

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 24, 2009

Pizzino called the meeting to order at 5:03 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Neftzer and Poindexter present.

Pizzino moved and Walters seconded a motion to go into Executive Session for Zoning Personnel (Appointment/Employment/Compensation) – Board of Zoning Appeals. **3-0 yes**

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

Pizzino moved and Walters seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Reinstatement. **3-0 yes**

Upon return from Executive Session, Pizzino opened the Work Session at 5:26 p.m.

Work Session

Budget Reviews

Fire Department

ATTACHMENT 08/24/09 A

Chief Heck pointed out some of the things they have already implemented to save costs. He said they are still looking for and applying for grants. He said he anticipates having about \$550,000.00 at the end of the year to be divided between the reserve accounts.

Highway Department

ATTACHMENT 08/24/09 B

Boger presented several ways to cut costs but still provide the same level of service to the residents. He said the current projects are progressing nicely. He also said that as in the past they will continue to seek grant money. He said that at this point there would be no new hires and if there is any attrition in the future, that career people be hired.

At 6:07 p.m., Pizzino called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

ATTACHMENT 08/24/09 C

Walters moved and Burger seconded a motion to approve and authorize our signatures on Certificates of Recognition for Herb Shreiner, Deputy Fire Chief, and Tracy Hogue, Fire Captain, for awards they received from the International Association of Arson Investigators.

3-0 yes

Pizzino called a short recess to allow time for pictures to be taken.

Pizzino called the General Session back to order.

Police Department

**RESOLUTION 09-065, ATTACHED
FULL TIME PATROL OFFICER**

Walters moved and Burger seconded a motion as required by the attached arbitration decision and pursuant to ORC Sections 505.49 and 509.01, we hereby reinstate and appoint, subject to the conditions set forth in the arbitration decision, Todd A. Macaluso to the position of full time Patrol Officer and Police Constable for the Jackson Township Police District Department, Stark County, Ohio, effective at 0001 on August 29, 2009 at the compensation rate and benefits contained in the Negotiated Agreement and we hereby accept the attached Oath of Office.

3-0 yes

ATTACHMENT 08/24/09 D

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board members signatures upon the attached Agreement with the Village of Beach City to sell the attached listed items for \$1.00.

3-0 yes

Administration Department

ATTACHMENT 08/24/09 E

Walters moved and Burger seconded a motion to approve the Township Budget/Planning Policy as amended.

3-0 yes

ATTACHMENT 08/24/09 F

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the Attached Negotiated Agreement between the Jackson Township Board of Trustees and The Fraternal Order of Police – Patrol Officers.

3-0 yes

ATTACHMENT 08/24/09 G

Walters moved and Burger seconded a motion to appoint Gary Zillich to serve as a member of the Jackson Township Board of Zoning Appeals, effective August 25, 2009, to complete an unexpired five-year term ending December 31, 2013.

3-0 yes

Pizzino said that Richard Dodson passed away unexpectedly last Friday and that he had been on the Board of Zoning Appeals for at least ten years. Pizzino said Mr. Dodson had done a great job for Jackson Township and that he will be sadly missed.

ATTACHMENT 08/24/09 H

Walters moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.150.5952, Transfer #214 – Park, to account code 101.110.5387, Discretionary, in the amount of \$45,656.34. **3-0 yes**

Zoning & Planning Department

ATTACHMENT 08/24/09 I

Poindexter began the continuance of the public hearing for nuisance violations at 6843 Highmill NW. She said the only thing left on the property on Friday, August 21, was the truck and the tractor. She said the tractor is gone and the truck has been moved to the driveway. She said Mr. Dodds did a very good job in getting the property cleaned up since the last meeting.

Mr. Dodds said the truck started but he found that it had no brakes and he didn't want to drive it with no brakes.

Pizzino told Mr. Dodds that he did an excellent job cleaning the property up.

Mr. Dodds said that Ron and Joni are tough but fair and that they are a credit to the department.

Walters told Mr. Dodds that they appreciated him cleaning the property up and asked that the property not be allowed to get to the point where the Board has to get involved again.

