

Minutes of Department Head Meeting: June 8, 2009

8:00am Meeting called to order by Bob Mack

Pledge of Allegiance

Roll Call: Mr. Mack, Mr. Britten, Mr. LaHote, Mr. Hrosko, Mrs. Haar, Chief Stribrny, Chief Dimick, Deputy Chief Brice, Kraig Gottfried, Grant Garn and Robert Warnimont (arrived at 8:07)

Britten made a motion (seconded by LaHote) to approve the minutes of the May 4, 2009 Regular Meeting. All Yes Motion Approved

LaHote made a motion (seconded by Britten) to approve the minutes of the April 13, 2009 Department Head meeting. All Yes Motion Approved

Britten made a motion (seconded by LaHote) to approve the minutes of the May 18, 2009 Regular Meeting. Mack -Yes Britten – Yes LaHote - Abstain Motion Approved

Britten made a motion (seconded by LaHote) to approve the amended agenda. All Yes Motion Approved

8:05AM Brenda Strong – resident Ms. Strong asked the Trustees about lowering the speed limit on Glenwood between I-795 and Buck Rd. She told the Trustees that it was like a drag strip in front of her house. She said she has called the police department, asked them to come out and monitor the traffic and offered her driveway as a place to have them park. She stated they never showed up. She also complained that they are not allowed to have semis on the road there and yet just this morning from 7:35AM to 7:45AM she counted 6 semis go by. She told the Trustees Wylie Construction trucks were out, loaded at 6:20AM this morning. She said the road is breaking up drastically. Ms. Strong said that last year a transformer fall down and the traffic ignored the “road closed” signs and she and a neighbor had to back off traffic so they wouldn’t drive across the live wires. She stated the police would not come out and direct traffic not to enter the road and that Edison did not come out until the next morning to cut the power to the lines. Mack said the Trustees can certainly look at the speed limit but a lot of the time ODOT has the say on the speed limit. Mack went on to say that the Trustees have had issues with Wylie and are pursuing them. Stribrny told her the trucks can legally operate on Glenwood road. Stribrny went on to say they do run speed checks there but he does not encourage the officers to sit in private drives and they are using moving radar on Glenwood. He went on to say there is no doubt the road is taking a beating. LaHote said the Township could do a study and ask ODOT to lower the speed limit but on Glenwood we are at the mercy of ODOT.

8:15AM Air Pack Bid Opening Haar announce there was only one bid and it was from Fire Safety Services. Haar opened the bid and read it as follows; A total cost of \$161,951.00 with optional equipment list of a 6 foot fill hose @ \$488.00 and telemetry transmitters @ \$6,584.00, telemetry IV bags @ \$800.00, telemetry receiver @ \$ 550.00 and a telemetry systems IV Tank and writer and reader @ \$ 2841.30. **Britten made a motion (seconded by LaHote) to accept the bid as read. All Yes Motion Approved**

Brice said he needs to check with the grant support people because technically he is supposed to get two bids. He said he did request a bid from a second company but they chose not to bid.

Maintenance: Kraig Gottfried asked the trustees to allow the Maintenance department to go on summer hours of Monday through Thursday from 6:30am to 4:30am with Fridays off. It would be beneficial when doing hot mix jobs. Britten said he had no problem with doing 4 ten hour days and that the County started doing it last week. LaHote said he had no problem with trying it and seeing how it works out. Mack asked Gottfried if someone would be on call on Fridays in case there is an emergency and Gottfried replied there would be. **Britten made a motion (seconded by LaHote) to change the Maintenance Department's hours to 4 ten hour days starting on June 15, 2009 and running through Labor Day. All Yes Motion Approved**

Gottfried told the Trustees the intersection of J and Third Street has been completed

Gottfried said he is looking to buy a new hot tack sprayer. Three years ago the Township bought a used tack sprayer off the County for \$500.00 and it has worked out well. Now it is developing a leak and he would like to purchase a new 200 gallon one from DJL Materials and Supply at a state price of \$9,950.00. **Britten made a motion (seconded by LaHote) to allow Gottfried to purchase the hot tack machine. All Yes Motion Approved**

Next Gottfried said he met with Jason Sisco on the turn lane on Thompson Rd @ Route 20. We do have enough land to put in 150 turn lane without buying and additional right-away or moving the phone boxes. The light pole would have to be moved however. Mr. Sisco will draw something out for us. Mack said he had had a call from Marathon and they want to start building in 2010. LaHote asked if there was going to be a safety factor in reducing the radius of the turns from what it is now. Britten said maybe we should talk to Mr. Sisco or Mike Stormer to see if we will have a problem.

