

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

APRIL 11, 2005

Burger called the meeting to order at 4:30p.m. at the Jackson Township Hall with all Trustees, Clerk, Lyon and Fitzgerald present.

Burger moved and Pizzino seconded a motion to go into Executive Session for a conference with Attorneys for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **3-0 yes**

Upon return from Executive Session, Burger opened the Work Session at 5:15 p.m.

Chief Heck discussed the Fire Department's current budget and future needs, his outlook on a replacement levy as opposed to a renewal levy and whether or not to continue soft billing for EMS. At the next meeting Chief Heck will bring forward a few more Modules and before July review the remaining dollar allocation.

At 6:00 p.m., Burger called the General Session to order with all department heads present. Burger requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None.

Administration Department

ATTACHMENT 4/11/05 A

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 214.510.5387, Discretionary/Contingency, to account code 214.510.5762, Capital Improvements, in the amount of \$1,772.98. **3-0 yes**

ATTACHMENT 4/11/05 B

Pizzino moved and Burger seconded a motion to approve an unpaid leave of absence for Darlene Boda from April 2 through April 6, 2005 for the purpose of Funeral Leave. **3-0 yes**

Fire Department

ATTACHMENT 4/11/05 C

Meeks moved and Pizzino seconded a motion to accept the resignations of part-time firefighters Justin Cunningham and Tim Ash. **3-0 yes**

RESOLUTION 05-020, ATTACHED

Burger moved and Meeks seconded a motion to adopt the attached Jackson Township Disaster Plan which replaces all previously adopted Disaster Plans. **3-0 yes**

ATTACHMENT 4/11/05 D

Burger moved and Meeks seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Contingency & Discretionary, to account codes 210.210.5120, Overtime, in the amount of \$6,000, 210.210.5210, Pension Pick-up Employee, in the amount of \$1,024, 210.210.5212, Pension Pick-up Employer, in the amount of \$1,400, 210.210.5398, Bldg. Repairs & Maint., in the amount of \$40,000, 210.210.5508, Tool Purchase, in the amount of \$3,950, 210.210.5502, Supplies/materials, in the amount of \$4,400, 210.210.5310, Education/training, in the amount of \$6,000 and from account code 228.210.5385, Other Expense, to account codes 228.210.5652, Equipment, in the amount of \$4,400 and 228.210.5312, Education, in the amount of \$4,000 for a total of \$71,174. **3-0 yes**

Highway Department

ATTACHMENT 4/11/05 E

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 204.310.5220, Hospitalization, to account code 204.310.5387, Discretionary, in the amount of \$96,719.50 and from account code 204.310.5230, Worker's Comp, to account code 204.310.5387, Discretionary, for \$5,577.39. **3-0 yes**

ATTACHMENT 4/11/05 F

Burger moved and Meeks seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached letter to the Board of Stark County Commissioners regarding the vacation of a small portion of Beatty St. N.W. **3-0 yes**

RESOLUTION 05-021, ATTACHED

Burger moved and Pizzino seconded a motion, in accordance with the attached amended selection policy, we hereby authorize the advertisement of the attached public announcement for professional engineering design and construction management services requesting statements of qualifications until May 23, 2005 upon the attached preliminary scope of services and the Township Clerk is requested to publish the attached public announcement. **3-0 yes**

RESOLUTION 05-022, ATTACHED

Burger moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Amended Agreement for the Dunkeith/Devonshire Drives Drainage Improvement Project and that Bitzel Excavating, Inc. is the lowest and best bidder for the Dunkeith/Devonshire Drives Drainage Improvement Project and hereby award a contract to them in the amount of \$107,570.44 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

RESOLUTION 05-23, ATTACHED

Burger moved and Meeks seconded a motion that pursuant to ORC Section 5513.01, we hereby adopt and authorize the placement of the Board President's signature upon the attached Contract

with International Truck and Engine Corporation in the total amount of \$97,586 for the purchase of Two Single Axle Cab and Chassis Trucks and the attached Contract with the Gledhill Road Machinery Company in the total amount of \$67,370 for the purchase of Two Dump Body and Snow Packages. **3-0 yes**

Legal Department

ATTACHMENT 4/11/05 G

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Ninth Supplemental Agreement for the Fulton Road Widening Project. **3-0 yes**

