

RECORD OF PROCEEDINGS
AUBURN TOWNSHIP BOARD OF TRUSTEES

Minutes of

Regular Meeting

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Auburn Township Administration Building – June 1, 2026 - Page 1

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The regular meeting of the Auburn Township Board of Trustees was called to order at 7:00 p.m. by Trustee Chairman Michael S. Troyan. Also present were Trustees Patrick J. Cavanagh and Riley Davis. Mr. Dan Matsko, Fiscal Officer was also in attendance.

The Pledge of Allegiance was led by Auburn Township Zoning Inspector Frank Kitko.

GUESTS:

Mr. Nathan Epprecht introduced himself as the owner and member of MT Enterprises LLC, the LLC that owned the corner property on Munn Road and Crackel Road. He stated he was there today to ask some zoning related questions to Frank Kitko, Zoning Inspector for Auburn Township, also to address any concerns or questions from Mr. Kitko and the Trustees. Mr. Epprecht said he was not going to be taking any comments from the general public or residents.

1. Mr. Epprecht asked Mr. Kitko if personal recreational off-road vehicle use – ATV's, dirt bikes, side-by-sides, and snowmobiles – were prohibited on R-1 zoned property. Mr. Kitko said they were prohibited but could become an issue if the noise became an issue.
2. Mr. Epprecht asked if personal recreational off-road use was considered high impact in any way. Mr. Kitko said it could, if it violated the maintenance standards.
3. Mr. Epprecht asked Mr. Kitko if he was aware of any other personal-use off-road trails or riding areas within the Township and Mr. Kitko replied no.
4. Mr. Epprecht stated the letter he received from zoning about riding talked about Section 3.02 Maintenance Standards and how dirt biking could breach 3.02(a)(5) objectional noise and 3.02(a)(1) air pollution or dust. He asked how was "objectionable noise" defined and how was air pollution defined. Mr. Kitko said he did not believe his letter referred to air pollution, but if it did, it would probably involve the EPA. Mr. Kitko said there were some standards for noise, referring to decibel readings that applied to commercial and industrial uses. If the decibel rating exceeded that, certainly being in a residential area, that would be considered a nuisance violation.
5. Mr. Epprecht asked how noise, air pollution and dust were enforceable and how they were enforced in the past. Mr. Kitko said they haven't had any of those issues and for enforcement, they would have to seek legal action through the prosecutor's office.
6. Mr. Epprecht said he was assuming noise, air pollution and dust have never been enforced for any sort of riding activities before, and Mr. Kitko said they haven't had any riding issues before.
7. Mr. Epprecht asked what other permits, other than a soil-disruption permit from Township zoning, would he need to build a backyard-style motocross track for personal use only. Mr. Kitko said if it was for personal use, he would need a land-disturbing activities permit with a drawing showing what he was doing. If he was going to do any mounding, Mr. Kitko would need to see that, as there were restrictions on heights of mounds. Four feet in the front, six feet in the side and rear yards. If he were to exceed those, he would have to request a variance to do so.
8. Mr. Epprecht asked Mr. Kitko if the Township could recommend any operational limits or voluntary measures that would demonstrate his good faith compliance with his personal off-road use. Mr. Kitko responded that Mr. Epprecht could refer to a section of the Zoning resolution and maintenance standards 4(a) that gave decibel readings which were acceptable in the business district. He gave Mr. Epprecht some examples from the Zoning resolution.

Mr. Epprecht said that was all of the questions he had and asked Mr. Kitko if he had any questions for him. Mr. Kitko said the biggest question he had – was Mr. Epprecht going to live at the property and Mr. Epprecht answered yes, he was waiting for the farm to develop more - once the farm was developed, they will be moving in. Mr. Kitko noted there was a lot of speculation

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and comments from residents in the Township who said Mr. Epprecht was not going to live there, and if he did not live there, that would become a different issue.

Mr. Kitko advised Mr. Epprecht that until he actually submitted his land-disturbing plan to the office and went through Geauga Soil and Water, he could not tell him anymore until he received that information. Mr. Kitko explained he knew Mr. Epprecht tested at least twice, and the last time he tested, Mr. Kitko sat on the road and didn't hear any sound from the bike and noted Mr. Epprecht might have been riding on the northwest side of the property, far enough away that he didn't really hear any noise. Mr. Kitko did hear a weed eater that was louder.

