

RECORD OF PROCEEDINGS

MINUTES OF PERRY TOWNSHIP TRUSTEES

MEETING
HELD APRIL 16, 2024

PERRY TOWNSHIP TRUSTEES MET IN REGULAR SESSION, CALLED TO ORDER AT 7:30PM BY CHAIRPERSON LARRY SIDENER, PRESENT, KEVIN COX, PRESENT, GREG KESSEN, PRESENT, ROLL CALL BY FISCAL OFFICER. THE TRUSTEES PRAYER WAS READ AND THE PLEDGE OF ALLEGIANCE FOLLOWED.

THE BOARD PRESENTED SANDY HOFACKER, FORMER FISCAL OFFICER, WITH AN ACKNOWLEDGEMENT OF HER SERVICE AND A GIFT OF APPRECIATION.

THE BOARD PRESENTED ROBERT PHILLIPS, FORMER POLICE CHIEF, WITH AN ACKNOWLEDGEMENT OF HIS YEARS OF SERVICE AND A GIFT OF APPRECIATION.

KEVIN COX MADE A MOTION TO ACCEPT THE CORRECTED MEETING MINUTES FROM APRIL 2, 2024, 2ND GREG KESSEN, ROLL CALL.

GREG KESSEN MADE A MOTION TO PAY BILLS OF \$77,373.63, 2ND KEVIN COX, ROLL CALL.

GREG KESSEN MADE A MOTION TO ACCEPT THE BANK RECONCILIATION FOR FEBRUARY 2024, 2ND KEVIN COX, ROLL CALL.

GREG KESSEN MADE A MOTION TO ACCEPT THE BANK RECONCILIATION FOR MARCH 2024, 2ND KEVIN COX, ROLL CALL.

CHRIS REMINDED DEPARTMENT HEADS TO HAVE THE NEWSLETTER INFORMATION SUBMITTED BY THE END OF APRIL. CHRIS ASKED THE DEPARTMENT HEADS TO BEGIN THINKING ABOUT THINGS FOR NEXT YEAR'S BUDGET. CHRIS ASKED ABOUT SETTING A DATE FOR CLEANUP DAY AND ASKED GREG TO ORDER DUMPSTERS.

KEVIN COX MADE A MOTION TO SET CLEAN UP DAY AS JUNE 15TH FROM 9 AM – 1 PM, 2ND GREG KESSEN, ROLL CALL.

CHRIS ASKED IF WE COULD CONSIDER USING THE ACCRUAL BASIS FOR VACATION AND SICK TIME FOR NEW EMPLOYEES WHILE THE NEW HANDBOOK IS BEING DRAFTED. GREG SAID HE HAD SPOKEN TO CHEYENNE FROM CLEMONS AND NELSON AND THEY ARE PUTTING TOGETHER THE FINAL DRAFT OF THE HANDBOOK. WE DECIDED, AFTER A SHORT DISCUSSION, TO HOLD OFF ON IT FOR NOW UNTIL THE HANDBOOK IS COMPLETED.

GUESTS:

JAY SMITH - HE WANTED TO NOTIFY US THAT HE IS WORKING ON A GARDEN PROJECT ON THE CORNER OF GREELEY CHAPEL AND HANTHORN IN A TRIANGLE OF GRASS. HE WILL BE PLANTING NATIVE, POLLINATOR & PERENNIAL WILDFLOWERS TO MAKE IT LOOK BETTER AND PROVIDE A HABITAT FOR INSECTS AND HUMMINGBIRDS. HE RECEIVED PERMISSION FROM ALLEN COUNTY ENGINEERS AND ALLEN COUNTY COMMISSIONERS TO START THE PROJECT IN AUGUST OF 2023. HE WILL BEGIN WORK ON KILLING THE WEEDS AND PREPARING THE GROUND TO BE ABLE TO PLANT IN THE FALL OF 2024. SINCE THEY WILL ALL BE PERENNIALS IT WILL TAKE A COUPLE YEARS BEFORE WE SEE THE PLANTS START TO GROW. PLANTS WILL BE NO TALLER THAN ABOUT KNEE HIGH SO NO ROAD VIEWS WILL BE OBSTRUCTED.

