

## **PERKINS TOWNSHIP TRUSTEES**

### **REGULAR SESSION**

**August 7, 2023**

The Perkins Township Trustees met Tuesday, August 7, 2023, in the Township Services Facility located at 2610 Columbus Avenue. The Trustees present were James Lang, Timothy Coleman, and Jeffrey Ferrell. 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.

#### **MINUTES**

Mr. Ferrell moved to approve the minutes of the Special Meeting/Hearing of July 18 and the Regular Meeting of July 25. Mr. Coleman seconded the motion. All were in favor.

#### **FINANCIAL REPORTS**

Mr. Ferrell moved to approve the financial statements for the month ending July 31 and the period ending August 11, 2023. Mr. Coleman seconded the motion. All were in favor.

#### **ZONING HEARING**

A public hearing was scheduled on an application submitted by William and Marilyn Elliott to amend the Zoning Map from "P-B-O"/ Professional & Business Office District to "R-1"/ Single-Family Residential District for property identified as PPN 32-03306.000, located to the north of 4004 Hayes Avenue.

Mr. Ferrell asked Director Byington to read the particulars of the property. The property owner would like to use the property for the construction of a single-family home which is not permitted under the present classification. The future land use map designates this property as Commercial. Ms. Byington said that the Zoning Board went back and forth on this since the surrounding property is single-family while the future land use designates it as Commercial.

Mr. William Elliott read a prepared statement stating that they planned on building homes on that parcel and the one at 4004 Hayes Avenue for the grandson and granddaughter. He said that they attended the hearing before the Zoning Commission thinking that the application would be approved. He was asking the Board of Trustees to consider their request and grant the change.

Morgan Smith, Hayes Avenue, then spoke on behalf of the zoning change. She read a letter from Melinda & Wayne Yerdon in support of the requested change. She also presented a petition signed by residents near the property. She pointed out that the change would be consistent with the surrounding property. She also mentioned a possible conflict of interest with one of the Zoning Commission's members.

Greg Rodriguez, Tremper Avenue, spoke on behalf of the change.

Mr. Ferrell asked if there was anyone to speak against the change. There was no one.

Mr. Ferrell asked Ms. Byington how the Zoning Commission arrived at their decision to recommend denial of the change. Ms. Byington said that they struggled with the decision, but their final decision was based on the Comprehensive Plan to calls for this to be Commercial.

Mr. Coleman said he was torn between the long-range plan and the current usage. He would be amiable to a setback that would permit for a future lot split. Mr. Elliott said that the plans which would be submitted have an extended setback to allow for the widening of Route 4.

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Mr. Lang said that personally he thinks it is a good idea.

Mr. Ferrell asked Ms. Byington whether making the parcel a PUD would help. She did not believe it would solve anything. In the future, if there were a developer who wanted to develop a commercial use, they would buy the available property and request a change.

Mr. Boyle said there was no strong opposition to rezoning the property.

Mr. Coleman said the reality was that there was a family who wanted to utilize the property to maintain the family unity.

Mr. Ferrell said that they struggle every time the commercial and residential developments are mixed. Mr. Coleman noted the letters signed by the residents in the area.

**Resolution 2023-128**

**Zoning Map Change for PNN 32-03306.000 Hayes Avenue**

Mr. Ferrell moved to approve the zoning change and amend the zoning map for PNN 32-03306.000 Hayes Avenue from PBO to R-1/Single Family Residential District. Mr. Coleman seconded the motion. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted and affected in 30 days.

**NEW BUSINESS**

**Resolution 2023-129**

**Renew the Cell Tower Lease for U.S. Customs & Border Protection**

Mr. Ferrell moved to approve the cell tower lease renewal for U.S. Customs & Border Protections. Mr. Coleman seconded the motion. Mr. Boyle said the current lease is about to expire. The new lease calls for 3% compounded increases each year. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-130**

**Declare a Subsequent Nuisance - 2719 Columbus Avenue**

Mr. Ferrell moved to declare a subsequent nuisance for vegetation at 2719 Columbus Avenue (PPN 32-01004.000) and order abatement. Mr. Coleman seconded the motion. Any costs will be assessed on the tax duplicate. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-131**

**Declare a Nuisance for Vegetation, Garbage, Refuse, Etc.  
Maui Sands, 5513 Milan Road**

Mr. Ferrell moved to declare a nuisance for vegetation, garbage, refuse, etc. at Maui Sands, 5513 Milan Road (PPNs 32-01216.001, 32-01216.003, 32-01216.000, 32-03966.000, & 32-03423.004) and order abatement. Mr. Coleman seconded the motion. Any costs will be assessed on the tax duplicate. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-132**

**Supplemental Appropriations – General Fund**

Mr. Ferrell moved to adopt the following Supplemental Appropriation  
1000-690-591-0284 Contribution to Other Organizations{ Tennis Courts }  
\$32,150.00

Source: Unappropriated General Fund

Mr. Coleman seconded the motion. Mr. Boyle noted that this permits the community to use the tennis courts when they are not being used by the school. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