Mr. Epprecht asked if it was OK if he did more 20-minute test rides, and Mr. Kitko said yes.

Mr. Kitko said he wanted to set the record straight – F & M Concrete, did not have anything to do with pouring the floor in Mr. Epprecht's building – his company had nothing to do with that. Mr. Kitko explained that his grandson and Mr. Epprecht went to school together. Mr. Epprecht reached out to Mr. Kitko's grandson prior to Mr. Epprecht coming to Auburn Township, and they worked out a deal. Mr. Kitko's company had nothing to do with it. Mr. Kitko asked Mr. Epprecht if that was correct and Mr. Epprecht concurred, stating everything went through Mr. Kitko's grandson.

Mr. Epprecht asked the Trustees if they had any questions for him, and Mr. Troyan said they had been following along like everyone else to see where it will go. Mr. Troyan noted anyone could ride a motorcycle on their private property, but could not build a commercial track, put stands up and sell tickets. Mr. Troyan instructed Mr. Epprecht that everything should go through the Zoning Inspector, and the best thing Mr. Epprecht could do was to keep communicating with Mr. Kitko.

Mr. Cavanagh addressed Mr. Epprecht and observed everything was pretty hypothetical until he requested a permit for whatever it was he was going to do. Mr. Cavanagh appreciated the invite for Mr. Epprecht's test ride. Mr. Cavanagh noted that he can watch dirt bikes run up and down Stafford Road.

Mr. Davis addressed Mr. Kitko and verified with him the Township did not have a residential noise resolution (Section 7 versus Section 3), and Mr. Kitko concurred. Mr. Kitko said if the noise did become a nuisance; they would have to bring in some experts and take constant readings and have it determined. Mr. Kitko assumed if the noise went over 65 decibels for very many hours; it would be considered a nuisance. He noted that a leaf blower, a lawnmower, they all at times could create over 65 decibels of noise. He felt you couldn't single out anybody, one person, or a group of people if it was an hour or two, but if it was constant, two to three hours every day, then it was a nuisance. Resident, audience member, and BZA member John Nesi questioned Mr. Kitko about his quoting of decibel levels, when the Zoning Resolution purely stated objectionable noise was a nuisance, period.

Mr. Davis thought the Zoning Resolution was ambiguous, and wondered what they would do moving forward, as anybody could object to noise volume the way it was written. Mr. Kitko said it would become his personal determination, versus the public in general. If enough people approached him and he felt confident enough, then it would be a nuisance and they would go to court and let a judge decide, that was the way it worked – there was no other way to do it. Mr. Cavanagh noted zoning had its built-in steps that were far from immediate, and he felt that as far as disturbing the peace, that it was a civil ordinance. Mr. Kitko agreed, and said if the motocross track came to fruition, and residents had issues with it civilly, they had a better chance of winning a civil case and a much faster resolution than the Township would. Mr. Kitko noted one resident told him, if it became an issue, he would take care of it himself, as he was an attorney and he knew how to take care of it. Mr. Cavanagh clarified through the legal system and Mr. Kitko concurred, through the legal system, not zoning.

Mr. Troyan thanked Mr. Epprecht for attending the meeting and Mr. Epprecht thanked the Trustees for their time.

MINUTE APPROVAL:

Motion by Michael S. Troyan and seconded by Patrick J. Cavanagh, to approve the minutes of the Regular Meeting of the Auburn Township Board of Trustees held on May 18, 2026.

VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.

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SCHEDULED REPORTS:

Zoning Inspector Frank Kitko presented the monthly zoning report, with 4 applications being processed for the month of May 2026. There were five cases heard by the BZA last month, whose requests for variances were granted.

Mr. Kitko added he had received two calls already today on The Patio Bar & Grill violation of the judgement entry, for loud noise and drinking on the patio. One person said the band was on the patio. Resident and audience member Susan Shukaitis asked Mr. Kitko for his phone number, so she could call him when The Patio Bar & Grill were on the deck, and suggested he have a decibel meter there, and noted it stated in the judgement entry that they were specifically not allowed on the deck. Mr. Kitko said he knew what the judgement entry said. Ms. Shukaitis asked him how that would be enforced. Mr. Kitko said it would be up to the Prosecutor's office and a judge to enforce it – that is what a judgement entry was.

