

## RECORD OF PROCEEDINGS

Perry Village Council  
Perry Village Hall 7:00pm

Regular Meeting  
April 9, 2026

Mayor James Gessic presiding.  
Pledge of Allegiance.

### **ROLL CALL OF COUNCIL MEMBER PRESENT:**

Elias Coss  
Mike Glover  
Rebecca “Becky” Shimko  
Curtis Curd  
Brian Farley  
Pamela Jenkins

### **PERSONNEL IN ATTENDANCE:**

James O’Leary	Solicitor
James Gessic	Mayor
John H. Roskos	Clerk/Fiscal Officer
Christian Gray	Zoning Inspector

### **OTHERS IN ATTENDANCE:**

### **GOOD & WELFARE**

Perry Fire District — Budget Presentation (Chief Dominic Chiappone)

Chief Chiappone introduced himself; he has been Fire Chief since June, 2022. He came here to discuss the upcoming Fire District Levy. He noted that Elias Coss and Rick Walker are members of the Fire Board; there are also two members from North Perry and Perry Township on the Board. He thanked the firefighters that were able to attend. First part of the presentation is about the Fire Department; the second part is about the levy. The Chief went over the Perry Fire District’s mission statement. The district was formed in 2002; there are 23 full-timers, 12 part-timers and 2 administrative employees. The Chief provided an overview of the services provided and then highlighted a couple of programs. The first is a new SWAT medic program, which places a department paramedic on call with SWAT team call-outs. The second is the long-running Fire Cadets program, composed of young men and women ages 13 to 20 who are interested in the fire service. Cadets are able to do ride time, respond to calls, and attend training. The program has served as a successful recruitment pipeline for both part-time and full-time hires, and notably recently produced the department's first female hire.

Regarding call volume, the presenter noted a 33% increase over the last ten years. In 1978, when the department operated as a township, it handled approximately 100 calls per year; in 2025, that number exceeded 1,600. The department has worked to better capture "overlapping calls," defined as a second call received while the first is still being handled. In 2025, 34% of calls were overlapping. One example from January 2025 was cited in detail: within 30 minutes, five incidents were received, with average staffing of seven on duty. The first four were EMS calls, the fourth being a cardiac arrest. A member in a chase vehicle was freed up, mutual aid was called, and bystanders were performing CPR when the member arrived, shocked the patient, and resuscitated him. The person is alive today. The fifth call was a structure fire around the corner; an officer was able to leave the EMS scene and notify residents who were unaware their house was burning.

On staffing and cost reduction: the department is down one firefighter and has eliminated the executive captain position, which was an administrative and fire marshal role. In 2026, the full-time secretary position will be converted to part-time. The local firefighters' union, Local 3003, took 0% in their last year of the collective bargaining agreement in recognition of the funding losses. The department has removed four vehicles from the fleet, including a 30-year-old liner truck. Equipment was auctioned when no longer needed. An ambulance replacement cycle of one every five years (with four ambulances total) means the oldest is always approximately 20 years old. The last ambulance purchased was in 2022 at \$290,000; the next, beginning a two-year procurement process in 2024, had already risen to \$350,000. The department opted for a remount — removing the patient compartment box, replacing the chassis, and reattaching the box — at approximately 50% of the cost of a new ambulance.

Since 2003, the department has received nearly \$2 million in grants. In 2023, \$147,000 was received for radios and ropes. In 2025, just over \$78,000 was received for fire hose and nozzles, replacing equipment over 20 years old. The department also receives state funding through House Bill 110 and Senate Bill 299, described as temporary supplemental funds that decrease annually and expire in 2028.

On community satisfaction, the department sends postcards to EMS patients and has distributed over 10,000 cards with a 43% return rate, of which 98–99% reflect high satisfaction. The department holds a Class 3 ISO (Insurance Services Office) rating, placing it in the top 10% of fire departments in the country. This rating was first achieved in 2015 and the most recent evaluation resulted in the highest score ever received.

Regarding the levy: the department currently operates off three levies — 2.9, 4.5, and 3.0 mills — totaling 10.4 mills. The 2.9 and 3.0 are renewable every five years; the 4.5 is permanent. Due to Ohio House Bill 920 (the levy reduction factor), as property values rise, the effective millage is reduced so the district does not collect more than the original levy amount. As a result, the 4.5 has been reduced to a 2.58 effective rate, the 3.0 to a 2.28, and the 2.9 to a 1.5 effective rate. Total revenue from the 10.4 millage is \$3,819,362, at a cost to the taxpayer of \$204.66 per \$100,000 of county auditor market value.

State supplemental funding that the department received totaled approximately \$700,000 in 2023. That figure has been declining, with roughly \$240,000 being lost going into 2027, and the remaining \$240,000 lost in 2028, at which point the state funding ends entirely. The revenue from the 2025 devaluation of the power plant provided \$513,000, which likewise ends in 2028. At present, 83% of the department's budget revenue comes from property taxes, 15% from state funding, and 2% from intergovernmental sources including the Homestead Act and owner-occupancy. The department has also absorbed a roughly \$55,000 loss from the Homestead/owner-occupancy intergovernmental source. Wages represent the largest line item in expenditures. Dispatch fees through the county sheriff's central communications are increasing by just under \$6,000 per year through 2030 per existing contract terms.

