

SPECIAL MEETING HELD SEPTEMBER 25, 2024 AT 7:00PM

TRUSTEES WILSON, STEIMLE, AND DURBIN AND FISCAL OFFICER KATHY BRANNOCK MET ON SEPTEMBER 25, 2024 AT 7:00PM TO GET PUBLIC INPUT REGARDING LOUD NOISE AND MARIJUANA SALES REGULATIONS.

AFTER THE PLEDGE OF ALLIGENCE AND PRAYER BY KATE MARTIN THE MEETING WAS CALLED TO ORDER.

TRUSTEE WILSON READ THE PUBLIC PARTICIPATION POLICY. EACH SPEAKER HAS 5 MINUTES WITH A TOTAL MEETING TIME OF 1 HOUR.

LOUD NOISE

GREG SCHULER- GREG ASKED IF THERE IS A RESOLUTION DRAFTED FOR LOUD NOISE. TRUSTEE STEIMLE EXPLAINED THAT THE TRUSTEES ARE ASKING FOR PUBLIC INPUT ON THE SUBJECT. GREG STATED THAT IT IS DIFFICULT TO DETERMINE WHAT IS "LOUD" NOISE. HE QUESTIONED HOW THE RESOLUTION WOULD DEFINE WHAT LOUD NOISE IS AND HOW WOULD BE ENFORCED AND WHAT WOULD BE THE PENALTY. OTHER MUNICIPALITIES HAVE TROUBLE ENFORCING IT. TRUSTEE WILSON RESPONDED THAT THERE IS NO RESOLUTION. THE PURPOSE OF THIS MEETING IS TO SEE IF PEOPLE WANT IT. THIS IS STEP 1. THE SECOND STEP WOULD BE TO SEE WHAT OTHER TOWNSHIPS HAVE DONE. IT WOULD BE REVIEWED BY THE PUBLIC BEFORE PROCEEDING. GREG STATED THAT DECIBLE READINGS ARE NOT RELIABLE. TRUSTEE STEIMLE STATED THAT FOOTBALL GAMES, ETC. ARE EXEMPT. THE O.R.C. ONLY GIVES THE TRUSTEES THE AUTHORITY TO REGULATE LOUD NOISE IN RESIDENTIALLY ZONED AREAS. TATE TOWNSHIP IS MOSTLY AGRICULTURELY ZONED. THERE ARE SMALL POCKETS THAT COULD BE REGULATED IF THE RESIDENTS WANT IT. OFFICER PIKE STATED THAT THE DISORDERLY CONDUCT STATUTE IS A TOOL THAT CAN BE USED TOWNSHIP WIDE.

ROB WILLIAMS-ROB STATED THAT AS A FORMER ZONING INSPECTOR HE NEVER RECEIVED A COMPLAINT FOR LOUD NOISE. ONLY 1 PERSON HAS COMPLAINED. HE FEELS THAT IT IS ODD THAT THE TRUSTEES WOULD CONSIDER REGULATING IT. HE SUGGESTED THAT MAYBE IT'S NOT LOUD MUSIC BUT THE TYPE OF MUSIC THAT IS THE ISSUE. HE STATED THAT WE LIVE IN THE COUNTRY AND SHOULD ABLE TO LISTEN TO WHAT WE WANT.

BRANDY SOWARDS-BRANDY STATED THAT A CHURCH RECENTLY HAD A 3 DAY EVENT THAT WAS NOISY. SHE DID NOT COMPLAIN ABOUT IT. SHE QUESTIONED HOW NOISE WOULD BE DISTINGUISHED AS BEING LOUD. IT'S RELATIVE.

ANNETTE DISHON- ANNETTE STATED THAT THE STATE OF OHIO SAYS YOU HAVE A RIGHT TO PEACEFUL ENJOYMENT OF YOUR PROPERTY. LOW FREQUENCY VIBRATIONS TRAVEL. IT AFFECTS THE HEART RATE, CAUSES ANXIETY, AND AFFECTS HEALTH. SHE FEELS THAT IT SHOULD NOT MATTER IF ITS AGRICULTURALLY OR RESIDENTIALLY ZONED.

TRUSTEE WILSON ASKED FOR COMMENTS:

KATE MARTIN STATED THAT SHE LIVES ACROSS FROM SINGLETON FARMS. THE DRIERS ARE VERY LOUD. SHE STATED THAT, "JUST BECAUSE IT DOESN'T AFFECT YOU DOESN'T MEAN IT DOESN'T AFFECT OTHERS".

BRANDY SOWARDS ASKED IF A PERSON ALSO HAS THE RIGHT TO LISTEN TO THEIR MUSIC AND ENJOY THEIR PROPERTY AS WELL.

TRUSTEE WILSON ASKED OFFICER PIKE FOR COMMENTS. LOUD NOISE IS DETERMINED BY DISTANCE, DECIBEL LEVELS AND TIME OF THE DAY (11PM) THE O.R.C. DEFINES "UNREASONABLE NOISE". THE RESPONDING OFFICER DETERMINES IF IT IS UNREASONABLE.

