

RES#15-____
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641
November 12, 2015

On Thursday, November 12, 2015, the Board of Trustees of Nimishillen Township held a work session at 6:00 PM at the Nimishillen Township Hall located at 4422 Maplegrove NE with the following members present: Trustee Vice President Lisa R. Shafer, Trustee Michael L. Lynch, and Fiscal Officer, Brian Kandel.

6:00 PM – Work Session:

Trustee Shafer opened the Work Session at 6:00 P.M.

Resolution- Enter into Executive Session: Trustee Shafer motioned to enter into executive session from this work session at 6:01 PM as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment or employment of a public employee seconded by Trustee Lynch. **MOTION CARRIED. RES#15-251**

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

Resolution – Return from Executive Session: Trustee Shafer motioned to return from executive session at 7:00 PM and resume this work session seconded by Trustee Lynch. **MOTION CARRIED. RES#15-252**

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

Resolution – Close the Work Session: Trustee Lynch motioned to close the work session 7:00 PM seconded by Trustee Shafer. **MOTION CARRIED. RES#15-253**

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

7:00 PM – Regular Meeting:

At 7:00 PM, the Board of Trustees of Nimishillen Township met in regular session with the following members present: Trustee Vice President Lisa R. Shafer, Trustee Michael L. Lynch, and Fiscal Officer, Brian Kandel. Trustee President Lou J. Johnson 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. Trustee Lynch gave the Invocation.

Trustee Shafer excused Trustee Lou Johnson from tonight’s meeting due to illness.

FIRE DEPARTMENT: *(Rich Peterson, Chief)*

Resolution – Remove Jessica Williams & Kimberly Kline as part time civilian dispatchers effective 11/12/2015: Trustee Lynch motioned to remove Jessica Williams & Kimberly Kline as part time civilian dispatchers effective 11/12/2015 seconded by Trustee Shafer. **MOTION CARRIED. RES#15-254**

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

Resolution – Hire Summer Walters & Kelsey Westfall as part time civilian dispatchers effective 11/16/2015 at a rate of \$12.48 per hour: Trustee Lynch motioned to hire Summer Walters & Kelsey Westfall as part time civilian dispatchers effective 11/16/2015 at a rate of \$12.48 per hour seconded by Trustee Shafer. **MOTION CARRIED. RES#15-255**

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

Resolution – Approve October 2015 Fire Report: Trustee Lynch motioned to approve the October 2015 Fire Report seconded by Trustee Shafer. **MOTION CARRIED. RES#15-256**

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

Discussion – Chief Peterson notified the Board that they have received numerous phone calls from residents regarding the Insurance Service Office (ISO) fire insurance rate reduction. Chief Peterson thought of listing the improved homeowners fire insurance rate reduction thru Insurance Service Office (ISO) fire department rating classification on township website for residents to look at. Chief Peterson and Trustee Shafer notified those in attendance to contact their home owners insurance in regards to the change.

Discussion – Chief Peterson notified the Board that the new windows for Station 2/Township Hall have arrived. They are in the processing of staining the trim then the windows will be installed over the next few weeks.

Discussion – Chief Peterson notified the Board that the firefighters will attend the required Rapid Intervention Team (RIT) training next week. This is for when a firefighter is down in a fire, they send in the RIT unit.

ROAD DEPARTMENT: *(Jack Magee, Superintendent)*

Resolution – Approve November 12, 2015 Road Report: Trustee Lynch motioned to approve the Road Report for November 12, 2015 seconded by Trustee Shafer. **MOTION CARRIED. RES#15-257**

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

Discussion – Road Superintendent Jack Magee notified the Board that he has received a letter from the Stark County Engineers regarding the Reduction of Weight Signs for 2016. The list for the township is the same as last year.

Resolution – Approve Reduction of Weight Signs for 2016: Trustee Lynch motioned to approve the Reduction of Weight Signs for 2016 seconded by Trustee Shafer. **MOTION CARRIED. RES#15-258**

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

Discussion – Road Superintendent Jack Magee notified the Board that the Compost Area will be closed starting Monday, November 30, 2015 for paving, weather permitting. Jerry’s Trucking will be doing the excavating work and Northstar the paving. Residents must use Plain Township Recycling. Mr. Magee said that signs will be posted in the Compost Area of the closing, as well as in the papers.

Discussion – Road Superintendent Jack Magee held a discussion with the Board regarding the mailbox policy for the township. Trustee Shafer agreed with the changes made by the Stark County Prosecutor. Trustee Shafer notified those in attendance about the mailbox policy. Jack Magee and Trustee Shafer read the policy aloud for those in attendance.

Resolution – Adopt New Mailbox Damage Complaint and Replacement Procedure: Trustee Lynch motioned to Adopt New Mailbox Damage Complaint and Replacement Procedure seconded by Trustee Shafer. **MOTION CARRIED. RES#15-259**

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

ZONING DEPARTMENT: *(Dale Riegenbach, Inspector)*

Resolution – Approve November 12, 2015 Zoning Report: Trustee Lynch motioned to approve the November 12, 2015 Zoning Report seconded by Trustee Shafer. **MOTION CARRIED. RES#15-260** Roll call voting: Mrs. Shafer – YES; Mr. Lynch – YES

Discussion – Zoning Inspector Dale Riegenbach held a discussion with the Board about the Zoning Report Summary.

Resolution – Approve October 2015 Zoning Report for the Stark County Auditor: Trustee Lynch motioned to approve the October 2015 Zoning Report for the Stark County Auditor seconded by Trustee Shafer. **MOTION CARRIED. RES#15-261**

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

FISCAL OFFICER: (Brian Kandel)

Resolution: Trustee Lynch motioned to approve the transfer of \$6,417.43 from 11 – B – 03 (Contracts) to 11 – B – 02 (Materials) seconded by Trustee Shafer. **MOTION CARRIED. RES#15-262**

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

Resolution: Trustee Lynch motioned to approve the transfer of \$5,075.00 from 23 – B – 03 (Contracts) to 23 – B – 02 (Materials) seconded by Trustee Shafer. **MOTION CARRIED. RES#15-263**

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

Resolution: Trustee Lynch motioned to request that the county auditor certify to the Township the total current tax valuation of the subdivision and the dollar amount of revenue that would be generated by a RENEWAL of the current 2 Mil Road Levy Pursuant to Ohio Revised Code, 5705.03 seconded by Trustee Shafer. **MOTION CARRIED. RES#15-264**

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

Resolution- Enter into Executive Session: Trustee Lynch motioned to enter into executive session from this regular meeting at 7:20 PM as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment or employment of a public employee seconded by Trustee Shafer. **MOTION CARRIED. RES#15-265**

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

Resolution – Return from Executive Session: Trustee Lynch motioned to return from executive session at 8:06 PM and resume this regular meeting seconded by Trustee Shafer. **MOTION CARRIED. RES#15-266**

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

CONCERNS OF CITIZENS:

Trustee Shafer notified those in attendance that the Board had scheduled interviews, the first interview at 7:20 and the last interview at 8:05. These interviews were scheduled in advanced.

Trustee Shafer notified those in attendance that have signed up for Concerns of the Citizens to come to the microphone, state their name and address for the record. The policy for each person that would like to speak to the Board is 5 minutes. Once everyone that has signed up to speak, the Board will then address the citizens.

Trustee Shafer dismissed the students in attendance.

Todd Bosley of 5754 Morgan Taylor stepped to the podium regarding:

- Development at Broadway & Peach
- Flooding and drainage concerns
- Suggests the Board take legal action

Dawn Friedman of 5362 Francesca stepped to the podium regarding:

- Flooding and drainage concerns
- Concerns about dirt being brought in for the Development
- Concerns about the retention ponds going in the Development

Donna Fuller of 5857 Rosedale stepped to the podium regarding:

- Flooding and water issues for the people around Francesca
- Concerns about the Development

Ronald Salisbury of 4561 Eastland stepped to the podium regarding:

- Flooding and drainage concerns
- Concerns about the Development
- Concerns about the creek in his backyard
- Attended the meeting with the Stark County Commissioners & Trustees

Jim Morris of 4514 Eastland stepped to the podium regarding:

- Concerns about the snow removal. Plows cannot drive 45 mph, it throws the snow a lot farther
- Flooding and drainage concerns

Ed Thatcher of 4725 Leone stepped to the podium regarding:

- Flooding and drainage concerns
- Concerns about the Development
- Concerns about the roads flooding and how do the people get out of their homes
- Suggest the Board take legal action

Dennis Reibestein of 2828 Ravenna stepped to the podium regarding:

- Mr. Reibestein decided to defer his time since the flooding concerns of the other citizens are more important

Dorothy Hackley of 4714 Leone stepped to the podium regarding:

- Concerns about the increase in traffic on Broadway

Maryann & Dan Grasse of 4721 Eastland stepped to the podium regarding:

- Flooding and drainage concerns
- Concerns about the increase in traffic

Debbie Hunter of 4740 Leone stepped to the podium regarding:

- Flooding and drainage concerns for her neighbors
- Concerns about the increase in traffic

Vicki Young 5454 Francesca stepped to the podium regarding:

- Flooding and drainage concerns
- Concerns about the Development
- Concerns about the increase in traffic

Trustee Shafer reported the Board has been proactive regarding the Broadway Development and the flooding issues. Trustee Shafer notified those in attendance that this Broadway Development came into fruition, along with the annexation, some time ago. The development plans went before the Stark County Commissioner. Once it was advertised about these plans, the Board voiced their concern. The Board has been out to the neighborhood and seen the devastation from the past floods. The Board attended a meeting with the Stark County Commissioners to voice their concerns about this development and the flooding issues in this area. The Board has been in contact with the Stark County Engineers in regards to this development, the Fairhope Ditch, and the retention ponds. The Board has talked with the City of Louisville about their concerns with the flooding issues in this area. The Mayor of Louisville has been out at this development to see the affected areas. The City of Louisville and the Developer of this project are working with the Township to ensure that the retention ponds are the appropriate size for the area. As for the increase of traffic concerns, the Board will look into this and present the issue to the appropriate people. Much discussion followed.

Trustee Shafer notified those in attendance the Trustees can ask the Developers to attend a Township meeting to show the residents the plans for the project. Much discussion followed.

Trustee Lynch informed those in attendance about the purpose of the gaging system. They are also a study to help determine the flow of water. Much discussion followed.

TRUSTEES: (Lisa Shafer, Mike Lynch, Lou Johnson – absent)

Discussion – Trustee Shafer notified the Board and those in attendance that she has been in contact with Larry Boggs from the Canton Repository regarding the Wrap Ads. Trustee Shafer stated that if anyone would like to have these advertisements discontinued, to please call the Canton Repository at 330-580-8500. Trustee Shafer stated the Board has made a request to the Canton Repository to have a representative attend a township meeting to discuss the appropriate delivery location for those residents who would still like to receive the ads. Discussion followed.

Discussion – The Board held a discussion about when to reschedule the November 26, 2015, due to Thanksgiving. After a brief discussion, the Board decided to reschedule the November 26, 2015 meeting to Tuesday, November 24, 2015 at 7 p.m.

Resolution – Reschedule Meeting from November 26, 2015 to November 24, 2015: Trustee Lynch motioned to reschedule the next meeting from November 26, 2015 to November 24, 2015 seconded by Trustee Lynch. **MOTION CARRIED. RES#15-267**

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

Resolution – Approve Minutes for October 22, 2015 Meeting: Trustee Shafer motioned to approve the written minutes for October 22, 2015 Meeting seconded by Trustee Lynch. **MOTION CARRIED. RES#15-268**

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

Resolution – Approve Purchase Orders, Financial Report and Pay Bills: Trustee Lynch motioned to approve all purchase orders, financial report and pay bills in the amount of \$439,322.33 seconded by Trustee Shafer. **MOTION CARRIED. RES#15-269**

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

Discussion – Trustee Shafer informed those in attendance the purpose of the Executive Session. The Board interviewed 4 candidates for one (1) full time position in the Road Department. Discussion was held for the start date of the candidate selected.

Resolution – Hire Randy Tarbet as a Full Time Road Dept. Employee starting 12/6/2015 at a rate of \$18.52 per hour pending BCI & FBI Check: Trustee Shafer motioned to Hire Randy Tarbet as a Full Time Road Dept. Employee starting 12/6/2015 at a rate of \$18.52 per hour pending BCI & FBI Check seconded by Trustee Lynch. **MOTION CARRIED. RES#15-270**

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

Discussion – Trustee Shafer informed those in attendance that a Work Session was held prior to the Trustees Meeting to interview applicants for the Zoning Boards. The Board held a discussion on whether to send the Zoning Board applicants for a BCI and FBI background check.

Resolution – Reappoint Tom Davis as the Alternate for the Zoning Board of Appeals for a term from 1/1/2016 to 12/31/2020: Trustee Shafer motioned to reappoint Thomas Davis as the Alternate for Board of Zoning Appeals to fill a term from 1/1/2016 to 12/31/2020 seconded by Trustee Lynch. **MOTION CARRIED. RES#15-271** Roll call voting: Mrs. Shafer – YES; Mr. Lynch – YES

Resolution – Reappoint Pan Aslanides to the Zoning Board of Appeals for a term from 1/1/2016 to 12/31/2020: Trustee Shafer motioned to reappoint Pan Aslanides to the Zoning Board of Appeals

to fill a term from 1/1/2016 to 12/31/2020 seconded by Trustee Lynch. **MOTION CARRIED. RES#15-272**

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

Resolution – Appoint Herb Klebaum to the Zoning Board of Commission for a term starting 1/1/2016 to 12/31/2020: Trustee Shafer motioned to appoint Herb Klebaum to the Zoning Board of Commission to fill a term from 1/1/2016 to 12/31/2020 seconded by Trustee Lynch. **MOTION CARRIED. RES#15-273**

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

Resolution – Appoint Glenn Heiller as an alternate to the Zoning Board of Commission starting 1/1/2016 to 12/31/2020: Trustee Shafer motioned to appoint Glenn Heiller as the Alternate for the Zoning Board of Commission to fill a term from 1/1/2016 to 12/31/2020 seconded by Trustee Lynch. **MOTION CARRIED. RES#15-274**

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

Resolution – Sign Checks and Adjourn: Trustee Lynch motioned to sign checks and adjourn at 9:46 p.m. seconded by Trustee Shafer. **MOTION CARRIED. RES#15-275**

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

ABSENT

ATTEST: Brian Kandel, Fiscal Officer Lou J. Johnson, President

Lisa R. Shafer, Vice President

Michael L. Lynch, Trustee
Nimishillen Township Board of Trustees