

REGULAR SESSION

August 25, 2009

Mr. Ferrell called the meeting to order at 6:00 p.m.

Trustees William Dwelle, Timothy Coleman, and Jeffrey Ferrell answered the roll call.

The next scheduled meeting is Work Session September 1, 2009.

Mr. Coleman moved to accept the agenda as presented. Mr. Dwelle seconded the motion. All were in favor.

Mr. Dwelle moved to accept the minutes from the Regular Session of August 11, 2009 with a change in Resolution #2009-0119. The Code for the matching funds should be 2193-220-740 Equipment; the minutes from the Special Session of August 21, 2009 for Bid Opening; and the Financials for the period ending August 25, 2009. Mr. Coleman seconded the motion. All were in favor.

Resolution #2009-0121

SUPPLEMENTAL APPROPRIATIONS – POLICE DEPARTMENT

Mr. Coleman moved to adopt a resolution to amend the appropriations to include:

2291-210-740 Equipment – MDT Computers	\$16,188.75
1000-210-360 Contracted Services (air cards)	\$2,000.00
1000-210-319 Professional Services – Arbitration	\$2,000.00
1000-210-420-0013 Supplies-Fuel	(\$4,000.00)
1000-210-215 Uniforms – Detective	\$700.00

Mr. Dwelle seconded the motion. Mr. Coleman asked for an estimated delivery date on the MDTs. Chief Klamar said about two weeks from the date of placing the order. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2009-0122

SUPPLEMENTAL APPROPRIATIONS – HIGHWAY DEPARTMENT

Mr. Coleman moved to adopt a resolution to amend the appropriations to include:

1000-610-519 Dues for membership into Parks & Rec	\$140.00
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Mr. Dwelle seconded the motion. Mr. Coleman asked if it was for one person or for the department. Mr. Sternberg said that it was for one person and allows for discounts when attending their training. Also helps in obtaining lower insurance rates. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2009-123

NOTICE OF NOXIOUS WEEDS

Mr. Coleman moved to adopt a resolution to notify the following property owner of a complaint of noxious weeds:

- Parcel #32-02881.000, 3025 Hinde Avenue, owned by Margaret A. & Margaret M. Pfister
- Parcel #32-01137.033, 2 N & W of Heimlich's Sub. 3.6945A, owned by Anita Cantelli
- Parcel #32-00572.000, 2 SE Cor Pt of N ½ Ex. 15A .10A, owned by Anita Cantelli
- Parcel #32-01487.000 404 Boston Road, owned by Zloro Johnson
- Parcel #32-04539.061 Lot 202, Kelley Lane, The Reserve Leisure Estate Subdivision, owned by Foresight Development Inc.

Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

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Resolution #2009-0124

AUTHORIZATION TO MOW WITHOUT NOTIFICATION

Mr. Coleman moved to process with the mowing of the following property:

Parcel #32-02168.000, 3509 Milan Road, property owned by Debra Saunders

Mr. Dwelle seconded the motion. Mr. Ferrell asked if we had ever done this before. Ms. Schaefer read the resolution in its entirety. Mr. Ferrell said that he believed that it should be sent to Mr. Coppeler for an opinion. Mr. Coleman amended his motion to include obtaining a legal opinion. Mr. Dwelle seconded the amended motion. Ms. Schaefer said that she remembers it happening in the past and that she remembers something about posting a notice on the house. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2009-0125

AUTHORIZATION TO PAY THEN & NOW PURCHASE ORDERS

Mr. Coleman moved to pay the Then & Now Purchase orders to Bowling Green State University for training sessions in the amount of \$49,847.37. Mr. Dwelle seconded the motion. Mr. Coleman asked what it was for. Ms. Schaefer explained that it was for the training done under the FEMA grant. The purchase order was not authorized prior to the verbal contract. Therefore, the Then & Now certification was that the funds were available at the time of the verbal contract (Then) and at the time of payment (Now). Since the amount is above \$3,000 it takes a resolution by the Board to authorize payment. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2009-0126

AWARD 2009 ISSUE II PROJECT

Mr. Ferrell gave a recap of the bids received on August 21, 2009 along with the letters of recommendation from Erie County and legal council. Mr. Coleman moved to award the 2009 Issue II Paving project to Precision Paving, Inc., in the amount of \$308,255.81. Mr. Dwelle seconded the motion. Mr. Coleman said this was the second letting of the bid for the paving of Strub Road and Ferry Subdivision. The contracts came in about \$72,000.00 under the County's estimate of construction costs. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Resolution #2009-0127

