

**RECORD OF PROCEEDINGS**

**MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING**

**AUGUST 29, 2013**

Walters called the meeting to order at 4:30 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, and Lyon present.

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

Walters moved and Hawke seconded a motion to go into Executive Session to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual. **3-0 yes**

Upon return from Executive Session, Walters called the General Session to order at 5:14 p.m. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

**Public Speaks – None**

**Fire Department**

**ATTACHMENT 08/29/13 A**

Walters moved and Pizzino seconded a motion to approve Budget Module 210-13-08 for Station 2 Back-up Generator in the amount of \$20,000.00. **3-0 yes**

**Legal Department**

**ATTACHMENT 08/29/13 B**

Walters moved and Hawke seconded a motion not to request a hearing on the liquor license to Goodluck Enterprises LLC dba BP Portage, 4625 Portage Rd., North Canton, OH 44720. **3-0 yes**

**ATTACHMENT 08/29/13 C**

Walters moved and Hawke seconded a motion not to request a hearing on the liquor license to Volkerts Hills and Dales LLC dba Hills and Dales Beverage, 4641 Hills and Dales Rd. N.W., Canton, OH 44708. **3-0 yes**

**ATTACHMENT 08/29/13 D**

Walters moved and Pizzino seconded a motion to authorize advertising for the position of part-time law director with a salary range of \$50,000.00 - \$60,000.00. **3-0 yes**

**Public Works Department**

**Highway Division**

**ATTACHMENT 08/29/13 E**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5458, Other Professional Svc., in the amount of \$1,535.00. **3-0 yes**

**Park Division**

Walters moved and Hawke seconded a motion to accept a \$1,500.00 donation to the parks from Jackson Township Rotary Foundation from their Field of Honor/Field of Heroes event. **3-0 yes**

**Zoning & Planning Department**

**ATTACHMENT 08/29/13 F**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request form account code 213.160.5110, Full Time Salaries, to account code 213.160.5112, Part Time Salaries, in the amount of \$15,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to set a public hearing on September 10, 2013 at 5:30 p.m. to consider revisions to Amendment 570-07 previously approved on 6/11/07 for an R-3 Residential Planned Unit Development site plan (Crown Pointe). Applicant: Atwell LLC, agent for Donald, Paul and Herbert Schalmo, property owners; property location: 28.43 acres at the NE corner of Portage and Lutz. **3-0 yes**

**ATTACHMENT 08/29/13 G**

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 7<sup>th</sup> day of May, 2013 it was informed in writing that noxious weeds were growing on lands of Rizk Towers LLC in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 4041 Batton Street NW, Parcel No. 16-09122, NE Qtr. Section 12, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$675.00</u>
Total	\$825.00

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**

**ATTACHMENT 08/29/13 H**

Walters moved and Hawke seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 7<sup>th</sup> day of May, 2013 it was informed in writing that noxious weeds were growing on lands of Suntrust Mortgage in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 3455 Shellburne Avenue NW, Lot #40, Saybrook Village, Parcel No. 16-09849, NW Qtr. Section 34, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

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**

**ATTACHMENT 08/29/13 H**

Walters moved and Pizzino seconded a motion to waive the \$150.00 Administrative Fee contained in Noxious Weed Resolution 13-061, for property at 6261 Redford Road NW, Lot 72, Pine Creek Allotment 3, as requested by Chris Poa.

Walters and Pizzino withdrew the motion to waive the \$150.00 Administrative Fee contained in Noxious Weed Resolution 13-061, for property at 6261 Redford Road NW, Lot 72, Pine Creek Allotment 3, as requested by Chris Poa.

Walters moved and Hawke seconded a motion not to waive the \$150.00 Administrative Fee contained in Noxious Weed Resolution 13-061, for property at 6261 Redford Road NW, Lot 72, Pine Creek Allotment 3, as requested by Chris Poa. **3-0 yes**

**ATTACHMENT 08/29/13 I**

Walters moved and Hawke seconded a motion not to waive the \$150.00 Administrative Fee contained in Noxious Weed Resolution 13-060, for Lot 9, Chippewa Avenue NW, as requested by Wade H. Huthmacher. **3-0 yes**

**Fiscal Office**

**ATTACHMENT 08/29/13 J**

Walters moved and Hawke seconded a motion to pay the bills in the amount of \$460,705.53. **3-0 yes**

**ATTACHMENT 08/29/13 K**

Walters moved and Hawke seconded a motion to approve the minutes of the August 13, 2013 Trustees' meeting. **3-0 yes**

**ATTACHMENT 08/29/13 L**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 101.150.5804, County Auditor Fees, to account code 101.150.5656, Inventoried Equipment, in the amount of \$1,660.00. **3-0 yes**

**Routine Business**

**Announcements**

- Next regular Board of Trustees meeting, September 10, 2013, 4:00 p.m., Executive Session and/or Work Session, 5:00 p.m., General Session, Township Hall.
- LOGIC, September 5, 2013, 9:00 a.m., Jackson Safety Center, Chiefs' Conference Room.
- CIC, September 16, 2013, 8:00 a.m., Township Hall.
- Zoning Commission, September 12, 2013, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
  - Community Celebration, September 11, 2013, 5:30 p.m., Township Hall.
  - Park, September 11, 2013, 6:30 p.m., Township Hall.
  - Highway/Traffic, November 13, 2013, 6:30 p.m., Township Hall.
- Friends of the Jackson Parks, September 11, 2013, 7:00 p.m., Township Hall.
- Jackson Township Recycling Station Board, September 25, 2013, 11:00 a.m., Buehler's Community Room.
- Jackson Township Farmers Market, Thursdays through September 19, 3:00 – 6:30 p.m., Jackson North Park.

**Old Business** – None

**New Business** - None

**Public Speaks – Open Forum**

No one came forward.

At 5:30 p.m., Walters opened the public hearing on street lighting district for Concord Street, continued from August 13, 2013.

Walters said the public hearing held two weeks ago produced some disagreement regarding the installation of street lights. He said it had been decided to postpone the hearing and give residents a chance to re-evaluate the lighting district.

Gonzalez said letters were sent out with more explanation on what the lights would look like and the cost of installation and operation of the lights. He said he visited the site and there would be a lot of trees to be cleaned out. He said the surveys came back pretty good and those that were in favor of the district were those that lived in the area that already has existing poles in the front yards. He said of those that would be getting new poles and wires in the front only three were in favor. He said the numbers came back at less than fifty percent in favor.

Walters asked if anyone wanted to address the Board regarding the issue.

Frank Gessel, 1125 Concord St. NW, told the Board that residents circulating petitions should pass out a fact sheet first and allow people time to review that, then go back and present the petition.

Gonzalez said the petition was started some time ago and all the information was not available at the time.

**RESOLUTION 13-063, ATTACHED  
CONCORD STREET LIGHTING DISTRICT**

Walters moved and Pizzino seconded a motion that a hearing having been had upon the attached petition requesting that the Board of Jackson Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this Township, following notice and actual view taken, and the Board of Township Trustees finding:

- (1) That the petition was filed with the Township Fiscal Officer on June 5, 2013 and that the Board of Township Trustees was duly notified by him of such filing and a copy of the petition was delivered to it on July 15, 2013.
- (2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with the law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and
- (3) That due notice of a hearing before the Board of Township Trustees on the petition for Concord Street was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published as against nonresidents pursuant to ORC 515.04, and return of due service and publication was made according to law.
- (4) During the hearing before the Board of Trustees, evidence was presented that a number of owners of the front feet of the lots and lands abutting on the streets and public ways of

the aforesaid district were no longer in favor of the district and requested their names be removed from the petition.

Be it further resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that the proposed petition be denied as it has failed to contain valid signatures of owners of more than one-half of the front of the lots and lands abutting on the streets and public ways of any unincorporated district as required by ORC Section 515.02. **3-0 yes**

Walters moved and Hawke seconded a motion to adjourn. **3-0 yes**

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**James Walters**

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**Randy Gonzalez**