DEB SIDENER

HOWARD REID FOUST - TURNED IN HIS LETTER OF RESIGNATION FROM THE PERRY POLICE DEPARTMENT. LARRY SIDENER READ LETTER (COPY ATTACHED).

KEVIN COX MADE A MOTION TO ACCEPT THE RESIGNATION FROM HOWARD REID FOUST FROM THE POLICE AND FIRE DEPARTMENT. 2ND GREG KESSEN, ROLL CALL

MATT FOUST
BROOKE HEDGES

JASON STOMBAUGH

FRANK AND CATHY CLEMENTZ— CATHY HAS BEEN RESEARCHING DATA CENTERS. SHE WANTS TO KNOW HOW MANY MAXIMUM DECIBELS OF NOISE AT CERTAIN DISTANCES. TRUSTEES HAVE NO FURTHER INFORMATION ON SOUND ISSUES YET.

FRANK ASKED ABOUT ARPA MONEY AND WANTED TO KNOW WHAT WE DID WITH THOSE FUNDS. GREG PROVIDED INFORMATION TO FRANK AND COMMUNITY: \$349,000 WAS THE AMOUNT RECEIVED. ABOUT \$50,000 WAS USED FOR FIRE PAYROLL AND ABOUT \$12,000 FOR ROAD PAYROLL. ABOUT \$130,000 FOR FIRE TRUCK AND THE REST WILL GO TO A DUMP TRUCK FOR THE ROAD DEPARTMENT.

JIM CLEMENTZ - HE HAS HAD AN ISSUE FOR A LONG TIME WITH HIS NEIGHBORS DOING TRUCK PULLS AND HE IS CONCERNED WITH THE NUMBER OF VEHICLES THAT ARE SITTING AROUND NOT RUNNING. HE THINKS THERE ARE ABOUT 20 – 30 VEHICLES ON THEIR PROPERTY. CHIEF PHILLIPS HAS ADDRESSED SPEEDING ON AMHERST FROM MCCLAIN TO ST JOHNS ROAD. JIM SAID THE SPEEDING IS GETTING WORSE AND HAD TWO CARS DRAG RACING DOWN THE ROAD AT ABOUT 100 MILES PER HOURS. HE OFFERED HIS DRIVEWAY FOR LAW ENFORCEMENT TO SIT IN TO CATCH SPEEDERS. HE CAN'T BACK OUT ONTO THE ROAD BECAUSE OF THE PEOPLE SPEEDING. HE WOULD LIKE THE POLICE DEPARTMENT TO TRY TO SLOW THE TRAFFIC THERE. HIS ADDRESS IS 536 AMHERST ROAD.

DAVE STOMBAUGH

RICK EDWARDS – SNEARY'S AUTO HAS A BRIGHT WHITE LIGHT THAT SHINES ON THEIR LOT TO PREVENT THEFT. THE LIGHT IS DISTRACTING TO ANYONE DRIVING AT NIGHT DOWN STATE ROUTE 117. THE LIGHT IS SO BRIGHT IT WHITES OUT THE ROAD. HE WANTS TO KNOW WHO HE SHOULD REPORT IT TO. KEVIN COX SAID HE WILL TALK TO SNEARY TO SEE IF IT IS HIS LIGHT AND IF IT IS HE MIGHT NOT KNOW HOW BRIGHT IT IS ON PERRY CHAPEL. THE 2ND HOUSE PAST 117 IS MOVING CAMPERS ONTO THEIR LAND. THERE ARE CURRENTLY TWO CAMPERS THERE.