The proposal before the community is a five-mill, five-year additional levy on the May 5th ballot. The presenter clarified that if the five-mill levy passes, the existing three-mill levy will be eliminated, resulting in a net new two mills, raising the total from 10.4 to 12.4 mills. The five-mill levy would generate \$2.6 million and cost a homeowner \$175 per \$100,000 in county auditor market value; however, with the three-mill elimination, the actual net new revenue would be \$1.2 million at an effective cost of \$95 per \$100,000 — or \$7.93 per month / \$0.26 per day. The presenter showed a county-wide millage comparison chart demonstrating that even at 12.4 mills, Perry Village and North Perry Village remain among the lowest taxing entities in Lake County. If the levy fails, the department would not replace a retiring full-time firefighter, would not replace the part-time secretary, would cut specialized and off-duty training, and would reduce community programs including CPR classes and community events.

An email for questions was provided: [citizensforperryfire@gmail.com](mailto:citizensforperryfire@gmail.com). Residents were encouraged to call the station directly rather than speculating on social media.

**Questions from the public during the presentation:**

A resident on Green Street asked how the approximately 300–350 new homes built near Route 84 have affected the department's income. The presenter explained that new properties are taxed at approximately six mills effective (not the full 10.4) and that while there is a slight increase in revenue from new builds, the levy reduction factor ultimately offsets those gains. The presenter stated that approximately 3,000 new homes would be needed to make a meaningful difference, and even then, the reduction factor would counteract growth. The resident and presenter agreed that new home revenues are not offsetting the state funding losses.

Another resident asked about the \$6,000 dispatch fee. The presenter confirmed it covers the county sheriff's central communications — the 911 dispatch system — as well as fire station alerting. The presenter noted police are seeing the same increases.

A resident then clarified the mechanics of fixed-dollar levies: when more homes are added and the total assessed value rises, each individual home's share of a fixed levy amount decreases, resulting in reduced per-property cost rather than increased total revenue.

## **PUBLIC COMMENT**

**Nick McNamee (4051 Castlewood Court):** Stated that he moved to Perry intentionally from the Willoughby/Euclid area to escape noise, traffic, and light pollution. He argued the data center was approved with very little meaningful community input, that many residents were not adequately informed, and that the public comment structure at this meeting felt consistent with how the entire process had been conducted — controlled, rushed, and done without the community having a seat at the table. He said he helped collect signatures the previous summer, reached out to multiple council members, spoke with two of three Lake County commissioners, contacted hundreds of residents, reached out to his U.S. Congressman and a U.S. House candidate, and spoke directly with the Mayor. He said he specifically asked the Mayor to be prepared to address the community. He called for transparency, accountability, and a seat at the table, stating: "You don't build trust in the community by limiting its voice. You lose it."

**Katie O'Neill (7880 Driftwood Drive, Madison Township):** Introduced herself as someone born at Geneva Hospital, whose mother moved the family to Chagrin Falls when the Perry power plant was constructed, and who holds a history degree from Ohio University, a master's degree in energy regulation and law, and an environmental law degree from Vermont Law School. She ran for State Senate in 2024 as an environmental lawyer. She expressed concern that there have been 111 earthquakes in Madison Township, which is approximately 10 miles from the power plant on the shores of Lake Erie, and stated that building a data center would put additional demand and pressure on that fault line. She proposed that if a data center must be located in Lake County, it should be built on the Superfund site at Fairport Harbor and clean it up. She raised concerns about farmland and nurseries, 24-hour lighting impacting migratory birds including the lake gulls, and 24-hour sound affecting people who come to Perry for its nature, vineyards, and farms.

**Jonathan Mossaro? (4157 South Ridge Road, Perry):** Noted the village population is approximately 1,599 to 1,663 residents with a recent 0.6% decrease. Stated the building would use 5 million gallons of water per day and over 100,000 homes' worth of electricity per day, and that the HVAC system noise would be comparable to a jet engine. Raised concerns about jobs going to out-of-town contractors with very few local permanent positions remaining. Questioned who would bear financial liability if the village backs out, citing figures he had heard of between \$500,000 and \$8 million, stating he would prefer to pay a penalty than deal with the facility and associated increases to electric and water bills.

**Larry Hackley (4015 Center Road):** Asked two hypothetical questions: (1) what financial benefit the data center would bring to the community, and (2) whether the village is already contractually committed to build, making negotiations over abatement terms less favorable. Mayor Gessic responded that the village does not necessarily have to accept any particular deal. Hackley asked whether the village could exit by not approving the purchase agreement contract

and whether that would expose the village to liability; the Mayor responded "theoretically, yes" on the ability to exit. Hackley asked about \$250 million the state had paid out to other data centers; the Mayor said that was not part of the Perry contract. Hackley skeptically noted the assurances being given — no noise, no water use, a closed system — sound too good to be true. The Mayor responded by noting that the Baker Road water facility has capacity for 6 million gallons per day and is currently using approximately 3 million, providing 3 million gallons of excess capacity, and that a data center was quoted at 275,000 gallons per day, not 5 million.

**Jim Klein (4402 Oakbrook):** Directed questions at the resolution being used to authorize the land sale, specifically Section 3, which declares an emergency. He asked: (1) what specific emergency existed at the time and what findings of fact were used to justify the emergency declaration, and (2) whether the emergency declaration altered the procedural requirements for adoption of the resolution. He further asked whether an unsupported emergency declaration would undermine the validity of the resolution and whether it might trigger insurance coverage or an errors-and-omissions policy for unauthorized legislative action. Solicitor O'Leary responded that he could not address those questions without reviewing the legislation and minutes from the meeting at the time, and committed to doing so.

