

Perry Township Board of Trustees

Regular Meeting

August 6, 2019 6:00 pm

Call to Order/ Pledge of Allegiance:

Chip Stark ~ Veteran Pledge

Trustee Chessler welcomed Mr. Chip Stark here this evening to lead us in the Pledge of Allegiance. Trustee Chessler stated that Chip was born and raised in Canton, Ohio, attended St. Anthony and St. Joseph Elementary Schools and graduated from Timken Vocational High School in June 1975 and joined the United States Army in July 1975. Trustee Chessler gave a brief summary of Mr. Stark's military service and background; Chip received his basic training at Fort Knox, Kentucky; attended Military Police School at Fort McClellan, Alabama; from October 1981 to March 1985 was stationed at Fort Benjamin Harrison as a Military Police Supervisor and underwent NCO training. Trustee Chessler indicated that Chip and his wife, Teresa, and three children have resided in Perry Township for 16 years.

On behalf of the Board, Trustee Chessler thanked Chip for being here tonight and presented him with a flag and display case as a token of appreciation for his dedicated service to our country. Mr. Stark stated his sincere thanks to the Board.

Excused absence:

Additions/Deletions to Agenda:

Trustee Chessler stated that we have an item listed under the Police Department, Consider Scheduling Step II Grievance Hearing for Officer Barrett. Trustee Chessler indicated that due to the time constraints here, this must be considered so that we can make a decision within the time limits for that.

Trustee Chessler made a motion that the Board amend the Agenda under the Police Department to read: Consider Step II Grievance Hearing for Officer Barrett; Seconded by Trustee Haines.

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

Trustee Chessler made a motion that we add to the Agenda, for the Board to conduct that matter in Executive Session under 121.22 (G) (1) and that will be conducted or not conducted on the matter of Officer Barrett and his representative, so we will schedule that Executive Session.

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

Public Hearings/Invited Guests:

Communications:

Consider No Parking Signs on Russ Ranch ~ Bessie Nichols

Trustee Chessler stated that the Board has received an email from Bessie Nichols on July 31, 2019 pointing out the situation of the curves right around the corner nearby on Russ Ranch Street, a street that abuts the street that goes by the ball fields at Watson School. Trustee Chessler indicated that there is a much greater use of parking on Russ Ranch because of the youth sports utilizing the field there but it is creating a potential problem for safety vehicles. Trustee Chessler stated that he had asked in advance of this meeting for the Police Department and the Fire Department to go out and evaluate the situation.

Chief Martin referenced the photographs, attached before the Board, and indicated the cars that are parked on the left side of that road would make it impossible for a fire engine to make that turn. Chief Pomesky stated that it would be very difficult, if not impossible, for a police cruiser to get through in that area as well.

Trustee Chessler inquired if a No Parking sign on one side of that street would be beneficial; more discussion took place regarding this matter.

Trustee Chessler made a motion that the Board authorize the restriction of parking on the south side of Russ Ranch Street and the authorization of the Road Superintendent to create and place signs appropriately along Russ Ranch to restrict times as necessary to the day and to the hour to alleviate the parking problem that is depicted in the photographs and supporting documents before the Board; Seconded by Trustee DeChiara.

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

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business: None.

New Business:

Trustee Chessler made a motion to approve bills and payroll in the amount of \$356,798.57 for the week ending July 23, 2019 and bills in the amount of \$132,784.74 for the week ending July 30, 2019 and bills and payroll in the amount of \$256,095.21 for a combined total of \$745,678.52; Seconded by Trustee Haines.

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

Fiscal Officer:

Fiscal Officer Schlegel stated that he wanted to inform the Board that he would be on vacation on August 14th through August 27th and that the Assistant Fiscal Officer would be taking his place at the upcoming August 20th meeting.

