

Perry Township Board of Trustees

Regular Meeting

August 7, 2018 7:00 pm

Call to Order/ Pledge of Allegiance:

Excused absence: -Fire Chief Martin; Deputy Chief Sedlock here in his absence;
-Administrator Fetzer

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Public Hearing for Case #PE 02-18 Parcel #43-01126, Owner Applicant William Morris, 6137 Market Ave. N. Canton 44721 – Location of Property to be Rezoned: 126 Hinderer Ave. SW, Massillon 44646 – Stark County Regional Planning Commission and Perry Township Zone Commission Voted Unanimously to Recommend Approval

Zoning Inspector Cugini indicated that this building at 126 Hinderer SW is owned by Mr. William Morris, here in the audience tonight; Mr. Morris bought this property approximately twelve years ago and has been operating an auto sales business out of it which is a non-conforming use. Mr. Cugini indicated that it is currently sitting in a B-1 zoning district and relayed that auto sales is not a permitted use; in order to conform to the zoning resolution and abide by the law, Mr. Morris had submitted a zone change to be in conformance to be changed to B-2. Zoning Inspector Cugini indicated that this case was unanimously recommended by the Zone Commission and by the Stark County Regional Planning Commission.

Trustee Haines verified of Zoning Inspector Cugini that he was looking for a final approval tonight. Mr. Cugini confirmed that was correct.

Trustee DeChiara stated that this business fits in as far as the area and relayed that it wasn't like it would be non-conforming; Trustee Haines agreed and relayed that there were businesses down both sides of that street.

Trustee Chessler inquired of Mr. Morris what the property was immediately prior to his purchasing it. Mr. Morris stated that it was a window pane business and referenced the ad twelve years ago that stated it was zoned B-2.

Trustee Haines stated that he would ask if there was anyone present who wished to speak in favor of the zone change, in addition to Mr. Morris. Seeing none, Trustee Haines inquired if there was anyone present who wished to speak against the zone change; seeing none, Trustee Haines inquired if there was any other discussion regarding this matter.

Trustee Chessler inquired of Mr. Morris if he owned the property immediately to the east, behind his property. Mr. Morris confirmed that he did not. Trustee Chessler inquired if there would be any reason to contact the neighboring businesses in regard to the B-2 zoning classification. Some discussion took place in regard to this; Trustee Haines indicated that if any other entity would want to come forth regarding this zoning classification matter, they would be able to do so.

Trustee Haines made a motion that the Board approve the public hearing PE-02-18, Parcel #43-01126 for the Owner Applicant William Morris to go from B-1 office retail district to a B-2 commercial district; Seconded by Trustee Chessler.

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

Zoning Inspector Cugini indicated to Mr. Morris that after a thirty (30) day period, if there was no referendum, then the zone change will have taken place.

Communications:

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business: None.

New Business:

Trustee Haines made a motion to approve bills and payroll in the amount of \$276,759.84 for the week ending July 24, 2018 and bills in the amount of \$95,882.01 for the week ending July 31, 2018 and bills and payroll in the amount of \$231,245.31 for the week ending August 7, 2018 for a combined total of \$603,887.16; Seconded by Trustee Chessler.

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

Fiscal Officer:

Consider Approval of 2019 Alternative Budget in the Amount of \$10,918,716.22

Fiscal Officer Schlegel stated that as the Board is aware, we do this budget each year to send to the Budget Commission to show the need for the funds that we have. Fiscal Officer Schlegel stated that this is a public hearing and was advertised in the Repository and Independent newspapers. Fiscal Officer Schlegel stated that he would read aloud the funds and amounts:

2019 Projected Budget

01	General Fund	\$1,399,953.00
02	Motor Vehicle Tax	\$ 140,100.00
03	Gasoline Tax	\$ 226,700.00
04	Road & Bridge Fund	\$ 940,495.00
07	Lighting Assessment	\$ 16,553.22
09	Police District	\$3,561,218.00
10	Fire District	\$3,417,525.00
11	Road District	\$1,141,472.00
14	D.A.R.E.	\$ 1,100.00
14C	Federal Training	\$ 0.00
14D	Pride Money	\$ 1,100.00
15A	Police Bond Retirement	\$ 0.00
15B	Park Bond	\$ 0.00
15C	Road Bond (Note) Retire.Fund	\$ 0.00
22	Drug Fund	6,000.00
27	Insurance Fund	\$ 60,000.00
30	Issue 2	0.00
33	DUI Fund	\$ 6,500.00

TOTAL \$10,918,716.22

Trustee DeChiara inquired of Fiscal Officer Schlegel if he could explain the purpose of this audit. Fiscal Officer Schlegel relayed that the projected budget is a requirement of the Budget Commission to indicate the need for the funds that we have. Mr. Schlegel stated that these numbers will change but will satisfy the Budget Commission guidelines.

