

Perry Township Board of Trustees

Early Start 6:30 pm Regular Meeting 7:00 pm

November 15, 2016

Early Start Time 6:30 pm to discuss 800 Radio System

Trustee Haines indicated that the early start time is to discuss the 800 Radio Systems. Trustee Haines relayed that he wanted everybody to be able to share their opinions regarding this matter since this is coming sooner or later. Trustee Haines also stated that this is a good time to start by at least sharing concerns, good things, bad things, etc. Trustee Haines also indicated that Trustee Chessler has been involved in some meetings and conversations regarding this matter, as well as both Fire Chief Martin and Police Chief Pomesky.

More detailed discussion followed among the Board, Chief Pomesky and Chief Martin.

5 Minute Recess

Call to Order/ Pledge of Allegiance:

Excused absence: John Masalko, Road Superintendent – Chris Young, Assistant Road Superintendent here in his absence; Tim Cugini, Zoning Inspector

Additions/Deletions to Agenda:

Trustee Haines indicated that he had two (2) additions: Under Unfinished Business “Proposed MOU Response” – that has been resolved and can be removed. Also, under Law Director “Consider Waiving BZA fee for Perry Township Fire Department” should read Station #2, not Station #3; Seconded by Trustee Chessler.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Public Hearings/Invited Guests:

Trustee Haines indicated that the previously indicated Agenda Item regarding the early start time of 6:30 pm to discuss the 800 Radio System has already taken place.

Communications:

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business:

New Business:

Trustee Haines made a motion to approve bills in the amount of \$15,195.65 for the week ending November 8, 2016 and bills and payroll in the amount of \$177,972.99 for the week ending November 15, 2016 for a combined total of \$193,168.64; Seconded by Trustee Chessler.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Consider JEDD Public Notice

Consider JEDD Agreement with the City of Canton

Law Director Hall indicated that we have received an application for both Enterprise Zone and we've been negotiating, as the Board is aware, of a Joint Economic Development District Agreement with the City of Canton. Law Director Hall indicated that the City has already given us the first reading; the City wants three (3) separate readings and added that he would like the Board to help announce this JEDD which we have just done. Mr. Hall indicated that by law, we have to keep the documents here on view for thirty (30) days and there has to be a public hearing not sooner than thirty (30) days to take comment and to receive compliments for the JEDD development and the Board will take formal action. Mr. Hall stated that he is asking the Board to set that for the Regular Meeting of Tuesday, December 20, 2016 and this will give ample opportunity to get that notification in the newspaper thirty (30) days in advance of that meeting.

Trustee Chessler indicated that they, at the request of the City officials, had a meeting last Thursday in the Mayor's office regarding this matter. Trustee Chessler gave more details concerning this meeting.

Trustee DeChiara verified that what is currently property tax is going to be status quo. Trustee Haines stated that was correct.

Trustee Chessler stated that if nothing comes of this, it would remain that. Trustee Chessler added that it would be up to them to establish a position on that; once we know that these periods where the documents have to remain available for public inspection will pass and we then can formally consider entering into this agreement with the City of Canton. Trustee Chessler added that this has to do with income tax that will be generated from the JEDD area, (indicating that there was some confusion about that; it is only the parcel where the hospital is and their main parking lot) and that would be a 2% income tax to the City of Canton levies; it would be split evenly between the City of Canton and Perry Township. Trustee Chessler stated that this is one source of income tax revenue that we otherwise would never get. Trustee Chessler stated that Dr. Johnson is hopeful for the higher level of abatements, but indicated that it was not a deal killer if it wasn't. Trustee Chessler stated that the City of Canton has been working with Dr. Johnson and getting him connected with other forms of financial particulars, banks, tax credits that are available and other forms that they are aware of and that they have access to that we do not. Trustee Chessler stated that you will see in the JEDD agreement, that basically the services provided will be unchanged; the Police, Fire and the Road Maintenance will all be continued by us.