Police Department

ATTACHMENT 4/11/05 H

Burger moved and Meeks seconded a motion to approve the appropriation transfer request from account code 209.255.5210, Pension Pick Up, to account code 209.270.5210, Pension Pick Up, in the amount of \$3,800. **3-0 yes**

Neftzer: The second item I think Randy wanted to approach. I know he's been doing some work. We've gotten a lot of questions about, you know, at the end of the year we lose 70% of our revenues and that's kind of going over some folks' heads. They don't really understand what the magnitude of that is. So I know Randy's put together some information. But it is what it is. I mean we lose 70% of our revenues, that's pretty much 70% of our officers and, again too, if you have costs of 70%, or you're trying to save 70%, there are costs associated with that such as employment costs, contractual obligations, and things like that. So of the remaining revenues we have not calculated yet how much of those would be left available to provide police services. So my, I guess, position on this to the Board would be our cuts are more than 70%. Exactly what that is I don't know and I know Randy's been doing some work on this and looking through some of those options.

Gonzalez: Well, we previously discussed a little bit of this in the Work Session that came up with the Fire Chief. One of the issues that I'd like to address, I guess, for the media since I've been reading the media. The issue of contracting with another agency. I mean, we have to be quite clear about this. There's four levies. Two of those levies could not be used to contract with anyone. They are specifically for Jackson Township Police Department. At the end of November, the 70% that Chief Neftzer was talking about, those two levies will expire if something is not done. One of those could not be used for anything but Jackson Township Police Department. So I guess under worst case scenario if something was not done by the end of November, that would leave two continuous levies. Of those two continuous levies, they generate a little over \$600,000, 630 some thousand dollars. Again, only one of those could be used to contract with another police agency and what Chief Neftzer is basically saying tonight by the time if you would lay off our department, pay them the pay that they would have coming when they leave, their unused sick leave, and vacation pays it would virtually eat up most of the money that was left. I'd just like to make it quite clear even at the best case scenario it would take almost two years to transform Jackson to contracting with the Sheriff. There would have to

be a levy that would have to be passed for Sheriff purposes. Those levies are a year behind so it would take a year to collect the money from the day it was passed. The Stark County Sheriff would then have to hire people and to hire that amount of deputies takes a long time. So I mean we could literally go for two years with no protection in Jackson Township. And when you have people out there just making claims like that, obviously they're not doing the homework and being realistic with the public.

Neftzer: That's all I have Mr. President.

Pizzino: Chief Neftzer,

Neftzer: Yes.

Pizzino: I think you should explain to the news media and to this Board basically the difference of a dollar's what we're talking about. Our Police Department as a patrolman to a Sheriff's Deputy. I mean it's very – it's minor – it's \$3000 - \$4000. So you're talking if you have 40 officers and if it really is \$4000, you're talking \$160,000. That is not going to get us anywhere close to the \$5 million you're going to need to run that Police Department. And the people have to understand and that's what we're trying to educate the taxpayer that if this does not pass we're not going to have a Police Department. You keep saying that we're going to lose 70% of the funding. Chief, how many people are you going to have left? And not only that, where's it going to stop there. What's going to happen to our dispatch, it's going to affect our police dispatch, sure, it's going to affect our fire dispatch. Because more than likely we're going to have to pull out of LOGIC because that's about a half million dollars with police and fire right there. I mean, where's this going to stop. So the snowball effect that this levy really, what it amounts to is, it's devastating. And I think that somehow we have to get it across there that the few people that are saying we should look into this or we should look into that, we already have. Mr. Gonzalez, how many times have you looked into that.

Gonzalez: It was looked at twice in the past, Mr. Pizzino.

Pizzino: That's right and again we provide a service to our community that's second to none. And it's not going to be any cheaper to go contract from the Stark County Sheriff or the Summit County Sheriff or whoever. I mean we have the best of all the worlds, it's going to cost X amount of dollars to provide that service that our people not only deserve but, they deserve it, of course they deserve it, but that's what they want. So dollars and cents it's the same thing. Other than if we're doing it ourself, I believe it's a lot better service. And that's just my opinion. I think that it's got to get out there that it's very minor what they're talking about. They're throwing up smoke screens, they're throwing up these perceptions, and, Chief, it's up to you to come back and tell the people exactly the way it is.