Trustee Chessler stated that based on the information that the Fiscal Officer has presented to us tonight in the post budget of \$10,918,716.22, makes a motion that this Board, after hearing accrue of the alternative budget for Fiscal Year 2019; Seconded by Trustee DeChiara.

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

Consider Request for 07 Lighting District Renewal

Regarding the Lighting District renewal, Fiscal Officer Schlegel stated that the Fiscal Office contacted both electric companies to determine if any projected increases would take place for the upcoming year; both companies indicated that they were unsure. Fiscal Officer Schlegel then verified the renewal in the amount of \$17,135.40.

Trustee Haines inquired if we would allot for a 5% increase; Fiscal Officer Schlegel indicated that we usually do, but since there was not a confirmed increase amount, we would adjust the renewal the following year. Trustee Haines inquired if we would adjust it for the arrears plus the future; Mr. Schlegel confirmed that was correct.

Trustee Haines verified the streets listed for the Street Lighting Assessments, attached before the Board, for the tax year 2018 to be billed in 2019: Aurora; Mohawk; Quincy; Overdale; Richville; Rolena;

Darietta; 13th/Delverne; Superior Dairy; 13th/Manor; Bordner; 12th/Sippo; 13th St.; Cadbury; Bramblebush; Sedwick.

Trustee Haines made a motion that the Board approve the request for the 07 Lighting District renewal so that we can collect the money from the residents of those areas in Lighting Districts to pay for next year's bills; Seconded by Trustee Chessler.

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

Consider Approval of May 15, 2018 Meeting Minutes

Trustee Haines made a motion that the Board approve the minutes from May 15, 2018; Seconded by Trustee Chessler.

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

Fiscal Officer Schlegel stated that he also wanted to make the Board aware that he will not be in attendance at the upcoming August 21st meeting for vacation from the 16th through the 28th; Karen, Assistant Fiscal Officer will be taking his place.

Administration:

Fire Department:

Consider Purchase of Ballistic Vests

Deputy Chief Sedlock relayed that the Fire Department is requesting that the Board of Trustees authorize the purchase of fourteen (14) sets of Point Blank ODC Standard Vests with C111A ballistics and "Perry Twp." stenciled on the front and back, from Fire Force Inc. for a purchase price not to exceed \$8,235.00. Deputy Chief Sedlock referenced Chief Martin's memo to the Board listing the four (4) quotes that were obtained and indicated that the Fire Force Inc. quote came in slightly lower than the others.

Trustee Haines verified that this will then put bullet proof vests on all of the medic units and engines; Deputy Chief Sedlock indicated that there are two vests per medic unit and relayed that Chief Martin is looking at putting them on the engines as well.

Trustee DeChiara referenced the sizing and inquired how they would be handling this; Deputy Chief Sedlock stated that he could not confirm all the sizes that were available to them, but relayed that various sizes are offered; the vests were not personally fitted for each firefighter but relayed that they were adjustable.

Trustee Haines made a motion that based upon the Fire Department's request, that we purchase fourteen (14) sets of the Point Blank ODC Standard Vests with C111A ballistics and "Perry Twp." stenciled on the front from Fire Force, Inc. out of Columbiana, Ohio for a purchase not to exceed \$8,235.00 for fourteen (14) sets; Seconded by Trustee Chessler.

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

Police Department:

Road and Park Department:

Consider Approval to Pay Moretta Landscaping \$4,454.00 for the Elmbreeze Project

Trustee Haines indicated that we have a request for the Board's approval to pay Moretta Landscaping for the Elmbreeze project in the amount of \$4,454.00. Trustee Haines stated that this matter was approved at our past meeting and the job is now complete. Trustee Haines relayed that Mrs. Toth sent a thank you in her appreciation regarding this matter.

Trustee Haines made a motion that the Board approve the payment to Moretta Landscaping for \$4,454.00 for the Elmbreeze project out of the General Fund; Seconded by Trustee Chessler.

