

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

The Perkins Township Trustees met Tuesday, March 8, 2022, in the Township Services Facility located at 2610 Columbus Avenue. Trustees present were Timothy Coleman, Jeffrey Ferrell, and James Lang. Chairman Ferrell opened the meeting with the Pledge of Allegiance at 6:00 p.m.

AGENDA

Mr. Ferrell moved to adopt the agenda as presented. Mr. Coleman seconded the motion. All were in favor.

FINANCIAL REPORTS

Mr. Ferrell moved to approve the financial reports for the month ending February 28 and the period ending March 11, 2022. Mr. Coleman seconded. All were in favor.

PUBLIC HEARING

The Board held a hearing on the recommendation by the Zoning Commission to amend Article 17 General Commercial District, Section 17.2. Conditionally Permitted Uses, Subsection 14 Medical Marijuana Dispensaries.

Director Angela Byington gave a recap of the previous change to the Zoning Regulations permitting Medical Marijuana Dispensaries. It was noted there was a minimum distance requirement between dispensaries. The recommendation by the Zoning Commission would be to remove this requirement. The State has strict requirements for licensing.

Mr. Ferrell then opened the hearing to the public. There were no comments. Mr. Ferrell then moved to close the public hearing. Mr. Coleman seconded the motion. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Mr. Ferrell said he understood that a location had been approved for Perkins, Sandusky, and Huron. This would allow one of the other approved dispensaries to move into the Township. Ms. Byington said that they could have done this prior, but now they can move in closer than 12,000 ft. required by the previous regulations.

He then asked about the signage. The size would be limited by our current regulations. They cannot control content. Ms. Byington said unless the State controlled how they advertise, we have no control over the content.

Resolution 2022-046

**Amend Article 17 General Commercial District,
Section 17.2. Conditionally Permitted Uses,
Subsection 14 Medical Marijuana Dispensaries**

Mr. Ferrell moved to amend Article 17 General Commercial District, Section 17.2. Conditionally Permitted Uses, Subsection 14 Medical Marijuana Dispensaries. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

The Board then held a hearing at the request of the property owners of 3710 Scottley Drive per ORC 505.86.

Susan Brown, Erie County Assistant Prosecutor, advised that she has been assisting Community Development in this case. The property owners have requested a hearing. They are asking rather than proceeding with the demolition that the Board approve a compliance agreement to ensure that the property is brought up to standards.

The consent agreement would be between the property owner through their guardian, the purchaser, and the Township. Ms. Brown believed that it was a fair and balanced agreement.

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

Leslie Grashel, guardian, stated for the record that the consent agreement was acceptable.

Dale Coffman, realtor, said that he preferred to fix things rather than just bulldoze. He believed that Mr. Losey had the qualification to save the property. They have met with George Poulos, Chief Building Official, regarding what needs to be done.

John Losey, purchaser, said he has inspected the property and is aware of the repairs that need to be done. He has a personal reason for restoring it for his daughter and her family.

Amanda McClain, Code Enforcement Officer, said that there were trigger points in the agreement with the property being ready for occupancy November 1, 2022.

Ms. Brown requested that the amendment reflect that the property owners were requesting the hearing.

Mr. Ferrell moved to close the public hearing. Mr. Coleman seconded the motion. Roll call: Mr. Lang, abstained; Mr. Coleman, aye; Mr. Ferrell, aye.

Mr. Ferrell agreed that this has been a prolonged process. However, this is the greatest solution that someone is willing to rehab the property. Mr. Ferrell asked Mr. Losey if he was good with all the timelines. Mr. Losey said that while there are always unforeseen matters, he was good with everything including Exhibit A.

Mr. Ferrell thanked Ms. Brown for her work on this issue.

Resolution 2022-047

Approve Terms of Consent Agreement – 3710 Scottley Drive

Mr. Ferrell moved to approve the terms of a Consent Agreement for the removal or repair of insecure, unsafe, or structurally defective building or structure at 3710 Scottley Drive between the Board of Trustees and Leslie Grashel (Guardian) of the person and estate of Nancy J. Bettridge (owner) and John H. Losey (purchaser) dba Northcoast Handyman Service LLC at the request of the owners in lieu of a public hearing. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, abstained; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

NEW BUSINESS

Resolution 2022-048

Advance from General Fund to Police Fund

Mr. Ferrell moved to approve an advance from the General Fund to the Police Fund for \$100,000 until the first half real estate settlement is received. Mr. Coleman seconded the motion. Ms. Schaefer explained that each year the police fund has a cash shortage until we get the first half real estate settlement. Hopefully with the new additional levy this will not be needed next year. Mr. Ferrell noted that since it is an advance it will be paid back to the General Fund. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell aye. Resolution adopted.