Gonzalez: You know, if I could dovetail on that and I hope the media will catch this. There's been, you know the newsletter went out and had a lot of explanation and I think, I guess it's good, I only got one phone call. But I'd like to be real clear and the most simplistic way I can put this is, forget about contracts with the Sheriff, forget about rolling the levies, the whole thing boils down to - it's about an average of 30 cents a day. About the price of a cup of coffee. Can

the residents afford 30 cents a day to keep their neighborhoods patrolled, their property values up, and their kids safe. It's about less than the price of coffee a day, 30 cents a day, that's the bottom line. Forget about 4 levies, one levy, it's 30 cents a day.

Meeks: Well, both you gentlemen did a very good job. The thing that it comes right down to, this Board has been more open than any Board on showing our finances. Anyone who has asked us, we've tried to explain to the tenth degree, brought it down to very elementary terms, the facts and figures. We deal in facts and here are the facts. There's a small group that could care less about the facts. They only care about the perception. And the perception is this and the reality is this, if they get their way and this levy goes down and we are without a police department in Jackson Township they can call it a victory, but they also need to have the safety and well-being that they have now just jeopardized, all of our families, all of our businesses, all of our children, on their heads. Because we have done everything we possibly could do to lay out to our residents that we are not blowing smoke. These are the facts. We've tried to put together a very good five year plan so that we can actually budget the way it should be budgeted to run our police department as efficient as we possibly can. And if the residents, again, we work for the residents, if they do not want it they have to understand this, that you will not have a police department in Jackson Township and if you want the Sheriff you're going to pay just about as much as Mr. Pizzino said for a bare bones coverage. You still have to pay for the cruisers, you still have to pay for the men and because a small group is disgruntled and does not want to come to this Board and face us face to face with the facts because they could care less about the facts it's about the perception. You know, enough is enough. Jackson Township is a wonderful place to live, work and play. And if this small group gets it's way and continues to have it's way, it will not be any more and we will all suffer.

Neftzer: Well, you guys explained that pretty well. I don't know if you need any further explanation from me, but, you know, we have been open and I do think it's important that and I appreciate the fact, that we've talked about this openly at every meeting for the last year. The bottom line is we're in a situation where we need to get it passed and we just hope our supporters come out.

Meeks: So do I, Chief. So do I.

Burger: This is not to be repeated, but. . . Somebody once told me a long time ago if somebody cries wolf one too many times it comes back to bite them. And I hope this is true this time around because I don't know what else would – well, I know what else might cure them but – I would like to see it happen. And I will comment that I think the Police Department and the community have really jumped into this much more so than they did the levy that was proposed last fall. That's obvious from the signs and seeing the people out working hard. I commend the people on the committee and the people that are involved in doing this.

Neftzer: Thank you, gentlemen.

Gonzalez: Thank you, Chief. I don't know how many hours this guy's been non-stop. You know, the guy takes a job I don't think he counted on having to fund his job. He's put an awful

lot of hours in and I hope, I think this community should give you a big hand and a big letter of support when they go vote yes, hopefully.

Meeks: But you know what this has done, Randy? It has made our Chief more accountable than any Chief in our past. He knows his department inside and out to the penny. And if the Chief is still telling you that this the way it is, here are the facts, doggonnit, listen to the man. Don't listen to us, listen to him. That's his job. He's doing a very good job, too. I want my signs, Harley.

Neftzer: Thank you.

Gonzalez: You know that doesn't – I don't mean to harp on this, Bill – but I said this the other night at the public meeting. Melissa didn't quote it, but I'm going to say it again. There was a gentleman that got up and questioned something I did. And I said to him, you know, if you want to vote against me when I run, you'll have that opportunity. And if you want to vote – I spoke for the Board of Trustees, tonight they're here, I think they can either back me up or speak for themselves. If you're questioning the Board of Trustees' decisions, vote against them in their election but don't bring politics into this issue. This is about Police and safety of our community. And I only wanted to say that in front of the Board cause Bill was in the audience that night but he didn't have a chance to respond. I don't think I'm overstating, I know these gentlemen well enough and their commitment to the community.

Pizzino: Absolutely.

Gonzalez: Do you guys want to elaborate on that. Am I speaking for you fairly?