RETAIL MARIJUANA

TRUSTEE WILSON STATED THAT HE WANTED TO CLEAR UP ANY MISUNDERSTANDING OF WHERE THE TRUSTEES HAVE JURISDICTION. THE VILLAGE IS THE TOWN COUNCIL'S JURISDICTION, FROM ACE HARDWARE TO STERLING ROAD AND KENNEDY FORD TO CLARK STREET. IN MARCH OF 2024 THE TRUSTEES FROZE MARIJUANA SALES FOR SIX MONTHS. IN JULY THE STATE WAS GOING TO ISSUE LICENSES FOR SALES. IT WAS NOT TO BAN SALES BUT TO ESTABLISH GUIDELINES. THE TRUSTEES ADDED AN ADDITIONAL SIX MONTHS TO ALLOW FOR THE PROCESS TO APPROVE A ZONING REGULATION. IT WOULD TAKE AT LEAST NINETY DAYS. FIRST THE PROPOSED REGULATION WOULD GO TO THE COUNTY PLANNING COMMISSION, THEN THE ZONING COMMISSION, AND FINALLY TO THE TOWNSHIP TRUSTEES. THE TRUSTEES WANT THE PUBLIC TO PROVIDE INPUT BEFORE PROCEEDING. THIS SPECIAL MEETING IS BEING HELD TO GET PUBLIC INPUT. THIS MEETING ROOM IS USED FOR OTHER PURPOSES AND MUST BE SCHEDULED AROUND THOSE. THERE IS A TWENTY-FOUR HOUR NOTICE REQUIREMENT REGULATED BY THE SUNSHINE LAW. THERE WAS PLENTY OF NOTICE GIVEN FOR THIS MEETING. THE TRUSTEES HAD THIS MEETING TO BE OPEN AND TRANSPARENT TO THE PUBLIC. STEP 1- PUBLIC INPUT, STEP 2-LOOK AT OTHER TOWNSHIP EXPERIENCES, STEP 3- (A)COUNTY COMMISSION PUBLIC HEARING (B) ZONING COMMISSION PUBLIC HEARING, (C) TRUSTEES PUBLIC HEARING. THE TRUSTEES HAVE TO CONSIDER EVERYONE. TRUSTEE DURBIN WENT TO THE BOARD OF ELECTIONS TO SEE HOW PEOPLE FEEL ABOUT MARIJUANA SALES. THE RESULTS WERE ALMOST FIFTY-FIFTY. THERE ARE FIVE SCHOOLS, THIRTEEN CHURCHES, AND DAY CARES TO CONSIDER. THE TRUSTEES ARE TRYING TO MEET IN THE MIDDLE. TRUSTEE DURBIN STATED THAT "WE WORK FOR THE PEOPLE, WE WANT PEOPLE TO GET INVOLVED."

TOD & TARI DEPOY-THEY ARE AGAINST MARIJUANA SALES. MARIJUANA IS STILL A SCHEDULE 1 DRUG. BANKS WILL NOT ACCEPT CREDIT CARD PAYMENTS. THERE IS A ROBBERY RISK DUE TO THE AMOUNT OF CASH ON HAND. MARIJUANA USE LEADS TO OTHER DRUG USE. A TEN YEAR STUDY IN COLORADO SHOWED THAT AUTO ACCIDENTS AND THEFTS WENT UP. THC LEVEL IS HIGHER THAN IN PREVIOUS YEARS. THEY ARE CONCERNED THAT TOBACCO STORES WILL SELL IT. WHO WILL STOP IT BEING SOLD TO CHILDREN? THEY DO NOT WANT IT SOLD HERE; DON'T NEED THIS IN THIS COMMUNITY.

BRANDY SOWARDS-BRANDY VOICED CONCERN ABOUT PUBLIC NOTICES. SHE ASKED IF THE REGULATION WOULD BE COMPLETED IN SIXTY DAYS. TRUSTEE WILSON STATED THAT THIS IS THE FIRST STEP. HE EXPLAINED THAT THE TOWNSHIP HAS GONE ABOVE AND BEYOND POSTING NOTICES FOR THE SPECIAL MEETING. BRANDY STATED THAT SHE IS NOT RECEIVING NOTICES FROM THE TOWNSHIP WEBSITE. TRUSTEE WILSON EXPLAINED THAT THE TRUSTEES ARE WORKING ON UPDATING THE WEBSITE. BRANDY ASKED IF THE TRUSTEES HAD CONSIDERED THE REVENUE THAT THE SALES COULD BRING IN. ALSO, THERE IS SECURITY AT THESE BUSINESSES. PEOPLE MUST HAVE I.D.'S TO GET IN. SHE ASKED WHY THEY CONSIDER CHURCHES AND SCHOOLS IF THEY ARE IN THE VILLAGE.