Consider Approval of 2020 Alternate Budget in the Amount of \$11,262,918.22

Fiscal Officer Schlegel stated that this first Agenda item is to approve the 2020 Alternate Budget. Mr. Schlegel indicated that this is a budget hearing that we do every year; it is also considered a public budget hearing and relayed that this was posted in the Canton Repository and Independent newspapers. Fiscal Officer Schlegel stated that he would read aloud the funds and amounts:

2020 Budget Recap

01	General Fund	\$1,372,055.00
02	Motor Vehicle Tax	\$ 140,100.00
03	Gasoline Tax	\$ 301,700.00
04	Road & Bridge Fund	\$ 965,495.00
07	Lighting Assessment	\$ 16,553.22
09	Police District	\$3,556,218.00
10	Fire District	\$3,667,525.00
11	Road District	\$1,146,472.00
14	D.A.R.E.	\$ 1,100.00
14C	Federal Training	\$ 0.00
14D	Pride Money	\$ 1,100.00
22	Drug Fund	\$ 7,600.00
25	Federal Law Enforce. Fund	\$ 4,000.00
27	Insurance Fund	\$ 60,000.00
32	Proceeds Sale Prop. Forfeit	\$ 15,000.00
33	DUI Fund	\$ 8,000.00

TOTAL **\$11,262,918.22**

Trustee Chessler made a motion that based on the presentation of the Fiscal Officer, that the Board approve the 2020 Alternate Budget for Perry Township in the amount of \$11,262,918.22; Seconded by Trustee DeChiara.

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

Consider Approval of 07 Lighting District Renewal ~ No Increase

Regarding the Lighting District renewal, Fiscal Officer Schlegel stated that the Fiscal Office contacted both electric companies, First Energy and AEP, to determine if any projected increases would take place for the upcoming year; both companies indicated that they did not foresee any upcoming price changes.

Trustee Chessler referenced the supporting document, Street Lighting Assessments for the Tax Year 2019 to be billed in 2020, attached before the Board, in the amount of \$17,135.40. Fiscal Officer Schlegel briefly explained why this number would most likely increase for the upcoming year.

Trustee Chessler indicated that these Lighting Districts are areas that have been established by the Board wherein the affected residents have circulated a petition, also approved by the Board, therefore creating a certain district where the residents of that district have agreed to be taxed and assessed the cost of lighting in that area; this is an accumulation of all those individual districts.

Trustee Chessler made a motion that based on the figures submitted, the Board approve the Lighting District as established in Perry Township as presented as the 07 Lighting District; Seconded by Trustee Haines.

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

Consider Approval of the July 9th and 16th Meeting Minutes

Trustee Chessler stated that we have for consideration tonight the minutes that have been submitted for approval for the meetings of July 9, 2019 and July 16, 2019; the Board has had an opportunity to review those; are there any post changes or edits to those meetings; seeing none, made a motion that the Board approve the minutes as submitted for July 9, 2016 and July 16, 2019 meetings; Seconded by Trustee Haines.

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

Administration:

Consider Accepting OTARMA Capital Distribution Check \$11,416.86

Administrator Fetzer indicated that during the Board's renewal about three weeks ago, it was stated that OTARMA would be sending a Capital Distribution check in the amount of \$11,416.86 through the Positive Claims Experience and moving forward, we can expect to get that on an annual basis.

Trustee Chessler made a motion that the Board gladly accept, from OTARMA, the Capital Distribution check in the amount of \$11,416.86; Seconded by Trustee DeChiara.

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

Fire Department:

Consider Accepting Resignation of Jordan Robinson

Trustee Chessler indicated that the Board has a memo from Chief Martin requesting that the Board accept the resignation of part-time firefighter Jordan Robinson, effective July 16, 2019; he has also submitted a letter, undated, but it has the same date requested that his resignation be effective Tuesday, July 16, 2019;

Trustee Chessler made a motion that the Board accept the resignation effective that date; Seconded by Trustee Haines.

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

Consider Accepting Resignation of Keith Jarvis

Trustee Chessler stated that there is also a memo from Chief Martin regarding Keith Jarvis; he has submitted a letter asking that his last day of work for the Township be considered as of July 29, 2019; he has stated that he has enjoyed working for the Township Fire Department; with that Trustee Chessler made a motion to accept that letter effective that day; Seconded by Trustee Haines.

