

**PERKINS TOWNSHIP TRUSTEES
REGULAR SESSION**

February 24, 2015

Perkins Township Trustees met on Tuesday, February 24, 2015 in the Township Services Facility located at 2610 Columbus Avenue. Trustees present were Timothy Coleman, Jeffrey Ferrell and James Lang. Chairman Coleman opened the meeting with the Pledge of Allegiance at 6:00 p.m.

AGENDA

Mr. Coleman moved to adopt the agenda as presented. Mr. Lang seconded. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

MINUTES - Pending

FINANCIAL REPORTS

Mr. Coleman moved to approve the December 2014 Bank Reconciliation and Financial Reports as of February 9, 2015. Mr. Lang seconded. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

OLD BUSINESS

Resolution 2015-21

ACCEPT RESIGNATION OF OFFICER BRAMEL

Mr. Lang moved to table accepting Aaron Bramel's resignation as a Volunteer Officer pending an exit interview. Mr. Ferrell seconded. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried. Mr. Coleman asked Chief Klamar to contact Mr. Bramel to schedule the interview. Chief Klamar commented that he would be in contact with Mr. Bramel.

Resolution 2015-31

APPROVE REPAYMENT OF POLICE FUND ADVANCE, \$25,000

Mr. Coleman moved to approve repayment to the General Fund of an Advance in the amount of \$25,000 from the Police Protection Levy Fund; advance originally approved to fund beginning 2014 Police payroll. Mr. Lang seconded. Mrs. Gildenmeister commented that an Interfund Advance is a temporary loan from the General Fund to another fund which is ultimately going to be repaid. Mr. Ferrell asked Chief Klamar if he would need \$10,000; Chief Klamar said the department would need \$14,000 for replacement vehicles and equipment. Mr. Ferrell suggested that the police department repay the advance of \$25,000 and change the \$12,000 advance mentioned below to a transfer. Mrs. Gildenmeister clarified the trustees' intent to approve repayment of the \$25,000 advance, and to change the \$12,000 advance in the following Resolution 2015-32 to a transfer. Mr. Ferrell commented that was the intention. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion Carried.

Resolution 2015-32

APPROVE POLICE FUND ADVANCE TO A TRANSFER, \$12,000

Mr. Coleman commented that, as discussed in the above Resolution 2015-31, he moved to approve the \$12,000 advance as a transfer to the Police Fund. Mr. Ferrell seconded. Mrs. Gildenmeister commented that an Interfund Transfer is used to permanently reallocate money from the General Fund to any other fund by simple resolution approved by the board. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

NEW BUSINESS

RESOLUTION 2015-35

**APPOINT PASTOR JOHN ADAMS AS THE POLICE DEPARTMENT
VOLUNTEER CHAPLAIN/AUXILIARY OFFICER**

Mr. Coleman moved to appoint Pastor John Adams as the police department Volunteer Chaplain/Auxiliary Officer effective February 25, 2015. Mr. Ferrell seconded. Chief Klamar commented that Pastor Adams has worked unofficially for some time with the police department and has given valuable and important spiritual guidance to officers, their families and to the department in times of need. He has been an influence in the community as well as the Police Department. Chief Klamar highly recommended Pastor Adams as Chaplain. Mr. Ferrell commented that the department has needed a Chaplain for some time. Mr. Coleman and Mr. Lang emphasized how important it is have a department Chaplain, and they very much appreciate that Pastor Adams is willing to take on this significant role. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried. Pastor Adams commented that it is his honor and privilege to serve Perkins, its police officers and their extended families, and to be of assistance to other law enforcement departments in our area.

RESOLUTION 2015-36

APPROVE ANNUAL COBRA ADMINISTRATION CONTRACT

Mr. Coleman moved to approve the annual COBRA Administration Contract with Ohio Insurance Services Agency, Inc. and approve the \$500 fee. Mr. Ferrell seconded. Mrs. Gildenmeister commented that COBRA is not a health insurance plan but a law. If an employee who has a COBRA qualifying event loses their employer-sponsored health benefits, they have an option to temporarily continue their employer-sponsored health plan through COBRA. Monthly premiums are paid in full by the employee. Among other services performed, Ohio Insurance notifies new employees about COBRA and explains their responsibilities, assists with collection of premium and assists the township with the determination and collection of premium. The contract is for one year, Jan 1, 2015 through Dec 31, 2015. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