The last thing Gottfried brought up was a call from the Mosque on Scheider Rd and they want some school signs put up through there. Currently they have school for about 100 kids, kindergarten through eighth grade but the long term goal is to build a school and a high school. Gottfried asked the Trustees what their feelings were but said he never sees and kids out around there and the Mosque is pretty far set back. Gottfried will get some further information from them about what kind of signs they are looking for and get back to the Trustees on the issue.

Britten said he knew we talked about some kind of signage on Reitz Rd at the trailer park and Chris Waterfield did get back to him with one other suggestion. He said that other than a "school bus" sign, he could put up, and it would be stretching it a bit, a "playground" sign. It would have a teeter-totter on it but no words except maybe "playground" Gottfried said he believes Village Green needs to take some responsibility and could possibly put up a split rail fence with bushes in front of it. This would serve as a warning to the kids playing that the road was near. Britten asked if Gottfried ever sees many kids out there playing and Gottfried replied he really hadn't noticed many. Brice said that on all the calls they have made out there he also doesn't recall seeing many kids playing out by the road. Britten asked all the departments to monitor it for a month or so and then report back.

Police: Chief Stribrny told the Trustees that at the end of 2010 the Police have one of their levies expiring. It is a 3 mil levy. They can file to have a special election on February 2, 2010, put it on the May 4th primary election or put it on the November 2, 2010 regular election. Stribrny said he would recommend the Trustees consider it as a renewal but make it continuing rather than a five year levy. Britten said we should look at having it on the primary and look into if it can be a renewal and be changed to a continuing.

Stribrny gave the Trustees the April 2009 calls for service (copy in file) and will provide the public copies at the next meeting.

Next Stribrny said he wanted the Trustees to know that on June 30th there will be a reception in the Township meeting hall from 11:30 to 3:00 for retiring Office Dawn Langenderfer.

Stribrny said he just wanted the Trustees to know he had another complaint from a resident on East River Rd about the traffic. Stribrny said he responded to him by E-mail and had a Sergeant do a follow up. There was another accident around the 29000 block of East River Rd and the resident wants the speed limit lowered and a light put at Hufford and East River. Stribrny said he told him he did not believe that intersection would qualify for a light. Stribrny said he told him the speed limit is set by ODOT as it is a state route.

Stribrny said in response to the resident who complained about the downed wires on Glenwood Rd, unfortunately the police do not always get the response from the utility companies they would like. In that case they put up the road closed signs because they cannot continually monitor it for an extended time. The citizen's complaints are valid because the truck traffic has increased but it is a truck route. Stribrny said he didn't know how they can stop it and yet be business friendly as well as citizen friendly. Brice said the utility companies are bad about responding and that sometimes he cannot even get an estimated time of arrival at a scene.

Gottfried said the lines were downed by a bad wind storm and that he put out barricades to block the street off northbound. He had two sets of barricades destroyed by the semis. LaHote said maybe we should have a sign on the barricades stating what the fine is if they go around the barricade.

Fire: Chief Dimick told the Trustees he would like to purchase a safety device for the new engine. The operator has to stand on the platform to operate the pump and it could be very easy to accidentally step off the platform. He would like to add man-savers, a device to block off the end of the platform on the back of the cab and another hand rail on the left side of the steps. The total cost of the project is \$1,999.72. **LaHote made a motion (seconded by Britten) to approve the project at a cost of \$1,999.72. All Yes Motion Approved**

Dimick asked the Trustees to approve a "Then and Now" PO in the amount of \$997.73 made out to the Sentinel for the Air Bag bid ad. **LaHote made a motion (seconded by Britten) to approve the PO as requested. All Yes Motion Approved**

EMS: Deputy Chief Brice asked the Trustees to approve the renewal of the annual AIM Ram support contract at a cost of \$1,725.00 (which is the same as last year). **Britten made a motion (seconded by LaHote) to approve the request. All Yes Motion Approved**