Law Director Hall also indicated that zoning would remain here as well and relayed that according to the abatement application, the property is presently valued at approximately 1.2 million dollars; the amount of what we are proposing is an investment of approximately 5 million dollars. The auditor will reappraise it and any additional taxes are requested in the abatement. Mr. Hall stated that the present tax will not be lost; it will just be a forgiveness of future tax on the increase.

Mr. Hall stated that he wanted to point out in the documents before the Board on page 4 of the application; we are looking at payroll starting at around 3 million dollars and added that this will be a significant development and a significant investment and a health and life care addition to Perry Township.

Trustee DeChiara inquired of Law Director Hall if he would point out the particular section of the annexation language that he was concerned about. Mr. Hall referenced that he did not see this portion as well, but would make sure that this would be reinstated.

Trustee Chessler indicated that Mr. Fonda Williams, Economic Development Director for the City of Canton had to attend a Habitat for Humanity function tonight and said he would be delayed to this evening's meeting. Trustee Chessler stated that he had asked Mr. Williams to attend the meeting to be able to answer any questions from the public or the Board.

Trustee Haines verified of Law Director Hall that the Board would need to approve the public notice and set the date. Trustee Haines stated that instead of approving the public notice, we don't want it to reflect until we get the correct documents. Mr. Hall confirmed that he would make sure the correct documents would be here.

Trustee Chessler made a motion that this Board issue public notice establishing a hearing for a proposed Joint Economic Development District agreement and a tax sharing agreement and that we properly advertise notice of that hearing as required by statute for a hearing to be conducted December 20, 2016 at 7:00 pm at the Perry Township Administration Building, 3111 Hilton St. NW, Massillon, Ohio; Seconded by Trustee Haines.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Fiscal Officer:

Consider Scheduling 2017 Department Head Budget Hearings for the 12/06/16 Meeting-Early Start Time 5:00 pm

Fiscal Officer Schlegel stated that these Department Budget Hearings will be done in fifteen (15) minute intervals, as we have done in the past.

Trustee Haines stated that while we are talking about this wanted to indicate that the Chief and Major Anderson will be invited to this meeting as well for a discussion and presentation concerning the 800 radio system; to take place for the first thing at the 7:00 pm meeting. The budget hearings will be set for 6 pm and Mr. Anderson will be the first on the agenda at 7:00 pm. Trustee DeChiara indicated that

Mr. Anderson has an hour program to present. Trustee Haines inquired if they would then want to start the budget hearings at 5:00 pm and then Mr. Anderson could be scheduled at 6:00 pm. These times were confirmed by the Board for Tuesday, December 6, 2016.

Consider Accepting the November 1, 2016 Meeting Minutes

Trustee Haines made a motion to accept the November 1, 2016 meeting minutes; Seconded by Trustee Chessler.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Administration:

Fire Department:

Consider Resignation Letter of Brenda Boyle Part Time Firefighter/Paramedic

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/paramedic Brenda Boyle effective November 4, 2016. Her resignation letter is attached before the Board.

Trustee Chessler made a motion that the Board of Trustees accept the letter submitted dated November 4, 2016 from Brenda Boyle stating her intent to resign from the Fire Department effective November 4, 2016; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Consider Resignation of Adam Hafer Full Time Firefighter/Paramedic

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of full-time firefighter/paramedic Adam Hafer effective November 26, 2016. Chief Martin stated that Adam has elected to take another full-time position at the Plain Township Fire Department. Chief Martin indicated that as he alluded to in the memo to the Board, one of our requirements is that they sign a pre-employment agreement so Mr. Hafer would be required to reimburse us for the costs of the number of hiring procedures that were done. Chief Martin indicated that this reimbursement will have to occur within thirty (30) days of his separation.

Trustee Haines inquired if Adam Hafer was aware of this. Chief Martin indicated that he would be tomorrow morning after the Board accepts his resignation.

