

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 27, 2007

Meeks called the meeting to order at 3:30 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Ruwadi present.

Meeks moved and Burger seconded a motion to go into Executive Session for Legal Department Personnel (Appointment/Employment/Compensation). **3-0 yes**

Meeks moved and Burger seconded a motion to go into Executive Session for Park Department Personnel (Appointment/Employment/Compensation) Interview park maintenance worker. **3-0 yes**

Meeks moved and Burger seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation/Promotion).

1. Interview Police Aide applicant.
2. Interview Secretary 1 applicant.
3. Interview part-time Patrol Officer Applicant.
4. Interview Lieutenant Applicants.

3-0 yes

Meeks opened the Work Session.

Work Session

Fire Department

ATTACHMENT 08/27/07 A

Meeks moved and Pizzino seconded a motion to approve Budget Module No. 07-33A, Ambulance Replacement Module Amendment, in the amount of \$25,000.00. **3-0 yes**

ATTACHMENT 08/27/07 B

Meeks moved and Pizzino seconded a motion to approve Budget Module No. 07-46, Fire Hose Replacement Second Module 2007, in the amount of \$15,000.00. **3-0 yes**

At 6:00 p.m., Meeks 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 – No one came forward.

Administration Department

RESOLUTION 07-094, ATTACHED

Meeks moved and Burger seconded a motion whereas, the Stark County Commissioners recommended that all political subdivisions within Stark County uniformly observe Halloween (door-to-door trick or treat activities) each year between 3:00 and 5:00 p.m. on the afternoon of October 31 if it falls on Saturday or Sunday or on the afternoon of the preceding Sunday if October 31 falls on weekday (Monday through Friday).

Now therefore be it resolved that, in accordance with the recommendation of the Stark County Commissioners, the Jackson Township Board of Trustees hereby designates Halloween (Trick or Treat) on Sunday, October 28, 2007 from 3:00 to 5:00 p.m., in Jackson Township. **3-0 yes**

ATTACHMENT 08/27/07 C

Lyon presented the savings analysis on natural gas during participation in the SCOG Natural Gas Aggregation Program. She explained how the program is expected to work this year and the estimated beginning cost. She pointed out the rate will be flexible for a period then become fixed. Pizzino pointed out that during the last two years there were only two months with savings. He questioned whether it was wise to lock into this program. Meeks suggested the Township look into pricing and locking into an agreement of its own. Gonzalez explained that two years ago there was a cold winter and prices went up, SCOG negotiated the best price they could. Last year was a mild winter and the rates dropped but members were locked into the higher price. Meeks pointed out that if you look at it overall, we have saved money, but it has reached a point where we need to look at other alternatives. The Law Director is to look into the possibility of withdrawing from the program if the prices do not appear favorable.

ATTACHMENT 08/27/07 D

Meeks moved and Pizzino seconded a motion to approve a salary increase for Legal Secretary/Assistant, Mary Raleigh, equal to the base salary of a Secretary 1 in the clerical bargaining unit, effective September 1, 2007. **3-0 yes**

Central Maintenance Department

RESOLUTION 07-095, ATTACHED

Meeks moved and Pizzino seconded a motion that a public auction shall be held on October 6, 2007 at 10:00 a.m. at Skipco Financial Adjusters, Inc., 700 Elm Ridge, Canal Fulton, Ohio 44614 for the purpose of auctioning the attached described personal property in accordance with the terms contained in the attached Notice of Public Auction which the Township Fiscal Officer is requested to post and advertise.

Be it further resolved that we hereby adopt and authorize the placement of our signatures upon the attached Agreement with Skipco Financial Adjusters, Inc. and authorize the President, Fiscal Officer or Law Director to execute all documents necessary to accomplish the auction. **3-0 yes**

Fire Department

ATTACHMENT 08/27/07 E

Meeks moved and Burger seconded a motion to authorize Frank Krauss and Eric Gunn to travel to Waterloo, Iowa on September 5 and 6, 2007 for inspection of new squad, in accordance with the Travel Policy. **3-0 yes**

Park Department

ATTACHMENT 08/27/07 F

Meeks moved and Pizzino seconded a motion to authorize the hiring of Stephen J. Horvath as a park maintenance worker, through the temporary service, subject to a negative drug screen, at the rate of \$8.00 per hour, effective August 29, 2007, per the recommendation of the Park/Operations Director. **3-0 yes**

Police Department

ATTACHMENT 08/27/07 G

Meeks moved and Burger seconded a motion to hire Cheryl Chamberlin as a part-time Police Aide, through the temporary service, at the rate of \$8.25 per hour, effective September 1, 2007. **3-0 yes**

RESOLUTION 07-096, ATTACHED

Meeks moved and Burger seconded a motion to authorize the hiring of Lori A. Foutz for the full-time position of Secretary 1 in the Police Department, effective September 4, 2007, who will be compensated at the rate established in the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, In.c, Office and Clerical Employees.