RESOLUTION 2015-37

APPROVE TOWNSHIP LOADER AS SURPLUS

Mr. Coleman moved to approve declaring surplus an old township loader and use it as a trade-in toward the purchase of new Highway Department equipment. Mr. Ferrell

seconded. Highway Superintendent Jackson commented that the loader is 18 years old and has had some issues throughout the past years. Mr. Jackson requested to use the Loader as a trade in on a new 2015 loader. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

RESOLUTION 2015-38

APPROVE PURCHASE OF 2015 JOHN DEERE FRONT END LOADER

Mr. Coleman moved to approve the purchase of a 2015 John Deere front end loader with attachments for use in the Highway Department, at a purchase price of not more than \$122,430. Mr. Ferrell seconded. Mr. Jackson commented that the purchase price of the new equipment, including attachments, would be no more than \$122,430. Mr. Coleman commented that one of the attachments previously discussed was a plow and he wanted confirmation that it was part of the attachments in the purchase price. Mr. Jackson verified that it was part of the package. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried. Mr. Jackson stated the new equipment should arrive in about six weeks.

RESOLUTION 2015-39

APPROVE 2014 INVENTORY

Mr. Coleman moved to approve the 2014 Inventory, Mr. Ferrell seconded. Mr. Coleman stated all inventories were reviewed from all departments. Mrs. Gildenmeister commented that as required, a copy of the full inventory will be on file at the Erie County Engineers office.

RESOLUTION 2015-40

APPROVE SETTLEMENT OF C. TRAYANUM

Mr. Coleman moved to approve settlement of C. Trayanum and authorize payment of insurance deductible in the amount of \$5,000.00 Mr. Ferrell seconded upon reading of resolution.

Settlement of Christopher Trayanum v. Perkins Township

Case No. 2014 CV 0683

WHEREAS, Perkins Township's liability insurer has reviewed the above captioned lawsuit that was filed in Erie County Common Pleas Court which was subsequently removed to U. S. District Court in Toledo b the insurer's attorney, and

WHEREAS, the insurance company's attorney, Mr. Todd Raskin, who is defending the Township, has negotiated a settlement of the pending case which would result in the dismissal of the Township's three police officers as defendants in the case after which the Township would pay the sum of \$5,000.00 to Mr. Trayanum, which is the amount of the Township's insurance coverage deductible, and Mr. Raskin believes this settlement to be in the best interests of the Township,

NOW, THEREFORE, BE IT RESOLVED BY THE PERKINS TOWNSHIP BOARD OF TRUSTEES THAT:

1. Consent is hereby given to settlement of the captioned lawsuit by the payment of the sum of Five Thousand Dollars (\$5,000.00) to Christopher Trayanum as being in the best interests of the Township based upon the opinion of the insurance company's attorney defending the case, conditioned as follows:
 - a) The three Perkins Township police officers named as defendants in the case must first be dismissed with prejudice as parties,
 - b) Upon the dismissal with prejudice of the three police officers, the Township will authorize the payment of its deductible in the amount of \$5,000.00 as part of the overall settlement of the pending case, with the balance of any funds to be provided by the Township's insurer, and
 - c) This resolution shall be promptly communicated to Mr. Todd Raskin, the insurance company's attorney, in order that all necessary and appropriate action can then be taken by him to conclude the settlement and obtain the dismissal of the case with prejudice as to Perkins Township.

2. The Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and, that all deliberations of this Board which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements including O.R.C. section 121.22.

After the reading of the resolution all trustees commented they are not admitting fault, but they agree with the Township's solicitor's opinion and authorize payment of \$5,000. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

Mr. Ferrell commented that he had not wanted to approve this as he feels it hinders officers from doing their jobs. Our officers did nothing wrong but it is easier and more cost effective for the township to pay than to continue. The township solicitor had determined this settlement to be in the best interests of the township. Mr. Lang agreed that he did not want to proceed in this manner but it puts everything done and over with. Mr. Coleman stressed that the township is not admitting to any guilt. The fact is that officers acted in utmost properness. Judges had felt that officers did not do anything wrong; this is a negotiated legal settlement. Visitor Diane Schaefer wanted clarification that the officers involved were still employed with the Township. Mr. Coleman acknowledged that they are still with the department.