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**Resolution 2023-133**

**Declare a Nuisance – 2707 Tremper Avenue**

Mr. Ferrell moved to declare a nuisance for vegetation at 2707 Tremper Avenue (32-01171.000) and order abatement. Mr. Coleman seconded the motion. Ms. Byington noted that the property has been inspected and the property owner has been notified. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-134**

**Approve Change Order #3 – Cedar Brook Lane**

Mr. Ferrell moved to approve change order #3 for the Cedar Brook Lane resurfacing project for \$8,245.79. Mr. Coleman seconded the motion. Director Link said this was for additional concrete and apron removals. The final project cost will be \$224,302.59. Mr. Ferrell asked if the final cost was under the original estimated cost. Mr. Link said that it was. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-135**

**Adopt Changes in the Fee Schedule – Commercial Building Permit Fees**

Mr. Ferrell moved to adopt the following changes in the Fee Schedule for the Commercial Building Permit Fees:

- Siding - \$500 plus \$100 per each 1,000 sf
- Demolition – 10,000 sf or less, \$500
- Greater than 10,000 sf, \$500 plus \$50 for each additional 5,000 sf
- Roof replacement – 10,000 sf or less, \$225
- Greater than 10,000 sf, \$225 plus \$50 for each additional 5,000 sf

Mr. Coleman seconded the motion. Director Byington said that the current fees did not cover the cost of the inspectors. Mr. Coleman said that with all the development in the Township it was good to review this. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-136**

**Approve Application for the Ohio Law Enforcement Body Grant Program**

Mr. Ferrell moved to approve an application for the Ohio Law Enforcement Body Armor Grant Program through the Ohio Attorney General's Office and accept if awarded. Mr. Coleman seconded the motion. Chief Musser explained that this was a 75-25% Reimbursement Grant. The Department is looking to replace 3 vests this year and 6 next year. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-137**

**Grant an Easement to Columbia Gas – 2611 Carbon Avenue**

Mr. Ferrell moved to grant an easement on the north side of parcel number 32-01731.000 for Columbia Gas to install a new gas service line for 2611 Carbon Avenue. Mr. Coleman seconded the motion. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

**Resolution 2023-138**

**Amend Resolution 2023-59 – Solar System Moratorium**

Mr. Ferrell moved to amend Resolution 2023-59 to exempt roof mounted residential solar system producing less than 50 MW of power from the moratorium. Mr. Coleman seconded the motion. Director Byington said they had received an influx of calls regarding residential systems. This is popular considering the tax credit that is being offered. Mr. Ferrell clarified that this would apply to roof top systems, not ground mounted systems. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Resolution adopted.

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#### **Department Reports**

- Administrator – Mr. Boyle reminded everyone that the meeting room will be used as a polling location tomorrow for voting. Employees should park at the rear of the building.

#### **Notices/Correspondence**

- Next Regular Meeting – August 22, @ 08:30 AM

#### **Fiscal Officer Comments**

- Payments for the period July 29- Aug 11 of \$355,117.89 and included payments to: 7L Construction for Briar/Matthes project; Axon Enterprises for hardware/software for body cameras; OMG National for promotional materials; Ziegler Tire & Supply for tires for various department ; Ralph's for Fire Department inspections & repairs; Christmas Done Right for displays; Atlantic Emergency Solutions for turn out gear
- June Motel Tax Report – June collection \$165,756.64 decrease of 1.98% for June 2022, YTD \$634,822.24, up 0.3% for 2022

**Trustees' Discussion** – None

#### **Public Forum –**

Greg Rodriguez, Tremper Avenue, said that he did not hear anything about his property. Mr. Coleman said that it was Resolution 2023-133. Mr. Rodriguez asked what action was taken. Mr. Coleman said that they ordered abatement, and that Mr. Rodriguez was to correct the violations.

Jerry Bauer, S. Lake Wilmer Drive, said that while the Township has done some great things, he had some issues with traffic setbacks and turning lanes. He also said he thought there should be an ombudsman type of person, more community outreach, a neighborhood community relations officer, sidewalks, bus stops where he lives, and traffic direction people of projects cable line work.

Mr. Ferrell said Mr. Boyle was the Township Administrator who would serve as ombudsman. Mr. Coleman said the road projects that Mr. Bauer mentions are under the direction of ODOT. We use Facebook and our website for Community outreach. The Bus Service is going to be reviewed. Chief Musser said that now that the Police Department is back up to full staffing, the Community Relations Officer will be returning to her main duties. Mr. Boyle also mentioned that we are implementing sidewalk projects when permitted. Mr. Coleman also explained that many of the main roads, like Bogart and Campbell were County roads so the Township does not have control over what is done.

The Board thanked Mr. Bauer for coming in.

#### **Adjournment**

There being no further business to come before the Board at this time, Mr. Ferrell moved to adjourn the meeting at 7:00 p.m. Mr. Coleman seconded. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Meeting adjourned.

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Jeffrey Ferrell, Chairman

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Diane Schaefer, Fiscal Officer