Be it further resolved that Lori A. Foutz will serve a six month probationary period during which time she may be terminated without cause by the Board of Trustees. **3-0 yes**

ATTACHMENT 08/27/07 H

Meeks moved and Burger seconded a motion to authorize advertising for a Secretary 2 position in the Police Department. **3-0 yes**

RESOLUTION 07-097, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Section 505.49 and 509.01, we hereby appoint Terry Toulson as Part Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, contingent upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the psychological and physical evaluation, background check, negative drug screen and any other testing requirements. **3-0 yes**

ATTACHMENT 08/27/07 I

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5396, Vehicle Maint. & Repair/Labor, in the amount of \$27,000.00, from account code 209.250.5387, Discretionary, to account code 209.250.5319, Tuition Reimbursement, in the amount of \$2,500.00, from account code 209.250.5387, Discretionary, to account code 209.250.5414, Equip. Maint. Contract, in the amount of \$2,500.00, and from account code 209.250.5387, Discretionary, to account code 209.250.5392, Small Equip. Repairs, in the amount of \$2,500.00, for a total of \$34,500.00.

3-0 yes

ATTACHMENT 08/27/07 J

Meeks moved and Burger seconded a motion to authorize Major Zink and Officer Lenemier to travel to Columbia, South Carolina on September 10-13, 2007 for SWAT Supervision School, in accordance with the Travel Policy.

3-0 yes

Zoning and Planning Department

ATTACHMENT 08/27/07 K

Pizzino moved and Meeks seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 11th day of June, 2007 it was informed in writing that noxious weeds were growing on lands of Wells Fargo Bank N.A. in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 5140 Fleetwood Avenue NW, Lot #22, Lake Cable Farmlet, Parcel Nos. 16-23031 & 16-23032, S.E. Qtr. Section 22, Jackson Township, and thereupon said Jackson Township Trustees caused said noxious weeds to be cut or destroyed by the Jackson Township Park Department.

The following is a statement for the charges for labor, materials, and equipment used. . . \$400.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund.

3-0 yes

RESOLUTION 07-098, ATTACHED

Pizzino moved and Meeks seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious weeds are growing on the lands in charge of Linda Keiks, Jackson Township, described as follows: Parcel No. 1616845, at 6625 Fulton Rd. NW, Jackson Township.

Therefore, be it resolved that said Linda Keiks, whose tax mailing address is 6625 Fulton Rd. NW, Canton, OH 44718, 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. 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. **3-0 yes**

RESOLUTION 07-099, ATTACHED

Pizzino moved and Meeks seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious weeds are growing on the lands in charge of Endo Shiho, Jackson Township, described as follows: Parcel No. 1610246, at 8400 Hearth Cir. NW, Jackson Township.

Therefore, be it resolved that said Endo Shiho, whose tax mailing address is “Lehman Brothers Bank” 820 Genesee Ave., Los Angeles, CA 90036 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. 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. **3-0 yes**

RESOLUTION 07-100, ATTACHED

Pizzino moved and Meeks seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious weeds are growing on the lands in charge of HSBC Mortgage Services, Inc., Jackson Township, described as follows: Parcel No. 1611936, at 5833 Ballyshannon Cir. NW, Jackson Township.

Therefore, be it resolved that said HSBC Mortgage Services, Inc., whose tax mailing address is 636 Grand Regency Blvd., Brandon, FL 33510, 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. 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. **3-0 yes**

RESOLUTION 07-101, ATTACHED

Pizzino moved and Meeks seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious weeds are growing on the lands in charge of Novastar Mortgage, Inc., Jackson Township, described as follows: Parcel No. 1611933, at 5811 Ballyshannon Cir. NW, Jackson Township.

Therefore, be it resolved that said Novastar Mortgage, Inc., whose tax mailing address is “First American RE Tax Service”, 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. 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. **3-0 yes**

RESOLUTION 07-102, ATTACHED

Pizzino moved and Meeks seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious weeds are growing on the lands in charge of TOP Enterprises, Jackson Township, described as follows: Parcel No. 1627991 & 1627992, at Trail Head Cir. NW, Jackson Township.

Therefore, be it resolved that said TOP Enterprises, whose tax mailing address is 7694 Strausser NW, N. Canton, OH 44720, 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. 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. **3-0 yes**

Meeks moved and Burger seconded a motion to set a public hearing for Zoning Amendment 563-07 on September 10, 2007 at 6:30 p.m. **3-0 yes**

Fiscal Office

ATTACHMENT 08/27/07 L

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,038,736.88.

Meeks	abstained
Pizzino	yes
Burger	yes

ATTACHMENT 08/27/07 M

Meeks moved and Pizzino seconded a motion to approve the minutes of the August 3 and August 13, 2007 Board of Trustees' meetings. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, September 10, 2007, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.

- LOGIC, September 6, 2007, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, September 17, 2007, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, September 13, 2007, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Park, September 11, 2007, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 14, 2007, 6:30 p.m., Township Hall.
- Fulton/Wales Intersection Improvement Project Update:
Trees and other obstructions have been removed. New power and telephone poles are being set along Wales and Fulton to be followed by wire transfers and removal of the old poles. Underground gas lines will be relocated this fall. The contractor, who will be contracted by ODOT in December, will widen and improve the intersection in 2008 and finish in 2009. Traffic will be maintained in all directions during construction.

