



COALITION of LARGE OHIO URBAN TOWNSHIPS
Executive Committee Meeting
Monday, October 21, 2019

10:30 a.m.

MINUTES

- I. Welcome - Chair Matacic called the meeting to order at 10:38 a.m. The following members were in attendance: Gary Boyle (Northwest), Tom Costello (East), Christine Matacic (Southwest), Karl Schultz (Southwest), Cheryl Sieve (Southwest), Barry Tiffany (Southwest), and Paul Wise. A quorum was not present. OTA staff members present included Matthew J. DeTemple, Heidi M. Fought, and Marisa Myers.
- II. Procedural
 - A. Approval of July 10, 2019 Minutes – Not having a quorum present, the committee did not approve the minutes from the July 10th meeting.
 - B. Membership Update – Chair Matacic reported that there are 56 CLOUT members as of the meeting.
 - C. Review of CLOUT Financials – Chair Matacic reported on the current and long-range financials of the Committee. As of October 18th, the CLOUT fund had a balance of \$116,683.76. Chair Matacic review a five-year projected budget with the Committee.
- 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 163 (Fair Water Pricing), SB 105 (Massage Regulations), and SB 180 (Industrial Development Bonds), and the forthcoming township omnibus bill.
 - B. CLOUT Priorities – Myers reviewed the 2019 CLOUT Legislative Priorities and highlighted provisions active in pending legislation. Schultz provided an update on township roadway signs. He shared that Miami Township was able to come to an agreement with the ODOT District Office regarding where signs marking Miami Township jurisdiction can be placed; this may serve as a model for other townships and ODOT jurisdictions.
 - C. Other Legislative Proposals – Myers gave an updated on two additional pieces of legislation: HB 308 (PTSD Coverage) and HB 330 (Firefighter Cancer Claims). The Committee also discussed Tiffany’s proposed legislative change to permit a township to place a levy on the ballot to support the funding of school safety measures, including a school resource officer, updated building security, or other items. The Committee will include this in the CLOUT legislative priorities.
 - D. Capital Budget – Myers reviewed the upcoming capital budget and the process for submitting a project. She encouraged Executive Committee members to share this information and consider submitting projects.
- IV. Legal
 - A. 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. These two cases are still pending before the Ohio Supreme Court. 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. On July 17, 2019, the Court determined that yes, Ohio's statute of repose does apply to breach of contract claims, siding against New Riegel Local School District. These cases do not involve CLOUT directly, but the OTA has filed an amicus brief in all three.

- B. Amicus Brief Request – The Committee received a request from Perkins Township (Erie County) that CLOUT file an amicus brief in support of jurisdiction of the Ohio Supreme Court to accept their case regarding collective bargaining for review. The committee took an email vote in support of filing the amicus brief, but ultimately Perkins Township decided not to pursue the appeal and the brief was not filed.

V. Informational

- A. Cox Report Update – Fought reminded the Committee 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. Each conference attendee will receive a brochure and the full report will be distributed to members of the General Assembly. The OTA hopes to have media opportunities at the conference as well.
- B. Winter Conference – On July 16th, the Committee voted unanimously via email to purchase an extra room in Pod B at the Greater Columbus Convention Center for the CLOUT luncheon, due to Wendell's attendance and CLOUT elections. The cost will be approximately \$750. Myers also stated that the OTA is putting together an additional workshop for CLOUT in the extra room at 4:45 p.m. on Thursday. Chair Matacic will send an email for volunteers at CLOUT snack breaks.

VI. Items for the Good of the Coalition

- A. Wise requested an updated on the wage and benefit survey. Fought stated that she is reformatting the document and will distribute it to the Committee.
- B. DeTemple reviewed the President's Executive Order on affordable housing, which lists local government zoning as overly burdensome (among other items) and creates a council to streamline housing processes. NATaT will be working on this issue and is looking for a township representative to interface with the council. DeTemple requested that any suggestions be submitted to OTA staff.

VII. Adjournment – The Committee meeting adjourned at 1:45 p.m.