

**Perry Township Board of Trustees**

**Regular Meeting**

**July 18, 2023, 6:00 pm**

**Call to Order/ Pledge of Allegiance:**

**Welcome/Invited Guests**

Commendation presentation for Eric Purco and Jeff Stoughton ~ Life Saving Recognition

Trustee Nelligan gave a history of the fire at Miles Ave SW. Neighbors, Eric Purco and Jeff Stoughton noticed the fire and knew the resident was home, immediately alerted the resident. Trustee Nelligan stated their actions saved his life. There was a commendation presentation to Eric Purco and Jeff Stoughton. Chief Sedlock said a few words.

**Excused absence:**

Anthony Davide ~ Public Works Director

Chris Young ~ Road Foreman

**Additions/Deletions to Agenda – Roll Call by Department:**

Jeff Whytsell added an abatement issue

Law Director Mathews added to consider a resolution addressing the condition at the right away of Ortt Road and declaring a nuisance to proceed with the abatement of the authority of the Board.

Trustee Nelligan added a motion regarding the Police Levy.

**Communications/Announcements Details available at Perrytwp.com:**

1. Township Survey ~ Ongoing through June ~ visit perrytwp.com
2. Perry Township County Wide Budget Symposium August 10<sup>th</sup> 9 am to 11 am ~ Exploration Gateway
3. Perry Township Rotary ~ Community Parade & 9<sup>th</sup> Annual Township Oktoberfest Saturday, September 9<sup>th</sup> 12 pm to 4 pm at Hartwick Park Details at perrytwp.com

**Public Speaks on Agenda Items Up for Action**

**Unfinished Business:**

**Department Agenda Items (Information/Action Items)**

## **Administration:**

### **Consider Employee A ~ FMLA Request**

Administrator Martin stated the Board had before them a request from Employee "A". Administrator Martin indicated Employee "A" is requesting to take a designated time of FMLA needed for Employee A's own serious illness. The person has been advised of the FMLA policy. Administrator Martin stated they are also aware it is their responsibility to report their time away to their department head for approval. FMLA concurrently runs with sick and vacation time that must be exhausted. FMLA is the federal law which we abide by per the physician's script.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider OTARMA Renewal**

The administrator asked the Board to consider the OTARMA, (Ohio Township Association Risk Management Authority) which is the insurance for the township. Administrator Martin explained all the benefits of OTARMA. The renewal has been reviewed and approved by the township Law Director she stated. In addition, Law Director Mathews has recommended continuing the liability amount of \$10,000,000. Administrator Martin asked the Board to please consider making a motion to renew the OTARMA premium of \$200,751.00.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

### **Consider carpet quotes for the administration building**

The administrator asked the Board to consider the carpet quotes. Administrator Martin stated the Board requested 3 quotes for carpet installation at the township Administration office which includes the lobby, interoffice area, Trustees office, conference room, and separate office locations. She indicated moving all the furniture is included in the quote and approximately 4-5 weeks to deliver installation. Quotes received were from Hosner Carpet, Perry Flooring, and Bob and Pete's had no response. Administrator Martin asked the Board to consider the contract with Hosner Carpet in the amount of \$11,205.45.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

### **Consider carpet quotes for the Conference Room of the Administration building**

Administrator Martin asked the Board to consider carpet for the conference room since it has been several years since the carpet has been replaced. She indicated it would match the administrative office carpet. Administrator Martin asked Hosners since they are doing the other installation. She requested the Board to consider the conference room and the platform in the amount of \$5,013.49.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

### **Consider Summerdale and Regis Perry Memorial Park restroom demolition quotes**

Administrator Martin stated the Board is in receipt of 2 demolition quotes for the current restrooms at Summerdale and Regis Perry Memorial Park. Malavite's quote for both structures was in the amount of \$5,900.00 and Wengerd \$8,200.00. Malavite is able to begin demolition within 2-3 weeks of notification which is way ahead of time for the delivery of the restrooms in October. Administrator Martin asked the Board to make a motion to contract with Malavite in the amount of \$5,900.00 for the demolition of restrooms at Summerdale and Regis Perry Memorial Park.

Trustee Miller asked to table this issue to speak with Anthony Davide ~ Public Works Director on the full scope of the project.

Trustee Nelligan withdrew her motion.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

### **Resolution 2023-**

#### **Consider Request for Perry Drive Right of Way Parcels Resolution and 4-WD and 4T and 30-WD and 30-T.**

Administrator Martin gave an update on Perry Drive SW and Southway Project. Administrator Martin indicated it is still on schedule to be constructed in late spring or early summer of 2024. Expected to be finished in the mid to late summer of 2025. She gave details of what will be done in that project.