**Richard Leimbach (3970 Call Road):** Asked why anyone with a college degree would sign a contract with a \$500,000 penalty for backing out, comparing it to buying a house you cannot afford. He stated that 12 people are deciding what is best for Perry when the room and outside are packed with people against it. The Mayor explained the \$500,000 was standard for development property contracts to prevent the property from being shopped to other bidders during the process.

**Jennifer Sturgill (4334 Utah Court):** Noted her daughter is a current high school student and that she and her husband are likely to retire in Perry. Her primary concern was the timeline: a data center will take years to build, so the question of when the school and community begin to see money has not been clearly answered. She stated she is not necessarily for or against the data center, but is currently leaning against it on environmental and health grounds and expressed concern that it was not presented to the community for input.

**Frances Gianfagna (3640 Main Street):** Stated the council should consider its legacy and what residents think. He said at a previous meeting he raised the bird concern and felt he was laughed at. He criticized the fact that in the previous meeting, only one speaker came in to present the "pros" and no one presented the "cons." He demanded to know what could go wrong with the project and where the money would come from to fight legal battles if the developer does not comply. He called for the council to hire a neutral expert to explain both pros and cons clearly to residents.

**Patrick Sturgill (4334 Utah Court, Perry):** Distinguished between the previous council members who voted for the data center and those who did not, noting three members and that Elias was part of that vote that we had no knowledge about. He said he had spoken with one of the newly elected council members. He expressed that the newly elected members of Council would be able to figure out a way to get out of the contract. He directed remarks at the Mayor

and another council member who he said were among those who voted for the project, asking why residents were not told about the project from the beginning. He said he returned to Perry after military service, living in Willoughby and Cleveland, to raise a family, and is concerned about property values. He asked why no one answered why the community was not informed.

**Liz Hanna (3925 Red Creek Court):** Asked what is in the data center deal for council members personally.

**Lisa Marie Roland (4062 Honeysuckle Court):** Stated she does not normally get involved in political matters but came to support residents who know more than she does. She said the council is taking away her dream of retiring in Perry and expressed anger on behalf of farmers who have built their lives there.

**John Nicely (3767 Main Street):** Noted a facility with a major contract in Virginia was recently canceled. Identified himself as a retired school bus driver who is concerned about the welfare of children in the community. He raised two concerns: (1) whether infrasound studies have been considered — noting infrasound is undetectable by people, that the school is within a quarter mile, and that children including autistic children would be the first affected, with adverse effects on learning, teaching, and athletics including seizures; and (2) what infrastructure strain the data center would place on the village's fire department and whether the center would have its own fire suppression. The Mayor responded that data centers typically use a halon-type gas system that removes oxygen to extinguish fires throughout the building.

**Vince Lindeman (3910 Dugan Farms):** Stated he does not know a lot about the data center but assumes the previous council and old council did studies and looked into issues before acting. He asked that the current council put out answers or counterpoints to what residents have been hearing. He stated he did support the previous council and believes they acted in the best interest of the village. He then asked about the status of the pickleball courts.

**Julie Schultz (3794 Main St.):** As I noted in a previous meeting, the adverse action of a council member may have placed the village in a position where exiting the contract would cost more than \$500,000 due to the severity of a breach. She noted that a resident asked whether there is an abatement attached to the deal; it is her understanding that this would be the purpose of a PILOT program. She offered a list of priorities she would like to see included in a PILOT (Payment in Lieu of Taxes) program, should the data center proceed: abolishment of the 2% residents' income tax (not employment tax); retrofitting ambulances with up-to-date life-saving equipment; improvements to Lee Lydic Park; free trash service; free water and sewer; free internet service through Spectrum or Kinetic; an additional plow truck with increased staffing for heavy winters; funding for the senior center; support for the fire district and school district; removal of streetlight fees, Lake County Health Department sewage charges, stormwater management fees from real estate tax bills; and a real estate tax credit related to the school that decreases in proportion to the PILOT contribution.

**Brian Delzoppo (4780 S. Ridge Road, Perry Township):** Grew up in Madison, attended Madison High School, and moved to Madison until 2022, but considered Perry part of his life. He expressed disappointment in how the process was handled and noted the clear opposition in the room. He acknowledged not being anti-AI or anti-data center. He asked why the Village would only receive \$65,000 per acre when data centers in the Columbus area are going for \$100,000–\$200,000 per acre. Mayor Gessic responded that at the higher-priced locations, the city puts in infrastructure — sewers, utilities — whereas at Perry, the developer installs everything at no cost to the village. Delzoppo stated that he would like some compromise — even moving the facility closer to the lake — and wants something beneficial for the town. He endorsed the idea of improving parks. He acknowledged the future importance of the project for the town but said the process was unjust.

**Molly Sulzer (3235 Elizabeth Drive, Perry Township):** She has lived in Perry for 49 years. Expressed love for Perry's small-town feel and concerns about environmental impact — specifically how the data center would affect Lee Lydic, the ducks, migratory animals and birds, the children who fish there, and long-term health effects. She asked what the cost to the community is in terms of health, environment, and wildlife.

Mayor Gessic responded that he visited a data center in Albany and observed birds in the fence at the data center and a rabbit on the ground, suggesting wildlife is not immediately displaced. A resident interjected from the audience that long-term effects take time even if immediate effects are not visible.

