

Minutes of Regular Meeting: May 19, 2008

7:30 Meeting called to order by Gary Britten

Pledge of Allegiance

Roll Call: Mr. Britten, Mr. Mack, Mr. LaHote, Mr. Hrosko, Chief Stribrny, Chief Dimick, Deputy Chief Brice, Kraig Gottfried, Grant Garn and Robert Warnimont.

Mack made a motion (seconded by LaHote) to approve the minutes of the May 5, 2008 Regular Meeting and the taped minutes of that meeting.

All Yes Motion Approved

Mack made a motion (seconded by LaHote) to approve the minutes of the May 12, 2008 Department Head Meeting and the taped minutes of that meeting.

All Yes Motion Approved

Mack made a motion (seconded by LaHote) to approve the minutes of the May 7, 2008 Special Bid Awarding (for the new fire station) Meeting and the taped minutes of that meeting. All Yes Motion Approved

Mack made a motion (seconded by LaHote) to approve the amended agenda.

All Yes Motion Approved

7:35 Road Clinton Mauk – Historical Perrysburg Mr. Mauk told the Trustees he is on both boards of the Black Swamp Conservancy, a land trust who holds 55 conservation easements in this area. These conservation easements stop all future development on these parcels in perpetuity but are generally just put on land. He is also represents Historic Perrysburg an active organization since the 70's. Mr. Mauk spoke about the issue of the historic home (the old Ford mansion) on East River road that was recently torn down and said that half the people think that one or the other of the agencies should have done something to prevent it being demolished and the other half of the people think the Perrysburg Township Trustees should have done something. We have to recognize that a lot of people feel property rights rule supreme; I bought it, I own it and I will do what I want to do with it. On the other side are the Historical people that say it is such a beautiful place and has so much history it should be preserved. Mr. Mauk said he would like to offer his resources from both agencies to help the County and the Perrysburg Township Trustees and whoever else to solve this so at least most of the people are happy. LaHote said he would like to add a few things and said that after that happened he sent an inquiry out to a state wide organization the township belongs to asking them if anyone else has had a similar problem and how they handled it. So far he heard that a township near Cleveland passed a resolution to preserve historic homes but their own county prosecutor told them if the resolution was challenged, it would not stand up in court. Townships do not have that authority under the law. This is an issue we will continue to look at. LaHote said if people feel this way they should call or write our state representative and senators and let them know. Mack asked Garn if his planning association have any experience with demolition permits or are they not allowed for under the Ohio Revised Code. Garn replied that he didn't if the were not allowed for but generally under a demolition permit tells you that need to cap off the sewer lines, water lines and etc and it gets into removing the foundation and so forth. Permits do not go

beyond what has to be done and taking things off the property. Mack said that at least it is a formality that even though it will not stop the process, it would slow it down. LaHote said we wouldn't be able to deny a permit based on historical nature but it would serve some notice to people what was going to take place and make them do the demolition right. Garn said he presumes Townships can legally issue demolition permits and Britten said we should have check with the prosecutor on it.

After breaking for the Zoning change hearing this discussion was resumed.

Carol Bentley spoke and said she thought we all have been horrified by what has happened in our historic area. She said that she was sorry that they did not have a strong appeal for the Trustees because they didn't really have any power to do anything but she was hopping to encourage the Trustees to do something to somehow get an enabler so we can have a protection policy. With that in mind Mrs. Bentley said she would like to propose to the Township Trustees and the board of County Commissioners that "a part of Perrysburg Township running from the Perrysburg City line to the Rossford Bates line with the north line being the river and the south line being the railroad tracks be declared a Historic District with oversight by a board or a landmarks committee for the protection of the houses and properties named in a National Trust East River Rd. District. That teeth be given to that board and demolition will only be allowed for just cause." Mrs. Bentley went on to say she knew in Perrysburg City they have a landmarks committee that is really a guide post for people to use for changes in their houses. LaHote told her it was an interesting proposal but we would not have any teeth to enforce it because we can't pass an ordinance or law and again urged people to contact Mr. Gardner, Mr. Latta and Mr. Wagoner and let them know the people's feelings. Any changes in our ability to put teeth in such a proposal would have to occur in Columbus. Mrs. Bentley told the Trustees that although they would hate to do it, they have all signed annexation papers to the City to get water, and they could annex to the City where their property would be protected. Britten said he would hate to see them go to the City but what they are trying to explain is we can only follow the laws as defined by the Ohio Revised Code and the Ohio Revised Code does not at this time allow Townships to have a Historic District. We need to get the law changed and that is why we need to lobby our politicians at the higher government level. Theses would be like LaHote said; Mr. Gardner, Mr. Latta and Mr. Wagoner. Mrs. Bentley asked if the Trustees couldn't petition them and was told they could but having dozens of citizens write petition them would be more effective. After some further discussion on the demolition of the Ford house it was pointed out that even though we do not have the authority to form a Historic District we do have the authority to govern what the property can be used for through our zoning.

John Ahern said that years ago when he was on the Rossford School board they were trying to get a levy through and came to the Township Trustees to ask them to endorse their levy. Although the Trustees had no influence in terms of the Rossford School, they took a risk to endorse it. Mr. Ahern then said he wasn't asking the Trustees to make a statement now, but maybe next month and asked "Would the Township Trustees make a statement, which doesn't have legal power but has a lot of influence, that you would indeed support the creation of State legislation that would create the kind of agency that has been presented here by Mrs. Bentley?" LaHote said he did not need two weeks to think about it and would be supportive of that endorsement. Britten said he also did not need two weeks either and would fully endorse the Historic District in the Township. Mack then said they knew how he feels and that he too would endorse it.

7:45; Zoning Change ZC2008-01 continuation hearing This hearing is for the re-zoning of the Henry Farm. Grant Garn read the Zoning Change hearing letter (copy in file).

George Oravec a consulting engineer representing The Timberstone Group / Bostleman Joint venture for this property spoke. He explained where the area of the project is located and that it was zoned R-3 and now they would like to have it re-zoned R-4. This will square off this piece of property.

Britten made a motion (seconded by LaHote) to approve the zoning change. Britten – yes LaHote – yes Mack – abstain Motion Approved

Maintenance: Kraig Gottfried told the Trustees he had the road projects ready to award and asked the Trustees to approve the following;

	Bowers	Gerkens	Crestline
Twinlake		25,235.60	
Millcroft			41,310.50
4 th	47,218.58		
Oakmeadows west			24,494.50

Gottfried said Eckel Jct. and Helen Dr. were on the bid sheets but he was holding them for a couple of weeks to see what the City is going to do on a project. **Mack made a motion (seconded by LaHote) to award the bids as read. All Yes Motion Approved**

Gottfried said at next weeks Department Head meeting he will bring up the issue of the road preservation with Micro Surfacing.

Gottfried asked the Trustees to approve a PO to TAS Electric to do all the wiring for the fuel tanks. Due to the rising cost of copper their quote went up by \$450.00 and the current cost is \$6,535.00. **LaHote made a motion (seconded by Mack) to approve the PO. All Yes Motion Approved**

Gottfried then asked for approval of a PO to Zimmerman Paint Contractors in the amount of \$10,000.00 for this year's road striping. **Mack made a motion (seconded by LaHote) to approve the PO. All Yes Motion Approved**

Next Gottfried asked for approval for a blanket PO for hot mix in the amount of 20,000.00. **LaHote made a motion (seconded by Mack) to approve the PO. All Yes Motion Approved**

The last Po Gottfried asked for approval on was to Yoder & Frey Inc. in Archbold for a roller trailer in the amount of \$1,775.00. **Mack made a motion (seconded by LaHote) to approve this PO. All Yes Motion Approved**

Britten asked Gottfried where he was on the project at Ford and Simmons Rd. and Gottfried replied it would be finished next week.

Police: Chief Stribny introduced the newly hired Officer Dave Molter Jr. to the Trustees.

Stribny asked the Trustees to approve a PO to Charlie's Dodge for two 2008 Dodge Chargers at a cost of \$43,196.00 (\$21,598.00 each) plus the extended warranty with a \$50.00 deductible at a cost of \$3,500.00 (\$1,750.00 each) totaling

\$46,696.00. **Mack made a motion (seconded by LaHote) to approve this PO.**

All Yes Motion Approved

Stribrny then asked the Trustees to approve a PO for the equipment only for the Chargers, from Statewide Emergency Products at a cost of \$3,286.23. Stribrny explained our maintenance department would be installing the equipment. Stribrny asked that the Po be in the amount of \$3,500.00 to cover any unexpected increases.

Mack made a motion (seconded by LaHote) to approve the PO. All Yes Motion Approved

Next Stribrny asked the Trustees to approve a PO to Insight for the docking stations and brackets for the laptop computers in the new Chargers at a cost of \$2,201.64 for both. **LaHote made a motion (seconded by Mack) to approve the PO. All Yes Motion Approved**

The last thing Stribrny told the Trustees was that through the Police Departments' involvement with the State's "Click It Or Ticket" program the Police Department was given a Python 3 Radar (\$1,500.00 value) for their efforts.

Fire: Chief Dimick – No Report

EMS: Deputy Chief Brice gave the run report (copy in file).

Recreation: Bob Warnimont told the Trustees the new fence at the ball field was installed and it looks very good. He thanked the Trustees for putting it up for the safety of the kids.

Warnimont also told the Trustees that the recycle round-up went very well and he should have an invoice in time for the Department Head meeting.

Warnimont said he is looking for a place to use the shelter house.

Zoning: Grant Garn told the Trustees the Board of Zoning Appeals will be meeting on Tuesday May 20th at 6:00pm for two issues; the conditional use, multi family zoning on the Henry Farm and the Area Identification sign for Oakmont Subdivision.

Britten asked if the Resolution governing street trees was pulled and was told it had not been yet but would be found the next day and copied for the Trustees.

Office: Shirley Haar asked the Trustees to sign the check report and the PO report. The trustees signed the reports.

Haar asked the Trustees to approve an increase to the Vetter design Group's PO #2008-147 in the amount of \$15,000.00 to cover their bill. **Mack made a motion (seconded by LaHote) to approve the increase. All Yes Motion Approved**

Haar then asked the Trustees to approve an increase to the Albers & Albers PO #2008-009 in the amount of \$20,000.00 to cover their current bill and anticipated future bills this year. **LaHote made a motion (seconded by Mack) to approve the PO increase. All Yes Motion Approved**

Next Haar asked the Trustees to approve a "Now & Then" PO to Computol in the amount of \$3,000.00 to cover a couple of computer repair bills she received and to cover some future bills. **Mack made a motion (seconded by LaHote) to approve the PO request. All Yes Motion Approved**

Administrator: John Hrosko told the Trustees he has received almost all the budget sheets from the Department Heads for the 2009 budget and now would like to go through each one and review them. It was decided the Trustees each would

take two departments and review their budget along with the Department Head and Hrosko.

Next Hrosko asked the Trustees about a ground breaking ceremony for the new Fire/EMS building. It was tentatively set for June 9th @ 9am. It will be discussed at the next department head meeting what they would like to do for the ceremony. Next Hrosko had Britten read a letter (copy in file) from Jeffery Buehrer from Vetter Design Group that said in part; "Today, it was brought to my attention by the Township's legal counsel Mr. John Donahue that he was in receipt of a formal complaint letter protesting a bid award. Mr., Donahue has advised me that it will be in his recommendation the Trustees delay final award of the contracts to a later date pending his response to the complaint. My letter of Intent to the (5) prime contractors allowed an extension of the due date by the Board of Trustees for "Good cause shown". Because of Mr. Donahue's recommendation to delay final award it is also my recommendation that the Trustees extend the due date *indefinitely* for the contractors to submit required conditions for execution of the contract form." Mack said we should move to accept the letter as read and get updates from Mr. Donahue at the Department Head Meeting and every meeting until we get this settled. **Mack made a motion (seconded by LaHote) to accept the letter. All Yes Motion Approved**

Mr. Mack read a letter he wrote a letter (copy in file) on behalf of Perrysburg Township to Senator Mark Wagoner objecting to excess Turnpike funds being misdirected or channeled to other areas of the State.

Mr. Britten then brought up the issue of the Buck/Lime City options. He said he saw in the paper where Rossford voted to pass option 5 (copy of options in file), which is two round-abouts. The county Engineer has been waiting to see what our feelings are. Now that ODOT is involved the price went up due to more extensive excavation of the dirt. This project is no longer the County Engineer's project but ODOT's, but the County Engineer is on the hook for \$660,000.00 on a 3 ½ million dollar project if we go with the federal money. In turn he expects the Township and the City of Rossford to pay their fair share. If we go with the other alternate, which means minimal amount of fixing, it will be at least one million dollars split three ways. After discussing traffic, who controls the lights, who is responsible in case of an accident, safety of round-abouts and ease of using round-abouts, Britten said Ray Huber (County Engineer) is looking for the Township to voice their support. LaHote said he had some reservations but would be supportive at looking at both round-abouts. **LaHote made a motion (seconded by Mack) to support the two round-abouts. All Yes Motion Approved**

Mr. Britten asked for Public Comments;

Terry Caldwell voiced his concerns about the intersection at 199 and Eckel Junction Rd. and asked if there was any way to put a four way stop there temporarily until a permanent solution is put in. LaHote said we can ask but traditionally the state has said we cannot stop the traffic on the hill. Mr. Caldwell was told that the issue has been discussed for 5 or 6 years and there are several options to fixing it but so far nothing has been done. This is part due to the soft housing market. Mr. Caldwell was told we could check on a flashing yellow light to see if we can at least slow down the drivers down.

9:10 pm LaHote made a motion (seconded by Mack) to adjourn into executive session for the discussion of personnel wages and for possible litigation. No further business will be conducted. All Yes Motion Approved

10:25 pm Mack made a motion (seconded by LaHote) to adjourn out of executive session. All Yes Motion Approved

10:25 pm Mack made a motion (seconded by LaHote) to adjourn. All Yes Motion Approved

Shirley A Haar –Fiscal Officer

Gary Britten –Chairman