She did also announce that gas lines will be worked on late this summer. Administrator Martin also made the Board aware of the Stark County Engineers needing to purchase a portion of 2 parcels currently owned by the Perry Township Board of Trustees.

Law Director Mathews gave important information on this purchase to the Board.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

### **Road and Park Department:**

**Anthony Davide ~ Public Works Director and Road Foreman, Chris Young absent**

#### **Plymouth Knoll Sewer update**

Administrator Martin spoke in place of absent Anthony Davide – Public Works Director on a brief update of the Plymouth Knoll Sewer Project. Administrator Martin indicated that after speaking with Mia Davis, the project manager with Eclipse Co., the Plymouth Knolls Storm Sewer Improvement project has been delayed due to manufacturing the precast structures. It is the understanding that they will be completed this week and that they will be able to be onsite in a couple of weeks.

### **Zoning:**

#### **Consider Resolution for Zoning Case PE 01-2023**

Zoning Inspector Jeff Whytsell request a motion to adopt by vote the recommendation of the Stark County Regional Planning Commission and Perry Zoning Commission to approve the rezoning reclassification of parcel #10015107 from Industrial to B2 Commercial. Zoning Inspector Whytsell made a clarification point, Regional Planning Commission was confused about the applicant's intent. The recommendation is to do all of the parcels.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **Consider Nuisance Declaration and Citation at 4615 Pleasant Hills Drive NW**

Zoning Inspector Jeff Whytsell requested a motion to declare 4615 Pleasant Hills Dr NW as a nuisance and approve a \$100.00 citation. There were attached pictures and copies of notifications of the property.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

Trustee DeChiara would like to make changes to the fees for this property. This property is the second offense.

This issue was tabled till the end of the meeting for a ruling on charges.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

**Note:** Zoning Inspector Jeff Whytsell withdrew his request for adding to the agenda an abatement issue until further investigation.

**Police Department:**

**Consider Keisler Law Enforcement Supply ammunition purchase**

Chief Bryan Taylor asked the Board to authorize the purchase of ammunition from Keisler Law Enforcement Supply. On July 6, 2023, Sgt. Barker hosted and attended a ballistics workshop and had the opportunity to observe five types of 9mm pistol .223 rifle ammunition being put through various ballistic tests to determine what type of ammunition would be best for our agency. After Sgt. Barker's research and recommendation, I am asking the Board to authorize the purchase of the ammunition at a total cost of \$23,911.70. This ammunition purchase would give us an ample supply for practice, training, and duty for the next four years stated Chief Taylor.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

**Consider Hall Public Safety Uplifters computer mount purchase**

Chief Bryan Taylor is requesting the Boards authorization for the upfitting of the 5 Dodge Durango's through Hall Public Safety Upfitters. Chief Taylor also requested the purchase of 8 computer mounts through Hall Public Safety Upfitters as well to outfit the current fleet with the computer mounts for the new computers that were recently approved and purchased. The total cost is not to exceed \$74,479.53. Chief Taylor asked that the majority of this purchase be covered by the Police department's ARPA funds and the amount remaining after that through the police department's budget.

Trustee Nelligan made a motion to approve the upfitting of the 5 Dodge Durango's through Hall Public Safety Upfitters and also the purchase of 8 computer mounts through Hall Public Safety. The total cost is not to exceed \$74,479.53. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

**Fire Department:**

**Consider the resignation of District Chief Thom Ross**

Chief Larry Sedlock asked the Board of Trustees to consider the resignation of District Chief Thomas Ross. Chief Sedlock stated he has been a valued, dedicated member of the Perry Township Fire Department, our community, and the residents of Perry Township for over 33 years. As District Chief,

Mr. Ross always provided leadership within the department. Chief Sedlock continued giving the work history of Mr. Ross. Chief Sedlock asked the Board to accept Thom's resignation effective July 7, 2023.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider accepting a donation from McKinley Eagles**

Chief Sedlock stated the McKinley Eagles once again have made a very gracious donation to the fire department. They have donated \$10,000.00 which will be used towards the purchase of new fire helmets. Chief Sedlock recommends that the Board accept the very kind donation of \$10,000.00 from the McKinley Eagles.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Resolution 2023-**