Another resident and audience member asked Mr. Troyan how long the motocross track would be. Mr. Troyan said he did not know.

Resident and audience member Jim Pemberton asked about the second dwelling issue and Mr. Kitko said the letter had been sent.

Another audience member asked how many loops would be on the motocross track and said it could be like NASCAR and go around in circles and make a lot of noise.

Mr. Davis brought up the issue of noise, and thought it was a recurring issue and didn't understand how it could be enforced. Mr. Kitko noted it had been in the resolution for a long time, but they never had to use it before. Mr. Troyan thought the issue should go to the Zoning Commission. Mr. Davis thought it should go to the Prosecutor's Office, as she has looked into similar situations and thought she could offer clear guidance on the ambiguous statement. Mr. Troyan explained that Auburn Township zoning started out with Geauga County model zoning and asked Mr. Kitko if there were any updates in that area that wasn't reflected yet in Auburn Township zoning and Mr. Kitko said he wasn't aware of any, and he would check with Mr. Dietrich. Mr. Troyan asked Mr. Kitko to explain the current situation to Mr. Dietrich. Mr. Kitko said Mr. Dietrich would want to know if this was personal, the number of riders, if payment involved – all of those things would have to be answered.

Mr. Davis suggested they send a simple email to the prosecutor to have the ambiguous section three clarified, as the noise issue was continually being brought up.

Mr. Nesi suggested the number one issue was property value, number two was the noise and number three was the dust. Discussion ensued between Mr. Davis, Mr. Nesi, Mr. Kitko and Mr. Troyan about noise in residential districts.

Mr. Troyan explained there were landscape companies which backed up to Derbyshire Lane and in the middle of a snowstorm there could be 40 diesel snowplow trucks running, because it was so cold outside. That is where the Zoning Commission came up with decibel levels between business and residential. Resident and audience member Cindy Toth said the Township was protecting the residents in their homes from loud noises from businesses and asked why the Trustees would not want to protect residents in their neighborhoods from a neighbor doing something that would not allow them to enjoy their property. Mr. Troyan gave an example of someone who likes working in their yard and they use the leaf blower right next to a neighbor's property line. They did not want to have everyone with a leaf blower, chainsaw, lawnmower – calling to complain. That is why the noise issue was never put into residential zoning, and it was strictly set for business. Especially if there was a Hatfield/McCoy situation – someone would be calling every other day anytime someone made any kind of noise.

Mr. Davis thought the Trustees should contact the prosecutor's office about this issue. He wanted section three to be reviewed - how it could be applied, how ambiguous it was, was it enforceable, should it be there at all. The civil issues would then become the air pollution and real estate values. He explained he wanted to get the noise issue resolved.

Mr. Nesi disagreed with Mr. Davis and said they do have a zoning resolution that does mention noise very specifically as objectionable. Mr. Davis asked how that would be enforced.

Motion made by Riley Davis, seconded by Michael S. Troyan, to have the assistant prosecutor review the language in Section 3 of the Auburn Township Zoning Resolution regarding objectionable noise or air pollution.

Discussion: Mr. Epprecht clarified with Mr. Kitko that a lot of farms in Auburn Township were zoned as R1, and there was no agricultural zoning, and Mr. Kitko concurred. Mr. Epprecht said if you apply R1 with residential noise, it would have to be applied to farms as well and Mr. Kitko said yes, that was part of the dilemma.

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Mr. Cavanagh added that whatever response they get would have to be forwarded to the Zoning Commission.

Ms. Shukaitis brought up the issue of Mr. Epprecht being denied for his motocross track in Aurora. Mr. Kitko noted Aurora was a city and their rules were different. Mr. Epprecht said he was not shut down for riding motocross bikes; he was shut down for a variance for a barn structure.

An audience member asked if the Trustees would need any type of clarification on the usage in a residential area for having a club that has membership dues. Mr. Epprecht stated his club “Functions as a group chat, so I can talk to my motorcycle friends. There is no financial structure, no hierarchical structure. There's no president, no sergeant-at-arms, no vice president. It just functions as a group chat. I actually changed that base group to French bulldog owners' association against HOAs. It's not a club; it's not a club because there's no dues or fees or anything financial tied to it. Just that Facebook group functions as a group chat amongst me and my friends. Half those people are like my mom, my cousins that don't ride. More than half those people don't even ride bikes. It's just like a group chat, really. It's the same thing with the other one. It's just like a group chat is all it is.”