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

Consider Approval of Resolution of the Renewal of a (1.0) Mill Tax and Increase of (3.0) Mill for the Benefit of the Perry Township Road Department

Trustee Haines stated that the Board conducted a Special Meeting last week regarding the proposed levy and renewal for the Road Department. Trustee Haines indicated that this matter was also discussed at the July 17, 2018 meeting and information was posted on the website. Trustee Haines specified the levy amounts based on the total valuation of Perry Township.

Fiscal Officer Schlegel verified of Law Director Hall that the motion tonight would be to put this on the ballot and certify the levy amounts. Law Director Hall indicated that the certificate was contained within the language of the resolution and relayed that the motion made tonight could be read directly from the bold language at the top of the draft resolution for a prepared resolution.

Trustee Chessler verified the operative language of the resolution that states this is a renewal of one (1.0) mill and an increase of three (3.0) mills to constitute a four (4.0) mill tax levy for the benefit of Perry Township and verified that this will be the language used on the ballot. Law Director Hall confirmed yes and also referenced Trustee DeChiara's specific question as to any limitation on these monies should this levy be approved. Mr. Hall stated the answer is yes and relayed that these monies may only be used for road department which includes materials, equipment, personnel, contracts and so forth. Mr. Hall relayed that the language of the resolution states for the general construction, reconstruction, resurfacing and repair of streets, roads and bridges in Perry Township and is specified by the statute and the Attorney General and the Secretary of State who controls elections that requires we use the exact language out of the statute.

Trustee Haines made a motion that the Board approve a resolution on the submission of the question of a renewal of a one (1.0) mill tax and an increase of three (3.0) mills to constitute a four (4.0) mills tax levy for the benefit of Perry Township for the general construction, reconstruction, resurfacing and repair of streets, roads and bridges in Perry Township, Stark County, Ohio; Seconded by Trustee Chessler.

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

Law Director:

Zoning:

Problem Properties:

2029 Richville Drive SW, Massillon 44646

Zoning Inspector Cugini referenced the property at 2029 Richville Dr. SW and indicated that it was in deplorable condition, inside and out; grass and weeds very high, bushes overgrown, vacant and not secure. Mr. Cugini also indicated that the barn on the property was ready to fall down and stated that several complaints from an adjacent property owner have been received. Mr. Cugini indicated that the owners of the said property are deceased and indicated that their son was also deceased. Mr. Cugini stated that Law Director Hall has done some research regarding this property as well.

Law Director Hall gave more explanation regarding the deceased property owners and relayed that the taxes were delinquent and a Medicaid lien exists on the property. Mr. Hall stated that in addressing this property, the taxes would get paid first and a special assessment could possibly be considered. Mr. Hall stated that if a demolition would take place, the fees would first have to be paid and then be considered a tax foreclosure through the county treasurer.

Trustee Haines relayed that the person who brought complaints against this property is a property owner that owns 23 acres behind it and has already developed Augusta Lakes. Trustee Haines inquired of Law Director Hall how the Township could help this developer take action to acquire this said property, if interested, without us spending a large amount of money.

Trustee Chessler indicated that if a buyer could be identified in regard to this property, it would be most probable that the county treasurer would move ahead to be the plaintiff to initiate the suit to result in the sale.

Trustee Haines indicated that the property behind 2029 Richville Dr. SW is in the City of Massillon so it would not be an increase in tax base for Perry Township; this would not be any incentive for the Township to spend the needed monies in the demolition to enhance Massillon City's taxes.

Law Director Hall indicated that he would suggest that Zoning Inspector Cugini get a verbal demolition cost for this property and he would contact the county treasurer and report back to the Board for the next meeting.

Zoning Inspector Cugini stated for the record, wanted to indicate that he spoke with the landowner and complainant to relay the information that he could put a deposit against this property to bring it to foreclosure.

Trustee Haines inquired if a motion was needed to secure this property against vandals. Zoning Inspector Cugini did indicate that the windows were intact, but the rear door had been kicked in making it obvious that people were going in and out of this house. Mr. Hall stated if the Board was in agreement, these previous mentioned steps could be taken and then report back.

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.

Announcements:

Public Speaks-Open Forum: None.

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:31pm; Seconded by Trustee DeChiara.

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

Doug Haines, President

Joe Schlegel, Fiscal Officer