Meeks & Pizzino: Absolutely.

Pizzino: It's frustrating when you see comments in the paper from the other side that we don't care if we even have a police department. Well I care, my family's here, my son's here, my wife's here. And I think the people, I really believe, they don't really realize how crucial this levy is in May. I mean it means almost shutting the doors. You said it's going to take 70% out, Chief, you don't have anything left to put anybody on the road. You know what you're doing now. And you know what, the people expect and deserve the quality of service they're getting right now. And again, to have a few people throw this smoke screen up there like Mr. Meeks said, this perception, it's not fair. It's not fair to the residents and we got to get that message out and we've been letting you run it and your committee run it and we're there for any support that you need, Chief, but it's time for us to do what we did this evening to let the people know that, hey, this is serious and this is important to our community. You know the safety of the community is in their hands.

Burger: I commend both of you for keeping your cool. I don't know, were your legs black and blue from me kicking them back there in the seats or not. When I heard that fella in the back leave out that yell, I wasn't sure what was happening especially when I saw him being escorted out of the room by a few police officers. I didn't know if that was somebody from the opposing group or not. But other than that, get on with. Mr. Phillippi.

Zoning and Planning Department

Burger moved and Pizzino seconded a motion to set a public hearing for April 25, 2005 at 7:00 p.m. for NexTerra Ltd.'s request for modification to the Planned Unit Development of The Hermitage and Echo Farm. **3-0 yes**

Clerk's Office

ATTACHMENT 4/11/05 I

Meeks moved and Pizzino seconded a motion to pay bills in the amount of \$471,970.53. **3-0 yes**

ATTACHMENT 4/11/05 J

Meeks moved and Pizzino seconded a motion to approve the minutes of the March 28, 2005 Board of Trustees meeting. **3-0 yes**

ATTACHMENT 4/11/05K

Meeks moved and Pizzino seconded a motion to approve the financial reports for March. **3-0 yes**

ATTACHMENT 4/11/05 L

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.150.5110, Regular Salaries, to account code 101.150.5114, Temp. Service, in the amount of \$1,992.72. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, April 25, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, May 2, 2005, 5:45 p.m., Township Hall.
- LOGIC, May 5, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Comprehensive Plan Steering Committee, April 12, 2005, 4:00 p.m., Township Hall.
- Board of Zoning Appeals:
 - April 14, 2005, 7:30 p.m., Township Hall.
 - April 28, 2005, 7:30 p.m., Township Hall.
- Citizens Advisory Committee
 - Park, April 19, 2005, 6:30 p.m., Township Hall.

- Community Celebration, May 4, 2005, 6:00 p.m., Township Hall.
- Highway/Traffic, May 18, 2005, 6:30 p.m., Township Hall.

Old Business

Boger mentioned that Ohio Department of Transportation has sent a request to enter into an agreement with signatures and money for the Wales & Fulton intersection. He presented the agreement to the Board to take into consideration. Meeks informed the Board that he, Lyon, Fitzgerald, Gonzalez, and Boger met with M-E Companies prior to the Executive Session and in addition to the addition errors, more clarification needs to be made on certain issues. Rich and Ralph are to meet with ODOT again.

Pizzino asked Lyon if the GPS maintenance bill from the County was paid. Lyon replied that the Township did not receive a bill – only the Red Center. Pizzino related that he received a message from Mike Stevens saying if the bill isn't paid and the township goes with another service the cost will be four or five times higher. There was some discussion regarding how much the bill was and just exactly what it was for. Pizzino asked Chief Heck to follow up with the Red Center.

New Business

Burger moved and Meeks seconded a motion to accept a \$500 sponsorship donation to the Community Celebration from the Jackson Township Firefighters Local 2280. **3-0 yes**

Burger moved and Meeks seconded a motion to accept a \$100 sponsorship donation to the Community Celebration from the Belden Village Towing Company, Inc. **3-0 yes**

Burger moved and Meeks seconded a motion to accept a \$50 donation to the Park Tree Fund from Eileen Hogue, Joann Dominick, Jane Winkler, Lorraine Youngman, and Mary Businelli, in memory of Harriett Gardner. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

Meeks moved and Burger seconded a motion to adjourn **3-0 yes**

William Burger, President

Randy Gonzalez, Clerk