Brice talked about the extended warranty on Life Squad 1 and said he did find out the hours and mileages are cumulative. Brice calculated that in 36 months we will have projected miles of 79,500 and 4074 hours on the squad. The closest extended warranty that would fit into that would be; up to 175,000 miles or 6300 hours @

\$2,300.00. At 60 months we would have 132,000 projected miles and 6000 hours and the closest warranty that fits into that would be 60 month/6300 hours and 175,000 miles at a cost of \$3,240.00. Gottfried said it looks like it is covering all the 12 sensors on the truck and they alone are expensive to fix. Brice said the one thing he wanted to tell the Trustees, because he doesn't think it is very ethical, is twice the salesman has told him if he is able to sell this to the Trustees he would be willing to "cut him in on the deal" and last time he made the suggestion it would be up to 20% of it. Brice said unless the Trustees tell him otherwise, he would just take the check and turn it over to the Township. Mack asked who is offering the warranty and Brice replied the warrant is being offered by Hill International Trucks of East Liverpool, Ohio. Britten asked Attorney Walt Celley (who arrived for the executive session following the meeting) if there was anything illegal about Brice getting the check and signing it off to us. Attorney Celley said it would probably be preferable for him to have them reduce the cost by 20%. He said he "never really had this come up before. I don't know but you are probably asking for trouble with the auditor. Plus technically it is probably income". After discussing this further, Mack said he will call his Uncle who is an International dealer and get some information on this. Brice said he would table it until Monday night's meeting.

Brice next talked about the Auto Aid agreement with Rossford and said it is almost the same as the one with Perrysburg City. Rossford is going to bring it before their Council tonight (6-8-09). Mack and Britten both would like to table this until Monday night so they can read the document.

Next Brice told the Trustees that there has been a glitch with the paying of the Paramedic program for Troy Bernhard. Originally we agreed to pay 1/2 the cost and Monclova (where he works part-time) agreed to pay the other 1/2. Brice said he received a bill for the second half and gave it to Troy to take to Monclova, which he did. Now Monclova says they thought they were going to reimburse Perrysburg Township for that amount but not till after six months after he completes the class and in installment payments. Brice said he didn't understand that at all and told Troy it was "bizarre that anyone would arrange it in that fashion". Brice said he didn't know what the Trustees thought about getting it in installments and that he has not called Monclova's Chief (who is also Troy Bernhard's brother) to see what is going on. LaHote asked if Brice thought they were doing this to insure he stays on with them and Brice said it could be. Brice also said contractually it doesn't say the Township will pay 1/2, it says the Township will pay for the schooling and in return the employees makes the agreement to stay for, he thought, 6 years. Brice said getting Monclova to pay for 1/2 of it was a bonus for us, and obviously we should try to get that bonus since it was agreed upon. He said he just wanted the Trustees to know what was going on. Mack said we should take a week to ponder this one and make a couple of calls. Brice will call Monclova and so will Mack to see what is going on and report back next week.

Brice read the May run report (copy in file).

The last thing Brice asked the Trustees to approve purchasing a Pediatric Advanced Life Support trainer from some State grant money he needs to spend. The cost would be \$3,155.60 and it would be purchased from EMP. We pay for the purchase up-front and the State reimburses us. Also this is not 100% covered because the grant was \$4,000.00 and he has already used \$1,700.00 of it (our portion of this then would be 856.60). **LaHote made a motion (seconded by Britten) to approve the purchase. All Yes Motion Approved**

Recreation: Bob Warnimont asked the Trustees to approve a PO to pay Douglas Whitner. His hiring for this ball season at \$1,500.00 was previously approved by the Trustees but a PO was not made. The Trustees signed the PO.

Zoning: Grant Garn told the Trustees there is a **Zoning Commission** meeting on June 8th @ 6:00PM and they are going to have Beckett & Raeder come in for further discussion of their Comprehensive Plan Visioning Session @ 6:15PM. The Board of Zoning Appeals meeting will be June 16th @ 6:00pm for a privacy fence someone installed in a front yard, without a permit on Simmons and Mandell Roads

Garn said as a heads up, he is looking at purchasing a new, faster printer for the Zoning office.

Garn said he is working on complaint letters for the Zoning area, for nuisance and structure hearings and for property maintenance.

