
**SPRINGFIELD TOWNSHIP
BOARD OF TRUSTEES
JANUARY 24, 2023
MINUTES**

The Springfield Township Board of Trustees held a regular meeting on Tuesday, January 24, 2023 at 6:00 pm at the Springfield Township Town Hall, 2459 Canfield Road, Akron, Ohio 44312.

The meeting was called to order by Dean Young.

PLEDGE OF ALLEGIANCE

ROLL CALL

Patty Price, Secretary, called the roll. Roll Call: Mrs. Chapman (here); Mr. Young (here); Mr. DiLauro (here); Mr. Spickard (here).

MOTIONS:

ADM 016-23 Dean Young: I move to dispense with reading of the minutes and approve the minutes to date. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).

ADM 017-23 Dean Young: I move to approve payment of bills and payroll as prepared by the fiscal officer, subject to audit. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).

ADM 018-23 Dean Young: I move to adopt the attached resolution Authorizing Expenditure from American Rescue Plan Act Funds for the purchase of two (2) 2023 Dodge Durango Pursuit Vehicles in amount not to exceed \$87,030.00 and paid to Fred Martin Superstore and authorize Chief Simone to enter into purchase agreement. Seconded by Kellie Chapman. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).

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- ADM 019-23** Dean Young: I move to approve the payment to Clemans-Nelson & Associates for professional services regarding the labor negotiations in the amount of \$5,840.00 and paid from fund line 1000-110-311-1008. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).
- ZONING 020-23** Dean Young: I move to approve the application from Jason and Nola Flight of 1001 Utica Avenue for the Adopt-A-Lot Program, Adopting 997 Utica Avenue, Parcel 51-03056. Seconded by Kellie Chapman. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).
- FIRE 021-23** Dean Young: I move to approve the collective bargaining agreement proposed for years 2023, 2024, and 2025 with the full-time firefighters (IAFF Local 3040) effective January 1, 2023, with the understanding that some Articles within the agreement are effective on the first pay period of year 2023 beginning December 26, 2022. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (abstain); Mr. Young (yes); Mr. DiLauro (yes).
- FIRE 022-23** Dean Young: I move to memorialize the Trustees intentions to purchase a 2025 or 2026 Osage ambulance from Myers Equipment, 8860 Akron Canfield Road, Canfield Ohio, with the Board of Trustee approving the ambulance specifications list and pricing at a later date prior to commitment to any order. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).

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ADM 023-23 Dean Young: Upon recommendation of counsel representing the Board of Trustees, I move that we authorize approval of an Agreed Abatement Order (a copy of which attached to the minutes), Case No. CV 2022-01-0147, brought on behalf of this Board of Trustees against Hexagon Properties, Inc. and Vinesh Patadia in action for abatement of nuisance at 2873 South Arlington, Akron, Ohio 44312. Township Attorney, Joseph Spoonster and Assistant Prosecutor John Galonski are authorized to execute the Board's approval on the Agreed Abatement Order. Seconded by Kellie Chapman. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).

ANNOUNCEMENTS

Joe DiLauro: Spectrum, Channel 1023.

Kellie Chapman: Open House, Center on the Lake, Wednesday, February 8th from 6 to 8 pm. Public is invited.

ADM 024-23 Dean Young: I move to adjourn. Seconded by Joe DiLauro. Roll Call: Mrs. Chapman (yes); Mr. Young (yes); Mr. DiLauro (yes).



Dean Young, Chairman



Joe DiLauro, Vice Chairman



Kellie Chapman, Trustee



Michael Spickard, Fiscal Officer

Minutes prepared by
Patty Price
01242023botmin

RESOLUTION NO. 018-23
Authorizing Expenditure from American Rescue Plan Act Funds

Summit County, Ohio

Be It Resolved *by the Township Trustees of Springfield Township*

WHEREAS, this date, January 24, 2023, Trustee Dean Young moved the adoption of the following Resolution:

WHEREAS, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

WHEREAS, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

WHEREAS, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following: **The replacement of two (2) police vehicles with two (2) 2023 Dodge Durango Pursuit vehicles.** (the “Project”).

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of **Resolution 035-22** and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

2. The Project is hereby authorized and shall be paid for from the ARPA (2274-760-790-0000) Funds in the amount of/an amount not to exceed: **\$87,030.00** and paid to **Fred Martin Superstore**.

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- Police protection
 - Fire and emergency medical services
 - Road repair, maintenance and other transportation and safety services
 - Public infrastructure support
 - General government administration and administrative facilities
 - Land use regulations and enforcement
 - Parks and recreational facilities and programs
 - Other
-
-

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Trustee Kellie Chapman seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

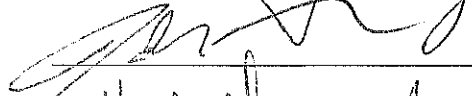
BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 24th day of January, 2023.

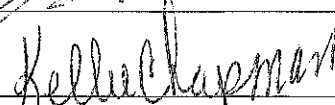
Dean Young



Joe DiLauro

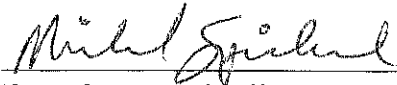


Kellie Chapman



Township Trustees

Attest:



Township Fiscal Officer
Michael Spickard

**IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO**

SUMMIT COUNTY, OHIO SHERRI)	Case No. CV 2022-01-0147
BEVAN WALSH PROSECUTOR, et al.)	
)	Judge Alison Breaux
Plaintiffs,)	
)	
v.)	
)	AGREED ABATEMENT ORDER
HEXAGON PROPERTIES, INC., et al.)	
)	
Defendants.)	

This matter is before the Court upon the Complaint and Motion for Temporary Restraining Order and Preliminary Injunction filed by Summit County, by and through its Summit County Prosecutor Sherri Bevan Walsh, and Springfield Township, by and through its Board of Trustees, pursuant to R.C. Chapter 3767 for a declaration that the hotel business operated by Hexagon Properties, Inc. known as the Quality Inn located at 2873 South Arlington Road in Springfield Township (the "Hotel") constitutes a public nuisance and seeking an injunction to restrain and enjoin said nuisance; and

The Court having jurisdiction pursuant to R.C. Chapter 3767 to enjoin public nuisances; and

The Court, having been further advised that the parties have agreed to the terms of this Agreed Abatement Order and the terms and conditions listed below,

IT IS THEREFORE, ADJUDGED, ORDERED, AND DECREED:

1. Defendants are restrained and enjoined from continuing or maintaining a public nuisance at the Hotel in violation of R.C. Chapter 3767.
2. Registration:
 - A. All Guests responsible for renting a room(s) at the Hotel must be 21-years or older.
 - B. An embossed valid credit card will be required to register all Hotel Guests. Upon check-out, however, Guests are permitted to pay by any method,

- C. All Hotel Guests will be required to provide valid photo identification and to complete a guest registration form that shall include the registrant's name, permanent address, telephone number, length of stay, and the make, model, and plate number of all motor vehicles if such motor vehicle will be parked at the Hotel or the Property.
 - D. The Hotel shall make a photocopy of the identification card for each registrant and Guest, except for unlicensed minors.
 - E. The Guest registration application shall also contain the names, addresses, and telephone numbers of all other people who will occupy the room.
 - F. The Hotel shall provide a copy of the guest registration and registration information upon request by Springfield Township.
 - G. Room capacity is limited to the number of bed space in a given room. Upon reasonable belief that more than the stated number of individuals are occupying the room, the manager on duty shall cause unregistered persons to leave the premises.
 - H. For any registering Hotel Guest with an address within a 25-mile radius of the Property, a \$100.00 deposit will be placed on the credit card of said Guest or in cash. The deposit must be maintained until check-out and after the room has been checked by staff.
 - I. For any registering Hotel Guest with an address outside of a 25-mile radius of the Property, a \$60.00 deposit will be placed on the credit card of said Guest or in cash. The deposit must be maintained until check-out and after the room has been checked by staff.
3. Security Protocols:
- A. The Hotel shall install and maintain video cameras on each exterior wall of the building, the ingress and egress points to the building, the interior lobby (including the hallway to the lobby restrooms), the interior halls, and the interior stairwells.
 - B. The premises shall be kept under 24-hour surveillance.
 - C. Rear and side exterior doors to be locked from exterior and doors shall at no times be propped open.
 - D. Signs shall be conspicuously posted throughout the Hotel indicating that the area is under video surveillance.
 - E. A television monitor shall be installed at the front desk and adjacent manager's office area.
 - F. The videotapes or other electronic media from the security cameras shall be secured in the manager's office or be otherwise available and easily accessible for 30 days.
 - G. The hotel will cooperate with any investigation and prosecution of illegal activity by the Springfield Police Department, including the review of the videotapes or other electronic media, and shall immediately investigate and remedy all incidents and complaints of illegal and/or disruptive activity.
 - H. On Friday and Saturday nights starting at 10:00 pm and ending at 2:00 am, Hotel shall staff the Hotel with licensed security guards hired through a private third-party security staffing company approved by the Township who will, in addition to general supervision, will walk each floor of the Hotel every hour.
 - i. Security company shall submit a written report to the manager on a daily basis in a form approved by the Springfield Police Department.

- a. The Hotel shall maintain the security company reports for a one-year period.
- b. The Hotel shall furnish a copy of the reports to Springfield Township upon request.

4. Policies and Procedures:

A. Staffing:

- i. Hotel will schedule and staff a minimum of one owner or staff member at the Hotel's front desk at all times. If a temporary, unforeseen, or emergency event arises that results in the front desk being left unattended, Patadia shall personally provide front desk management until a minimum of one staff member resumes management at the Hotel front desk.
- ii. The Hotel and their agents and employees will not commit any illegal acts on the Hotel Property.
- iii. The Hotel shall promptly report all suspected illegal and/or criminal activity that occurs at the Hotel to the Springfield Police Department. Reports by the Hotel of suspected and/or criminal activity that are made prior to the Springfield Police Department acting on said suspected and/or criminal activity shall not be considered for enforcement purposes of Section 8(B).
- iv. Employees shall sign acknowledgment of hotel policies.
- v. The Hotel shall not employ any person that has a felony drug offense, felony conviction involving violence, or misdemeanor conviction involving violence as defined by R.C. 2901.01(A)(9). For current employees employed as of the entry of this Agreed Abatement Order, convictions older than 5 years are excepted.
 - a. A criminal record check by the Springfield Police Department is required for each existing employee at Defendants' costs.
- vi. The Hotel shall not offer employment to any person until the person has submitted to a criminal records check by the Springfield Police Department at Defendants' costs. If any candidate for employment has a felony criminal record, the candidate cannot be hired. Traffic offenses, non-violent misdemeanor convictions, and driving under the influence convictions older than 7 years are excepted.
- vii. Within thirty (30) days, Defendants will adopt a drug testing program for current and prospective employees that complies with state and federal laws and allows for legal prescriptions prescribed by licensed providers. If any drug screen is positive, the existing employee's employment shall be terminated and the prospective employee shall not be hired. Medically prescribed medications to the employee or perspective employee are excluded.
- viii. Defendants may satisfy the foregoing drug testing requirement by participating in the Ohio Bureau of Workers' Compensation's Basic Drug-Free Safety Program. So long as Defendants continue their participation in the Drug-Free Safety Program, said participation shall supplant the drug screening in the above-paragraph.
- ix. The Hotel housekeeping staff shall submit a written report to the manager on a daily basis. The Hotel shall provide a housekeeping staff with a written procedure/checklist to utilize for the reports in a form approved by the Springfield Police Department.

- a. The Hotel shall maintain the housekeeping staff reports for a one-year period.
 - b. The Hotel shall furnish a copy of the reports to Springfield Township upon request.

- 5. Zero Tolerance:
 - A. The Hotel shall maintain a Zero Tolerance Policy by which it will not condone or allow any criminal or drug activity, threats to staff, property, or other guests, excessive or loud noises, damage to property, or other like nuisances on the Hotel property. Registered hotel guests and room occupants who do not comply will be asked to leave the Hotel.
 - B. Registering guests shall receive a copy of the Zero Tolerance Policy and acknowledge that they have received a copy and will abide by the same.
 - C. Signs shall be conspicuously posted throughout the Hotel indicating that the Hotel follows a Zero Tolerance Policy.
 - D. No Stay List:
 - i. The Hotel shall maintain a list of individuals to whom it will not rent. Defendants' no-rent list shall include the names of individuals identified in Springfield Township's incident reports as having been involved in criminal activity to date.
 - ii. The Hotel shall check the name of any registering Hotel Guest against its No Stay List. The Hotel will not accept any registration from an individual on the No Stay List or allow an individual on the No Stay List to occupy any room.
 - iii. Individuals who violate the Zero Tolerance Policy will be included on the No Stay List.
 - E. The Hotel shall enforce a No Party Policy attached hereto.
 - F. The Hotel shall pay a fine of \$250 to Springfield Township for each false fire alarm in excess of two false alarm in a 180-day period.

- 6. Improvements:
 - A. The Hotel shall replace driveway asphalt with new by end of 2023.
 - B. The Hotel shall repair EIFS stucco exterior to like new by end of 2023.
 - C. The Hotel Property shall be kept free of trash and debris.

- 7. Contact between Hotel and Springfield Township
 - A. Patadia shall provide an email and mailing address for written communications with the Township.
 - B. Defendants may direct communications to Springfield Township, Attn: Chief Simone, chiefsimone@springfieldtownship.us or as other person who may be designated by the Township.
 - C. Patadia shall provide the owner and operator's personal cellphone or other telephone number to the Springfield police and fire chiefs.
 - D. On a monthly basis, the Township may, but is not required to, provide copies of approved reports from emergency personnel for all non-traffic related offenses occurring at the Hotel or on the Hotel property to the Hotel.

- 8. Enforcement:
 - A. The terms of this Agreed Order may be enforced upon the filing of a motion to show cause. Upon a finding by clear and convincing evidence that Defendants

have breached this Agreed Order, the Township/County shall be entitled to an order declaring the Hotel to be a public nuisance, closing the Hotel, and awarding any other remedy the Court considers just and reasonable.

- B. Effective February 23, 2023, the parties agree that any two felony incidences resulting in a felony charge(s) as a result of activities occurring at the Hotel property by registrants, guests, invitees, permittees, and/or occupants of the Hotel in a 90-day period shall constitute clear and convincing evidence of breach of this Agreed Abatement Order for which the Township/County could seek injunctive and other relief as authorized by R.C. Chapter 3767. The foregoing shall not be a limitation on claims for breach of this Agreed Abatement Order.
9. The Court shall retain jurisdiction over this Agreed Abatement Order for enforcement purposes.
10. This Agreed Order shall be subject to review by the Court at the expiration of three years from the entry of this Agreed Abatement Order to determine whether to continue the duration of this Agreed Abatement Order. This Agreed Abatement Order shall terminate in five years.
11. Counts One and Two of the Complaint shall be dismissed without prejudice. Count Three of the Complaint shall remain pending for adjudication.
12. Costs of these proceedings to Defendants.

IT IS SO ORDERED.

Judge Alison Breaux


Approved:

/s/ John F. Galonski

John F. Galonski (#0061792)
Assistant Summit County Prosecutor

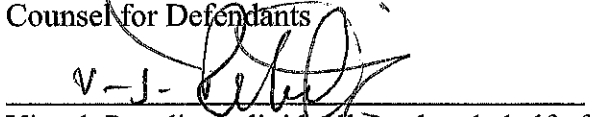
/s/ Joseph R. Spoonster

Joseph R. Spoonster (#0070863)
Counsel for Plaintiff Springfield Township



Matthew G. Vansuh (#0079328)
Counsel for Defendants

1/24/23



Vinesh Patadia, individually and on behalf of
Hexagon Properties, Inc.

1/24/2023