

REGULAR SESSION  
November 10, 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 the Regular Session on November 24, 2009.

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

Mr. Coleman moved to accept the minutes from the Regular Session of October 27, 2009. Mr. Dwelle seconded the motion. All were in favor.

Mr. Coleman moved to approve the Financial Statements for the month ending October 31, 2009, and the period ending November 10, 2009. Mr. Dwelle seconded the motion. All were in favor.

**Veterans Day Proclamation**

Mr. Ferrell then read the following proclamation:

**WHEREAS**, America has grown into a vibrant country, a nation shaped by its people, their courage, and commitment to protecting and defending human rights, whenever and where ever they are threatened; and

**WHEREAS**, Americans have and continue to put themselves in harms way, often willing to offer their lives, to restore liberty and democracy throughout the world; and

**WHEREAS**, Peace and freedom are not just words. They are values and beliefs worthy of sacrifice yesterday, today and tomorrow; and

**WHEREAS**, American sacrifice and valor will be remembered forever as a rich legacy of peace, freedom and identity;

**NOW THEREFORE I**, Jeffrey L. Ferrell, Chairperson, Perkins Township Trustee, do hereby proclaim November 11, 2009 as Veterans Day in Perkins Township and also recommend that our citizens pause for a moment on the 11<sup>th</sup> hour of the 11<sup>th</sup> day of the 11<sup>th</sup> month to pray and pay tribute to all our proud and stellar veterans.

All three Trustees signed the proclamation.

At this time Mr. Ferrell turned the meeting over to Dean Frederick of Frederick & Associates to present an overview of the feasibility study he has been engaged to do for the development of the property on Bell Avenue. Mr. Ferrell explained that the Township had been given \$10,000 from the County's Revolving Loan program. The goal is to tie the property into other surrounding activities. The goal is to be able to obtain grants.

Mr. Frederick explained that the idea was to have this become a regional activity center. There are various programs and grants available depending on the use of the land. They plan to seek input from the citizens and other stakeholders, the people who will be using the property. In order to obtain the grants, we must show a need for the activity. One example he gave was to widen the ditch that goes through the property. Now it becomes a science project. This leads to other sources of revenue that is available for development.

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Cheryl Best-Wilke asked if there were other options for developing the parking lot. Mr. Frederick explained the various types of surfaces and treatments and briefly explained that various uses have their own set of regulations.

James Caldwell asked if there had been any thought given to a community pool.

Jeff Printy commented that the \$10,000 could be used for a bandstand. Mr. Frederick said this would be a good use for the shaded areas.

Mr. Printy also said that there was a need for an ice skating rink. Mr. Ferrell agreed that there was a need for this.

Mr. Dwelle said that he had a concern of just ball fields. He liked the idea of many different uses over many seasons.

Mr. Printy said that the original concept was in three phases. The first phase, driven by the possibility of the sale of Sartor Park, was the ball fields. Other than that the plans are not set in stone. He said that the Park Board had always approached this as a community activity.

Mike Printy asked how long the report would take. Was he going to make contact with the stakeholders? And what is the cost? Mr. Frederick said that most grants come out in the spring so that it will be necessary to have the information to submit by then. He also has preliminary questions and stakeholders in mind. He is looking at January/February in order to be ready to submit for the grants. And the cost is part of the grant process and the overall budgeting process.

Mr. Dwelle asked that Perkins School be part of the process. Mr. Frederick agreed totally. Some of the grants available are educational in nature so the school would be a natural stakeholder.

Mr. Ferrell thanked Mr. Frederick for his presentation.

**Resolution #2009-0168**

**SUPPLEMENTAL APPROPRIATIONS – POLICE DEPARTMENT**

Mr. Coleman moved to approve a supplemental appropriation for:

2221-210-740-0000 Police Tasers & Holsters \$3,000.00  
from 2221 Drug Enforcement unallocated funds

Mr. Dwelle seconded the motion. Chief Klamar explained that it was for three additional tasers so that there would be one per car. It also includes a holder for each officer. There will be a total of seven tasers. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

**Resolution #2009-0169**

**TRANSFER OF FUNDS – HIGHWAY DEPARTMENT**

Mr. Coleman moved to approve a transfer of funds for:

4401-931-000-0000 Transfers –In \$245,260.00  
1000-910-910-0000 PWCP Fund (\$245,260.00)

Mr. Dwelle seconded the motion. Superintendent Sternberg explained that he had received the invoices from the Erie County Engineer and Precision Paving. This transfer is based on the Township's share of the original contract amount, but under the original estimate. The OPW funds will be received based on 42% of the actual costs. Mr. Coleman asked if the County's charges included both design and inspection. Mr. Sternberg said that it included preliminary design, final design, and some inspection. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

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**Resolution #2009-0170**

**SUPPLEMENTAL APPROPRIATIONS – HIGHWAY DEPARTMENT**

Mr. Coleman moved to approve a supplemental appropriation for:

2913-610-730-0000 Improvement of Sites \$21,611.60

from 2913 Park Improvement unallocated funds

Mr. Dwelle seconded the motion. Mr. Sternberg explained that he had gotten three different quotes. Precision Paving was the lowest. And since they are already in the area, Precision would be able to do the work while here. The Board agreed that this would be the main parking lot and while they would like to have one that was 'greener', this one needed to be a hard surface. Mr. Dwelle also noted that the grade of the present area lends to expansion and that drainage was already in place. Mr. Ferrell said that they would probably not be able to get the work done at a better price. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

**Resolution #2009-0171**

**SUPPLEMENTAL APPROPRIATIONS – BUILDING DEPARTMENT**

Mr. Dwelle moved to approve a decrease in appropriations for:

9003-130-510-0043 3% Fee (\$3,400.00)

2903-130-360-0000 Contracted Services (\$10,000.00)

2905-130-360-0000 Contracted Services (\$38,000.00)

9003-130-510-0061 1% Fee (\$1,000.00)

Mr. Coleman seconded the motion. Ms. Schaefer explained that this was a decrease in the appropriations in the various building funds to match the actual revenues received. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

**Resolution #2009-0172**

**ACCEPT RESIGNATION OF FIREFIGHTER STEVEN WESTCOTT**

Mr. Coleman moved to accept the resignation of Steven Westcott, effective November 9, 2009. Mr. Dwelle seconded the motion. Chief Myosky explained that Mr. Westcott had received a disability retirement. Mr. Ferrell then read the resignation letter from Mr. Westcott. Mr. Dwelle asked that a letter be sent to Mr. Westcott thanking him for his service. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

Mr. Ferrell said that he would take care of writing the letter.

Ms. Schaefer then asked the Board to seek a legal opinion on the Building Department funds. She explained that over the years, all the money received for commercial and residential permits had been put into the two building funds, even the General Fund's 15% and inspection fees. She is asking for an opinion to permit the General Fund money be placed in the General Fund. In talking with the State Auditor the Township needs to get a legal opinion to do this since the money should have gone to the General Fund upon receipt. She would also suggest that they get a release from Ken Klingshirn that he and the State have been paid in full.

Mr. Coleman asked if the State then had to sign off on it about receiving the legal opinion. Ms. Schaefer said that she did not think so, but would check with the Auditor's office.

**Legal Opinion of Building Department Funds**

Mr. Dwelle authorized the Fiscal Officer to seek a legal opinion for transferring the funds in the various building funds. Mr. Coleman seconded the motion. Mr. Ferrell asked if this has been happening for years in order to get this high. Mr. Dwelle said that he could remember years ago, he thought Klingshirn had money due him because of the balances in the funds. But Mr. Klingshirn has been contacted and said that he was not owed anything. Ms. Schaefer explained that one previous clerk/fiscal officer would put all the

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money into the building fund and periodically transfer it to the general fund. At some point that stopped. Ms. Schaefer said that one past management letter advised that the fiscal officer should keep a spreadsheet on the revenues and payouts to be certain all was in balance. Prior fiscal officers relied on Mr. Klingshirn to provide a report as to when money was sent to him and/or the State. Sometimes he would not give Mr. Lamb credit for the footer inspections. So in mid 2008 after she understood the process better, Ms. Schaefer started doing the report and sending it with the checks. This way we stay current. Mr. Ferrell suggested that Mr. Coppeler also write the release from Mr. Klingshirn. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Motion approved.

### **DEPARTMENT REPORTS**

#### **Fire**

Chief Myosky had submitted a requisition for the replacement of two EMT cots for the squads. The new standards recommend a 700 lb. rated cot. The old cots, purchased in 2000/2002 were rated for 400 lbs. There is a trade in allowance. Chief Myosky asked if the Trustees had the opportunity to look at the request. Mr. Ferrell asked if they were electric cots. Chief said no, but they do have a cot at the station if the Trustees would like to see it.

Chief Myosky reported that they had completed the assessment process with the Ohio Fire Chief's for the promotional list. The Chief and Chief Hodges outlined the procedure. They would like to have the process complete before December.

#### **Highway**

Daryel Sternberg said that it was great to have the design for the Bell Avenue property completed.

All the weed complaints had been completed. They have started leaf pickup. Leaf pickup has gone well and citizens have been understanding. He also presented a recommendation from a citizen who suggested that if after the initial pickup, residents could pay for an additional pickup. Mr. Coleman said that he did not know if we could charge for it, but appreciated the input.

The Issue II project is going according to schedule. Mr. Sternberg said that it was nice with this grant to be able to provide the curbs without an assessment.

Finally the repairs on the building will start this week.

#### **Police**

Chief Klamar reported that an attorney had brought up the fact that people brought into the station were not free to leave because of the coded exit locks on the doors. He has submitted a requisition to correct this situation. There is also no manual override on the doors. He also questioned what happens when there is a power failure. Chief Myosky said that they would operate off the generator, but in the event that the generator does not start, there is no battery backup on the system.