Trustee Chessler made a motion that the Board accept the letter of resignation from Adam Hafer dated November 10, 2016 and further authorize the Fire Chief to take the steps necessary to enforce, on behalf of the Township, the terms of the pre-employment letter that was signed by Mr. Hafer dated July 17, 2016; Seconded by Trustee Haines.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Consider Full Time Pre-Employment Offer

Fire Chief Martin stated that the Fire Department is requesting the Board of Trustees to authorize him to extend a full-time firefighter/paramedic position pre-employment offer to a suitable candidate on the current hiring list. Any recommendation of hiring will be contingent upon the candidate passing the pre-employment medical physical and psychological evaluation. Chief Martin indicated that if there is not a suitable candidate, he will come back to the Board to let them know and will have that information by the next meeting.

Trustee Haines welcomed Mr. Fonda Williams, Economic Development Director for the City of Canton here this evening. Trustee Haines indicated that if there was anyone that had any questions, now would be the time to ask them. Trustee Chessler stated that they have alluded to the fact that Canton City Council has introduced legislation and inquired of Mr. Williams if he would please give us a timetable and process regarding the JEDD agreement with the City of Canton.

Mr. Williams apologized for his tardiness and relayed that Canton City Council approved legislation several weeks ago to create the JEDD district. Mr. Williams stated that from this point moving forward, we are looking at a tax sharing agreement and this type of agreement will only solidify the JEDD.

Law Director Hall indicated to Mr. Williams that Trustee DeChiara had detected a typing error; we had it ingrained that there would be a non-annexation provision absent consent by all three parties: property owner, Township and the City. Mr. Hall indicated that Trustee DeChiara pointed out tonight that this paragraph is missing and will request that this be added back in as it is the city's understanding as well. Mr. Williams indicated that the City has no intention to annex whatsoever.

Trustee DeChiara stated that his concern was not just for this location, but for anywhere in Perry. Trustee DeChiara added that he is looking to protect the Township's future for future generations and working out agreements with the City of Canton or the City of Massillon; he is 100% in favor. Mr. Williams stated that the spirit of legislation is to make sure we can work together and can share revenues that keep businesses within our region, so we will make sure that is completed.

Trustee Haines stated that was the only issue we had and thanked Mr. Williams for their support and for working with the Township and being able to move this project forward. Mr. Williams stated his thanks for bringing this to their attention and added that they were looking forward to making this a fruitful relationship moving forward as well.

Trustee Chessler relayed to Mr. Williams that the city has had the opportunity to deal directly with Dr. Johnson and inquired what kind of incentives Canton could offer for the person doing the project; whether it be Dr. Johnson or generally speaking. Mr. Williams stated that this was a great question; regarding economic development, most cities have tools in their toolbox regarding tax abatement, job creation, tax credits, etc.; what they try to do is customize to the needs of the client. Mr. Williams further added that he had introduced Dr. Johnson to five (5) different local banks and indicated that

Huntington has a special compartment that offers health care enrollments per se. We are looking at job training dollars for the employees that he is going to hire and their employment scores. We are looking at tax abatement, environmental dollars from Stark County Regional Planning so there is a litany of incentives, if you will that we can package together that makes this deal worthwhile.

Mr. Williams relayed that here in Stark County, we will try and take a very unique approach wherein the City of Canton has had successful JEDD agreements with surrounding Stark County township as well, Jackson, Plain, Canton South and now Perry Township. We hope to solidify this relationship moving forward and will bend over backwards to make this deal come to fruition.

Trustee Chessler verified that they are aggressively seeking a veteran's component that is available regarding this matter. Mr. Williams confirmed this and added that if the dollars are available, it would take a little research, but added that we will do that. Mr. Williams indicated that this is what makes us unique and attract other businesses that would want to come to Stark County, we will go that extra mile to make things happen.

The Board members thanked Mr. Williams for being here this evening.

