

RES#16-_____
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641
November 22, 2016

7:00 PM – Trustees Meeting:

On Tuesday, November 22, 2016, the Board of Trustees of Nimishillen Township met in regular session at 7:00 PM at the Nimishillen Township Hall located at 4422 Maplegrove NE with the following members present: Trustee President Lisa R. Shafer, Trustee Todd D. Bosley, and Fiscal Officer, Brian Kandel. Trustee Vice President Michael L. Lynch was absent.

NOTE: All reports and attachments are available at the township office located at 4915 N. Nickelplate at a cost of 10¢ per page or can be sent via fax or email. Audio of tonight's meeting can be emailed to interested parties by calling the township office at 330-875-9924.

Trustee Shafer called the meeting to order and led the staff and audience in the Pledge of Allegiance and asked for a moment of silence.

Trustee Shafer excused Trustee Lynch from tonight's meeting.

FIRE DEPARTMENT: (*Rich Peterson, Chief*)

Resolution – Hire Shiloh Bailey as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016: Trustee Bosley motioned to hire Shiloh Bailey as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#16-335**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Hire Steven Bryte as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016: Trustee Bosley motioned to hire Steven Bryte as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#16-336**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Hire Joel Gladysz as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016: Trustee Bosley motioned to hire Joel Gladysz as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#16-337**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Hire Mason Pierpont as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016: Trustee Bosley motioned to hire Mason Pierpont as Firefighter/EMT at an hourly rate of \$12.64 per hour effective 12/1/2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#16-338**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Discussion – Trustee Shafer swore in all 4 candidates and welcomed them to the Fire Department.

Resolution – October 2016 Fire Report: Trustee Bosley motioned to approve October 2016 Fire Report seconded by Trustee Shafer. **MOTION CARRIED. RES#16-339**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

ROAD DEPARTMENT: (*Jamie May, Interim Rd. Superintendent*)

Resolution – Approve November 22, 2016 Road Report: Trustee Bosley motioned to approve the Road Report for November 22, 2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#16-340**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Discussion – Trustee Bosley informed Interim Road Superintendent Jamie May of a request from a resident to look into getting a grapple bucket to use for the Compost Area. Mr. May informed Trustee Bosley that the township has one for the backhoe; however the backhoe can't be used for the compost because debris could get stuck in the radiator. Trustee Bosley suggested to contact the maker of the Loader about possibly having a demonstration done and maybe to contact Solid Waste to see if they would help with the costs.

ZONING DEPARTMENT: (Dale Riggerbach, Inspector)

Resolution – Approve November 22, 2016 Zoning Report: Trustee Bosley motioned to approve the November 22, 2016 Zoning Report seconded by Trustee Shafer. **MOTION CARRIED. RES#16-341**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Discussion – Zoning Inspector Dale Riggerbach held a discussion with the Board the on-going nuisance properties list. Mr. Riggerbach informed the Board that all of the properties included on the list, all have had some form of communication either via a letter or a telephone conversation. Much discussion followed.

FISCAL OFFICER: (Brian Kandel)

Resolution: Trustee Bosley motioned to approve transfer \$7,000 from 10 – A – 01 (Salaries) to 10 – A – 02 (Retirement) seconded by Trustee Shafer. **MOTION CARRIED. RES#16-342**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution: Trustee Bosley motioned to approve transfer \$6,000 from 10 – A – 07 (Utilities) to 10 – A – 02 (Retirement) seconded by Trustee Shafer. **MOTION CARRIED. RES#16-343**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Discussion – Fiscal Officer Briand Kandel informed the Board the Fire Bond has a 10 year, no call, which comes up this December. The Board can now refinance the Fire Bond. Mr. Kandel has worked with the Bond Council, which came back with Huntington Bank. The new interest rate is 2.65%, with the current rate at 5%. The principle amount is \$1,295,000. With the new rate, it would save the township \$181,784.24 in interest. Mr. Kandel explained to the Board that the closing date is December 20; however the Federal Reserve will have a meeting on December 15, where interest rates could potentially increase. If the Board passes a Resolution, Mr. Kandel has confirmation that the rate would be locked in and the payments would be the same, but it would be from 10 years to 9 years. The Board agreed to pass a Resolution.

Resolution: Trustee Bosley motioned to approve resolution providing for the issuance and sale of not to exceed \$1,295,000 bonds for the purpose of paying costs of constructing, furnishings, equipping, and otherwise improving Fire Station Improvements with related dispatch, tower, and site improvement, together with all necessary appurtenances thereto seconded by Trustee Shafer. **MOTION CARRIED. RES#16-344**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

CONCERNS OF CITIZENS:

Trustee Shafer reminded those who signed up to speak of the 5 minute time limit.

Ronald Salisbury of 4561 Eastland stepped to the podium regarding:

- Asked about how Trustee Lynch is
- Eastland ditch
- Broadway & 62

Discussion – Trustee Shafer informed Mr. Salisbury that Trustee Lynch was admitted to the hospital and he was expected to be discharged later today. Mr. Salisbury wished Trustee Lynch well.

Discussion – Mr. Salisbury informed the Board that someone was out looking at the ditch on Eastland, but no work has begun. Trustee Shafer informed Mr. Salisbury the last communication she heard is the county would get it in before the first of the year.