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

Police Department:

Consider SRO-MOU Update

Chief Pomesky stated that attached for the Board's review and approval is an updated Memorandum of Understanding (MOU) between Perry Township and Perry Local Schools covering our School Resource

Officer Services. Chief Pomesky indicated that this MOU complies with the elements of the updated Ohio law and has been reviewed by the Law Director with the proper adjustments.

Trustee Chessler stated that he would ask Law Director Hall to please affix his approval in the execution of this MOU and made a motion that based on the change in the law, the Board approve the proposed Memorandum of Understanding with the Perry Local Schools and our SRO arrangement that we have with them; Seconded by Trustee Haines.

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

Consider Lexipol Renewal \$8,300

Trustee Chessler stated that the next Agenda item is a renewal of our Lexipol service and asked if Chief Pomesky would please detail his memo to the Board with regard to this matter.

Chief Pomesky indicated that attached for the Board's review is the renewal quote for the Lexipol policy services; total cost for the service is \$8,300.00. This service provides updated police policies for the Police Department and has legislative changes in those policies to date. Chief Pomesky stated that the Police Department is asking for the Board's approval of that contract again for this year.

Trustee Chessler made a motion that the Board approve payment of the invoice submitted by Lexipol in the amount of \$8,300.00 for the one-year law enforcement policy manual update subscription, 24-hour access to the Knowledge Management System for updates in that area; Seconded by Trustee DeChiara.

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

Administrator Fetzer indicated that of the \$8,300.00, OTARMA will be reimbursing the Board \$1,000.00; further indicating this check will be coming to the Board's attention in approximately three weeks.

Consider SRO Training \$2,004.49

Trustee Chessler indicated that the Board has also received a memo from the Police Chief dated July 31, 2019 regarding the cost associated with a training that the officers attended and asked if Chief Pomesky would please give detail regarding this matter.

Chief Pomesky stated that prior to this memo, he had brought before the Board regarding the School Resource Officer and DARE officer to travel to Las Vegas for a training and to actually present at the National Training; the projected cost at that point was \$3,800.00. Chief Pomesky explained that two factors changed the price during their travel, that being the tax not being waived out there and the price of the flights; it brought the total cost to \$4,008.97. Chief Pomesky stated that we are still splitting this expense amount between the schools and the Township and it will bring our total cost to \$2,004.49 and would ask for that amendment for the prior approval. Trustee Haines confirmed the additional increase amount to be \$104.49. Chief Pomesky confirmed yes.

Trustee Chessler made a motion that the Board approve the amount of expenditure of \$2,004.49 for the training that we had previously authorized in conjunction with this endeavor with the schools and that we would authorize the Fiscal Officer to pay the additional amount above the previously authorized amount; Seconded by Trustee Haines.

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

Road and Park Department:

Consider Approval to Solicit Quotes for the 2019 Centerline at Edge Marking of Various Township Streets

Trustee Chessler indicated that this next Agenda item is under the Road and Park Department; Road Superintendent Masalko is asking the Board to authorize him to solicit quotes for the 2019 Striping for various Township roads. Trustee Chessler confirmed that the bid specifications are included with the supporting documents and additionally, confirmed that Law Director Hall had reviewed these; Mr. Hall stated that was correct.

Trustee Chessler made a motion that the Board authorize the Road Superintendent to take the steps necessary to solicit quotes for the 2019 Centerline and Edge Marking of Various Township Streets to have the bids opened September 3, 2019 at the beginning of our meeting; Seconded by Trustee DeChiara.

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

Right of Way and Driveway Apron Discussion

Trustee Chessler indicated that the next item on the Agenda is a requested discussion item; the Board has been made aware, over the last couple of weeks that our paving program has proceeded and when we were doing that, the question has come up; certain abutting property owners who have driveways that are abutting the newly paved surfaces and whether or not the pavement should include that. Trustee Chessler indicated that we have encountered this before and indicated that the Board has been enlightened by the Law Director of our legal authority but relayed that it would always be good to revisit the matter and open it for discussion.

Trustee DeChiara briefly explained a call he received from a resident at an address on Pine Hills Drive wherein their road was recently paved but indicated there was about an 18" piece of road that was not finished.

Trustee Haines inquired about the possibility of letting the residents know in advance of when their street was being paved to enable them to make plans for replacing their driveway aprons, if needed or necessary. More discussion took place regarding this matter.

