areas located within Brimfield Township, and operating pursuant to such other rules and regulations as the Township, School District, and County may otherwise agree consistent with Ohio law as well as the following:

- The Negotiation Committee shall be comprised of four members. Two of the members shall be representatives from the Township, and designated by the Township Trustees. The remaining two members shall be representatives from the Field Local School District, as designated by the School Board.
- The County shall immediately forward any applications received by it to the Negotiation Committee, and expedite any requests for information made by the Committee. The Committee shall then timely review any application received by it, inform the Township Trustees and School Board of the nature of the application, and thereafter transmit any comments or concerns the Committee may have to the County prior, including whether or not the application appears to satisfy the requirements set forth in the Revised Code for approval of an application.
- In the event any CRA located within the Township becomes a “post-1994” CRA by operation of law, the Committee shall promulgate standards to thoroughly review the nature of the investment involved, the number and type of positions of employment being created, the infrastructure costs involved with an application, along with the overall impact of proposed projects on the local community, including the School District. Such standards shall be utilized in determining the nature and extent of any CRA application that may be granted.
- In no event shall the Committee’s “Pre-1994” CRA review process delay the County or School Board’s review process.

**Section 2.** That a copy of this Resolution be forwarded to Portage County as well as the School Board for the Field Local School District.

**Section 3.** It is found and determined that all formal actions of the Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 4.** This Resolution shall take effect upon adoption by the Board of Trustees or after the earliest period allowed by law.

Reading Date(s): 11/20/2019

TRUSTEE: \_\_\_\_\_  
Nic Coia

TRUSTEE: \_\_\_\_\_  
Sue Fields

TRUSTEE: \_\_\_\_\_  
Mike Kostensky

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Mike Kostensky - yea Sue Fields - yea  
Nicholas Coia - yea Motion Passed

**Fiscal Office:**

MOTION #2019-295

Nicholas Coia moved to approve the additional office space at Plaza 43 LLC for an additional \$500.00 per month. One Lease for of unit will be signed. Mike Kostensky second.

Mike Kostensky - yea Sue Fields - yea  
Nicholas Coia - yea Motion Passed

MOTION #2019-296

Nicholas Coia moved to table parks car until 12/4/19 meeting. Sue Fields second.

Mike Kostensky - yea Sue Fields - yea  
Nicholas Coia - yea Motion Passed

**Zoning:**

MOTION #2019-297

Nicholas Coia moved to set a public hearing on 12/9/19 at 7 PM for McKinley Development Group LTD zoning changes at the Town Hall. Mike Kostensky second.

Mike Kostensky - yea Sue Fields - yea  
Nicholas Coia - yea Motion Passed

**Parks:** No Action

**Administration:**

MOTION #2019-298

Mike Kostensky moved to amend the agenda to include 2019 Amended Official Certificate of Estimated resources. Nicholas Coia second.

Mike Kostensky - yea Sue Fields - yea  
Nicholas Coia - yea Motion Passed

**Fiscal Office:**

MOTION #2019-299

Mike Kostensky moved to request a hearing at the Board of Liquor control for Thai Monies New C License. Nicholas Coia second.

Mike Kostensky - no Sue Fields - yea

Nicholas Coia - no

Motion Failed

MOTION #2019-300

Nicholas Coia moved to approve the 2019 Amended Official Certificate of Estimated resources to include \$60,000.00 under the General Fund and appropriations under contracted services. Mike Kostensky second.

Mike Kostensky - yea  
Nicholas Coia - yea

Sue Fields - yea  
Motion Passed

MOTION #2019-301

Mike Kostensky moved to adjourn to Executive Session at 9:53 AM to discuss the following.. Nicholas Coia second.

**MOTION FOR EXECUTIVE SESSION  
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, 11/20/2019, Trustee Mike Kostensky moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
  - appointment, employment,
  - dismissal,
  - discipline,
  - promotion,
  - demotion,
  - or compensation of a public employee or official,
  - or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) \_\_\_\_\_  
\_\_\_\_\_

- (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned

Additional Comments (if applicable) \_\_\_\_\_

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) \_\_\_\_\_

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) \_\_\_\_\_

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) \_\_\_\_\_

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) \_\_\_\_\_

(7) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Nicholas Coia.

Roll Call Vote:	Trustee	Mike Kostensky	Yes
	Trustee	Sue Fields	Yes
	Trustee	Nicholas Coia	Yes

Motion Passed

MOTION #2019-302

Mike Kostensky moved to return to regular session. Nicholas Coia second.

Mike Kostensky - yea Sue Fields - yea

Nicholas Coia - yea

Motion Passed

No Action as a result of Executive Session.

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Nicholas Coia moved at 10:17 AM to adjourn. Motion seconded by Mike Kostensky. Upon a roll call vote passed unanimously.

We, the Trustees of Brimfield Township, do hereby set out hands as approval of the foregoing minutes as a true and accurate record of the proceedings.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Fiscal Officer