Mr. Davis brought up the similar issue with Claridon Township and said he did not see anywhere in the zoning that if you don't live at your property, you can't have a fire, shoot arms, fireworks, ride a dirt bike or go hunting. He noted that many people own properties where they don't own a house on the property and they go hunting.

Mr. Kitko explained “If it was considered an accessory, if the activity was considered an accessory use, the only way he could have an accessory use would be to have a residence or a primary use, which in this case in that district, the primary use is a residential residence. So, if he's going to go that route and apply for an accessory use to build his structure or his track or whatever you want to call it, trails, if he goes that route, then he has to live there because you can't have an accessory use without a primary use. So, the primary use at this time of that property is the dwelling that's taking place.” Mr. Davis asked what permit was required and Mr. Kitko said land disturbing – he disturbed it and added dirt and explained if he was going to make trails and / or tracks and he would be disturbing land. If he was going to build mounds, that was land disturbing and he would need a permit. Mr. Davis clarified with Mr. Kitko that he would be required to live there more than 50% of the time.

Mr. Kitko went on to explain, if Mr. Epprecht was applying for an accessory use, he must have a primary use. A primary use is a dwelling which he must live in because the prosecutor ruled that if you don't live there it's not a dwelling. So, the track could be his primary use and that would just be some non-existent building sitting in the middle of nowhere. Mr. Cavanagh clarified that the permit pulled for the structure was a dwelling. Mr. Kitko said yes, a barndominium was a dwelling, and that was for the Township as well as the county. Mr. Cavanagh noted that with a dwelling came the rights to enjoy your property, if you are living there, because that was the way it worked. Mr. Kitko concurred.

Mr. Davis asked about second residences, if the owner had another permit pulled but did not live there was a primary residence they could not do it, and Mr. Kitko concurred, if they were claiming it as accessory use – he said you had to have a primary use, and the primary use was a dwelling residence. The second use was an accessory structure or use. The Township does not allow accessory uses without a primary use. Mr. Davis clarified whether someone lives on the property or not, the primary use was a dwelling and Mr. Kitko said yes. Mr. Kitko reminded Mr. Davis what the prosecutor said, “If they don't live there, it's not a dwelling.” Mr. Kitko said he didn't say that – that is what came from the prosecutor's office.

Mr. Troyan added Auburn Township zoning states that for a dwelling – you have to live there. And Auburn Zoning was exactly the same as the Geauga County model zoning, which all other Townships have used as a basis for their zoning. Except for Kristine Rine, everyone on the planet and in Geauga County were using the same definition as Auburn Township, which came directly from Geauga County model zoning.

VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.

Mr. Troyan added that zoning could be discussed forever, and all of the things that are wrong with it – and noted that zoning codes were always in a state of flux.

TRUSTEE & FISCAL OFFICER REPORTS:

Mr. Cavanagh said a neighbor to Adam Hall asked if he could park his cars in the unused driveway to the west of Adam Hall and asked if anyone had a problem with that. He would probably use it for about thirty-six hours. There were no objections.

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Mr. Cavanagh and Christine Blaser were working on Thank You notes for Memorial Day and thanked Eugene T. McCune, former Auburn Trustee for the box of honey he donated, of which they donated several to participants for Memorial Day. There were a couple of jars of honey left which will be in Ms. Blaser's, and if they have a situation where it was needed, they have it. He thanked Mr. McCune and noted his generosity over the years.

Mr. Cavanagh reported that they are working on a notice – a letter - for the approximately 120 residents who will be affected by the paving of their roads, with the resurfacing project. Mr. Fenstermaker is assisting with that letter; they have the addresses. He stated it might be overkill, because it will be on the website and there will be notices and signs going up. Mr. Fenstermaker purchased more signs. They don't want residents to say they weren't aware this was going to happen.

Mr. Cavanagh noted that historically, the road superintendent attended and had given his report at the first Trustee meeting of the month, and they decided to move his report to the second meeting of the month. It made more sense – it was difficult in the winter months, when he could not give his report until 9:30 p.m., and he had to get up at 2:00 a.m. to plow. This new schedule seemed to make more sense.

Mr. Troyan thanked Mr. Cavanagh for all of the work he did for Memorial Day, as well as Christine Blaser, they got it all accomplished. He appreciated all of the work they did.