Police Department:

Consider Purchase of Body Cameras

Trustee Haines stated that we discussed this matter at the last meeting and added that he thought there was a little bit of confusion, but will resolve this at this time.

Police Chief Pomesky apologized for any confusion and indicated that just as proposed at the last meeting, the Police Department is requesting the purchase of body cameras for the Patrol Division in the total purchase price amount of \$24,904.65. Chief Pomesky stated that this will outfit our Patrol Division with the body cameras in the field and will help bridge the gap with our older video systems that are currently having some service issues until we get those in-car cameras to the new platform. Chief Pomesky indicated that this will be an advancement for the Police Department and will serve us well into the future.

Chief Pomesky stated that he is asking for the Board's authorization and approval for this expenditure from the OVI Enforcement and Education Fund.

Fiscal Officer Schlegel stated that just so the Board is aware, this money comes from the City of Massillon; portions from DUI collections are forwarded to the Township and these monies have accrued. Mr. Schlegel indicated these collections amount to approximately \$500 to \$1,000 per year and there are limitations as to what these monies can be used for.

Law Director Hall indicated that as previously discussed and per Chief Pomesky's request, he reviewed the application and it is a proper and lawful expenditure out of the OVI Enforcement and Education Fund. Mr. Hall stated that even though it is not solely limited to alcohol, drug and traffic enforcement, it is a major component.

Trustee Haines made a motion for the Police Department to be able to purchase body cameras from Digital Ally in the amount not to exceed \$24,904.65 and this will be from Fund 33, the OVI Enforcement and Education Fund; Seconded by Trustee Chessler.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Road and Park Department:

Law Director:

Consider Waiving BZA Fee for Perry Township Fire Department Station #2 Rear Yard Setback Variance

Law Director Hall stated that under current zoning, the addition to Station #2 needs a two and a half feet (2.5') variance on the rear yard setback. Mr. Hall stated that we have already reviewed this with Zoning Inspector Cugini; it has to go before the Board of Zoning Appeals because it is a variance. Mr. Hall indicated that the other option would be to have the property re-surveyed and re-platted and this would obviously take a considerable amount of time; in order to keep this project moving forward, we would ask that the Board waive the fee from itself to itself so we can proceed with the public hearing.

Trustee Chessler made a motion that based on this explanation, the Board waive the BZA fee for Perry Township Fire Department; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Zoning:

Consider Zoning Board Reappointments

Trustee Haines stated that we need to look at considering the Zoning Board reappointments; we have Larry Wilhelm's current five (5) year term on the Perry Township Board of Zoning Appeals that will expire on 12-31-16. Trustee Haines indicated that Zoning Inspector Cugini is recommending that the Board of Trustees consider the reappointment of Mr. Wilhelm for another five (5) year term beginning 1-1-17. Trustee Haines added that Mr. Wilhelm has agreed to be considered for reappointment.

Trustee Haines stated that also being considered for reappointment is Scott Marino's term on the Perry Township Zoning Commission that will expire on 12-31-16. Trustee Haines indicated that Zoning Inspector Cugini is recommending the Board to consider the reappointment of Mr. Marino for a five (5) year term beginning 1-1-17. Trustee Haines added that Mr. Marino has agreed to be considered for his reappointment.

Trustee Chessler stated that he felt that it was a benefit to have members of the long-term perspective on the issues that come before it and added that it is good to have people that are willing to serve in this capacity. Trustee Chessler indicated that Mr. Wilhelm has done a nice job over the years and made a motion that the Board make both reappointments to Larry Wilhelm for a five (5) year term on the Board of Zoning Appeals and to Scott Marino for another term on the Perry Township Zoning Commission commencing on 1-1-17; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Consider 2016 Zoning Assessments

Trustee Haines indicated that Zoning Inspector Cugini has given the Board for consideration the 2016 Zoning Assessments. Trustee Haines stated that there are quite a few and wanted to make sure that the last assessment that zoning did, which was a rather large one for the Mr. Mike Tyson property, made it in because of the situation that the property is in.