JOE MAYS – HE WANTED TO FOLLOW UP ON ANYTHING HAPPENING AT 1807 ZEITS. JOHN BREWSTER IS STILL WORKING WITH THE HEALTH DEPARTMENT. JOHN ALSO STATED THAT THERE IS A CAR PARKED IN THE RIGHT OF WAY THAT CAN BE TOWED IN FRONT OF 1807 ZEITS. HE SENT CERTIFIED LETTERS TO THE LOCAL AND OUT OF STATE ADDRESSES TO THE HOMEOWNER AND IS WAITING TO HEAR BACK. JOE ALSO STATED THAT THE ROOF IS ABOUT TO CAVE IN AT A HOUSE AT 2004 ZEITS AND THE RESIDENT MAY BE DISABLED. HE ALSO WANTED TO KNOW ABOUT THE ROAD WORK ON LENNOX. COREY LEHMAN STATED THAT HE TALKED TO THE ENGINEERS AT DOMINION AND THEY ARE WAITING ON ASPHALT COMPANIES SO THEY CAN COMPLETE THE ROAD WORK. JOE ALSO WANTED TO KNOW WHO IS RESPONSIBLE FOR CLEANING UP THE EASEMENT AT CENTRAL AND UNION. JOHN BREWSTER STATED THAT THE OWNER OF THE PROPERTY IS WORKING ON CLEANING IT UP BUT THERE IS A BULLDOZER PARKED ON HIS PROPERTY THAT DOESN'T BELONG TO HIM. GREG KESSEN ASKED JOHN BREWSTER IF WE CAN SEND THE OWNER A LETTER AND TO THE ADJACENT PROPERTY OWNERS THAT IF THEY ARE GOING TO USE THE UNDEVELOPED LAND FOR THEIR OWN USE THEN THEY ARE RESPONSIBLE FOR KEEPING IT CLEANED.

GARY SHAW – WOULD LIKE TO KNOW IF THE DATA CENTER WILL HAVE ITS OWN SUBSTATION FOR POWER OR WILL IT CAUSE POWER ISSUES FOR THE RESIDENTS. IN THE MEETING FORUM, THE LAWYERS STATED THAT THEY WILL MOST LIKELY HAVE THEIR OWN.

JOHN ITEN, INTERIM POLICE CHIEF – LARRY SIDENER SWORE IN JOHN ITEN AS INTERIM POLICE CHIEF. JOHN ENROLLED IN NEW CHIEF TRAINING WHICH WILL START IN OCTOBER. HE REQUESTED THE TOWNSHIP COVER THE COST OF TRAINING ALONG WITH HOTEL AND OTHER EXPENSES BEING PAID. HE HAS TWO OFFICERS THAT ARE OUT OF SERVICE BECAUSE OF CONTINUING TRAINING REQUIREMENTS NOT BEING MEET. ONE OFFICER NEEDS 12 HOURS AND THE OTHER NEEDS 2 HOURS OF TRAINING TO BE REINSTATED. JOHN IS GETTING QUOTES TO REPLACE THE MARCS RADIOS BECAUSE THEY ARE REACHING END OF LIFE. THERE IS A MANDATORY UPGRADE BY JANUARY 2025. JOHN HAS A WRITTEN REQUEST FROM ADA POLICE. THEY ARE UPDATING BODY CAMERAS AND PERRY TOWNSHIP CAN GET THEIR OLD BODY CAMERAS AT NO COST EXCEPT MAYBE A LICENSING FEE. JOHN FEELS THE CAMERAS ARE INVALUABLE FOR PROTECTING THE TOWNSHIP, RESIDENTS AND THE OFFICERS. JOHN PRESENTED A LETTER FOR LARRY SIDENER TO READ RECOMMENDING CLAYTON EICHMAN AS A PATROL OFFICER. (LETTER ATTACHED). GREG THEN THANKED CLAYTON FOR HIS INTEREST BUT STATED HE DOESN'T SUPPORT HIS HIRING BECAUSE HE WANTS SOME THINGS TO CHANGE AT THE POLICE DEPARTMENT, BUT WELCOMES HIM TO THE TOWNSHIP.

KEVIN COX MADE A MOTION TO HIRE CLAYTON EICHMAN AS A PROBATIONARY PATROL OFFICER FOR 6 MONTHS, HOURS NOT TO EXCEED 20 HOURS PER WEEK, 2ND LARRY SIDENER, ROLL CALL: LARRY SIDENER YES, KEVIN COX YES, AND GREG KESSEN NO. RESOLUTION PASSED

COREY LEHMAN, ROAD SUPERVISOR - NOTHING

JOHN BREWSTER, ZONING INSPECTOR – JOHN PRESENTED ZONING FEE RECEIPTS FOR FEBRUARY AND MARCH.

KEVIN COX MADE A MOTION TO ACCEPT ZONING FEES OF \$50 FOR FEBRUARY AND \$0 FOR MARCH, GREG KESSEN 2ND, ROLL CALL

KEVIN COX MADE A RESOLUTION 2024.0416-01 TO ACCEPT THE ZONING BOARD OF APPEALS DECISION AND MEETING MINUTES FROM 4/11/24 TO MAKE A FINAL DECISION TO DECLINE THE CONDITIONAL USE PERMIT FOR VICTORY LOUNGE/BRIAN MONFORD, 2ND GREG KESSEN, ROLL CALL.

