

PERKINS TOWNSHIP TRUSTEES

REGULAR SESSION

September 12, 2023

The Perkins Township Trustees met Tuesday, September 12, 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, changing the order slightly and adding the approval of a Then & Now emergency purchase for the Fire Department. Mr. Coleman seconded the motion. All were in favor.

MINUTES

Mr. Ferrell moved to approve the minutes of Regular meetings of August 7 and August 22. Mr. Coleman seconded the motion. All were in favor.

FINANCIAL REPORTS

Mr. Ferrell moved to approve the financial statements for the month ending August 31, and the period ending September 12, 2023. Mr. Coleman seconded the motion. All were in favor.

NEW BUSINESS

Resolution 2023-146

Promote Sgt. Martin Curran to Captain

Mr. Ferrell moved to promote Police Sgt. Martin J. Curran to Captain per the attached Schedule A with a base rate of pay of \$40.21 per hour, effective September 12, 2023. Mr. Coleman seconded the motion. Chief Musser reviewed Sgt. Curran's employment with Perkins Township along with the K-9 program and Toy & Food Drives that he has established. Chief Musser said that the most important trait that Marty possesses is his high character, both as an officer and as an individual. Mr. Coleman agreed with Chief Musser's comments. He thanked everyone for being here to support Sgt. Curran. Mr. Ferrell said that the Township was only as good as its employees. He thanked Marty for everything he had done, and he deserves the promotion. Mr. Boyle said Sgt. Curran goes beyond what is needed. His communication and people skills are exceptional. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

ZONING HEARING

Application ZC2023-05 was submitted by Joshua Decker for a parcel #32-00853.000, located at 3009 Campbell Street requesting a zoning amendment to rezone the parcel from "R-1" / Single Family Serviced Residential to "I-1" / Light Industrial. Adam Panas, Planner/Zoning Inspector, reviewed the details of the property and the application. Most of the surrounding property is currently zoned residential and that is also the classification indicated in the Comprehensive Plan. Mr. Panas reviewed the uses under an Industrial classification. While there were no objections to the requested change from other Township departments, including Erie Regional Planning, staff recommended to the Zoning Commission that the request be denied because it was not in line with the surrounding property or Comprehensive Plan. Staff had recommended a change to either Commercial or request a non-conforming use permit. The applicant declined those choices at that time.

The Zoning Commission voted 2-2 to deny this request with any ties resulting in a denial of the request. Mr. Panas said that he had been contacted by a potential buyer who wanted to operate a landscape business on the property.

Mr. Ferrell moved to open the public hearing. Mr. Coleman seconded the motion. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Mr. Ferrell asked if there was anyone who wished to speak in favor of the change.

Keith Ott, Campbell Street, said that given the location of the property, the setbacks, and the drainage, there is no place to build a house.

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Josh Decker, Campbell Street, reviewed the ownership of the property. He said that the property has always been used for industrial purposes. He does not know why that is not the classification that is indicated. He is also not aware of the person who represented himself as a potential buyer referred to by Mr. Panas.

At this point Mr. Ferrell asked Fiscal Officer Diane Schaefer to read the letter from Dr. Keller into the record.

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

Mr. Lang commented that he did not believe all the permitted uses in the “I-1” District would be appropriate for this piece of property. Mr. Ferrell said that if they changed the zoning all those activities would be permitted.

Mr. Coleman asked what would be permitted under the commercial classification. Director Byington answered saying that some of the potential uses would be permitted either directly or with a conditional use permit. She also mentioned that in the future the Comprehensive Plan could be amended for that intersection to permit Commercial since there are several parcels that are already being used commercially.

Mr. Ferrell asked for Mr. Panas to show the permitted uses under “C-2” as well as the conditional uses allowed. Mr. Decker then asked how he would be able to sell the property if the property is not zoned to permit its use by the purchaser. Director Byington said that usually any purchase offer is contingent of the zoning change and/or approval of the conditional use permit.

Mr. Lang asked if they were voting on the “I-1” classification. Director Byington said that the application could be amended to be “C-2” General Commercial.