Trustee DeChiara inquired of Fiscal Officer Schlegel what percent of the zoning assessments we were collecting. Mr. Schlegel stated that once the Board approves the assessments through the property taxes and the property is sold, the monies come in periodically. Trustee DeChiara verified that Fiscal Officer Schlegel is seeing a little of these monies coming in. Mr. Schlegel confirmed yes. Trustee DeChiara added that is if they are up to date on their property taxes. Mr. Schlegel confirmed that we receive a list from the Stark County Treasurer's Office regarding this.

Trustee Chessler stated that the Board has received from the Zoning Inspector an itemized list of properties and property owners and he is requesting that we certify, to the County Auditor, placement of a lien on the property and makes a motion that the Board authorize the certification of those properties in total as they are set forth in the documents attached; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Consider Waiving Zoning Permit Fees for Stark Parks Exploration Gateway

Trustee Haines read aloud a communication from Mr. Rick Summers, Operations Manager for Stark Parks regarding the request for the waiver of the zoning permit fee.

Trustee Chessler made a motion that based on the existing policy the Board waive the permit fee for Stark Parks; Seconded by Trustee Haines.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Problem Properties

Trustee Haines indicated that Zoning Inspector Cugini did not have anything listed for Problem Properties for this evening's Agenda and inquired of Law Director Hall if he had any matters regarding this; Mr. Hall stated that he did not.

Executive Session(s):

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department: None.

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Upcoming Events:

~Fall Leaf Drop Off Program: Collection Site – Perry Road Department, 1500 Jackson Ave. SW, Massillon 44646 – October 22nd through November 20th, 2016. Weekdays: 7 am to 2:30 pm; Saturday and Sunday: 8:00 am to 3:30 pm. Leaves only please. No bags, boxes, tree limbs, garbage or commercial dumping.

~2016 Light Up Perry – Christmas Decorating Contest for Residential and Commercial Structures – Application must be submitted by December 12th. Buildings must be lit by December 19th. Visit www.perrytwp.com for details. Sponsored by Aqua Ohio.

Public Speaks-Open Forum:

Trustee DeChiara stated that he wanted to address one thing regarding our Township garage; it is good that our mechanics are getting up-to-speed with getting our equipment serviced, but added that when they were initially hired, he had previously indicated that he did not want them to do building maintenance work. Trustee DeChiara stated that he has not changed his position on that; he didn't know if they were doing some things here and there and the T.V. is an example of that. Trustee DeChiara stated that the reason he is bringing this up is because this is a good example of what could have been and wanted to reiterate that he does not want the garage mechanics working on things outside of their scope of work. Trustee DeChiara inquired of Fiscal Officer Schlegel what the amount was in our General Fund. Mr. Schlegel indicated that there was a little over a million dollars. Trustee DeChiara stated that if somebody was hired at \$17.00 per hour and you worked them 8 hours one week and 16 hours another week, and 4 hours the following week, they could do anything from hanging T.V.'s.

Trustee Haines stated that he didn't think we were hiring somebody just to hire somebody. Trustee DeChiara stated that he begged to differ.

Fire Chief Martin stated that he would agree with Trustee Haines that just to hire somebody doesn't mean that they are a certified electrician or certified plumber. More discussion followed in regard to this matter.

Trustee DeChiara stated that he wanted this to be on record that we need to hire a part-time building maintenance employee that has the wherewithal to do everything from A to Z and if he can't do it, he'll contract it or he'll research it to get it done.

Trustee Haines stated that in his opinion, that is what we have department managers for. More discussion followed in regard to this matter.

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:41pm; Seconded by Trustee Chessler.

ROLL CALL: Mr. Haines, yes. Mr. Chessler, yes. Mr. DeChiara, yes.

Doug Haines, President

Joe Schlegel, Fiscal Officer