

PERKINS TOWNSHIP TRUSTEES

SPECIAL SESSION

July 18, 2023

The Perkins Township Trustees met Tuesday, July 18, 2023, in the Township Services Facility located at 2610 Columbus Avenue. The Trustees present were James Lang and Jeffrey Ferrell. Chairman Ferrell opened the meeting with the Pledge of Allegiance at 9:00 a.m.

AGENDA

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

The purpose of the meeting was to conduct a hearing on the securance and/or removal of insecure and unsafe structures on the real property located at 5513 Milan Road, Sandusky, Ohio (Erie County Parcel Nos. 32-01216.000, 362-01216.001, and 32-01216.003).

Mr. Ferrell welcomed everyone in attendance. He then proceeded to give a brief history of the property that was the subject of the hearing. The Township and Sinmier LLC, the owners of the subject property, have been trying to come to an agreement for the securing and/or demolition of 5513 Milan Road without success. Therefore, the Board scheduled today's hearing.

The format of the hearing is for the Township to call its witnesses who could be questioned by the legal counsel of the owners. Then the owners could call their witnesses who would be questioned by the Township's legal counsel.

Subsequent to the receipt of the testimony and evidence, the Board will deliberate and issue an order. Each witness will be sworn in individually prior to their testimony. The hearing was recorded by a stenographer.

Mr. Ferrell showed each parcel which contains a separate structure and explained how the structures were identified on the exhibits. Assistant Prosecutor Jason Hinners stated that while he has been in discussion with the legal counsel for Sinmier, there is still no agreement with agreed upon terms. Sinmier indicated they still would like to pursue an agreement with the Township and have had those discussions but understands that the hearing is going to take place today and indicated that they would not be present for the hearing.

Then Mr. Ferrell swore in the first person to testify, Code Enforcement Officer Amanda McClain. Officer McClain detailed her position, when she started employment with the Township, and the various steps she has taken during this process to address nuisance and conditions, and the building not being secure.

Mr. Ferrell then swore in the next person to testify, Chief Building Official George Poulos. Mr. Poulos detailed his position, his experience, and the issues he has that need to be addressed with this property.

Mr. Ferrell next swore in Fire Marshall Keith Eastman to testify. Fire Marshall outlined the time he was called in to conduct inspections of the property and his finding on those visits.

Finally, Mr. Ferrell swore in Erie County Public Health Department Officer Craig Ward. Officer Ward outlines his department's involvement in the inspections of the property. On February 20th, 2023, the Board of Health passed resolution #2023-O3 that the property was not fit for human habitation.

After each witness the legal counsel for the owners would have been afforded the opportunity to cross examine the witnesses and present witness of their own. The owner or its representatives were not present.

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Prosecutor Hinnners then explained that for the purpose of this hearing the Trustees are acting in a quasi-judicial manner and as such are permitted to go into private deliberation. At approximately 9:35 am the Trustees adjourned to deliberate in private.

When the Trustees returned to the hearing at 10:25 am. They had two decisions – one for securance of structures and another for the removal of the of the structures.

Mr. Ferrell then read the individual decisions.

Mr. Ferrell moved the upon consideration of the testimony and evidence regarding the three structures located on Erie County Parcel #32-01216.001, 32-01216.003 and 32-01216.000 and pursuant to Section 505.86 of the Ohio Revised Code, the Board of Trustees hereby orders the securance of Structure A located on Erie County parcel #32-01216.001, Structure B located on Erie County parcel #32-01216.003 and structure C located on Erie County parcel #32-01216.000. The Board of Trustees further orders that any cost incurred by the Board in the securance of said structures shall be collected pursuant to O.R.C. 505.86(F). Mr. Lane seconded the motion. All were in favor.

Mr. Ferrell moved the upon consideration of the testimony and evidence regarding the three structures located on Erie County Parcel #32-01216.001, 32-01216.003 and 32-01216.000 and pursuant to Section 505.86 of the Ohio Revised Code, the Board of Trustee hereby orders the removal of Structure A located on Erie County parcel #32-01216.001, Structure B located on Erie County parcel #32-01216.003 and structure C located on Erie County parcel #32-01216.000. The Board of Trustees further orders that any cost incurred by the Board in the removal of said structures shall be collected pursuant to O.R.C. 505.86(F). Mr. Lane seconded the motion. All were in favor.

Mr. Ferrell then announced that with that the Board had concluded the public hearing and the statement of facts and everything will be sent out.

Adjournment

There being no further business to come before the Board at this time, Mr. Ferrell moved to adjourn the hearing at 10:30 a.m. Mr. Lang seconded. Roll call: Mr. Lang, aye; Mr. Ferrell, aye. Meeting adjourned.

Jeffrey Ferrell, Chairman

Diane Schaefer, Fiscal Officer