KEVIN COX MADE A RESOLUTION 2024.0416-02 TO ACCEPT THE ZONING BOARD OF APPEALS DECISION AND MEETING MINUTES FROM 4/11/24 TO APPROVE A VARIANCE FOR SIGN PLACEMENT FROM NEW SIGNS OHIO, LLC FOR THE NEW BANK BUILDING AT 5560 BELLEFONTAINE ROAD, LIMA, OHIO, 2ND GREG KESSEN, ROLL CALL

JOHN THEN STATED THAT KAYLA ROGERS IS WAITING ON A DECISION FROM THE BOARD RELATING TO THE PHALEN HOUSE ON YODER ROAD. GREG WILL LOOK INTO IT MORE AND POSSIBLY CONTACT KAYLA ROGERS FOR FURTHER DISCUSSION. PHALEN WANTS TO SPLIT HIS LAND AND SELL 2 ACRES. JOHN TOLD THE LANDOWNER THAT AGRICULTURAL LAND MUST HAVE AT LEAST 2 ½ ACRES. HE WOULD HAVE TO MAKE AN APPEAL TO THE ZONING APPEALS BOARD. JOHN IS ALSO WORKING WITH THE ALLEN COUNTY HEALTH DEPARTMENT TO TEAR DOWN THE HOUSE AT 1115 LENOX. HE SPOKE TO MELINDA FROM THE HEALTH DEPARTMENT FOR APPROVAL. JOHN RECEIVED A COMPLAINT TODAY THAT MATTRESSES AND TRASH WERE DUMPED ON COMMERCE PARKWAY. GREG ADVISED JOHN TO CALL ROADS PHONE NUMBER TO REPORT THE COMPLAINT. IN OCTOBER OF 2023, THE BOARD APPROVED A CAMPER FOR 6 MONTHS DURING CONSTRUCTION RESULTING FROM A HOUSE FIRE ON STATE ROUTE 65. JOHN WILL CHECK WITH OWNERS FOR AN UPDATE.

GREG KESSEN MADE A MOTION TO APPOINT LYNN BODINE FOR ZONING BOARD KEVIN COX 2ND, ROLL CALL.

KEVIN COX MADE A MOTION TO APPOINT COREY LEHMAN FOR ZONING BOARD KEVIN COX 2ND, ROLL CALL.

GREG KESSEN MADE A MOTION TO SEND LETTERS TO PHIL FLETCHER, MARY WILLIAMSON, AND DANA BOWMAN TO THANK THEM FOR THEIR TIME ON THE ZONING BOARD AND TO NOTIFY THEM THAT THEIR SERVICES ARE NO LONGER REQUIRED. KEVIN COX 2ND, ROLL CALL

KEVIN RADER, FIRE CHIEF – CLASS B FOAM CONTAINERS EXPIRED IN 2022 AND RADER ENROLLED IN AN OHIO TAKE BACK PROGRAM BECAUSE THE FOAM IS LINKED TO CANCER IN FIREFIGHTERS. IT WILL BE SCHEDULED FOR DROP OFF AT NO COST TO THE TOWNSHIP. THEY WILL DISPOSE 130 GALLONS OF FOAM WHICH WILL LEAVE NO CLASS B FOAM TO COMBAT PETROLEUM BASE FIRES. THE CURRENT PRICE FOR 5 GALLONS IS \$225. THEY HAD A TOTAL OF 32 PAILS AND HE WILL REPLACE 100 GALLONS OVER THE NEXT 3 YEARS FOR A COST OF \$5850. WITHOUT REPLACING THE OTHERS, IT WILL BE A SAVINGS OF \$1350.00. GREG KESSEN ASKED “DO YOU KNOW HOW MUCH THIS WILL COST?” RADER RESPONDED YES, THAT IS WHY HE ISN’T REPLACING ALL 130 GALLONS.

RADER SUBMITTED AN EXPENSE SHEET TO THE STATE OF OHIO FOR REIMBURSEMENT OF ECLIPSE EXPENSES. THEY WILL NOTIFY HIM IN JULY IF THEY ARE GETTING ANYTHING BACK. EXPENSES WERE MOSTLY PAYROLL RELATED.

THE FIRE DEPARTMENT’S LANDING ZONE LIGHTS WERE OVER 10 YEARS OLD. MOST DON’T WORK AND ARE CORRODED; SO A PART TIME FIRE EMPLOYEE, STEVE FREED, HAD A CONVERSATION WITH LIFE FLIGHT, WHICH DONATED A BRAND-NEW SET OF LIGHTS THAT HAVE INFRARED ALSO, FOR A SAVINGS OF \$625. RADER HAS MAILED THEM A THANK YOU LETTER. TWO RIT PACKS (RAPID INTERVENTION TEAM) FAILED AND TO REPLACE THEM IT WOULD COST \$10,600. THEIR REPRESENTATIVE WAS ABLE TO PIECE THE TWO RIT PACKS TOGETHER TO MAKE ONE THAT DID PASS INSPECTION. KORTNI POMAVILLE PASSED HER LEVEL 1 FIREFIGHTER CERTIFICATION ON 4/11/2024 AND HE IS REQUESTING A \$.25 RAISE FOR HER.

KEVIN COX MADE A MOTION TO GIVE A \$.25 RAISE TO KORTNI POMAVILLE FOR PASSING LEVEL 1 FIREFIGHTER CERTIFICATION, 2ND GREG KESSEN, ROLL CALL.

RADER SAID THAT BY MAY 10TH A,B AND C SHIFT ALL WILL BE PARAMEDICS AND CERTIFIED FIREFIGHTERS.

ON APRIL 25TH AT 7 PM AT LIMA SENIOR HIGH SCHOOL. THEY WILL PLAY A BASKETBALL GAME AGAINST THE SHARKS FOR SPECIAL OLYMPICS. THREE TO FOUR OF OUR FIREFIGHTERS, INCLUDING RADER, WILL BE PLAYING AND HE WOULD LIKE TO INVITE ALL TO COME TO SUPPORT THEM. ON APRIL 18TH PERRY FIRE DEPARTMENT WILL BE AT PERRY HIGH SCHOOL FOR A MOCK CAR CRASH FOR EDUCATION AGAINST IMPAIRED DRIVING. BATH TOWNSHIP’S FIRE LEVY PASSED BUT THEY HAVE LOST MOST OF THEIR FULL

TIME FIREFIGHTERS AND THEIR LEADERSHIP IS PRIVATELY MESSAGING OUR FIREFIGHTERS AND OTHER TOWNSHIPS FIREFIGHTERS. THEIR FIREFIGHTERS WERE ALL IN FEAR OF LOSING THEIR JOBS IF THE LEVY DIDN'T PASS, SO THEY STARTED LOOKING FOR OTHER EMPLOYMENT. RADER STATED THAT HE NEEDS TO HIRE PART-TIME STAFF. THEY ARE ADVERTISING IN MULTIPLE PLACES. FULL-TIME HAS COVERED, SINCE JANUARY THROUGH APRIL 8TH, 510 HOURS. IF THEY HAD PAID OUT ALL THOSE HOURS IN OVERTIME BECAUSE OF NOT HAVING PART-TIME STAFF, THEY WOULD HAVE SPENT \$14,235.30. WITH THE PROPER STAFFING THEY SAVED US \$9,644.11. THEY HAVE HAD MANDATED OVERTIME SINCE JANUARY AT A COST OF \$4,591.19. KEVIN RADER THEN SUBMITTED A RESIGNATION LETTER FROM BRADLEY MCGOVERN, A PART-TIME EMT. LARRY SIDENER READ THE LETTER (LETTER ATTACHED).

GREG KESSEN MADE A MOTION TO ACCEPT THE RESIGNATION FROM BRADLEY MCGOVERN, 2ND, KEVIN COX, ROLL CALL.

KEVIN RADER REQUESTED AN EXECUTIVE SESSION FOR DISCIPLINARY ACTION AND TERMINATION OF 2 PART TIME EMPLOYEES FOR NOT PUTTING IN HOURS.

TRUSTEES

GREG KESSEN- HE HOPES EVERYONE ENJOYED THE ECLIPSE AND THAT EVERYONE STAYED SAFE. HE THOUGHT IT WAS A LOT COOLER THAN HE THOUGHT IT WOULD BE.

KEVIN COX- THERE IS A TOWNSHIP ASSOCIATION DINNER ON THURSDAY AT 6PM IN DELPHOS AT 1600 EAST 5TH STREET. COST FOR THE DINNER IS \$18. YOU MUST MAKE A RESERVATION.

LARRY SIDENER- SWORE IN CLAYTON EICHMAN AS PERRY TOWNSHIP PATROLMAN.

GREG KESSEN MADE A MOTION TO GO INTO EXECUTIVE SESSION FOR PERSONNEL ISSUES AT 8:51 PM WITH FIRE CHIEF, KEVIN RADER, 2ND KEVIN COX, ROLL CALL.

KEVIN COX MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 9:05 PM, 2ND GREG KESSEN, ROLL CALL.

ACTION TAKEN: STEP DISCIPLINE PER HANDBOOK. EMPLOYEE SUSPENDED FOR 3 DAYS WITHOUT PAY FROM APRIL 17TH – 19TH

2ND ACTION TAKEN: REMOVE NOAH BABCOCK FROM THE ROSTER. HE ONLY TOOK TWO SERVICE CALLS IN 2023 AND NONE IN 2024.

KEVIN COX MADE A MOTION TO REMOVE NOAH BABCOCK FROM THE FIRE DEPARTMENT ROSTER FOR NON-PARTICIPATION, 2ND GREG KESSEN, ROLL CALL.

RADER LEFT A MESSAGE FOR JACOB BLANTON ON 4/11/24 AND ASKED FOR CONTACT BACK BY APRIL 16TH, IF NO CONTACT, HE IS REQUESTING REMOVAL FROM THE ROSTER FOR NO CALLS FOR SERVICE. NICHOLAS ROHRS RESIGNED FROM PERRY FIRE DEPARTMENT AS ADMINISTRATION ASSISTANT AS OF 4/19/2024.

KEVIN COX MADE A MOTION TO ACCEPT TO ACCEPT THE RESIGNATION FROM NICHOLAS ROHRS, GREG KESSEN, 2ND ROLL CALL.

RADER PERFORMED AN EXIT INTERVIEW WITH MR. ROHRS AND SAID HE WAS VERY POSITIVE OVERALL, ALTHOUGH HE SAID THE WAGES WERE NOT SUSTAINABLE FOR HIS FAMILY.

THERE WAS A DISCUSSION BETWEEN KEVIN RADER AND TRUSTEES ABOUT THE FUNDS FROM THE SALE OF THE OLD FIRE TRUCK. GREG KESSEN WOULD LIKE FOR THE FUNDS FROM THE SALE TO GO INTO THE GENERAL FUND (NON-OPERATING). GREG KESSEN STATED THAT THE GENERAL FUND PARTIALLY FUNDS THE FIRE DEPARTMENT. CHRISTINA STOMBAUGH STATED THAT SHE AND SANDY HOFACKER SPOKE WITH LOCAL GOVERNMENT SERVICES AUDITOR AND THEY ADVISED THAT WE ARE REQUIRED TO DEPOSIT THE PROCEEDS INTO A PERMANENT IMPROVEMENT FUND FOR FIRE.

RADER QUESTIONED HOW MUCH THE FIRE DEPARTMENT GETS ALLOCATED FROM THE GENERAL BUDGET AND HOW MANY YEARS HAS THIS BEEN OCCURRING? KESSEN ADVISED ALL THROUGH THE FIRE DEPARTMENT BUDGET. AN AMOUNT COULDN'T BE GIVEN.

CHRISTINA STOMBAUGH REQUESTED TO ESTABLISH A PERMANENT IMPROVEMENT FUND FOR THE FIRE DEPARTMENT AND TO DEPOSIT THE CHECK OF THE SALE OF THE OLD FIRE TRUCK INTO IT.

**KEVIN COX MADE A RESOLUTION 2024.0416-03 TO ESTABLISH A PERMANENT IMPROVEMENT FUND,
GREG KESSEN 2ND, ROLL CALL**

KEVIN COX MADE MOTION TO ADJOURN AT 9:23 PM, 2ND BY GREG KESSEN, ROLLCALL.