



COALITION of LARGE OHIO URBAN TOWNSHIPS
Executive Committee Meeting
Wednesday, July 10, 2019

10:30 a.m.

MINUTES

- I. Welcome - Chair Matacic called the meeting to order at 10:42 a.m. The following members were in attendance: Lee Bodnar (Central), Gary Boyle (Northwest), John Crandall (Northwest), Andy Glenn (Northwest), Christine Matacic (Southwest), Karl Schultz (Southwest), and Barry Tiffany (Southwest). Jeffrey Markley (East) and Paul Wise (Central) participated via phone. OTA staff members present included Matthew J. DeTemple, Heidi M. Fought, and Marisa Myers. Also in attendance was Oliver Turner, the Township Administrator for Sylvania Township. The Committee held a moment of silence for the passing of Executive Committee member John Eisel (Central). Chair Matacic suggested a donation in Eisel's honor to two preferred charities: Box 15 Club, Inc. and Firefighter Cancer Support. **Glenn moved, seconded by Tiffany, to donate \$100 to each charity in honor of John Eisel. Without objection, motion carried.** Additionally, the Committee discussed a commendation to recognize Eisel's service to CLOUT, the OTA, and Violet Township. **Schultz moved, seconded by Tiffany, to approve a commendation recognizing John Eisel and send it to his family.**
- II. Procedural
- A. Approval of April 29, 2019 Minutes – **Schultz moved, seconded by Tiffany, to approve the minutes of the April 29th Executive Committee meeting. Without objection, motion carried.**
 - B. Membership Update – Chair Matacic reported that there are 55 CLOUT members as of the meeting. Crandall noted that Sylvania Township's dues are in the mail.
 - C. Review of CLOUT Financials – Chair Matacic reported that as of July 9th, the CLOUT fund had a balance of \$116,296.76.
- III. Legislative
- A. Review of Legislation Pending 133rd 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 6 (Clean Energy Program), HB 78 (Prevailing Wage), HB 80 (BWC Budget), HB 143 (Volunteer Tax Incentives), HB 163 (Fair Water Pricing), HB 218 (Public-Private Initiatives), HB 242 (Auxiliary Containers), SB 105 (Massage Regulations), and SB 114 (Noise Regulations). Additionally, with the General Assembly's budget process behind schedule, Myers provided a summary of HB 166 (Operating Budget) and walked through provisions of the bill.
 - B. CLOUT Priorities – Myers reviewed the 2019 CLOUT Legislative Priorities and highlighted provisions active in pending legislation. Chair Matacic discussed a possible amendment to HB 166 that would allow township TIF approval by majority vote and suggested consideration of this change for future inclusion in CLOUT priorities.
 - C. Police/Fire Levies – Chair Matacic updated the Committee on a request from West Chester Township for a legislative change that would allow joint police and fire levies to be continuous, as police levies and fire levies are under current law. It was agreed to include this provision in the forthcoming township omnibus bill.
 - D. Other – Tiffany suggested a legislative change to permit a township to place a levy on the ballot to support the funding of a school resource officer. He noted that a bond levy could

be specific for security of the building and that there are members of the Legislature interested in this issue. At the request of the Chair, he will put a written proposal together for the next Committee meeting.

IV. Legal

- A. Request for Litigation Assistance – Based on feedback from the last meeting, OTA staff updated the Request for Litigation Assistance form to reflect the Committee’s traditional support of litigation upon appeal but retaining flexibility in the policy. **Schultz moved, seconded by Tiffany, to adopt the updated form. Without objection, motion carried.**
- 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. All three cases are still pending a decision by the Ohio Supreme Court. The cases do not involve CLOUT directly, but the OTA has filed an amicus brief in all three.

V. Informational

- A. Wage and Benefits Survey – Crandall and Turner shared the updated wage and benefits survey compilation and distributed a summary. Crandall noted that there are 34 respondents in the summary. Crandall said he would submit the information to OTA staff for further distribution.
- B. Cox Report Update – Fought reported that the updated Cox Report is complete, and OTA staff are working on distribution material. DeTemple noted that data on economic activity was difficult to find but anecdotal information is included in the report. Fought stated that the rollout of the Cox Report will be at the 2020 OTA Winter Conference and that Wendell Cox, the author of the report, will be speaking at the Thursday general session and CLOUT’s annual meeting. She stated that distribution material will include printed informational material and general press releases to distribute in local communities.
- C. Winter Conference – Fought gave several updates for the 2020 OTA Winter Conference. She noted that it is an OTA election year. In addition to Wendell Cox’s presentation, she stated that CLOUT will also have to approve the updated bylaws at the conference. Chair Matacic brought up for discussion the idea of securing an additional room for the CLOUT annual meeting in anticipation of increased attendance. It was agreed OTA staff would look into cost for a larger space. The Committee also discussed continuation of CLOUT sponsored snack breaks at the Winter Conference. **Tiffany move, seconded by Glenn, to sponsor two snack breaks at a cost of \$7,500 each at the Winter Conference. Bodner opposed. Motion carried.**

VI. Items for the Good of the Coalition

- A. Glenn asked for an update on the potential legislative change to allow townships flexibility to contract for building code services rather than being obligated to work with the county building department if the township does not have its own building department.

VII. Adjournment – **Schultz moved, seconded by Tiffany, to adjourn** the meeting at 1:59 p.m.