#### **Law Director:**

#### **Ortt Road nuisance abatement**

Law Director Mathews

Ryan Balko is a representative of Scheetz and gave a testimony. He indicated Scheetz will be purchasing the land that is adjacent to Ortt Rd. Part of the plan is to improve that area. Mr. Balko stated at the end of the week they will be submitting letters to the current property owners. Mr. Balko stated the plan and dates for the construction of the Scheetz Station.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **Fiscal Officer Report**

#### **Consider Pending Warrants**

Fiscal Officer Chessler stated the following pending warrants for week ending 6-20-23 for bills in the amount of \$101,561.34 and week ending 6-27-23 for bills/payroll in the amount of \$1,798,567.41 for week ending 7-11-23 for bills and payroll in the amount of \$224,704.21 for a combined total of \$2,155,663.60. Fiscal Officer Chessler asked the Board of Trustees for a Motion to approve the pending warrants.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider accepting meeting minutes**

Fiscal Officer Chessler asked the Board of Trustees to consider accepting meeting minutes from May 23, 6-6, 6-13, 7-5, and 6-20-2023.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider June 2023 Bank Reconciliation**

Fiscal Officer Chessler asked the Board to consider the June 2023 Bank Reconciliation for the month of June.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Board of Trustees of Trustees Updates – Roll Call**

#### **1. Trustee Nelligan – Police Levy Discussion**

Trustee Nelligan wanted to make a motion for a resolution. There was a special meeting with the Police Chief and Law Director for a November Police Levy. The Resolution will be for the request to the Stark County Auditor for the Perry Township Police Department for the following 3.9 replacement and 3.9 additional mileage requests.

Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **2. Trustee Miller**

#### **3. Trustee DeChiara, Jr – Nuisance property maintenance fee increase**

Trustee DeChiara wanted to know how the Board felt about repeat nuisance offenders increasing the fee to \$500.00- \$700.00 for the same nuisance. He directed his next statement to the Law Director asking if this an only 1-time fee or if can it be a per-day fee. The Law Director stated that is not a one-day fee. The Board responded by stating a tiered fee would be good. The Law Director gave a

suggestion on the tier fee. There was continued discussion with the Board and the Zoning Inspector on how to proceed.

Trustee Nelligan made a motion to amend our nuisance fee schedule to a tiering of a first offense of \$100.00, 2nd offense of \$250.00, 3rd offense of \$500.00, 4<sup>th</sup> offense of \$750.00 and 5<sup>th</sup> offense 1000.00 of the same nuisance in the same 12-month period. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **Re-Consider Nuisance Declaration and Citation at 4615 Pleasant Hills Drive NW**

Trustee Nelligan went back to the discussion of the property at 4615 Pleasant Hills Dr NW. This nuisance will now be \$250.00.

Trustee Nelligan withdrew the prior motion and made a motion up to \$250.00 to 4615 Pleasant Hills Drive NW. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **Public Speaks:**

##### **Karl Duell**

Karl Duell gave his address of 8187 Navarre Rd SW, Massillon. He presented a map and stated he was representing Richville. He is running for Trustee this year. Karl Duell discussed truck traffic. He wanted to discuss the growth of the township. He discussed the traffic flow on Navarre Rd.

##### **Steve Little**

Steve Little gave his address of 7087 Nave Rd SW. Mr. Little was there concerned with speeding on Nave Rd. There are no speeding signs posted but there are signs posted in Massillon coming east. He wants to know what the speed limit is going into a residential area. Chief Taylor talked about the speed limit. He indicated that the speed is 35 mph. He stated that a traffic study would have to be done to post signs. He is trying to do a traffic study.

#### **Problem Properties:**

#### **Department Matters Not Requiring Board of Trustees Action:**

##### **Administration:**

##### **Fire Department:**



**Police Department:**

**Road Department:**

**Parks/Recycling:**

**Zoning:**

**Law Director:**

**Announcements:**

**Public Speaks-Open Forum:**

**Adjournment:**

**Adjournment:**

With nothing further to come before the Board of Trustees, Trustee Nelligan made a motion to adjourn the regular meeting at 7:15 pm; Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

**Executive Session(s):**

**ORC 121.22 (G)(3) to discuss pending court action to include the Board law Director and Administrator**

**ORC 121.22 (G)(1) to discuss to include the Board, Law Director and Police Chief**

**ORC 121.22 (G)(1) to discuss to include the Board, Law Director and Fire Chief**

With nothing further to come before the Board of Trustees, Trustee Nelligan made a motion to adjourn into executive session at 8:55 pm; Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

The Board of Trustees adjourned from Executive Session at 8:55 pm

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Lisa Nelligan, President

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Craig Chessler, Fiscal Officer