Mr. Ferrell announced that Chief Klamar had been accepted to the FBI Police Academy for the session in April. Mr. Coleman asked if he any idea whom he was leaving in charge. Chief Klamar said that he would suggest Lt. Parthemore who had done an excellent job prior to his appointment.

### **REPORTS**

The October Zoning report shows collections of \$2,997.08 and includes one residential home on Kelley Lane.

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**PUBLIC FORUM**

Jeff Printy, Park Board, presented a sign design for the Speer ball field. He will get an estimate from Double S Industries. Mr. Coleman noted the life expectancy of the signs. Mr. Printy said it was 300 years. Mr. Ferrell said the cost estimates are to be given to Mr. Sternberg.

He also asked how much was collected in estate taxes. Ms. Schaefer said that is was approximately \$350,000. He wanted to know if it was designated for anything particular. Ms. Schaefer explained that it becomes part of the pool to be used for General Fund activities. Mr. Coleman said that the biggest need that came up that was unplanned was the increase in life insurance.

Jim Caldwell, Stoneyridge, invited the Trustees to attend a Veteran's Ceremony at the Presbyterian Church.

Mr. Ferrell then introduced Frank Sirse, Kasper Auto Group. Mr. Sirse presented a letter written by Bryan Kasper requesting that they be considered for the Police Towing contract that will expire soon. Mr. Ferrell said that they were aware that the contract expires shortly and have had discussions with the Chief.

Cheryl Best-Wilke asked for an explanation of the towing policy. Chief Klamar explained the difference between the tows for DUIs and forfeitures and the tows for disabled cars.

**TRUSTEE DISCUSSION**

Mr. Coleman noted that today was the Marine Corps birthday. He then asked if there were any veterans in attendance. Chief Myosky was in the Coast Guard; Tom Wilke, Navy; and Jim Caldwell who had left.

Mr. Ferrell reported that he had had a meeting with the Visitors' Bureau. He gave an update on the progress on the Route 250 development.

**Resolution #2009-0173**

**RESOLUTION DECLARING THE CONDITION OF BUILDINGS IN PERKINS TOWNSHIP UNSAFE AND A NUISANCE, ORDER THE LANDOWNERS TO ABATE, CONTROL OR REMOVE THE NUISANCE, AND NOTIFYING THE OWNERS AND LIEN HOLDERS OF THE EFFECT OF FAILING TO COMPLY WITH THE ORDER.**

Mr. Coleman introduced the following resolution and moved its adoption:

**WHEREAS** the Perkins Township Fire Department Fire Chief has declared the buildings located on the property at 3509 Milan Road, Perkins Township to be structurally unsound, insecure, and unsafe and a nuisance.

**BE IT RESOLVED** that this Board hereby determines and declares that Debra Saunders' maintenance of the building located on the property at 3509 Milan Road, Perkins Township, Erie County, Ohio constitutes a unsafe, structurally defective building and a nuisance.

**BE IT RESOLVED** that Debra Saunders, the owner of the property, is hereby ordered to abate, control or remove the nuisance within seven days of her receipt of notice of this Order or to appear before the Perkins Township Board of Trustees at the scheduled meeting on December 8<sup>th</sup>, 2009 at 6:00 P.M. to attempt to settle this matter by agreement with the Board.

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**BE IT FURTHER RESOLVED** that if the Owner(s) fail to make provisions for abatement, control or removal of the nuisance by December 8<sup>th</sup>, 2009, the Perkins Township Board of Trustees shall do so and any expenses incurred by the Board in performing this task shall be entered upon the tax duplicate and will be a lien upon the land pursuant to R.C. 505.86.

**BE IT FURTHER RESOLVED** that the Township Fiscal Officer shall cause notice to the landowners and lien holders of record upon the land to be sent by certified mail pursuant to R.C. 505.86 and by ordinary mail. If both are returned the Fiscal Officer shall publish the notice once in the Sandusky Register, a newspaper of general circulation in Perkins Township and Erie County. Mr. Dwelle seconded the motion Mr. Ferrell said that he had been contacted by the neighbors. It has been vacant for some time. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Resolution adopted.

**Notices**

Ms. Schaefer announced that the Perkins Township Bicentennial Plates are now available for purchase, Monday-Friday 9:00 a.m. to 3:00 p.m. for \$10.00. The plates show several landmarks from around the township as well as where the original cabins and Indian trails were located. She said that Kathy Niehm, Administrative Clerk, did the majority of the work on this and the pamphlet and did an excellent job. The plates would make an excellent Christmas present.

Mr. Dwelle moved to go into executive session to discuss a personnel matter with the Highway Superintendent and Fire Chief. Mr. Coleman seconded the motion. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Motion approved.

Mr. Dwelle moved to return to regular session. Mr. Coleman seconded the motion. Roll call: Mr. Dwelle, yes; Mr. Coleman, yes; Mr. Ferrell, yes. Motion approved.

With no further business to be conducted, the meeting was adjourned at 9:30 pm.

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Jeffrey Ferrell, Chairman

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Diane Schaefer, Fiscal Officer