Mr. Davis reported on the Auburn Township YouTube channel; there was a section on the Memorial Day event.

Another technological implementation being used is Plaud Note Pro. Plaud Note Pro records meetings; the meeting is downloaded and can be transcribed into meeting notes, or meeting transcripts. Names can be inserted into the transcripts, and it will continue to recognize voices. So, every word that was spoken was attached to a speaker, automatically. It will give the ability to be able to create a summary of the meeting by the time the meeting was done. There could be 30 pages of everything that was said, and/or it could create a summary, and it could be told what you want it to focus on. They ran a test and asked for a summary of one Trustee meeting, and it was the same number of pages of the Trustee meeting minutes. It actually did a very similar job to what a real person would have done. It will save time, and if someone doesn't want to watch the video of a Trustee Meeting, they could look at a summary. It could also be transferred to a PDF file and sent as an email.

At Auburn Community Park, several residents asked Mr. Davis about the regrading of dirt mounds on the septic system. The ground was very wet, and the mounds had to dry out first. He reached out to A and B last week, and they said they had planned on going up there this weekend to start some additional grading. Mr. Davis looked at it today, and there was still a big pile of dirt, which he assumed they would get rid of.

About three weeks ago, the mulch got touched up at the park. The mulch is safer; it falls in line with some of the insurance recommendations; it has been completed and looked beautiful. The playground was all spruced up for the summer.

After some discussion, the space for the tether ball was decided. Mr. Davis was tasked with finding a location for the tetherball and then report back to Mr. Fenstermaker on where he could install it. It was decided to have it go to the northeast corner behind the bocce ball setup. But not get in the way where the trucks can pull in for maintenance. The bocce ball, tetherball, and playground will all be in the same corner.

Mr. Dan Matsko, Fiscal Officer, presented the payment listing for payments processed since May 19, 2026 - listing 13 electronic payments processed for \$39,561.19 and 19 warrants processed for \$394,014.31, totaling \$433,575.50. Mr. Matsko requested a motion to pay the bills.

Motion made by Patrick J. Cavanagh, seconded by Michael S. Troyan to approve payment of the bills.

VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.

Mr. Matsko reported that they received a check in the mail today, after 3:00 p.m., from Charter Communications, and it was too late to add to the agenda.

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Motion made by Michael S. Troyan to deposit the Check from Charter Communications for \$5528.98 into the land acquisition and improvement fund.**VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.**

The large item trash drop-off day will be this coming Saturday, June 6, 2026, Mr. Matsko reported. He confirmed with the Trustees that all seniors age 60 and over were free, that is what was done last year - so anybody born 1966 six or earlier gets to drop their junk off for free. Resident Jim Pemberton asked what days they would show up, and Mr. Cavanagh noted that the Department on Aging does the scheduling, and suggested he contact them.

OLD BUSINESS:

NOPEC Energizing Grant (\$14,369.00) – put on the agenda as simply a reminder. No action taken.

The Patio Bar & Grill – Agreed Judgement Entry Update. Mr. Troyan shared that the information has been given to the attorney for The Patio Bar & Grill, and he will be contacting the property to the north side of the patio property to see if they were amicable to having the fence put up there. And he will be contacting the attorney for Auburn Township to proceed with the process. Mr. Troyan contacted him right after the last meeting - the next day.

Resident Scott Bayus clarified with Mr. Troyan that the Trustees agreed with what The Patio proposed, and Mr. Troyan said they agreed to let them proceed with it. Mr. Troyan said they would still have a formal hearing before this was over, and they allowed them to proceed. Mr. Bayus addressed Mr. Troyan and said, "You are not going to enforce the judgement entry. You are going to do and basically relinquish your rights to protect us by giving a business what they want without protecting the homeowners around the community." Mr. Troyan said what they were doing for the homeowners was better than what was previously there. Mr. Bayus thought the fence should be natural landscaping because a six-foot fence, 100 feet away did not block. It would not serve any purpose whatsoever, except saying that they put a fence there, instead of putting their fence back up where it should have been according to the judgement entry. Mr. Troyan said he just reported where they were on it, and it was obvious Mr. Bayus didn't agree with what they did, but this was the procedure and the way it was going through. Mr. Bayus asked about the other violations – the music and Mr. Troyan and Mr. Cavanagh said that did not change. Mr. Troyan stated the only thing that was changing was allowing them to keep the lower fence on the inside and putting a six-foot fence, the entire length on the north side and the east side. That's the only thing that's changed. There were no other changes at all.