**Robert Jefferson :** Simply asked whether it is possible to stop the project and whether council is willing to stop it or put it to a vote. Mayor Gessic stated it is possible but that it is up to council. When pressed repeatedly by Jefferson and others in the room, the Mayor declined to personally commit, saying the decision rests with the full council. A council member asked whether the power plant's 20-year extension still includes financial contributions to Perry; the Mayor stated that is "up in the air" and the contributions are being reevaluated and declining each year. It was clarified that Perry Village does not receive any revenue as a result of the nuclear plant

Discussion related to the purchase agreement followed amongst Council Members and residents.

Robert Jefferson asked about a sewer project that runs off Fairport Road under Route 20 to the front of the ED Gate crawl area. The Mayor confirmed it was a storm sewer running down Park Road.

**Resident from the Township** (recording inaudible): Stated she has followed the data center issue diligently. She objected to the facility being placed in a residential area. Stated she understands exiting the contract would cost approximately \$500,000 in penalty, plus legal fees and costs the developer has incurred during site visits — totaling what she understood to be over \$1 million, perhaps \$1 million to \$1.25 million. She stated the developer's cost to exit is only \$50,000 to \$70,000. She asked why an agreement would be signed where the village is on the

hook for over a million dollars to exit while the developer can exit for \$50,000–\$70,000. She also asked directly whether the Mayor or anyone on council had signed an NDA.

Mayor Gessic confirmed that he signed an NDA at the beginning of the process — approximately January or February — for the first two months while the project was in initial negotiation stages. He stated that once it became public, the NDA expired. He said it is standard practice when entering initial negotiations so that word doesn't spread to competing bidders. He reiterated there are no remaining secrets. The woman pressed, stating that an NDA means there are things the Mayor legally cannot disclose, and that this creates a fundamental trust problem.

Councilman Curtis Curd addressed the Mayor, stating that the Mayor had previously told him that no one, including himself, had signed an NDA. Mayor Gessic denied ever saying that, stating he had said an NDA was signed in January/February

**Jim Sheeley (3965 Call Road):** Stated that the Mayor's remarks about nature and wildlife were almost word-for-word what a pro-data center individual had said when calling his personal phone. At a previous meeting, he said he brought this to the Mayor's attention and the Mayor said nobody called him. He does not believe enough research has been done on health effects.

**Brass (4166 Manchester Rd):** Asked how many council votes would be needed to stop the project. The Solicitor responded that it would require a majority — four votes. She also asked how to stop the due diligence process to prevent further cost accumulation; the Mayor responded that due diligence was completed approximately a month prior. She asked the Mayor to find out how much the village is into it financially.

**Laura Wolkersdorfer (3860 Green St.):** Real simple question. True. If anybody said to me — and I know it was a choice — if I was looking at a contract and they said, you know, about this NDA, I'd walk away. Because there's something slimy that says, going to be confident and not say a darn thing to anybody about certain things. And to me that's lying. Somebody told me you have to sign an NDA because your house — you know, you can't tell your neighbors, you can't tell me — I would think there's something to hide. And that's exactly what an NDA is.

**Brian Dannemiller (3884 Green St.):** I just have a quick question. Mayor — to me, what I'm hearing here, what's been going on, we're pretty much in deep on this whole thing already. And if we back out of this thing — and I've heard dollar figures of a million dollars, a million — where's that money gonna come from? That's a thousand dollars a household. So we know if we back out of this, where it's gonna come from. I mean, if we're gonna maybe try and get out of this, we need to know how it's gonna get paid for. A lot of us are retired.

**3893 Tarpon Cove (name inaudible):** I come with a unique background — I work in clinical trials. My question is for the kids, pretty much, because I'm all — whatever is going to fit into the contract that assures their health? What are we doing to assure their health and their longevity and the risk of this? Because my sister does live in a city where this — cost went up, everything. I'm not saying here nor there, that does not matter. What I care about is the kids. What are we gonna do to protect the children? There are risks with data centers. We see that in Philly and the areas that do have data centers around them. So what are we writing into our contract? What are

our lawyers doing to assure that if there are long-term risks — we are putting this up potentially so close to a school — so we are putting not just the children who live in this area, but we're putting all of our children at risk. What is the contract going to say?

**Councilwoman Pam Jenkins:** Proposed holding a town hall format meeting instead of the standard public comment structure, where questions could be asked and answered in a dialogue format. The suggestion was generally supported, with Solicitor O'Leary noting the format, location, and date would need to be formalized and voted on.

**Erin Derzon (7865 Stocking Rd., Madison):** I just have a real quick question. I am at 7865 Stockton Road in Madison, Ohio. I'm a small farmer and I would deeply care about the environment and water sources. But my question is — why have you signed an NDA, received money from a company, and personally profited off of this data center with that NDA, and you are expecting taxpayers to pay that price to get out of this contract? Because that is unacceptable.

Mayor Gessic stated that he did not benefit from the NDA.

**Jenn McNamee (4058 Castlewood Ct.):** I grew up here. You guys don't understand what you're doing to our small town. And you've already done this — you've already gone ahead and signed these contracts and you've already put everybody on edge. Here you are talking about what Champions did to that land. Mr. Zampini is rolling over in his grave right now. That land that he used — we grew up working at Champions. That was my first job. I sold the produce that came from there, the trees. I met life, love. You guys are destroying these areas. This is our small little town. I grew up here. I've been here my whole life, aside from 12 years when I thought I was smarter than everyone. But I came back to raise my children here. My son is 10 — 11 yesterday. He is dead set on buying my home that I live in and raising his 25 children here. He's dead set on that. And am I gonna have to tell him sorry.

Councilman Brian Farley made a motion to extend public comment by 10 more minutes. The motion was seconded by Councilman Curtis Curd.

