



**COALITION of LARGE OHIO URBAN TOWNSHIPS**  
**Executive Committee Meeting**  
**Monday, April 29, 2019**

**10:30 a.m.**

**MINUTES**

- I. Welcome - Chair Matacic called the meeting to order at 10:40 a.m. The following members were in attendance: Lee Bodnar (Central), John Crandall (Northwest), Jeff Ferrell (Northwest), Helen Humphrys (East), Christine Matacic (Southwest), Karl Schultz (Southwest), and Paul Wise (Central). Tom Costello (East), John Eisel (Central), and Barry Tiffany (Southwest) participated via phone. OTA staff members present included Matthew J. DeTemple, Heidi M. Fought, and Marisa Myers. Chair Matacic introduced Ms. Myers as the new Director of Governmental Affairs at the OTA. Additionally, the Chair welcomed Lee Bodnar as a new Executive Committee member from the Central region, due to the retirement of Tracy Hatmaker. Chair Matacic also noted updates to the CLOUT section on the OTA's website.
- II. Procedural
- A. Approval of October 3, 2018 and January 31, 2019 Minutes – **Wise moved, seconded by Schultz, to approve the minutes of the October 3<sup>rd</sup> and January 31<sup>st</sup> Executive Committee meetings. Without objection, motion carried.**
  - B. Election of Vice Chair – Filling a vacancy left by Tracy Hatmaker (Central) after his retirement, Humphrys nominated, seconded by Schultz, Barry Tiffany to served as Vice Chair of the CLOUT Executive Committee. Costello moved, seconded by Wise, to close nominations. **Without objection, Tiffany was approved as Vice Chair.**
  - C. Possible Clarification of Bylaws – Fought explained the 2020 bylaw changes made and clarified that the document is an initial draft that would ultimately have to be approved by the general membership. **Tiffany moved, seconded by Schultz, to advance the document with additional technical changes if necessary. Without objection, motion carried.**
  - D. Membership Update – Chair Matacic gave an update of current CLOUT membership. She reported that there were an equal number of new members and nonrenewals for 2019. Fought asked Executive Committee members to reach out to nonmembers in their regions.
  - E. Review of CLOUT Financials – Chair Matacic reported that as of April 29<sup>th</sup>, the CLOUT fund had a balance of \$116,296.76.
  - F. Future Meeting Dates – The Committee set June 10<sup>th</sup> and October 21<sup>st</sup> as future meeting dates. Tiffany requested to alternate either the 1<sup>st</sup> and 3<sup>rd</sup> or 2<sup>nd</sup> and 4<sup>th</sup> Mondays in the future to accommodate township meetings.
- III. Legislative
- A. Review of Legislation Pending 133<sup>rd</sup> General Assembly – Myers provided the Committee with a legislative status sheet of bills pending before the General Assembly that have or may have an impact on townships. Specifically, she reviewed the following bills: HB 78 (Prevailing Wage), HB 163 (Fair Water Pricing), SB 105 (Massage Regulations), and SB 114 (Noise Regulations). Additionally, Myers provided summaries of HB 62 (Transportation Budget) and HB 166 (Operating Budget) and walked through provisions of both bills. Tiffany brought up the issue of enforcing noise regulations and requested that members forward their township's noise resolutions. Chair Matacic asked about SB 132 and the inequities of the distribution of gas tax revenues.

- B. CLOUT Priorities – Myers reviewed the 2019 CLOUT Legislative Priorities and highlighted provisions active in pending legislation.
- C. Road Signs Update – Schultz updated the Committee that Miami Township has successfully worked with ODOT District 8 to erect township road signs and encouraged members to talk with their districts.
- D. Other – Humphrys requested a change to state law that would allow township representation on public housing boards. She encouraged resolutions in support of the concept to be sent to the OTA for review by the Board.

#### IV. Legal

- A. Request for Litigation Assistance – The Committee received a request for litigation assistance from Concord Township (Lake County) in *Concord Real Estate Investments, LLC v. Concord Township-City of Painesville Joint Economic Development District*. The case is currently pending in the Lake County Court of Common Pleas. The Committee discussed its traditional support of litigation upon appeal. The Committee also discussed noting this preference on the application form but retaining flexibility in the policy. The Committee determined to revisit the case based on the ruling by the Court of Common Pleas.
- B. Amicus Briefs – DeTemple gave an update three cases: *Renee McConnell, et al. v. Donald C. Dudley, et al.*, *Columbus Bituminous Concrete Corp. v. Harrison Township Board of Zoning Appeals*, and *New Riegel Local School District Board of Education v. The Buehrer Group*. The *McConnell* case questions whether a political subdivision is immune from liability for allegations of negligent hiring or failure to train or supervise police officers. When considering an application for a conditional use permit for surface mining activities, the *Columbus Bituminous Concrete Corp* case questions whether a township board of zoning appeals can apply general welfare standards applicable to all conditional uses and deny a permit on that basis. The *New Riegel* case contemplates the applicability of R.C. §2305.131 (statute of repose) to breach of contract claims in addition to tort claims. The cases do not involve CLOUT directly, but the OTA is an amicus in all three.

#### V. Informational

- A. Wage and Benefits Survey – Crandall reported that information is being compiled for the Wage and Benefits Survey.
- B. Cox Report Update – Fought reported that the Cox Report is in the last round of edits. The delay was caused by finding information for the economic development piece, but information was eventually found from the Tax Credit Authority. The Committee discussed the marketing of the report.

#### VI. Items for the Good of the Coalition

- A. Chair Matacic discussed the potential for sponsors at CLOUT Executive Committee meetings. The general consensus was against sponsorship at this point. However, the Committee will look into the issue for CLOUT events at the OTA Winter Conference.

#### VII. Adjournment - **Humphrys moved, seconded by Schultz, to adjourn** the meeting at 12:46 p.m.