Resolution 2023-147

Approve Zoning Change – 3009 Campbell Street “C-2” General Commercial

Mr. Ferrell moved to modify the application and approve the change in the Zoning Map for 3009 Campbell Street from “R-1”/Single Family Residential to “C-2”/ General Commercial. Mr. Coleman seconded the motion. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

PUBLIC MEETING

Notice of declaration was given of insecure, unsafe, or structurally defective structures, and intent to demolish a single-family residential structure and an accessory building (barn) at 6502 Milan Road (PPN 32-00868.000) pursuant to ORC Section 505.86.

Director Byington swore in those who wished to speak on this matter.

Amanda McClain, Code Enforcement Officer, gave the background information regarding the nuisance situation, along with a packet including pictures. Ms. McClain encouraged Daniel Fox to apply for various grants that were available.

Daniel Fox, Milan Road, claimed the house was not in bad shape, just cosmetic issues. In his opinion structure-wise the house was sound Ms. McClain said that there were areas where the ceiling in collapsing to the point where you could see the rafters. Under the rug in the bathroom, there were holes in the floor.

Mr. Coleman said that just looking at the pictures, he could see areas where the plumbing did not work or had not been used for some time.

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Mr. Ferrell asked Ms. McClain to review the process. Ms. McClain said that this was Phase 1 where the Board announces their intent to demolish the home. After that, the owner has 30 days to remove the structure. During those 30 days the owner can enter into a rehabilitation agreement. If the items included in the rehabilitation agreement are not met, then the Board would enter Phase 2 which would be the removal of the structure. Even then the homeowner has some time to prevent the demolition.

Mr. Ferrell explained again that this motion was only with the intent to demolish, and that Mr. Fox should continue to work with the Community Development staff to get an agreement in place.

Resolution 2023-148

Declare Intent to Demolish – 6502 Milan Road

Mr. Ferrell moved to declare a single-family residential structure and accessory structure (barn) at 6502 Milan Road (PPN 32-00868.000) as being insecure, unsafe, or structurally deficient, and intent to demolish pursuant to Section 505.86 of the ORC. Mr. Coleman seconded the motion. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

PUBLIC MEETING

Notice of declaration of a nuisance for garbage, junk and/ or debris at 3407 Milan Road (PPN 32-04809.000), and order abatement pursuant to ORC Section 505.87

Ms. Byington again swore in those who wished to speak.

Ms. McClain gave the background information for the property. She also provided a packet of information with pictures. This property belongs to an out-of-state landowner.

Resolution 2023-149

Declare a Nuisance – 3407 Milan Road

Mr. Ferrell moved to declare a nuisance condition for garbage, junk and/ or debris at 3407 Milan Road (PPN 32-04809.000), and order abatement pursuant to Section 505.87 of the ORC. Mr. Coleman seconded the motion. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-150

Approve First Amendment to Schedule A – Police Chief Jeffrey Musser

Mr. Ferrell moved to approve the first amendment to employment Schedule A with a base rate of \$44.23 per hour for Police Chief Jeffrey A. Musser, effective September 12, 2023. Mr. Coleman seconded the motion. Mr. Boyle explained that this change is due to the previous promotion and this amendment was to provide a separation between the pay scale of the newly created rank of Captain and that of Chief. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-151

Approve Then & Now – Sports Force

Mr. Ferrell moved to approve a Then & Now payment for Sports Force for the umpires for the baseball season in the amount of \$5,000. Mr. Coleman seconded the motion. Mr. Boyle said that this year Sports Force managed the hiring of the umpires. He felt this task consumed a lot of time; therefore, the contract was a beneficial service. Mr. Ferrell said that basically our baseball program is a cost neutral program. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

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Resolution 2023-152

Approve 2024 Street Lighting Assessments

Mr. Ferrell moved to approve the 2024 street lighting assessments in the amount of \$63,884.47 which includes the fee of \$1,033.50 for the Fiscal Officer to prepare the assessments. Mr. Coleman seconded the motion. Ms. Schaefer said that there were 37 street lighting districts, with over 2,000 parcels, with each district's assessments calculated separately. The County has a new program this year that required her to prepare an excel spreadsheet and upload the data directly into their program. Mr. Ferrell noted that the 50 cent per parcel fee was permitted by law as additional compensation to the Fiscal Officer. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-153