Law Director:

Consider Michael T. Loy Judgment Entry

Trustee Chessler indicated that the next item on the Agenda is a matter of a nuisance existing on a property on 12th Street and asked if Law Director Hall would please detail this matter.

Law Director Hall indicated that the Board of Health had previously taken action against the property at 2952 12th Street regarding the abandoned swimming pool; the Health Department has an agreed Judgment Entry to the property owner, Mr. Michael T. Loy, to purge himself of a finding for contempt by entering into this Agreed Judgment Entry. This has allowed the Township and Health Department to

abate the nuisance by basically filling in the pool and removing it. Mr. Hall indicated that the Board of Health has already approved this; Zoning Inspector Cugini has done the leg work and obtained three (3) different cost estimates to do the nuisance abatement; the lowest cost estimate being from CRS Contracting in the amount of \$7,100.00. Mr. Hall indicated that the request from the Health Department is for the Board to approve to pay one-half of the costs for this abatement with the Health Department paying the other cost.

Trustee Chessler made a motion with the Board authorizing the Law Director to take the steps necessary to enter into an agreement with the Stark County Health Department and or CRS Contracting for the abatement of the nuisance at 2952 12th Street NW in Perry Township and to further authorize the Township to expend it's share of the cost of the project not to exceed \$3,550.00 and to enter into this agreed bond necessary to complete this agreement; Seconded by Trustee Haines.

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

Zoning:

Problem Properties:

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department:

May and June Stats

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Announcements:

~Trustee Chessler stated that he wanted to make note to please honor and remember all of our Fallen Heroes and referenced a public acknowledgement submitted today in loving memory of Sergeant Daniel J. Patron, United States Marine Corp, his date of birth of 4-30-85 and unfortunately, his date of death, anniversary today, August 6, 2011; if we could have a moment of thoughtful silence for Daniel and his family. Thank you.

~Trustee Chessler thanked Dana Vargo of the Perry History Club for the information regarding the Lincoln Bi Way Yard Sale, an annual event held at Central Catholic School parking lot on August 8, 9, 10, 2019. There is information for vendors; set up is Wednesday from 4-7 pm and is sponsored by the Perry Township History Club.

Public Speaks-Open Forum:

Arthur Shull, 3104 List St. NW – Mr. Shull stated that the main reason for him being here tonight is to address the flood on List Street. Mr. Shull indicated that the significant water damage to his home cost him approximately \$40,000 and stated that he wanted to know if there was anything the Township could do about this.

Trustee Chessler indicated that approximately a month ago, a meeting was held out on the street about a block down from Mr. Shull's property regarding the failing drainage system in the Plymouth Knolls area; this matter was again discussed later that evening at the scheduled July 16, 2019 Regular Board meeting. Trustee Chessler explained that the Township is in the beginning stages of working to have a design for the refurbishing of the whole drainage system in the Plymouth Knolls area.

Trustee Haines indicated that he and Road Superintendent Masalko could plan to meet at Mr. Shull's property to see if there was any way to temporarily address the water flow issues around his property. Mr. Shull stated his thanks.

Tom Heagerty, 3111 List St. NW – Mr. Heagerty stated that his concerns were the same as Mr. Shull's; the storm after July 4th caused him to experience approximately 17 inches of water in his garage and crawl space. Mr. Heagerty stated that it really is a bad situation out there and relayed that he would appreciate anything the Township might be able to do regarding this matter. Trustee Haines stated that he and the Road Superintendent would take a look at Mr. Heagerty's property as well. Mr. Heagerty also stated his thanks.

Executive Session(s):

Consider Step II Grievance Hearing for Officer Barrett

Trustee Chessler made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) to include the Board, Law Director, Police Chief, Fiscal Officer and representatives from the Police Department as necessary for the hearing; Seconded by Trustee Haines.

ROLL CALL:

The Board adjourned into Executive Session at: 6:48 pm

The Board adjourned from Executive Session at: 7:33 pm

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:33 pm; Seconded by Trustee Chessler.

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

Craig Chessler, President

Joe Schlegel, Fiscal Officer