**ACCEPT ARRA GRANT THROUGH
THE OHIO OFFICE OF CRIMINAL JUSTICE
FOR THE PURCHASE OF MDTs**

Mr. Coleman moved to accept the ARRA Grant through the Ohio Office of Criminal Justice for the \$21,585.00 purchase of MDTs. The grant amount is \$16,188.75 and it is a 25% matching grant. Mr. Dwelle seconded the motion. Chief Klamar commended Lt. Parthemore on his efforts both with grant writing and the sale of the equipment. Mr. Coleman said that he had gotten a number of positive comments regarding the MDTs. Ms. Schaefer said that she had attended a required class on reporting. There were at least 300 people in attendance. There were only 2 applications from Erie County and ours was the only one approved. Most of the grants were for personnel. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

REPORTS

The Motel Tax report for the month of July 2009 has monthly collections of \$116,473.42, down \$26,448.57, 18.51%, from the same period last year. The yearly decrease is 12.92%. Mr. Coleman wondered if the fact the July was the coldest on record for Ohio had anything to do with it.

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CORRESPONDENCE

The Board received a request for a liquor permit transfer from the Ohio Division of Liquor Control for Down One LLC dba Excuses Lounge to OT Perkins LLC dba Excuses Lounge. Terry Smith is the CEO listed on the disclosure form. The Police Department had no problems. The Board did not request a hearing.

Ms. Schaefer read a letter from Emma Pfanner, Secretary of Sandy Acres Estates Property Owners Association requesting a streetlight at the intersection of Bogart Road and Sandy Acres Subdivision. Mr. Coleman asked Chief Myosky is this was something that was charged to the General Fund. Mr. Dwelle said that intersection lights are charged to the General Fund. They have nothing to do with Zoning. Mr. Dwelle said that this program has been in existence for many years. Ms. Schaefer said that she would check to see how the other lights on Bogart were handled since Bogart is a county road. Both Mr. Dwelle and Ms. Schaefer said that they thought they were included in our district. Once this information is received the Board will proceed accordingly.

NOTICES

Kathy Niehm, Administrative Secretary, is in need of material for the Township's Bicentennial Program. She is looking for old photographs of Perkins Township. Mr. Coleman said Ms. Niehm has been successful in obtaining letter and flags for several of our political leaders on the State and National level. Please contact Kathy Niehm if you have any information you wish to share.

DEPARTMENT HEAD REPORTS

Fire Department

Chief Myosky presented an update on the repairs of fire department equipment.

Chief Myosky presented a report of the recent testing held for the position of establishing a list for full-time fire fighter. He recommended that the Board hire Craig Caprara.

Resolution #2009-0128

HIRE CRAIG CAPRARA, CLASS A FIRE FIGHTER

Mr. Dwelle moved to hire Craig Caprara as a Class C fire fighter, effective September 12, 2009, pending the successful completion of a pre-employment physical, for a probationary period of one year. Mr. Coleman seconded the motion. Under discussion Chief Myosky said that he does have the qualification for a Class A fire fighter. Chief Myosky said that under the recent contracts, the Class rating depends on the training that an employee has. If they have the fire fighter's certification and EMT certification, they meet the qualifications to be hired as a Class A. Mr. Coleman asked how much this training costs. Chief Myosky estimated \$10,000, which the employee has already paid himself. Mr. Dwelle amended his motion to be Class A. Mr. Coleman seconded the amended motion. Mr. Ferrell said that he did not have a problem with filling the position, but preferred to wait until the first of the year. This would allow us to better know the finances of the Township in light of a pending 3% wage increase for all departments and the recent increase in hospitalization insurance. Mr. Ferrell did not believe that it was a safety issue at this time and a part time person could fill the position until the first of the year. Mr. Dwelle noted that the department was actually down two people and the funding is already in place for the position. Mr. Coleman concurred with Mr. Dwelle. The Fire Department is unique that it has its own funding. Chief Myosky estimated that the costs for the balance of the year would be \$19,842 including all benefits. Mr. Coleman noted that the manpower of the fire department affects our ISO rating for the residents and businesses of the Township. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

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Highway Department

Superintendent Sternberg thanked the Board and everyone that assisted in getting the 2009 Issue II project approved.

He said that the 2011 Issue II application was due September 4, 2009. He said that it had been the goal to finish out the repaving of Fairview Lanes. He is still waiting on the estimates from Erie County. Half of Peterson Lane has already been done. Mr. Sternberg presented a report of the roads to be considered and the related traffic counts on those roads. Mr. Dwelle noted that the Engineer's Office was going to provide the estimated costs by road so that the Board will know which roads need to be included. The estimated total cost of the project would be \$550,000. Mr. Dwelle noted that the amount of funds available for 2011 will be \$275,000 compared to \$175,000 this year. Mr. Dwelle asked that they be advised as soon as he received the estimates from the County.