Accept Amounts and Rates for 2024

Mr. Ferrell moved to accept the Amounts and Rates as determined by the Erie County Budget Commission and authorize the necessary tax levies and certify them to the County Auditor. Mr. Coleman seconded the motion. Ms. Schaefer said that initially the wrong dates were included in the report. The individual levies were reviewed. Ms. Schaefer explained that the four Police and Fire renewal levies contain a rollback feature where the State pays a portion of the taxes for residential and owner-occupied property. The continuing Road levy does not have this provision. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-154

Approve Contract with Flock Group, Inc.

Mr. Ferrell moved to approve a contract with Flock Group, Inc. for camera system and services not to exceed \$66,250 in 2023, and in subsequent years in the amount of \$45,000. Mr. Coleman seconded the motion. Chief Musser explained that this was a system that can be used to protect the Township residents. The system tracks license plates numbers to locate vehicles related to activity in the NCIC system which covers various reasons. In the future it will work with our in-car cameras. Mr. Coleman said that a statistic that stuck out to him was the reduction of crime in areas that had the system. He also said that the system is also able to key in on dents, colors, etc. to help identify vehicles. Chief Musser stressed that these were not redlight cameras. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-155

Declare Police Department Office & Other Equipment as Surplus

Mr. Ferrell moved to declare various Police Department office and other equipment, per the attached list, as being surplus to the Department's needs, and authorize disposal by the best means available. Mr. Coleman seconded the motion. Chief Musser said that these were items that were obsolete, broken, or expired. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Resolution 2023-156

Approve Supplement Appropriation – Park Development

Mr. Ferrell moved to approve a Supplemental Appropriation for Park Development
2913-760-720-0211 Buildings{Strickfaden} \$50,000.00
Purpose: Storage shed at Strickfaden Park
Source: Transfer from Improvement of Sites and Machinery, Equipment & Furniture

Mr. Coleman seconded the motion. Director Link said this was to establish the proper account code for the purchase of the shed. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

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Resolution 2023-157

Approve Then & Now –Sutphen Corporation

Mr. Ferrell moved to approve a Then & Now payment to the Sutphen Corporation for repairs to the ladder truck in the amount of \$8,275.62. Mr. Coleman seconded the motion. Chief Murphy explained the unforeseen repairs and that more may be coming. Roll Call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye.

Department Reports

- Administrator Boyle reminded the Board of the quarterly Ere County Township Association meeting on Thursday at Margaretta Township

Notices/Correspondence

- Next Regular Meeting – September 26 @ 06:00 PM

Fiscal Officer Comments

- Payments for the period August 26- September 12 of \$798,693.51 and included payments to: OTARMA for General Liability Insurance; Hall Public Safety, Inc. for equipment for Patrol and Fire vehicles; Ganley Chevrolet of Aurora for Police truck; Perkins Local School District for tennis court project; Premier Home Professional Services for a rehab grant project, Knox Company for Knox boxes,
- Official Certificate of Estimated Resources for 2024
 - Unencumbered balance as of Jan. 1, 2024, \$4,980,721; Taxes \$9,177,962; Other sources \$2,607,041; Total \$16,705,724
 - Taxes are based on 2022 Total valuation of \$461,031,010
 - General Fund – Taxes were reduced by \$58,594; Local Government was reduced by \$9,670
 - Road & Bridge Fund – Taxes were reduced by \$69,908
- The Financial Audit for 2021-2022 started last week.

Trustees' Discussion – In memory of 9/11, Mr. Coleman thanked all the safety forces for what they did and continue to do every day. Mr. Ferrell acknowledged recent activities by all departments.

Public Forum – None

Adjournment

There being no further business to come before the Board at this time, Mr. Ferrell moved to adjourn the meeting at 7:25 p.m. Mr. Coleman seconded. Roll call: Mr. Lang, aye; Mr. Coleman, aye; Mr. Ferrell, aye. Meeting adjourned.

Jeffrey Ferrell, Chairman

Diane Schaefer, Fiscal Officer