Pizzino pointed out that no action was needed since the property has been cleaned up.

Walters moved and Burger seconded a motion to set a public hearing for nuisance violations at 9065 Paulding Avenue NW on September 28, 2009 at 6:15 p.m. **3-0 yes**

RESOLUTION 09-066, ATTACHED

NOXIOUS WEEDS – ROLLING GREEN 1, ROLLING GREEN AVENUE NW, LOT 13, (16-28250), LOT 14 (16-28251), LOT 15 (16-28252) AND CLUB HOUSE CIRCLE NW, LOT 17 (16-28254).

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Rolling Green Land Company in Jackson Township, described as follows: Rolling Green 1, Rolling Green Avenue NW, Lot 13, (16-28250), Lot 14 (16-28251), Lot 15 (16-28252) and Club House Circle NW, Lot 17 (16-28254), Jackson Township.

Be it resolved that said Rolling Green Land Company, whose mailing address is 2229 Whipple Avenue NW, Canton, Ohio 44708, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such

lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. As stated in our prior courtesy letter to you, pursuant to ROC Sections 5579.06 and 5579.07, a \$150.00 administrative fee will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 09-067, ATTACHED
NOXIOUS WEEDS – 5580 CHEROKEE DRIVE NW, LOT #36 PORTAGE PARK
ESTATES 2, PARCEL NO. 16-04145.**

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Thames A. & Leslie J. Thomas in Jackson Township, described as follows: 5580 Cherokee Drive NW, Lot #36 Portage Park Estates 2, Parcel No. 16-04145, Jackson Township.

Be it resolved that said Thames A. & Leslie J. Thomas, whose mailing address is BAC Tax Services Corp, 2375 N. Glenville Drive TX2-975-02-01, Richardson, TX 75082, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. As stated in our prior courtesy letter to you, pursuant to ROC Sections 5579.06 and 5579.07, a \$150.00 administrative fee will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 09-068, ATTACHED
NOXIOUS WEEDS – 9810 EMERALD BROOK CIRCLE NW, EMERALD ESTATES 3,
LOT 133, 16-26800.**

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Michael & Dawn Kovak in Jackson Township, described as follows: 9810 Emerald Brook Circle NW, Canal Fulton, OH 44614, Emerald Estates 3, Lot 133, 16-26800, Jackson Township.

Be it resolved that said Michael & Dawn Kovack, whose mailing address is First America Re Tax Service (Farets), 1721 Moon Lake Blvd Suite 400, Hoffman Estates, IL 60169, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or

show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. As stated in our prior courtesy letter to you, pursuant to ROC Sections 5579.06 and 5579.07, a \$150.00 administrative fee will be placed on your tax duplicate. **3-0 yes**

Fire Department

ATTACHMENT 08/24/09 J

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 228.210.5220, Hospitalization Ins., to account code 228.210.5482, Cellular phones/pagers in the amount of \$3,000.00. **3-0 yes**

ATTACHMENT 08/24/09 K

Pizzino moved and Walters seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc./Conting., to account code 210.210.5398, Bldg. maint. & repair, in the amount of \$25,000.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to accept a \$100.00 donation to the Fire Department from June C. Mohr. **3-0 yes**

Highway Department

RESOLUTION 09-069, ATTACHED STOP SIGN

Walters moved and Burger seconded a motion to adopt and authorize the placement of a stop sign at Fawn Drive NW to stop northbound at Cardinal Hill Street NW. **3-0 yes**

Legal Department

RESOLUTION 09-070, ATTACHED

A RESOLUTION APPROVING AND ADOPTING AN ALTERNATIVE METHOD FOR APPORTIONING THE STARK COUNTY UNDIVIDED LOCAL GOVERNMENT FUND FOR 2010 THROUGH 2019.