Councilwoman Pam Jenkins suggested another Town Hall meeting that is community friendly; she provided additional details. Discussion followed about the venue. Current ordinance requires the regular meeting to be held the second Thursday of the month at Village Hall. To hold the meeting at a different location, an ordinance amendment would be required. A separate special meeting could be established at a different location (such as the senior center or school) through an emergency special meeting process, provided it is properly noticed in the media and community. The Solicitor clarified that the ordinance currently does not allow for a venue change for regular meetings without amending the ordinance.

## **READING AND DISPOSITION OF MINUTES**

Motion made by Elias Coss to approve the Regular Council Meeting Minutes of March 12, 2026; seconded by Curtis Curd. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

## **LEGISLATION**

### **Resolution 11-2026** (Third Reading)

A resolution authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2026 Energized Community Grant

Motion to approve was made by Elias Coss, seconded by Becky Shimko, and passed unanimously on roll call. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

### **Resolution 14-2026** (Second Reading — Rules Suspended)

A resolution authorizing the Mayor and Fiscal Officer to take all actions necessary to apply for the ODNR Grant for Fishing Derby and declaring an emergency

The resolution was on second reading with a recommendation to suspend the third reading due to the timing requirement — the grant application deadline of June 6th (coinciding with the Fish Derby event). Motion to suspend the third reading was made by Curtis Curd and Seconded by Mike Glover. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes. Motion to approve the resolution was then made by Mike Glover, and seconded by Pam Jenkins. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes. The Fiscal Officer confirmed this is an annual grant — the application is simply for Perry Village alone, not a joint application, and the grant has been awarded for a number of prior years.

### **Resolution No. 17-2026** (Rules Suspended)

A resolution to acknowledge donation to the Village of Perry Lee Lydic Park by Petitti Family of Farms

The Solicitor noted his practice of formally acknowledging all donations by resolution to ensure a permanent record in the minutes. Motion to suspend the rules was made by Becky Shimko and seconded by Pam Jenkins: Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, no; Becky Shimko, yes. Motion to approve the resolution was made by Elias Coss and seconded by Curtis Curd. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

### **Resolution No. 18-2026** (Recommendation to Suspend the Three-Reading Rule)

A resolution of the Village of Perry, Ohio supporting the Ohio Commission for the United States Semiquincentennial (AMERICA250-OH)

Rules were suspended due to the time-bound nature of the America 250 commemoration, which expires in 2026 and is relevant to the upcoming Memorial Day Parade and Festival. Motion to suspend made by Curtis Curd and seconded by Becky Shimko. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

Motion to approve made by Mike Glover and seconded by Becky Shimko. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

**Resolution No. 19-2026** (Rules Suspended)

A resolution authorizing participation in the ODOT road salt contracts awarded in Year 2026 for Perry Village and declaring an emergency

Rules were suspended because ODOT requires commitment numbers by May 1st (the resolution deadline), though the formal resolution can be submitted after that date. ODOT sent notification approximately 8–9 days before the meeting. Last year the village ordered approximately 600 tons for the village and 300 tons for the school; those numbers are expected to remain similar. The price is determined later by bid among multiple vendors in different regions after commitments are received from communities. Discussion occurred regarding the difficulty in obtaining salt this past year even with a contract. Motion to suspend the three-reading rule by Mike Glover and seconded by Curtis Curd. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

Motion to approve by Mike Glover and seconded by Curtis Curd. Roll call vote: Elias Coss, yes; Brian Farley, yes; Pam Jenkins, yes; Curtis Curd, yes; Mike Glover, yes; Becky Shimko, yes.

**Resolution No. 20-2026** (First Reading)

A resolution authorizing the Mayor to take all actions necessary to apply for the PEP+ Grant Program to fund Safety, Risk Control and declaring an emergency

The grant comes from the village's insurance company and would provide \$1,000 for use towards safety related equipment, such as a purchase of body armor for an officer. Council will need to decide how they would like the grant proceeds to be used.

**Resolution No. 21-2026** (First Reading)

A resolution supporting and urging the Ohio General Assembly to pass Ohio House Bill 695 (HB 695) and declaring an emergency

The Fiscal Officer read the resolution in full. It states that the Village of Perry Council finds it in the best interest of the village that local public officials be prohibited from entering non-disclosure agreements regarding public matters, and urges the General Assembly to pass HB 695. The emergency is declared based on the need to properly inform the Ohio General Assembly of Perry Village's support prior to floor debate on the bill.

**Ordinance No. 2026-02** (Second Reading)

An Ordinance amending Section 121.01 and 121.03(1)(a) Standing Rules of Order for Village Council of the Village of Perry Codified Ordinances to amend the start time for Village Council Meetings and declaring an emergency

On second reading. Discussion focused on the public hearing scheduled for May 14th at 6:00 PM for a zoning matter. Since this ordinance has not yet passed a third reading, the regular meeting start time officially remains 7:00 PM. Council agreed to come at 6:00 PM for the public hearing. The Solicitor recommended against suspending the rules on this ordinance, noting it is a significant change that warrants all three readings. Third reading will occur at the May meeting; if passed, subsequent meetings will begin at 6:00 PM. Council generally expressed agreement that 6:00 PM is appropriate, noting it allows residents to stay for the entire meeting rather than just the public comment portion.

**Ordinance No. 2026-05** (First Reading)

An Ordinance prohibiting members of Village Council and the Mayor from entering into nondisclosure agreements regarding public matters, creating Sections 731.142 and 733.241 of the Municipal Ordinances of the Village of Perry, and declaring an emergency

This is a local self-limiting ordinance that goes above and beyond HB 695, applying regardless of what the state legislature ultimately does.