Police Department

Chief Klamar reported that the speed sign is currently running for a period of three days. The motherboard had been sent in for an estimate. Either the company sent them a new one and did not bill them for repair or it was improperly connected the first time.

Chief Klamar reported that the agreement for the Special Details had been given to Mr. Coppeler for review. In order to give the officer \$30 per hour, the rate to the business would be \$36.00 per hour. The suggested rate for the cruiser would be \$18.00. The Board needs to adopt the rates. There also needs to be a Memorandum of Understanding for the Union. The detail hours worked are outside of their regular work schedule and will not affect overtime and will be paid in a separate check.

Mr. Dwelle commended the department of the handling of the recent problem with the 911 system of Erie County. A wire had been cut at the County Building.

PUBLIC FORUM

Mr. Carl Heuckroth then addressed the Board. He first corrected the spelling of his name on the agenda. He then reminded several members of the Board that they were up for re-election. He was disappointed with the actions or inactions of the Board regarding the serious traffic problems on Milan Road, especially at the intersection of Applebee's and Wal-Mart. He presented a report to each of the Trustees.

He then said that in the report Mr. Coleman said that the intersection was not a dangerous intersection. He wanted to know if the Township's attorney had noted whether Mr. Coleman had crossed the line and had a voice in any of the discussion since Mr. Coleman works for ODOT in Huron County.

He had obtained the permit for Applebee's, which he obtained from Akron. He had compiled the locations of the accidents in the area. During the period for 2001-2008 there have been 73 accidents in the area of the intersection. He again claimed that two years ago Mr. Coleman said that it was not an unsafe intersection. Mr. Coleman asked where it said that he said that. Mr. Heuckroth said that it was in the report. Mr. Coleman said he never said that it was not an unsafe intersection. Mr. Coleman said that before anyone goes any further, because he is employed by two entities that have a potential conflict, he was going to reclude himself from any further discussion. Mr. Heuckroth said that he should have done that back then.

Mr. Heuckroth said that this was going to the Federal level. He was told by Mr. Green that the funds for correcting the problems come under "Crash". There is currently a priority on the Perkins/Strub Road intersection. He said the priority needs to be put on this intersection. He has been told that we have a counter in our highway department

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which should have been put in front of Applebee's because there are at least 10,000 people that come out of there a month. To get onto Route 250, the people from Sleep Inn, Maui Sands, and Bay Winds have to go through Applebee's.

Mr. Heuckroth said that he only asked that the Board write a letter to ODOT formally supporting the correction of the problem. Mr. Dwelle said that his understanding was that this was to be corrected in 2012 with the redesign of Route 250. Then the funding was removed.

Mr. Dwelle said that they would take a look at the material presented. Mr. Dwelle said that the redesign was back on. Mr. Heuckroth said that his issue is crashes, not the redesign. Money is available to correct the problems due to crashes.

Mr. Dwelle said that we have no authority in the matter. Mr. Heuckroth said that he wasn't saying that they did. But they do have a voice and that voice should be in writing.

Mr. Heuckroth then questioned the fact that previous Board had hired George Poulus as building inspector. He claimed that we had no building registry and could not tell how many permits had been issued for certain areas. He claims that we do not have any records here and that he had to go to Klingshirn. After much discussion, Mr. Ferrell said that they would discuss the issue of the permits with James Lamb, Zoning Inspector.

Mr. Ferrell also said that he has a meeting with Steve Poggiali and Alex MacNicol and would discuss the TIF agreements and the MPO funds. The Board also has gone on record supporting the Route 250 Project. He has no problem with writing ODOT a letter.

Mike Printy asked if the redesign solves all of Mr. Heuckroth's problems. The Board as a whole did not think it solve the entire problem.

Cheryl Best-Wilke, Pennsylvania Avenue, asked if Mr. Coleman's recusion meant that he could not listen to any discussion. The Board believes that he could not vote and discuss; nothing was said about listening.

Norm Sherer, Lakeland Avenue, thanked the Board for repairing their street.

Mr. Dwelle asked where the crews were on patching. Mr. Sternberg said that there were still four catch basins to be repaired. After that they would be returning to patching.

Mr. Coleman moved to go into executive session to discuss personnel. Mr. Dwelle seconded the motion. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes.

Mr. Coleman moved to come back into regular session. Mr. Dwelle seconded the motion. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes.

With no further business to be conducted, the meeting was adjourned at 9:40 pm.

Jeffrey Ferrell, Chairman

Diane Schaefer, Fiscal Officer