Discussion ensued between Mr. Bayus and the Trustees about the proposed changes, the agreed judgement entry and the opinion of the state liquor control board. Resident Susan Shukaitis asked who would call the Liquor Control Board, and Mr. Troyan suggested she and Mr. Bayus call them. Mr. Bayus noted he is still seeking counsel to look at the situation and clarified with Mr. Troyan he still had the ability to do his due process and Mr. Troyan said absolutely. Mr. Bayus clarified there will be a public hearing and Mr. Troyan concurred. Mr. Troyan explained that part of the process was that the Trustees could initiate a modification of the judgment entry, or The Patio Bar & Grill could. The Trustees were not initiating it. The Patio was going to go through the process of what they were planning on doing. Modifications could be suggested and the Township does not have to agree to it. This just got the process going. Mr. Troyan didn't want to drag this out for another six months. Mr. Bayus said this was not discussed when he was at a Trustee meeting. Mr. Troyan said it was going to go one of two ways: either going to let them go forward with it, or they were not going to let them go forward with it. Mr. Bayus addressed his concerns and Mr. Troyan said they could all be brought up at a public meeting.

Town Hall Repairs Update/Timetable – The new front door is on order, and the repairs are getting completed.

Road Levy Renewal – Mr. Cavanagh completed a couple of steps with the Geauga County Board of Elections and the Auditor's office to confirm the amount. The deadline is in early August, and they will be ahead of time on that date.

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NEW BUSINESS:

Geauga County Engineer's office address recommendation of 12025 Stafford Road for parcel # 01-118821.

Motion made by Michael S. Troyan and seconded by Patrick J. Cavanagh to accept the address recommendation by the County Engineer's Office for parcel #01-118821 as 12025 Stafford Road.

VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.

ADA Compliant Website Contract – Mr. Matsko reported they received an email from Geauga County ADP, with a quote from Company 119 to create an Auburn Township website on Geauga Connected. The pricing took into account that ADP would be assisting the Township in migrating Township content to the new website. As opposed to having Company 119 do that, the fee then from ADP going forward for hosting the website will be \$115 annually, charged on the quarterly billing the Township currently receives from them at \$28.75 a quarter. This was the ADA compliant website that Auburn Township was required to have.

Mr. Davis said the state pushed back the date one month ago, so it gave everyone an additional year for websites to be ADA compliant. The idea with the new website goes hand in hand, with Christine Blaser, learning a new system. She can learn it and get the training from Company 119. The rollout will be based on the needs of Auburn Township. Mr. Davis spoke with Mr. Taylor today from Company 119, and the cost is \$7,500 for the website redesign. He noted that Bainbridge, Chester Township, and Parkman have already done this. They model all the websites, in functionality and aesthetics, to mirror the county websites; it just flows better. People get used to clicking through them better and it offered a more cohesive look that way. When the Township was required to roll the ADA content into the website, which consists of a checker - when things get added – it will scan and check to make sure it met the regulations and allowed it to go through. It also allows people to click various buttons and make things bigger or change the contrast in color, much easier for them. Mr. Davis noted they have some time, but it'll also take some time to learn, and thought it was good timing because Ms. Blaser was new and had to learn the system. The cost moving forward will be based on the needs of Auburn Township – and they don't know yet how many pages will need to be integrated. When the ADA widget system is turned on, there will be additional costs in the future.

Motion made by Riley Davis, seconded by Patrick J. Cavanagh, to approve payment of \$7,500 to Company 119 – to build, develop, redesign and launch a new website for Auburn Township, to include training.

VOTE: Cavanagh yes; Davis, yes; Troyan, yes. The motion PASSED.

An audience member asked who they should call when a band is playing on The Patio when the zoning office is closed. Mr. Davis thought that was a good question and asked if the taxpayers are paying for a cell phone, should that number should be accessible or not. Because someone asked earlier for Mr. Kitko's number. Mr. Kitko said the Township does not pay for his phone. Mr. Davis asked Mr. Kitko if he received a stipend, and Mr. Kitko said he did, but it did not pay for his phone. His stipend was \$50 a month and his cell phone bill was several hundred dollars a month, and his phone cost \$2000. He asked Mr. Davis if he wanted to buy him a separate phone, and then he would give his number out to anybody. Mr. Davis felt those numbers were highly inflated, and Mr. Kitko was getting ripped off - if that was the case. Mr. Davis shared that he did not get a stipend, but he will take calls.