**Ordinance No. 2026-06** (First Reading)\*

An Ordinance amending Chapter 121 of the Codified Ordinances of the Village of Perry, and declaring an emergency.

This is a separate piece from Ordinance 2026-02 (which addresses meeting start time only). This ordinance addresses the structure of council committees, incorporating the anticipated new start time and consolidating certain committees. Specifically: the Beautification Committee and Pitch-In would be folded into the existing Thrive and Revive Committee, which would be renamed to reflect those combined responsibilities. Council Member Jenkins raised concern that "Pitch-In" does not logically fit with "Thrive and Revive," as they address different subjects. Council Member Curtis Curd explained his reasoning: the three standalone committees did not have enough substantive business to sustain separate monthly meetings and the consolidation creates a more functional committee. He suggested the combined committee name might change to better reflect the Pitch-In component. First reading only; council was encouraged to review the ordinance in the packet, note any recommended amendments, and be prepared for discussion at the second reading. Third reading expected in June. No vote taken.

**MAYOR'S REPORT**

Mayor Gessic reported the following:

Stormwater drains and sidewalks: He and Bob (road supervisor) drove around the village and identified stormwater drains needing work on Main Street, along with subsidence and sidewalk work needed to connect Booth Farm to the Main Street village. Quotes will be obtained. The

plan is to replace the existing 30-inch sidewalks from Main Street around Thompson with 40-inch sidewalks

### **SOLICITOR'S REPORT**

No additional report.

### **ENGINEER'S REPORT**

Noted that the pickleball court project is being built by Bentley's in concert with the drainage project. An electric line running from the garage to the former volleyball courts is of unknown location, depth, and burial material. Rather than spending approximately \$10,000 to locate it, the decision was made to turn the power off to that circuit. A sign has been posted on the panel indicating power is off until the pickleball court is constructed. If the line is hit during excavation, it will be repaired as that is cheaper than locating it in advance. A lockout will be applied by the road crew. Once Bentley's completes the excavation and stone work, asphalt quotes will be solicited.

The drainage project will begin next week. Bentley's mobilizes tomorrow and Monday, work begins Tuesday or Wednesday, and completion is expected within approximately six weeks.

The Green Street Waterline and Roadway project will go out to bid next week on April 16th, with bids due May 7th.

Manchester Road Bridge: The Lake County Engineer has hired Union Industrial to replace the bridge. Manchester Road will be closed next week through October. The official detour is Call Road to Middle Ridge to Center. The new bridge will be built to full load capacity, removing the existing weight restriction. Council Member Glover noted the weight restriction had been a limiting factor in garbage contractor selection. The road crew has already informed the school. The impact on the school's traffic plans was acknowledged.

Red Mill Creek trees: A contractor will be hired to remove trees that have fallen and are beginning to obstruct the creek in various locations. This will be reimbursed through Stormwater

Pre-applications for OPWC funding are due to the county approximately May 23rd.

Signs in the right-of-way: Engineer Bob Parker noted that political signs placed in the right-of-way are an obstruction to drivers and a safety hazard. Residents and candidates are asked to ensure signs are beyond the right-of-way. Reference points for the right-of-way include sidewalks, utility lines, and fire hydrants.

### **FISCAL OFFICER'S REPORT**

Report submitted in writing.

### **POLICE CHIEF/PUBLIC WORKS REPORT**

No report

### **ZONING REPORT**

Report submitted in writing.

## **ECONOMIC DEVELOPMENT**

The Mayor reported that the JEDD may meet next week.

## **COUNCIL MEMBERS' REPORTS**

**Elias Coss** (Council Member): Chief search: Coss reported that the first round of interviews for the police chief position will be conducted on Tuesday and Wednesday of the following week. Coss, Brian, Becky, and the Mayor will participate. John is preparing the schedule. After the first round, finalists will be identified, and a second round will include all of council and the school.

**Curtis Curd**: Believes that if we want to limit public comment, we should formally change the rules and reiterated that he believes there is no place for non-disclosure agreements in local government.

**Brian Farley**: reported on the OWL (video streaming) system, noting the last meeting had over 150 views. The camera position needs adjustment as it has difficulty focusing on speakers when the room is full. Council discussed the possibility of elevating or mounting the 360-degree camera differently — possibly in a corner — to improve coverage.

Pilot/abatement education concern: Brian Farley raised a Facebook post from a previous council member stating that Mayor Gessic "has been working to educate council on different pilot structures." He stated he has not been involved in discussions about different pilot structures and asked Mayor Gessic directly whether he had educated the new council on pilot structures. The Mayor responded that the concept of payment in lieu of taxes and minimum service payments had been discussed at a general level, but that no structured education had taken place — his own knowledge of pilots was limited. Solicitor O'Leary noted the Mayor has slightly more background from the trip to New Albany to observe an existing data center there, but the general policy discussions have been limited because no abatement has yet been formally requested by the developer. The Solicitor confirmed that when abatement and pilot terms are actually requested and presented, a law firm experienced in such structures will be brought in to guide the process. The new council members expressed frustration at the perception created by the post that there has been substantive pilot education that they missed.