Old Business – None

New Business

Meeks moved and Pizzino seconded a motion to accept a \$411.07 donation from John Knox Presbyterian Church to the Park Department. **3-0 yes**

Highway Department

RESOLUTION 07-103, ATTACHED

Meeks moved and Pizzino seconded a motion that we hereby determine that Tony Zumbo & Son Construction Co., Inc. is the lowest and best bidder for the 2007 Curbing Replacement Project and hereby award a Contract to them in the base bid amount of \$146,880.00 with Alternate A in the amount of \$17,884.80, Alternate B in the amount of \$4,694.40 and Alternate C in the amount of \$23,472.00 for a total Contract price of \$192,931.20 in accordance with the Company's proposal and the enclosed or other Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

ATTACHMENT 08/27/07 N

Meeks moved and Burger seconded a motion to approve Budget Module No. 17-A-07, Curbing, in the amount of \$43,000.00. **3-0 yes**

ATTACHMENT 08/27/07 O

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5607, Curbing, in the amount of \$43,000.00. **3-0 yes**

ATTACHMENT 08/27/07 P

Pizzino moved and Burger seconded a motion to table the resolution for the Safe Routes to School Project. **3-0 yes**

Meeks pointed out this is a project that has been going on for a few months, in conjunction with the road improvement. This is to apply for a grant from the State to offset the cost of sidewalks from Sauder School, down Mudbrook to Wales, south on Wales along the Township side, to the Fulton corner where the sidewalk will turn west on Fulton Road and on the Township side to the green path. Part of that is Phase I and as such are in the plans for crosswalks and lighting, to provide safe crossing at the intersections. Another phase goes east on Fulton, on the south side, into the Willmoll parcel, and will go east as far as Foxchase where Noble’s Pond sidewalks will tie in. The south on Fulton to Caritas, crosses Caritas with a lighted crosswalk. Then as the Mercy property is developed, the sidewalk will go up to the YMCA. There will be an internal roadway from Caritas north to Fulton which will also have a sidewalk. Eventually there will be a sidewalk on the northeast side of Fulton and Wales, from the intersection, just past Dad’s Car Wash, west to the gas station, north along the east side of Wales up to Mudbrook. Then on the southwest corner of Fulton and Wales from the High School parking lot, cross Fulton with crossing lights, then later to go south along Wales. This would be the last phase if it were found to be needed.

RESOLUTION 07-104, ATTACHED

Meeks moved and Pizzino seconded a motion pursuant to ORC Sections 505.17 and 4521.02 (A) and ORC Chapter 4521, the Board of Trustees of Jackson Township, Stark County, Ohio hereby amends, effective September 26, 2007, the non criminal parking infraction violations legislation previously adopted and amended to include the following described area of Skylane Street NW to read as follows:

No parking on the north side of Skylane Street NW within 30’ of existing stop sign. **3-0 yes**

ATTACHMENT 08/27/07 Q

Meeks moved and Pizzino seconded a motion to adopt the attached Traffic Signal Addendum #2 for the Arlington/Fulton Traffic Light Project. **3-0 yes**

Public Speaks – Open Forum

Madeline Palmer, works for psychologist in the area, wanted to speak regarding abused children. She brought her grandchildren in to speak.

Kaleena Lloyd Wright, said she and her brother were being abused while on visitation to their dad. She went to the Jackson Police and said nothing has happened. She has also talked to Child Services but was told she was lying and her mom had put her up to it. She said she wouldn’t

make a big deal out of it if it was something her mom was trying to get her to do. She said she didn't want to see her brother get hurt anymore, she has a protection order now but her brother doesn't.

Meeks told Ms. Lloyd Wright that whatever could be done to protect her, her brother and mother would be done. He asked Chief Neftzer to talk with them during the break to see what could be done for them.

Boger opened the bids for the Arlington/Fulton Traffic Signal.

He explained the alternate is a video system to operate the signals as opposed to the buried sensing devices.

Perram Electric	\$62,680.20	Alternate, if used \$8,000.00 credit
Lafayette Electric	\$71,906.25	Alternate \$24,800.00
W. W. Schaub Electric	\$60,009.45	Alternate \$25,151.00
Thompson Electric	\$74,348.65	Alternate \$25,000.00
Ridge Electric	\$71,636.75	Alternate \$30,000.00

Meeks moved and Burger seconded a motion to go back into Executive Session for Police Personnel (Appointment/Employment/Compensation/Promotion). **3-0 yes**

Upon return from Executive Session, Meeks called the meeting back to order.

RESOLUTION 07-105, ATTACHED

Meeks moved and Burger seconded a motion pursuant to the enclosed Memorandum of Understanding, we hereby appoint Richard Mitchell to the position of Full Time Lieutenant in the Jackson Township Police District Department, Stark County, Ohio effective September 1, 2007, who will be compensated at the rate and benefits established in the Negotiated Agreement between the Board of Trustees of Jackson Township and the Fraternal Order of Police, Ohio Labor Council, Inc., with a probationary period of 365 days. **3-0 yes**

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

Steven Meeks

Randy Gonzalez