Ms. Shukaitis said she tried to call The Patio Bar & Grill herself and they would not put the owner/manager on the phone. She asked the Trustees why they were allowing bands to play outside – they were not allowed to be there. She asked the Trustees why they allowed that, and what she should do. Mr. Bayus said the music should be inside.

Mr. Troyan said he did not get a stipend for his cell phone and suggested taking his business card, as well as Mr. Davis, and to call them the next time loud music was playing. Ms. Shukaitis asked what that would do. Mr. Cavanagh said they will have an accounting of people that have called about the noise. He said right now the case was with the attorneys and there was an agreement in principal on moving the fence. The hours and location of the band were part of the original judgement entry and that was not anything the property owners proposed changing, which implied they were ok with what was in the judgement entry.

Mr. Bayus said he was the one that proposed no live music. He asked the Trustees to look at where they were at now, compared to where they were before. He moved to Auburn and built his house, perfectly aware that bar was there. He stated he talked to Mr. Kitko and asked if

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something was ever going to happen with that bar because it was a little dive bar, that sat on a corner, a couple hundred square feet, and had a parking lot with twelve people in it. It has changed. Mr. Bayus said he was told at the time it was a nonconforming use, and it was not going to get any bigger; it was not going to change. He asked the Trustees to look at The Patio Bar & Grill now – he stated they have a parking lot that covers half of two acres, and he has complained about that. And now they have gone from an enclosed patio that was meant for a smoking area to an additional serving area. They went to a judgment entry and he lost; he got his little victory of no uses, and now that was supposed to be enforceable. Now, they were in noncompliance. Conformance to that agreement which makes them non-conforming from a zoning standpoint. Mr. Kitko said they were non-compliant. Mr. Bayus felt this was a BZA issue. Mr. Kitko said it was an issue simply between the Trustees, the prosecuting office and a judge. Mr. Kitko said the only way he understood this, the only way this could be modified: The two attorneys and the public, they have to go to the judge, and the judge has to agree to modify. The judge is also the one that can enforce it. In other words, if they ask the judge to enforce this judgment entry, technically, the way he understood it years ago, they could be put in jail immediately.

Mr. Bayus stated he was not a lawyer. With his perspective - they have a case where The Patio Bar & Grill was noncompliant. The Township wrote a letter telling The Patio Bar & Grill that they're not compliant. The Board of Trustees had the opportunity to enforce compliance. Instead, the Trustees have decided to negotiate with the business, instead of protecting himself and all the other landowners and residents of Auburn Township. He stated that with the noise, it was affecting the value of his property and he pays three times the amount of property taxes that The Patio Bar & Grill does. He felt the Trustees sided with The Patio Bar & Grill for whatever unknown reason, instead of protecting the residents - as they should


Mr. River Kale introduced himself and said he was with the office of Congressman David Joyce. Their office likes to attend Township Trustee meetings, just to make everyone aware of where they live - in the 14th congressional district. All of Geauga County is in Congressman Joyce's purview. If residents ever have any issues on the federal level, whether it's the IRS, Social Security, immigration, visas, passports, etc., let them know. They are always happy to help. In his job, he oversaw coverage for all of Portage County and Southern Geauga County and has an office in Ravenna.


Mr. Troyan read Save the Dates.

ADJOURNMENT:

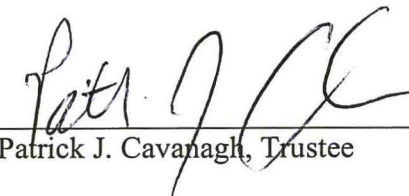
Motion made by Michael S. Troyan and seconded by Riley Davis to adjourn the meeting. The meeting was adjourned at 8:20 pm.

VOTE: Cavanagh, yes; Davis, yes; Troyan, yes. The motion PASSED.


Daniel J. Matsko, Fiscal Officer


Michael S. Troyan, Chairman


Riley Davis, Vice-Chairman


Patrick J. Cavanagh, Trustee

June 15, 2026
Date