Resolution 2022-049

**Award Contract to Denes Construction, Inc.
East Strub Road Sidewalk Project**

Mr. Ferrell moved to award a contract to Denes Construction, Inc. for the East Strub Road sidewalk project in the amount of \$50,372.00. Mr. Coleman seconded the motion. Director Link said that this will connect the sidewalks that are part of the SRTS project and the sidewalks the County installed. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

Resolution 2022-050

**Award Contract to 7L Construction, LLC
East Strub Road Resurfacing Project**

Mr. Ferrell moved to award a contract to 7L Construction, LLC for the East Strub Road resurfacing project in the amount of \$226,975.70. Mr. Coleman seconded the motion. Director Link said this project would coordinate with the sidewalk project. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

The following contracts were the result of bid notices and reflect the lowest and best bids submitted. They are funded through the Road Improvement Levy with a start date after school is out. Mr. Ferrell noted that they all came in under the engineer's estimate.

Resolution 2022-051

**Award Contract to Erie Blacktop, Inc.
Timberlake Subdivision Pavement Improvement Project**

Mr. Ferrell moved to award a contract to Erie Blacktop, Inc. for the Timberlake Subdivision pavement improvement project in the amount of \$152,772.40. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-052

**Award Contract to Erie Blacktop, Inc.
Windamere Subdivision Pavement Improvement Project**

Mr. Ferrell moved to award a contract to Erie Blacktop, Inc. for the Windamere Subdivision pavement improvement project in the amount of \$123,202.20. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-053

**Award Contract to Erie Blacktop, Inc.
Miscellaneous Streets Pavement Improvement Projects**

Mr. Ferrell moved to award a contract to Erie Blacktop, Inc. for the Cambridge Circle, Ann Drive, Lake Wilmer Drive, Louisa Drive, Osborne Drive, and Taylor Road pavement improvement projects in the amount of \$146,400.50. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-054

Prohibit Parking on Unimproved Surfaces on Perkins Township Property

Mr. Ferrell moved to prohibit parking on unimproved surfaces on Perkins Township owned properties and providing for the enforcement of vehicle towing in violation of same. Mr. Coleman seconded the motion. Mr. Boyle said that was brought to his attention by Director Link and that it is like the regulations followed by Community Development. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-055

Then & Now Payment to DL Smith

Mr. Ferrell moved to authorize then and now payment to DL Smith for Columbus Park and Oakland Park curb, gutter and resurfacing in the amount of \$25,220.72; and for additional payment associated with the resurfacing of Richmond Circle, Lisbon Circle and Marissee Drive in the amount of \$11,431.99. Mr. Coleman seconded the motion. Director Link said that was for the additional work that was done after the start of the projects. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

Resolution 2022-056

Contract with Lexipol for Policies

Mr. Ferrell moved to enter into a two (2) year agreement with Lexipol, LLC in the amount of \$85,196.30 to provide policies for all departments (Admin – Year 1: \$14,539.00 & Year 2: \$2,986.00; Police – Year 1: \$26,246.75 & Year 2: \$9,699.35; Fire – Year 1: \$23,761.10 & Year 2: \$7,961.10). Mr. Coleman seconded the motion. Mr. Boyle said that they need to update the policies and training procedures for both the Police and Fire Departments as well as Administration. Chief Donald said that Lexipol will automatically update the policies when there are changes. This takes the liability off the Township. Mr. Lang said that this is a very good idea, and he has been using it for the last six months at Ottawa County. Mr. Ferrell noted that it was something they have been trying to accomplish for several years. Mr. Coleman noted that the training part was important. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-057

Authorize Purchase of Two Ford Explorer Utility Interceptor Vehicles

Mr. Ferrell moved to authorize the purchase of two Ford Explorer utility interceptor vehicles (equipped for patrol use) from Statewide Ford Lincoln for the Police Department in the amount of \$94,134.00. Mr. Coleman seconded the motion. Chief Donald said that these will be additional vehicles, not replacement vehicles. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-058

Approve Supplemental Appropriations

Mr. Ferrell moved to approve the following supplement appropriations:

4910-760-360-0000 Contracted Services	(\$3,250)
4910-760-316-0259 Engineering	\$3,000
4910-760-345-0000 Advertising	\$250
Reason: Reallocate for other expenses for Sidewalk projects	
2194-333-360-0243 Contracted Services (Columbus Park)	\$28,280
2194-760-360-0244 Contracted Services (Oakland)	\$8,380
Reason: Appropriate the amounts authorized by the Then & Now	
4902-760-345-0218 Advertising	\$250
4902-760-319-0218 Professional & Technical	(\$250)