Grant said he didn't know where we are on the Keith Fournier issues and guessed it is in the Trustees hands right now.

9:30AM Meg Adams from Toledo Edison First Energy spoke to the Trustees about why the rates on the ball lights have gone up dramatically. Ms. Adams said that they had just gone through an auction process on generation for the electrical rates which is all based on Senate Bill 221. Ms. Adams said that it is due to the deregulation that took place back in 1999 when the Senate bill was passed to take the electrical utilities to a competitive market, like they do with gas. In the process what happened was that there used to be a lot of special rate and with deregulation the special rates have been phased out and one of them is the ball park rate. Now instead of having a minimal bill there is a minimum of 5KW demand required. The lights have a 42KW demand and are on a general service rate. Mack asked Ms. Adams if this will affect our lighting district rates and Ms. Adams said that they went up a little bit in March but right now they are where they should be for a while. Warnimont asked what his monthly bill would be and Ms. Adams said it is based on kilowatt hours and last month the one bill was \$413.00. She added that is what it will be when you are using them but when you are not using them the minimum bill will be around \$26.00. Warnimont said when the lights are on they are on for only about 2 hours at a time. Ms. Adams said there is not much kilowatt hour usage but it is the demand 42 KW that increases the bill. Warnimont asked if it is better just to let them burn then to use up the demand. Ms. Adams replied you can let them burn because you are already paying for the 42 KW and might as well use it when you want to. Anything from 0KW to 42KW is the same price. Ms. Adams said there is two parts to an electrical bill; the demand and the KW. The KW is 100 watts burning for 1 hour. The demand is the rate you are using it. LaHote said we are paying for the demand so if you have 42KW of lighting it is about \$5.00 per hour just for usage. Ms. Adams said the current rates will stay in affect for the next two years.

Office: Shirley Haar asked the Trustees to sign the Cash Position report, Bank report, Check report and PO Report (copies in file). The Trustees signed the reports.

Haar told the Departments that have to get their payroll in to Becky Johnson by 9:30AM Monday morning or it will not get processed. Johnson will be off work Tuesday, Wednesday and possibly Thursday for a medical reason.

Haar said she gave the Trustees copies of the Estimated Revenues Becky Johnson put together from the Department Heads numbers and for the General fund and

asked them to look them over. This will be brought up at the July 6th meeting for approval so the can be sent to the County Auditor.

Haar gave the Trustees copies of the Godremont's annual contract renewal and said the cost of the renewal is \$863.00. The total bill is \$1,656.65 because we had 7050 additional color copies @ a cost of \$620.40 and 13,120 black & white additional copies @ a cost of \$173.25. The PO was written for only \$1,200.00, Haar asked the Trustees to approve increasing the PO by \$456.65. **Britten made a motion (seconded by LaHote) to increase PO # 2009-36 by \$456.65. All Yes Motion Approved**

Haar told the Trustees she had a question concerning the weed and grass notices she is sending out. She asked how far the Trustees want her to go in researching who is the current owner of the property is. As an example, she sent a letter to the owner on record at the Auditor's office and was called by the person the letter was sent to and informed it was taken back by a mortgage company or bank. Haar said she did not know who that company is. It could get quite detailed on locating the company or bank and this will slow down the process of getting the property mowed. Britten said it was his understanding that the complainant was to furnish the name and address of the owner. Haar said that he was right but in one case she has the neighbors provided the persons' name and address of the property but it has now been repossessed by an unknown bank or mortgage company. Mack said he thought we have a duty to go to the owner of record with Wood County. Attorney Celley said he thought on the mowing, "We notice the owner. You can't really tell who the lien holder's or mortgage companies are without getting, like a \$150.00 title search. So on the mowing it has always been my feeling that you send the notice, mow and we can certify to the Auditor (the cost). If someone really complains about it, the worst that can happen is we have to write off a couple hundred bucks." Mack said if you know it is in the process of foreclosure maybe we could contact the Prosecutors office because they would who inline is. If there is a first mortgage that would be the bank to contact. Mack said he thought what we should do however is send out a notice to the owner of record and let the days expire and then get it done. Garn asked who was going to mow the properties. Haar said that right now we are saying the Township is going to mow. Gottfried said he has a couple of men who have contacted him about doing mowing for the Township. He will contact them and get a quote from them.