ROB WILLIAMS-HE IS FOR MARIJUANA SALES. IF PEOPLE WANT IT THEY WILL GET IT. EASTGATE AND NEW RICHMOND HAVE SALES. IT'S SILLY FOR THE TOWNSHIP NOT TO ALLOW IT. PROPERTY TAXES WILL CONTINUE TO GO UP. HE SEES IT AS AN OPPORTUNITY FOR A BUSINESS TO COME INTO THE TOWNSHIP AND BRING REVENUE.

RON ANTER-SCHOOLS GIVE NO HELP WITH DRUG PROBLEM. DON'T PUT IT IN OUR BACKDOOR. THEY CAN GET IT DOWN THE ROAD.

GREG SCHULER- GREG STATED THAT ISSUE 2 PASSED IN THE TOWNSHIP 51 TO 49 PERCENT AND IN THE VILLAGE 57 TO 43 PERCENT. THE ISSUE OF REVENUE IS THE ONLY POSITIVE THING ABOUT IT. YOU MUST BE TWENTY-ONE TO BUY IT. THERE IS A 10% EXCISE TAX THAT IS DIVIDED BETWEEN 4 PLACES. 36% OF THE 10% (3.6%) OF THE TOTAL SALES WOULD GO TO THE COMMUNITY. IF 1 MILLION DOLLARS IS SOLD IT WOULD ONLY GENERATE \$36,000.

LYNN BUEDE-HOW MANY STORES WOULD THERE BE? WHY DO WE NEED IT HERE? IS THERE A REQUIRED DISTANCE BETWEEN STORES? HOW MANY CAN THERE BE? ARE THERE RESTRICTIONS REGARDING SCHOOLS? IT COULD CAUSE AN INCREASE IN VANDALISM. WHAT TYPE OF POLICE COVERAGE WOULD THERE BE? WHO IS RESPONSIBLE? WOULD THERE BE MORE TAXES? IF SOLAR GENERATES TAXES WHY DO WE NEED MARIJUANA REVENUE? MT. ORAB HAS NOT RECEIVED ANY TAXES FROM SOLAR FARMS SINCE 2019. IS IT GOING TO INCREASE MUTUAL AID TO THE VILLAGE FROM OUR POLICE OFFICER?

AMY HUTCHINSON CAMPBELL-IT IS NOT A GOOD INCOME MAKER; NOT A POSITIVE THING. THERE ARE MEDICINAL USES FOR MARIJUANA. THINKS IT'S SELF DISCERNMENT. SHE KNOWS SOMEONE STRUGGLING WITH ADDICTION. SHE APPRECIATES THE TRUSTEES TAKING PUBLIC INPUT. SHE STATED THAT THE PUBLIC NOTICE IS ON THE WEBSITE.

RAY MONTGOMERY-HE STATED THAT HE RECEIVED E-MAILS FOR EVERY SPECIAL MEETING. THIS IS SOMETHING NEW. IT'S NOT ILLEGAL. ALCOHOL, CIGARETTES, VAPING EXISTS. "GO WITH THE FLOW AND SEE WHAT HAPPENS." 10% OF MARIJUANA SMOKERS ARE ADDICTED. HE THINKS THAT MOST PEOPLE TAKE IT HOME AND DOESN'T THINK A ROBBER IS ABOUT TO ROB THE BUSINESS. HE ASKED THE TRUSTEES TO LOOK AT IT THE BEST THEY CAN. THERE ARE OTHER BUSINESSES NEARBY AND DOUBTS MANY WOULD OPEN. TRUSTEE WILSON STATED THAT IS SOMEONE BUYS RESIDENTIAL PROPERTY THEY COULD ASK TO CHANGE THE ZONING TO

COMMERCIAL. MR. MONTGOMERY COMMENDED THE TRUSTEES ON THE JOB THEY ARE DOING.

TRUSTEE STEIMLE ASKED OFFICER PIKE FOR INPUT. DETERMINATION OF DUI/OVI IS THE SAME SOBRIETY TEST. IT IS HARDER TO DETECT FOR DRUGS, PUPIL, SMELL. HE HAS TWENTY-FIVE YEARS OF EXPERIENCE. MARIJUANA IS NOT ALLOWED TO BE SMOKED WHILE DRIVING. PORTABLE BREATH TEST IS NOT ADMISSABLE IN COURT. THERE HAS BEEN A SEVERE INCREASE IN SMALL CHILDREN GETTING INTO MARIJUANA. IT LOOKS LIKE CANDY (GUMMIES, SKITTLES). THIS LEADS TO CHILD ENDANGERMENT CHARGES. IT IS GREAT FOR MEDICAL PURPOSES. ADULTS NEED TO BE MORE RESPONSIBLE. IT IS ACCESSIBLE IN OTHER TOWNS.

TRUSTEE STEIMLE STATED THAT THE TRUSTEES APPRECIATED PEOPLE COMING OUT. THE TRUSTEES WANT TO BE DILIGENT AND FAIR.

TRUSTEE WILSON REITERATED THAT THIS IS THE FIRST STEP OF THREE. HE THANKED EVERYONE TO COMING OUT AND HAVING AN ORDERLY MEETING.

MOTION BY DURBIN TO ADJOURN, 2ND BY STEIMLE.