Discussion – Mr. Salisbury informed the Board of another accident at Broadway and 62. Trustee Shafer informed Mr. Salisbury that the Board has drafted and sent letters asking for assistance.

Jim Morris of 4514 Eastland stepped to the podium regarding:

- Talked to Deb Dawson of SC Prosecutors Office
- Situation at North Nim Elementary

Discussion – Mr. Morris informed the Board that he has talked to Deb Dawson at the Prosecutors Office. Ms. Dawson informed Mr. Morris that she is waiting to hear from the Road Superintendent. The Board informed Mr. Morris the Road Superintendent doesn't work for the township anymore. Mr. Morris suggested having the Board ask the Prosecutor to attend a meeting. Discussion followed.

Discussion – Mr. Morris asked the Board if they had heard about the situation at North Nim Elementary. The Board has no knowledge of the situation.

Bob Kraus of 7506 Bentler Ave. stepped to the podium regarding:

- Neighbor issue
- Provided pictures to the Board

Tami White of 4269 Swallen stepped to the podium regarding:

- Issues with neighbor at 4315 Swallen
- Provided pictures to the Board

Discussion – Ms. White asked the Board if the variance for 4315 Swallen is for the tractor-trailer to be on the property. Zoning Inspector Dale Riegenbach stated he will check with the Prosecutor Ross Rhodes and that they have a variance for the building to house the tractor-trailer. Ms. White asked the Board if 4315 Swallen is in compliance with zoning. Mr. Riegenbach stated he went by the property this afternoon and yes they are in compliance. Discussion followed.

Joe Schillig of 4141 Swallen stepped to the podium regarding:

- Issues with neighbor at 4315 Swallen

Discussion – Mr. Schillig asked the Board when this issue is going to be resolved. Mr. Riegenbach stated he will talk to the Prosecutor Ross Rhodes to where he wants to go with this. Trustee Shafer informed Mr. Schillig that the Board held an Executive Session with the Prosecutor for legal advice. Discussion followed.

Discussion – The Board held a discussion regarding the Trustee Bosley's neighbor possibly having a home business. Trustee Shafer asked Mr. Riegenbach to update the Board regarding advertisements from Google and Facebook from the Prosecutor. Mr. Riegenbach stated that according to the Prosecutor, Google ads are unverified information. Much discussion followed.

Donna Fuller of 5857 Rosedale stepped to the podium regarding:

- Traffic at Broadway & 62 and California & 62

Raymond Boron stepped to the podium regarding:

- Adding cameras at Broadway & 62

Discussion – The Board informed Mr. Boron that letters have been sent to ODOT and the Stark County Engineers regarding their concerns.

Dawne Friedman of 5362 Francesca stepped to the podium regarding:

- Trim trees in right of way

Discussion – Ms. Friedman asked Interim Road Superintendent Jamie May about the trimming of trees in the right of way. Discussion followed.

Jim Morris of 4514 Eastland stepped to the podium regarding:

- GPS for Road Dept.

Discussion – The Board informed Mr. Morris they will have being researching this again and the Board will look into it. Discussion followed.

Bob Kraus of 7506 Bentler Ave. stepped to the podium regarding:

- Neighbor issue

TRUSTEES: (Lisa Shafer, Mike Lynch - absent, Todd Bosley)

Discussion – The Board held a discussion regarding the language for Executive Sessions.

Resolution – Enter into Executive Session: Trustee Bosley motioned to enter into executive session from this work session as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment, employment, dismissal, promotion, demotion, or compensation of a Zoning Dept. employee 8:06 p.m. seconded by Trustee Shafer. **MOTION CARRIED. RES#16-345**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Return from Executive Session: Trustee Bosley motioned to return from executive session at 9:05 p.m. and resume this work session seconded by Trustee Shafer. **MOTION CARRIED. RES#16-346**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Discussion – Upon returning from Executive Session, Trustee Shafer purposes to the Board to work with the Zoning Inspector and constructing a probationary 90 day action plan. Each Board member will work along with Dale to add to this plan. This action plan should be complete by the next meeting on December 8. Each 30 days, there will be an update of the progress on whatever projects on the action plan. The Board agrees to this 90 day action plan.

Resolution – Approve Minutes for November 10, 2016 Meeting: Trustee Shafer motioned to approve the written minutes for November 10, 2016 Meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#16-347**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Approve Minutes for November 17, 2016 Special Meeting: Trustee Shafer motioned to approve the written minutes for November 17, 2016 Special Meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#16-348**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Approve Purchase Orders, Financial Report and Pay Bills: Trustee Shafer motioned to approve all purchase orders, financial report and pay bills in the amount of \$163,309.52 seconded by Trustee Bosley. **MOTION CARRIED. RES#16-349**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

Resolution – Sign Checks and Adjourn: Trustee Bosley motioned to sign checks and adjourn at 9:06 P.M. seconded by Trustee Shafer. **MOTION CARRIED. RES#16-350**

Roll call voting: Mrs. Shafer – YES; Mr. Bosley – YES

ATTEST: Brian Kandel, Fiscal Officer Lisa R. Shafer, President

ABESNT

Michael L. Lynch, Vice President

Todd D. Bosley, Trustee

Nimishillen Township Board of Trustees

*Minutes-Trustees: Trustees Minutes – 2016 November 22 docx
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