Walters moved and Burger seconded a motion whereas, the Stark Council of Governments (SCOG) has represented the mutual interests of all Stark County political subdivisions in areas of health, safety and welfare such as the Crime Lab, METRO, fire safety programs and communications issues for over two decades; and

Whereas, SCOG has been funded pursuant to an alternative formula agreement for the apportionment of undivided local government tax funds under Chapter 5747 of the Ohio Revised Code by a majority vote of SCOG's membership from 1989 through 1999 and from 2000 through 2009; and

Whereas, a meeting of the general membership of SCOG was held on June 9, 2009, for the purpose of reviewing a professionally, independently prepared “Decennial Review of Methods for Apportioning 2010 through 2019 Funds” and the Allocation and Executive Committees recommended the continuation of the alternative method with slight modifications; and the general member ship unanimously adopted the recommendations;

Be it resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that:

Section 1. Pursuant to Section 5747.53 and Chapter 5747 of the Ohio Revised Code, which authorizes the County Budget Commission to apportion the Undivided Local Government Fund under an alternative method or on a formula basis, the Board of Trustees of Jackson Township hereby approves the continuation of the Alternative Method for apportioning the Stark County Undivided Local Government Fund, adding 2008 actual allocations to the calculation of the “Floor amount” and increasing the amount to SCOG to 9% for 2010 and beyond or until adjusted. Approval is further granted for the Stark County Budget Commission to apportion the 2010 through 2019 Stark County Undivided Local Government Fund according to the Alternative Method.

Section 2. The President of the Board of Trustees of Jackson Township is authorized to execute the Alternative Method Agreement. **3-0 yes**

ATTACHMENT 08/24/09 L

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Tamarkin Co., dba Portage Get Go, 4445 Portage Rd. NW, North Canton, OH 44720. **3-0 yes**

ATTACHMENT 08/24/09 M

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Tamarkin Co., dba Whipple Get Go 3381, 6215 Whipple Ave NW, North Canton, OH 44720. **3-0 yes**

Fiscal Office

ATTACHMENT 08/24/09 N

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$785,553.96. **3-0 yes**

ATTACHMENT 08/24/09 O

Pizzino moved and Burger seconded a motion to approve the August 10 and August 14, 2009 Board of Trustees meetings. **3-0 yes**

ATTACHMENT 08/24/09 P

Gonzalez explained this is a grant that the Police Department has applied for and this is to set up a fund to track the federal dollars coming in. Chief Neftzer said this is a grant that was applied for in cooperation with the County and the City of Canton. He said this grant money will be used for equipment acquisition.

Walters moved and Burger seconded a motion to create a new fund and related receipt and expense codes: Fund #236, ARRA Justice Asst Grant, Receipt Code 236.000.4591, ARRA Justice Asst. Grant, and Expense Code 236.250.5599, ARRA Fed. Grant Police Tools. **3-0 yes**

ATTACHMENT 08/24/09 Q

Walters moved and Burger seconded a motion to request for additional amended certificate in the amounts of Fed DOJ Equitable Share, \$6,329.60, and ARRA-Justice Asst Grant, \$30,285.00.

3-0 yes

ATTACHMENT 08/24/09 R

Walters moved and Burger seconded a motion to approve the supplemental appropriations in the amount of \$6,329.60, Fund #234, Federal DOJ Equitable Sharing, and \$30,285.00, Fund #236, ARRA – Justice Asst. Grant.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, September 14, 2009, 4:00 p.m., Executive Session and/or Work Session; 6:00 p.m., General Session, Township Hall.
- LOGIC, September 3, 2009, 9:00 a.m., Safety Center, Chief's Conference Room.
- CIC, September 21, 2009, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, August 27, 2009, 6:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, September 8, 2009, 5:30 p.m., Township Hall.
 - Highway/Traffic, November 18, 2009, 6:30 p.m., Township Hall.
 - Park, September 15, 2009, 6:30 p.m., Township Hall.

Old Business

ATTACHMENT 08/24/09 S

Walters moved and Burger seconded a motion to approve the language of the Cooperative Economic Development and Annexation Agreement between Jackson Township and the City of Canton.

3-0 yes

It was explained that this motion approves the text changes only. The agreement itself will not go into effect until after the court case North Canton has filed has been settled.

New Business – None

Public Speaks – Open Forum

No one came forward.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez