

RES#18-_____
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641
January 11, 2018

On Thursday, January 11, 2018, 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 Todd D. Bosley, Trustee Vice President George P. Kiko, Trustee Jennifer L. Leone, and Fiscal Officer, Brian Kandel.

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 Bosley called the meeting to order, led the staff and audience in the Pledge of Allegiance.

Trustee Bosley welcomes and introduces the new Board members George Kiko and Jennifer Leone. Trustee Bosley stated that he is looking forward to working with them both and the last couple of years have been difficult because there have been ideas that he wanted to bring forward that he thought were good ideas and would be productive for the Township that he wasn't able to bring forward. Trustee Bosley stated that hopefully with the 2 new members, with each of their business backgrounds, they will make the best decisions for the community. Trustee Bosley stated that he is proud to have them as Board members and not everything is going to be peachy, tough decision will have to be made, and there is going to be a need for some change in our Township that he things will be for the best.

Trustee Bosley stated the Board held the Organizational meeting at the beginning of the year. Trustee Bosley was elected President, George Kiko is Vice-President, and Jennifer Leone is Trustee. Trustee Bosley explained that the titles don't mean much, they are all equal as a Board, it just means who gets to run each meeting.

Trustee Bosley stated that he would like to move the Executive Session from Zoning to under the Trustees. The Board agreed.

Trustee Bosley excused Fire Chief Peterson from tonight's meeting, he is at Fire Training in Texas.

FIRE DEPARTMENT: (*Rich Peterson, Chief – absent*)

Resolution – Hire Scott Bauer as a full time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Scott Bauer as a full time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-023**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Hire Adam Gladysz as a full time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Adam Gladysz as a full time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-024**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Hire Don Jordan as a full time Firefighter / Emergency Medical Technician Shift Captain at a rate of \$20.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Don

Jordan as a full time Firefighter / Emergency Medical Technician Shift Captain at a rate of \$20.03 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-025**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Hire Don Barthel as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Don Barthel as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-026**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Hire Dan Green as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Dan Green as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-027**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Hire Adam Haas as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18: Trustee Kiko motioned to Hire Adam Haas as a full time Firefighter / Paramedic at a rate of \$18.02 per hour in accordance with FLSA regulations of a 21-day work period consisting of 2,496 hours annually effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-028**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Reclassify Firefighter Captain Eric Ohman as a part time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour effective 2/3/18: Trustee Kiko motioned to Reclassify Firefighter Captain Eric Ohman as a part time Firefighter / Paramedic Shift Captain at a rate of \$22.03 per hour effective 2/3/18 seconded by Trustee Leone. **MOTION CARRIED. RES#18-029**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Trustee Bosley stated the swearing in ceremony for the Nimishillen Township’s first full time Firefighters will take place at the next meeting on January 25.

ROAD DEPARTMENT: (Matt Dieffenbaugher, Rd. Superintendent)

Resolution – Approve January 11, 2018 Road Report: Trustee Bosley motioned to approve the Road Report for January 11, 2018 seconded by Trustee Leone. **MOTION CARRIED. RES#18-030**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Road Superintendent Matt Dieffenbaugher stated the Compost Area is closed. They picked up a sign yesterday from Pro-Decal and it was put up today. Trustee Bosley asked how that was going and if he noticed much compost around the Township since it’s been closed. Mr. Dieffenbaugher stated there are a few Christmas trees there and he has not really seen any compost. The weather has been kind of bad so the opportunity hasn’t presented itself for that. Discussion followed.

Discussion – Trustee Bosley stated that he had this put on the Agenda for discussion. Trustee Bosley stated that it is time for GPS on Road Dept. Vehicles. Trustee Bosley stated that it is imperative to have on the vehicles to see how fast the snow plows are going, where they are at, and what they are doing. Trustee Bosley stated he feels totally in the blind and he doesn't know what's going on. Trustee Bosley explained that he received a complaint last year about a truck going 40 mph through a neighborhood. Trustee Bosley stated that GPS in the vehicles would settle all of this. They would know exactly what's going on. It's not something the Board has to approve tonight, he wanted to bring it up for discussion. Trustee Leone stated that it is a great idea. Trustee Kiko asked if Trustee Bosley if he's checked on the cost. Trustee Bosley stated they did last year but couldn't remember what it was. Trustee Bosley asked Mr. Dieffenbaugher his thoughts. Mr. Dieffenbaugher stated that he is on the fence and that he doesn't see a problem right now because he hasn't received any phone calls. Mr. Dieffenbaugher stated that it is a good tool and did some looking today and there are different apps and add-ons out there. Mr. Dieffenbaugher suggested when he attends the Winter Conference he could gather information Trustee Bosley also stated that he is very opposed to having the guys leave a job site and go back to shop to eat lunch. He thinks they should pack a lunch and eat at the job site.

ZONING DEPARTMENT: (Dale Riggenschach, Inspector)

Resolution – Approve January 11, 2018 Zoning Report: Trustee Kiko motioned to approve the January 11, 2018 Zoning Report seconded by Trustee Leone. **MOTION CARRIED. RES#18-031**
Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Approve December 2017 Zoning Report for Stark County Auditor: Trustee Kiko motioned to approve the December 2017 Zoning Report for Stark County seconded by Trustee Leone. **MOTION CARRIED. RES#18-032**
Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Zoning Inspector Dale Riggenschach updated the Board of the Prosecutor's Opinion & Legal Procedures for towing vehicles. Mr. Riggenschach informed the Board that he will send them a copy via email. Mr. Riggenschach stated that he started reviewing and piecing it together and it explains what the Township should do step by step. Mr. Riggenschach stated that according to the Prosecutor's Opinion, the Trustees will need to have a resolution declaring vehicles 3 years or older apparently inoperable and extensively damaged so the Township can go through the procedures and tow it. Trustee Bosley asked Mr. Riggenschach is the vehicle is 3 years or older or it has been there for 3 years or more. Mr. Riggenschach stated if the vehicle model number is 3 years or older. This is what the Prosecutor's office is allowing us to do per Ohio Revised Code. After discussion, Trustee Bosley asked Mr. Riggenschach to contact the Prosecutor about the 3 years.

Discussion – Zoning Inspector Dale Riggenschach updated the Board on the Zoning Commission Work Sessions. Mr. Riggenschach stated he will have the changes from the Zoning Commission by next meeting for the Board to look over and review.

FISCAL OFFICER: (Brian Kandel)

Resolution – Authorize the Fiscal Officer of Nimishillen Township to file requests with the Stark County Auditor for weekly Tax Advances of the February and July Real Estate Tax Settlement 2018 for the Maximum amount allowable by law of the current collection of taxes assessed and collected for and in behalf of Nimishillen Township: Trustee Kiko motioned to Authorize the Fiscal Officer of Nimishillen Township to file requests with the Stark County Auditor for weekly Tax Advances of the February and July Real Estate Tax Settlement 2018 for the Maximum amount allowable by law of the current collection of taxes assessed and collected for and in behalf of Nimishillen Township seconded by Trustee Leone. **MOTION CARRIED. RES#18-033**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Trustee Bosley informed the audience the Township has a new Assistant Fiscal Officer; her name is Sandy Smith. Trustee Bosley stated that Ms. Smith has revitalized the office, made things a lot better than they were, and she has redone a lot of the forms and checks. Trustee Bosley stated the he would like to publicly thank Sandy, she has done a good job and to keep up the good work.

CONCERNS OF CITIZENS:

Jim Morris of 4514 Eastland stepped to the podium regarding:

- 2 Full Time Fire Chiefs
- GPS Systems
- 4641 Eastland Ave. Variance

Discussion – Mr. Morris asked the Board how the 2 full time Fire Chiefs will be divided between the 3 Fire Stations. Trustee Bosley stated that Chief Peterson is at training so he couldn't attend tonight, if he were here he would give you a complete answer on that and a lot of that will be answered at the next meeting when the actually implement all of that. Trustee Bosley stated that tonight was the formal, informal procedure of hiring them, the next meeting they will be swearing them in. Mr. Morris stated that he feels GPS Systems are needed. Mr. Morris asked Zoning Inspector Dale Riegenbach what the variance on Eastland is for. Mr. Riegenbach stated is for an Accessory Building in the front/side yard. If the owner wants to continue to have it there he has to apply for the variance. Mr. Morris asked if the owner filed after the complaint. Mr. Riegenbach stated yes, he's allowed to apply for the variance because of where it is located. If the Zoning Board turns him down that he's going to have to put it someplace else.

Kyle Erbrick of 6385 Peach stepped to the podium regarding:

- Would like stop signs installed at Peach & Grapeland and Peach & Fruitland – concerned about the speeding traffic

Discussion – Mr. Erbrick informed the Board that since Peach has been paved, it is a racetrack and asked if stop signs can be put up. Trustee Bosley stated that it's not a bad idea, he doesn't think you can control something like that with stop signs legally. Trustee Bosley asked Mr. Dieffenbaugher to check to see if we can put a stop sign up alone there and asked Township Secretary Shelby Dieffenbaugher to add this topic to the next agenda. Discussion followed.

Reggie Stoltzfus of 13789 Telpahak, Minerva stepped to the podium regarding:

- Running for State Representative for District 50

Discussion – Mr. Stoltzfus informed the Board that he will be running for State Representative for District 50. Mr. Stoltzfus stated he was born and raised in Stark County, he graduated from Lake High School and currently lives in Paris Township and serves as Paris Township Trustee. Mr. Stoltzfus explained his platform for running for State Representative is Strengthening Families. Trustee Bosley asked Mr. Stoltzfus if he will support fair redistricting. Mr. Stoltzfus stated that it needs to be fair. Discussion followed.

Kyle Fausnight of 6300 Apple St. stepped to the podium regarding:

- Concerned about speeding traffic on Fruitland and Peach

Discussion – Mr. Fausnight informed the Board of his concerns about the speeding traffic on Fruitland and Peach. Mr. Fausnight agrees with his neighbor and would like to see the stop signs installed. Discussion followed.

Donna Fuller of 5857 Rosedale stepped to the podium regarding:

- Feels for the residents with the speeding traffic
- Concerned about speeding traffic in her neighborhood
- Road Dept. clocking in and out
- Concerned about snow covered roads
- Please to see the new Board

Discussion – Ms. Fuller expressed her concern for the other residents’ concern of the speeding traffic. Ms. Fuller is also concerned about speeding traffic in her own neighborhood. Ms. Fuller suggested to the other residents to write down the license plate number and the time of day it occurs. Ms. Fuller asked the Board if the Road Dept. clocks in and out. Trustee Bosley stated they have a clock they use to clock in and out. Ms. Fuller expressed her concern about how snow covered the roads were and that they need to come out earlier.

Ronald Salisbury of 4561 Eastland stepped to the podium regarding:

- Glad to see fresh faces on the Board
- If you don’t follow the rules, then there is chaos
- Concerned about plowing roads and the plows throwing the snow really high and hitting mailboxes
- Concerned about traffic at Eastland and Peach
- GPS Systems are needed

TRUSTEES: (George Kiko, Jennifer Leone, Todd Bosley)

Resolution – Enter into Executive Session: Trustee Kiko motioned to enter into executive session from this regular meeting as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment, employment, dismissal, promotion, demotion, or compensation of a public employee at 7:45 p.m. seconded by Trustee Leone. **MOTION CARRIED. RES#18-034**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Return from Executive Session: Trustee Kiko motioned to return from executive session at 8:17 p.m. and resume this regular meeting seconded by Trustee Leone. **MOTION CARRIED. RES#17-035**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Trustee Bosley stated the Board had a long discussion in Executive Session. Trustee Bosley stated that like he said at the beginning of the meeting there’s going to be some uncomfortable changes and people may not understand at first. Trustee Bosley stated there will be a significant amount of changes that will benefit the Township. Trustee Bosley stated they have decided to remove Matt Dieffenbaugher as Road Superintendent. The Board agreed.

Resolution – Remove Matt Dieffenbaugher as Road Superintendent: Trustee Bosley motioned to remove Matt Dieffenbaugher as Road Superintendent seconded by Trustee Leone. **MOTION CARRIED. RES#17-036**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Trustee Bosley stated they will need to advertise for this on the website that was used in the past, Indeed.com. The Board held a discussion on when they want applications due by. The Board decided on a deadline of Friday, February 16, 2018.

Discussion – The Board decided to advertise for the BZA Alternate seat as well.

Resolution – Advertise for Open Alternate Seat on BZA expiring 12/31/2020: Trustee Bosley motioned to Advertise for open Alternate Seat on BZA expiring 12/31/2020 seconded by Trustee Kiko. **MOTION CARRIED. RES#17-037**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Discussion – Trustee Bosley held a discussion with the Board whether or not to waive the 2018 yearly renewal fee of \$50 for Conditional Zoning Certificate for home businesses. Trustee Bosley stated that he has been opposed to this and believes that home businesses are where a lot of the complaints com from. Discussion was held on when the last time the fees were waived. Trustee Kiko asked how many home businesses are in the Township. Mr. Riegenbach stated that he will have to check because things have changed. After discussion, the Board decided to leave it be and not waive the fee.

Discussion – Trustee Bosley stated Township Office Hours are currently from 7:30 to 3:30 and he feels that is too early in the morning and not late enough in the afternoon. Trustee Bosley stated the Board doesn't have to decide tonight and asked that Trustee Kiko and Trustee Leone think about it for the next meeting. This discuss was tabled for the next meeting.

Discussion – Trustee Bosley stated that a lot of the residents have asked for the Township Newsletter. Trustee Bosley stated that this is a good informative and the cost isn't much for the education and the good it does for our residents. Trustee Leone asked if we had a list of emails for our residents and if we had their cell phone numbers too because we could possibly send out mass text alerts to our residents. Discussion followed. After discussion, the Board tabled this discuss for the next meeting.

Resolution – Approve Minutes for December 19, 2017 Special Meeting: Trustee Kiko motioned to approve the written minutes for December 19, 2017 Special Meeting seconded by Trustee Leone. **MOTION CARRIED. RES#18-038**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Approve Minutes for December 28, 2017 Meeting: Trustee Kiko motioned to approve the written minutes for December 28, 2017 Meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#18-039**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Approve Minutes for January 2, 2018 Organizational Meeting: Trustee Kiko motioned to approve the written minutes for January 2, 2018 Organizational Meeting seconded by Trustee Leone. **MOTION CARRIED. RES#18-040**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Approve Minutes for January 2, 2018 Special Meeting: Trustee Kiko motioned to approve the written minutes for January 2, 2018 Special Meeting seconded by Trustee Leone. **MOTION CARRIED. RES#18-041**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Approve Purchase Orders, Financial Report and Pay Bills: Trustee Kiko motioned to approve all purchase orders, financial report and pay bills in the amount of \$401,259.62 seconded by Trustee Leone. **MOTION CARRIED. RES#18-042**

Trustees Minutes – 2018, January 11 (Cont.)

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

Resolution – Sign Checks and Adjourn: Trustee Kiko motioned to sign checks and adjourn at 8:30 p.m. seconded by Trustee Leone. **MOTION CARRIED. RES#18-043**

Roll call voting: Mrs. Leone – YES; Mr. Kiko – YES; Mr. Bosley – YES

ATTEST: Brian Kandel, Fiscal Officer Todd D. Bosley, President

George P. Kiko, Vice President

Jennifer L. Leone, Trustee
Nimishillen Township Board of Trustees

Minutes-Trustees: Trustees Minutes – 2018 January 2
/SD