DEPARTMENT REPORTS

Fire Department – Chief Wohlever commented that the department has followed up with a resident regarding a 4 Way Stop; are picking up used shelving in Columbus; a number of pairs of safety glasses were donated to the department; two grant funded power cots have been received and one more is coming; thanked residents for shoveling snow from around hydrants near their homes; three firefighters are attending an officer development class; and he is working with vendors for the best deal for new pickup truck.

Police Department – Chief Klamar commented that a date has been scheduled for the install of new cameras in police cruisers as well as training and that they should be running by mid-March; there is a surplus of clothing in the evidence room and he asked to donate the items; Meijer Store had donated a gift card of \$162.50 for use for police and fire department community projects.

Mr. Coleman motioned to accept a donation from the Meijer Store in the amount of \$162.50 to help provide police and fire department community events. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

Highway Department – Superintendent Jackson said the new Highway Administrative Assistant started Monday; he has revised his 2015 Budgets; working on road repair list for 2015; reviewing options for road salt storage; and noted that there has been an unusually high amount of snow this year and the department is trying to keep neighborhoods clean.

Planning & Development – Director Gary Boyle commented there has been ongoing discussion with legal counsel and Erie County regarding Kroger TIF. After brief discussion the following motion was offered:

RESOLUTION 2015-41

AUTHORIZATION FOR KROGER TIF

Mr. Coleman moved that the Township contact Erie County to indicate its support for the County's willingness to take the lead in processing the Tax Increment Financing request submitted by The Kroger Co. on behalf of the township, and that Township staff and legal counsel be authorized to provide assistance to the County with negotiations related to such an incentive program. Mr. Ferrell seconded. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Motion carried.

Director Boyle continued that he had conversations with Mr. Zimmerman, 3702 Campbell St, regarding amending zoning map and requested PUD; is working on grant application for funding for resurfacing of Didion Dr. which is considered part of the "Safe Roads to School" program and that the Perkins Schools Superintendent is supportive of resurfacing; and that he is hoping other subdivisions will take advantage of grants.

Zoning Inspector Megan Sherlund commented that in Commercial building, Texas Roadhouse submitted variance for signage; Melrose Motel submitted plans for renovation and they were approved; Mattress Firm opening soon. In Residential building, two new homes being built (Bogart Rd and Birchwood Dr). Updated Accu Globe addresses for 911. Mr. Coleman stated we are looking to change to GIS program. Updating parcel info in Zone Pro; are close to final draft for updating Zoning Code; and the department has been in contact with KBI Management Team but have not heard back

NOTICES/CORRESPONDENCE – none

FISCAL OFFICER COMMENTS

Mrs. Gildenmeister commented that she is working on compiling preliminary appropriation amounts for 2015, and she gave a brief comparison of February 24, 2014 and February 25, 2015 levy fund balances. She noted that outstanding checks may have an influence on balances but this comparison is an observation that the township is financially stable.

	<u>2014</u>	<u>2015</u>
General Fund	\$1,443,499	\$1,832,292
Road and Bridge	\$ 44,773	\$ 353,734
Police Fund	\$ 148,018	\$ 219,370
Fire & EMS	\$ 732,407	\$ 706,563
Checking balance	\$1,357,832	\$1,819,972

TRUSTEE DISCUSSION – none

PUBLIC FORUM

Diane Schaeffer, West Bogart Road, asked 1) if the policy for putting meeting agendas on the website had changed. Mr. Coleman commented that he was not aware of any changes. Ms. Schaeffer stated that it was not on the website as of 4:30 pm that day. Mrs. Gildenmeister commented that it was on the website on Thursday, February 19, 2015 and that she would check on it. 2) Ms. Schaeffer inquired about Resolution 2015-34; Mr. Coleman stated that was discussed at the previous meeting. 3) Ms. Schaeffer asked when the minutes from Oct, Nov, Dec 2014 would be online and Mrs. Gildenmeister stated once they are approved they will be uploaded.

There being no further business before the Board, Mr. Lang moved to adjourn. Mr. Coleman seconded. Roll call vote: Mr. Coleman: aye; Mr. Ferrell: aye; Mr. Lang: aye. Meeting adjourned at 6:50 pm.

Timothy Coleman, Chairman

Jane Gildenmeister, Fiscal Officer