Reason: Appropriate funds for advertising for the SRTS project

Mr. Coleman seconded the motion. Ms. Schaefer noted that the Engineering/Advertising were not included in the permanent appropriations. The other appropriation is required by the Then & Now purchases that were approved earlier. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-059

**Adopt Plan for American Recue Plan
Using Replacement Revenue**

Mr. Ferrell moved to adopt a plan for the use of the American Rescue Plan funds using the replacement of public sector revenue criteria. Mr. Coleman seconded the motion. Mr. Boyle noted that we need to select a program tract for the spending. The first report is due April 30. Ms. Schaefer said that there were four basic tracts for spending the funds. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Resolution 2022-060

Authorize Grant Application for Ohio EMS 2022-2023 Grant

Mr. Ferrell moved to authorize the submission, and acceptance if awarded, of a grant for Ohio EMS 2022-20023. Mr. Coleman seconded the motion. Mr. Boyle noted that this is a grant the Fire Department applies for annually. It is for protective equipment. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

Resolution 2022-061

Authorize Then & Now Payment to Sand Hill Cemetery

Mr. Ferrell moved to authorize then and now purchase to Sand Hill Cemetery for 2021 dues. Mr. Coleman seconded the motion. Ms. Schaefer questioned whether it was really 2021 dues or was it 2022 dues. Mr. Lang said that there is additional work that needs to be done because of the condition of the monuments and the roof on the garage. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Department Reports

Police Department – In addition to his written report, Chief Donald requested a resolution for a grant to the Law Enforcement Foundation.

Resolution 2022-062

**Apply for Grant with Law Enforcement Foundation
Community Engagement**

Mr. Ferrell moved to apply for, and accept if awarded, a grant to the Law Enforcement Foundation in the amount of \$2,000 for community engagement. Mr. Coleman seconded the motion. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Public Works – In addition to his written report, Director Link said that he had 200 tons of salt delivered.

Recreation – Public Service Coordinator Henley advised that they were now in the late registration portion of the baseball registration. Registration will close March 14th. They have twenty-one sponsors.

Community Development – Director Byington advised that they have been awarded a grant from the Erie County Community Development for an intern. The intern is Peyton Smith who will start in June for ten to twelve weeks. The intern program has been of great benefit to the Township over the years.

Administrator – Mr. Boyle noted that he has submitted a response to HB 563 which proposes to remove zoning control from townships.

He also noted that Erie County has been certified by ODOT as a Transportation Improvement District. Regional Planning is now accepting application for road projects with a deadline of March 31st. He suggested that they submit the Bay Winds Drive project since they have the engineering for it.

Resolution 2022-063

Apply to Erie Regional Planning for Funding of the Bay Winds Drive Project

Mr. Coleman moved to approve an application for funding of the Bay Winds Drive project and to accept the grant if awarded. Mr. Ferrell seconded the motion. Mr. Ferrell also suggested that they request the release of the TIF funds for demolition of Maui Sands. Mr. Ferrell asks if this gets scored locally. Mr. Boyle said that it is scored by ODOT. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

Notices/Correspondence

- Next Regular Meeting – March 22 @ 8:30 am
- Notice of a new C2 liquor license to Aldi Inc Ohio, dba Aldi 62, 3612 Milan Road – No hearing was requested.

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

March 8, 2022

Fiscal Officer Comments

- Payments for the period February 23 – March 11 total \$557,558.64 and include payments to: Erie County Auditor for GIS; iWorkq Systems for online permit/payment system; Contractors Design for Windamere, Timberlake, & miscellaneous roads; Civista for Township’s shares of 2022 HSA payments
- We are receiving an additional \$2,441.80 in ARP funds as part of the redistribution of funds not claimed by other entities

Trustees’ Discussion - none

Public Forum –

Edward Toll, E. Perkins Avenue, was representing his mother. He claims that the only notification they received about the need to fix or remove an accessory building was a certified letter. He does not feel that this was working with the residents. Director Byington said that they do talk to the property owner if they are there and that there was more than one letter sent. Mr. Toll said that they did remove the structure. Cindi Toll asked what the goal was? It was explained that the Township is trying to improve conditions and that substandard buildings or structure can devalue nearby properties, be unsafe, etc.

Adjournment:

There being no further business to come before the Board at this time, Mr. Ferrell moved to adjourn the meeting at 7:15 pm. Mr. Coleman seconded. Roll call vote: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Meeting adjourned.

Jeffrey Ferrell, Chairman

Diane Schaefer, Fiscal Officer