**Fireworks discussion**: Farley proposed allowing fireworks during the Fourth of July weekend (July 3rd, 4th, and 5th) plus either the weekend before or after, to allow emergency workers, retail workers, and others who work weekends the opportunity to participate. He noted that last year's restriction to just the Fourth of July weekend limited participation. He also acknowledged that no Memorial Day or Labor Day fireworks were technically permitted last year. He proposed working together to pass comprehensive legislation covering all three holidays. Ohio code allows fireworks on the 3rd, 4th, and 5th of July plus surrounding weekends, and approximately 20 days throughout the year. He requested council feedback on hours and dates.

**Welcome-to-Perry folders**: He reviewed the existing welcome folders (last updated in 2024) and suggested updating forms and content (such as trash pickup, electric provider, and village

amenities), possibly transitioning to a QR code postcard that directs residents to the website to save costs. He noted a contact who assists a local realtor with sponsor-funded welcome packages and suggested exploring that model to have businesses sponsor the folders.

**Mike Glover:** Finance meeting: Announced a finance committee meeting on Tuesday, May 12th at 5:30 PM. The committee currently consists of the Mayor, Mr. Roskos, and Glover, but extended an invitation to all council members to attend given their shared responsibility for the budget. John will post the notice to the newspaper, and website.

Stated he would not allow accusations of bribery and financial corruption to go unanswered. Noted that in 17 years on council, the previous group was the best he had served with — every member donated their own time and money to community events and initiatives, and some also spent their own money without seeking reimbursement. He called the accusations "reprehensible" and said before making such accusations, residents should introduce themselves to council members, attend meetings, and have a direct conversation. He noted that no one who made those accusations had been seen at council meetings in his 17 years.

Glover later clarified that his defense of the previous council was intended to include Mayor Gessic as well, whom he considers part of council.

When park gate proposal was raised, Glover asked how many actual incidents involving cars have occurred in the park. He requested a report from Lieutenant Collins on the frequency and type of incidents — specifically cars versus pedestrians — before committing to a gate solution, noting the village had looked at this before and found it not feasible.

**Pam Jenkins:** Ride-along: Reported doing a ride-along in a police cruiser with a sergeant, finding it educational and enjoyable. Encouraged other residents and council members to do the same.

Park gate: Reported doing research into gate options for the park. Steel barrier gates cost approximately \$2,000. She is also getting quotes on wooden gates, which she believes would look nicer and may be less expensive, though she noted the opening is approximately 17 feet wide. She agreed with Coss's suggestion that steel may be better long-term due to durability and lower maintenance. She said she would bring further quotes to the next meeting.

**Motion to move Battery Drop Box:** Councilman Coss: Moved to relocate the battery drop box to the area near the bill payment drop box by the Village Hall, where a security camera is present and the location is visible to the public. The motion was seconded by Brian Farley and passed unanimously.

Village Earth Day Celebration: Announced the event is scheduled for Sunday, April 26th from 1:00 to 4:00 PM (noting the 22nd is a Thursday). Invited council members to attend and volunteer. Activities are planned, a flyer is going to schools, and the park train will be used.

Town hall meeting: Asked that a town hall be placed on the next meeting agenda to keep the idea alive and move toward setting a format, date, and venue.

**Becky Shimko** (Council Member):

Vacant property registration fees: Reported that at the last committee meeting with Curtis, the committee discussed raising the fee structure for vacant homes. The consensus was to raise fees given the number of vacant properties that fall into disrepair. The village has already been to court at least once over non-payment. The committee did not reach a final decision (Mayor clarified later that a decision was reached by Planning Commission recommending increase in vacant registration fees)

Becky Shimko reported that a planning commission meeting is scheduled for the following Wednesday at 6:00 PM. Laredo's petition to rezone property near the Main Street church and the "blue house" before the library curve on Main Street will be discussed. The rezoning would convert parcels from PD (Planned Development) to single-family residential. Solicitor O'Leary noted that proper notice must be given to surrounding neighbors within the required radius before consideration, that the applicant must understand the setback requirements will be strictly enforced (e.g., if the setback is 50 feet, it is 50 feet with no conditional use permits to go further back), and that the zoning code process must be followed. The Solicitor agreed to look up the exact notification radius requirement. Becky confirmed that Christian (the zoning administrator) has been in contact with Laredo's representative and has sent information to Samantha for review. Whether Laredo's representative will be present at the planning commission meeting was uncertain, but a preliminary proposal is expected.

### **PURCHASES AND APPROVALS**

Curtis Curd made a motion to approve the purchases of March 6 through April 5; Brian Farley seconded the motion. All members of Council voted in favor.

### **PUBLIC COMMENT**

**Hope Gessic** (3791 Center Road): My first comment — is Pam, as a representative of Council. It has been posted about Lake County Nurseries and property being purchased. That is a private purchase between Lake County Nurseries and a group. It does not involve the village or village council. We should not be involved in that. We should not be talking about it. It's online, it's public knowledge. You can go on the site and see — again, it has nothing to do with us.

To the new council — there are three of you that are new. Whether you are for the data center or against the data center is irrelevant to the fact that this village is going to be coming into some serious financial [challenges] as we get into 2028. You're not for the data center — that's fine. But what are you three doing as well to bring economic development to this community?

Thirdly, this council over here — the outgoing council — has done nothing but support this village. They have taken this village out of very hard times where they were in the red when they came on board. They have had to make some very hard decisions. They have had to realign things. And the fact that you would sit here and say, 'Oh, I wasn't involved with that' — you're council, regardless. You represent this village. You represent our economic growth, and you represent us as a people.