Haar told the trustees she had four transfers for the and read them as follows;

From Workers Comp #101-1301-50135 to Travel #101-1301-50204 for \$500.00

From Workers Comp #101-1301-50135 to Medicare #204-1520-50133 for \$3200.00

From Workers Comp #101-1301-50135 to Medical & Dental Ins #101-1301-50136 for \$1500.00

From Transfers #101-9998-53000 to Road & Bridges #204-0000-43100 for \$3200.00*

* approved in the 2009 budget

Britten made a motion (seconded by LaHote) to approve the transfers as read. All Yes Motion Approved

Next Haar asked the Trustees to approve a transfer of \$500,000.00 from the 101 account to the 102 account to cover expenses incurred on the new building. This needs to be transferred because the 101 account funds the 102 account and it was not funded correctly at the beginning of the year but is still within the amount budgeted for the new building. If the Trustees approve the transfer we will need to adjust the revenues to the 102 account by the \$500,000.00 and send it in to the County. **LaHote made a motion (seconded by Britten) to approve the transfer and re-appropriations as read. All Yes Motion Approved**

The last thing Haar told the Trustees was that she did go ahead and approve the cremation of an indigent resident of the Township. This is the person she spoke to them about last week. Even though the gentleman was currently in the Wood

County jail, he was not convicted of the crime and therefore was still legally a township resident. The cremation was a direct cremation handled by Whitzler Shank at a cost of \$500.00.

Administrator: John Hrosko asked the Trustees to pass **Resolution #2009-18** with the attached letter (copies in file) which states, in part, the following;

WHEREAS, on May 21, 2009, John G. Hrosko on orders from the Perrysburg Township Trustees sent an overnight certified letter to Patrol Officer Jeremy Green, a copy of which is attached to this Resolution and:

WHEREAS, Officer Green did not comply with the terms stated therein;

NOW THEREFORE, be it resolved by the Board of Trustees of Perrysburg Township for Perrysburg Township, Wood County, Ohio that the employment of Jeremy Green is hereby terminated effective June 8, 2009.

Britten made a motion (seconded by LaHote) to approve Resolution #2009-18. All Yes Motion Approved

Hrosko next brought up the Hull Agreement and said that Attorney Celley had some corrections he would like made to the agreement (copy in file). Attorney Celley said he could probably mark the changes up on the contract and send them back to Hrosko. The changes deal with indemnification. Attorney Celley said "It is usually not a good idea for political subdivisions to agree to be indemnifying private contractors because we are protected by the doctrine of immunities in a lot of areas. Insurance Companies do not like that when you start making agreements be liable for things that you might not be liable for." He said "there is a real tendency to stick indemnification language in and most of it really misses the mark. They want us to agree to be liable for our torts which we already are. You don't indemnify someone for something you are already liable for." Hrosko said the Hull Agreement is to do a complete study on providing water to Perrysburg Township. The Trustees have been working on this with Hrosko for the last two years and now we are getting down to serious discussions on how do we port water into Perrysburg Township by ourselves or with Wood County or some other agency. We are spearheading the study and there is a cost factor. This will need to be discussed in executive session.

Next Hrosko brought up the City of Perrysburg's agreement with Marty and Claudette Davis concerning the annexation agreement. Attorney Celley said "the City is proposing to do this under their expedited annexation provision. They are proposing 709.022 and that requires the landowners, the City and the Township all have to enter into an agreement. What you agree to under 709.022 is that the land is going to be removed from the Township. There is another annexation revision, which is 023 and under 023 the land does not get removed from the Township. We would continue to get all the property tax revenues on that. The other factor is when we do have a revenue sharing agreement, I'm not sure what that amounts to. The 99 year agreement references March 7th, 2000 revenue sharing; it's the same as what ever Levis Commons is. We certainly can agree to annexation under 022 and have that land removed from the Township or we can also, uh the 99 year agreement only requires that we not to interfere with annexation. It doesn't require us to agree to them. If we don't enter into this agreement they can still annex the property under 023 but then it becomes a dual jurisdictional territory. I don't think there is going to be any residents in this territory. Sometimes when there are residents it gets a bit strange. I mean they can actually vote in both jurisdictions and probably are entitled to services from both jurisdictions. There are problems with these dual jurisdictional territories but we continue to receive the property tax revenue." Attorney Celley went on to say he didn't know if we had

some kind of agreement with the City that we are going to consent to these and have them go in under 022 or if this is something we all need to discuss. LaHote said he agreed that the 99 year agreement said we couldn't interfere with it but we do not have to necessarily go along all of them. Attorney Celley said what makes it a little more complicated is that the expedited annexations were not in existence when the 99 year agreement was signed. They came in about a year later. Britten asked what the benefit to the Davis' to do the expedited annexation. Attorney Celley replied he really did not know other than it made it faster. Britten said he was for this originally because the Davis' have always been the type of residents that did what ever they could to stay in the Township and now in this situation they know they are going to be annexed to the City anyhow and we can not stop it. Britten went on to say "Now it seems like the City is trying to stick something down our throat to take our tax revenue away from us." Attorney Celley said the thing he was calling the Trustees' attention to was there is a significant financial difference on the different ways to annex this property. He said there is going to be a very nice commercial development there and it is going to generate a significant amount of property tax he would guess, which we would get 10% of. After further discussion on how the process works and what the City can and cannot do Attorney Celley said "If we sign this agreement, which I'm not really sure meets the requirements but arguably probably does, the land goes in the City and they can conform their boundaries. We are agreeing to have the property removed from the Township. Under 023, that also is an expedited procedure and there are some different types of expedited proceedings, there are some longer timelines." Britten said he was really confused now. Britten asked if the City was able to conform their boundaries on all the other properties they have annexed because they were not expedited. Mack said that on a lot of it, it was residential and we were less concerned about the property tax revenues sharing than we are with this area, or like with Levis Commons where we have a revenues sharing agreement that is a supplement to the 99 year agreement. Mack went on to say this property is just outside of Levis Commons and we need to take this into executive session to discuss the legalities of extending that revenue sharing agreement pertaining to Levis commons to the entire Route 25 corridor.

Hrosko said the next item he had on the agenda was the Fort Meigs Right of Entry for Station 2. Mack said this is also something we need to discuss in executive session and then act on when we return to regular session.

Hrosko told the Trustees that last week he signed a contract with Buckeye Cable to bundle our services. Buckeye has ordered the building of a new fiber optic line from Route 20 to our campus and that will be done in July or August. The will be our new carrier for the phones, internet and data. It looks like by signing that agreement we will save about \$500.00 per month vs. AT&T.

Next Hrosko said that the meeting date for the Rotary luncheon has to be changed from June 26th. It was decided to change it to July 31st.

The last thing Hrosko mentioned was a call from Don Smith concerning dogs from the neighboring property coming into his yard and creating a nuisance. Hrosko said he is looking into what can be done.

Britten made a motion (seconded by LaHote) to adjourn into executive session for the purpose of personnel discipline, Township real estate and a legal matter on a consulting contract and a legal issue with some annexations. Further business will be conducted. All Yes Motion Approved

LaHote made a motion (seconded by Britten) to return to regular session. All Yes Motion Approved

Mack asked for a motion to terminate dispatcher Dave Kozina who is a probationary employee of the Police Department. **LaHote made a motion (seconded by Britten) to terminate Dave Kozina. All Yes Motion Approved**

Mack said he ask for a motion to recommend to Chief Stribrny that he explore dispatcher candidates as a potential replacement and also for a road officer. **Britten made a motion (seconded by LaHote) to so advise Chief Stribrny. All Yes Motion Approved**

Mack said he ask for a motion that Attorney Celley review and do some historical research on the revenue sharing agreement pertaining to Levis Commons as well as checking on how that co-mingles with the 99 year agreement. All as it relates to annexation and revenue sharing matters with the City of Perrysburg and Perrysburg Township for non-residential property. **LaHote made the motion (seconded by Britten). All Yes Motion Approved**

Britten made a motion (seconded by LaHote) to allow Chairman Mack, Law Director Celley and John Hrosko to pursue the Right of Entry for Station 2 with the City of Perrysburg and negotiate it to what best suits the Township and all parties involved. All Yes Motion Approved

11:45AM LaHote made a motion (seconded by Britten) to adjourn. All Yes Motion Approved

Shirley A Haar –Fiscal Officer

Bob Mack - Chairman