Nowhere in this have we ever heard from the township. The township meetings don't get bullied like this, and shame on us for allowing it. The township annexed property to the village — they are just as involved in this data center as everybody else, as well as the general [public]. Take that into consideration when you are listening to these people speak. Be educated about what you're talking about. Thank you for coming and sharing your opinion. Your opinion does matter — they do listen. Now, anything that the mayor does, the village council has to approve so take that into consideration. Thank you."

**Vince Lindeman:** Two quick comments. I believe in a person's First Amendment right to free speech. I absolutely hate that people make accusations against council members that are not backed by any kind of facts. It happened a few months ago — last year — with Rick Walker, when somebody started something about him. That is just uncalled for and unacceptable. And sitting there listening to that really bothered me.

The other comment — because I had to make a police report today — Officer Mike Klugh- I just wanna say how respectful he was, how friendly he was, and what a great job he did. Thank you.

**Nick McNamee:** A few follow-ups from earlier. I know that people are talking — a lot of it's false information, a lot of it is misinformation. We could do a lot to dispel some rumors right now if I can ask you guys some direct questions. Elias, did you sign or were you presented with an NDA regarding anything with the data center?

Elias Coss: No.

Ms. [Shimko]? No. Mr. [Glover]? No. I never thought that was a thing, but now people can go online and watch this and see that you guys are all on record saying no. Thank you for that.

I don't believe that anybody on the previous council acted maliciously or selfishly in this whole thing. I believe you guys are trying to do the right thing for the village. These are very complicated times that we're living in. You know, we vote for you guys to do all the stuff that you talked about for the last hour so that we don't have to — that's what we vote for. But when it's something like the data center, I feel like it's really important to get more engagement from the community on something like that.

That's where a lot of the outrage is coming from. I hope you guys are aware, after seeing what happened here tonight, that people are misinformed, people are uninformed, people are nervous, people are scared. So moving forward, I just feel like full transparency is really gonna go a long way in working this thing out. Obviously, we have a situation here — you've got this side and that side — so we've gotta figure something out. Transparency, moving forward. If you guys have to go out of your way to post things on Facebook, maybe that will help — I don't know.

I do appreciate you guys and your efforts in leading our village. Curtis, thank you for the NDA legislation that you're proposing — I think that's good. Ryan, thank you for getting these meetings online so that the community can engage and see what's going on if they're unable to make it — I think that's awesome. It is a team effort. Thank you, guys.

And the other thing I just wanna point out — I didn't see anybody really show up tonight in full support of the project. I saw a lot of people against it. I don't know why that is. I have my suspicions, but I think it's worth pointing out. That's all. Thank you.

Solicitor O'Leary: Before you leave, let me address one thing so that you know — I have advised council on numerous occasions that it's probably not a good idea to comment on current things that council is doing on social media. It's one thing to be informational — "there's a meeting coming" or something like that. But a post on Facebook or other social media can be misconstrued as supporting one side or the other, so I've advised them not to do that. This is where transparency takes place, and that's why we appreciate people coming to the meeting, even if it does make it longer than normal. I just wanted you to know that — that's the reason you don't see them commenting on those types of things.

Elias Coss: Noted that the standard practice is no questions and answers during the meeting and stated that only 2 people had reached out to him in person about the data center.

Bill Debus inquired about whether a law firm had been hired by the Village pertaining to economic development; yes, Calfee. He thanked Council for making sure the meetings are streamed online; this will be helpful particularly during the winter months

#### **EXECUTIVE SESSION:**

Solicitor O'Leary requested that Council go into executive session for the following reasons:

- (a) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.
- (b) To consider the purchase of property for public purposes, the sale of property (ORC 121.22 (G)(2) at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section [505.10](#) of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.

Inviting Council, Mayor Gessic and Solicitor O'Leary, action is not anticipated but may be taken after executive session.

Motion to enter Executive Session was made by Elias Coss and seconded by Pam Jenkins.

Vote to enter Executive Session: Elias Coss, yes; Curtis Curd, yes; Pamela Jenkins, yes; Brian Farley, yes; Rebecca Shimko, yes; and Mike Glover, yes

Executive Session began at 9:56 p.m.

Councilwoman Pam Jenkins excused herself near the end of executive session.

Rebecca Shimko made a motion to come out of executive session, and Curtis Curd seconded the motion. All in favor voted yes, and executive session closed at 10:40 p.m.

The council room door was reopened and Council resumed their normal meeting.

Council will hold a Special Council Meeting to discuss Pilot Programs on Thursday, April 23, 2026 @ 6:00 p.m.

**ADJOURNMENT:**

Curtis Curd made a motion to adjourn and was seconded by Brian Farley.

Vote to Adjourn: Elias Coss, yes; Curtis Curd, yes; Brian Farley, yes; Rebecca Shimko, yes; and Mike Glover, yes

The Perry Village Council Meeting was adjourned at 10:41 p.m.

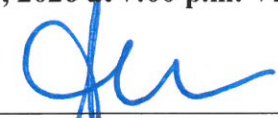
**Special Council Meeting Thursday, April 23, 2026 @ 6:00 p.m. Village Hall**

**Finance Committee Meeting Thursday, May 12, 2026 @ 5:30 p.m. Village Hall**

**Public Hearing Thursday, May 14, 2026 @ 6:00 p.m. Village Hall**

**The Next Regular Council Meeting will be May 14, 2026 at 7:00 p.m. Village Hall**

  
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John H. Roskos, Fiscal Officer

  
\_\_\_\_\_  
James Gessic, Mayor  
Elias Coss, Acting Mayor

Posted \_\_\_\_\_