

**RECORD OF PROCEEDINGS**

**MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING**

**JULY 10, 2006**

Pizzino called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon and Fitzgerald present.

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

1. Interview applicant for tax abatement review committee.
2. Interview receptionist/secretary applicant.
3. Temporary service employee.
4. Park personnel.
5. Zoning personnel.

**3-0 yes**

Pizzino moved and Meeks seconded a motion to go into Executive Session to review negotiations.

**3-0 yes**

Pizzino moved and Meeks seconded a motion to go into Executive Session for land acquisition – to consider property for public purposes.

**3-0 yes**

Upon return from Executive Session, Pizzino called the General Session to order at 6:00 p.m. 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.

**Administration Department**

**ATTACHMENT 07/10/06 A**

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.110.5110, Salaries, to account code 101.110.5114, Temp. Services, in the amount of \$3,000.00.

**3-0 yes**

**ATTACHMENT 07/10/06 B**

Meeks moved and Burger seconded a motion to approve the Jackson Sideliners request to waive the \$200.00 zoning variance application fee.

**3-0 yes**

**ATTACHMENT 07/10/06 C**

Pizzino moved and Burger seconded a motion to appoint Steven M. Meeks to the at-large township trustee position on the Stark County 9-1-1 Planning Committee in accordance with the recommendation of the Stark County Township Association.

**3-0 yes**

**ATTACHMENT 07/10/06 D**

Meeks moved and Burger seconded a motion to approve the Jackson Township Community Celebration Policy for the handling of unattended children and handicapped adults. **3-0 yes**

**RESOLUTION 06-064, ATTACHED**

Meeks moved and Burger seconded a motion to renew the attached Lease with the Jackson Township Recycling Station, Inc. for a one year term expiring August 31, 2007. **3-0 yes**

**ATTACHMENT 07/10/06 E**

Meeks moved and Burger seconded a motion to accept the resignation of Aletha M. Magyaros from the Jackson Township Zoning Commission effective July 25, 2006. **3-0 yes**

**RESOLUTION 06-065, ATTACHED**

Meeks moved and Pizzino seconded a motion to authorize the hiring of Michelle Dennis for the full-time position of Receptionist/Secretary in the Administration Department, effective July 25, 2006, 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, Inc., Office and Clerical Employees.

Be it further resolved that Michelle Dennis 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 07/10/06 F**

Meeks moved and Burger seconded a motion to authorize posting in-house the vacant position of Park Director in accordance with the hiring policy. **3-0 yes**

**Fire Department**

**ATTACHMENT 07/10/06 G**

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5220, Hospitalization, to account code 210.210.5398, Bldg. maint. & repairs, in the amount of \$40,000.00. **3-0 yes**

**Highway Department**

**ATTACHMENT 07/10/06 H**

Meeks moved and Burger seconded a motion to approve the attached "if authorized" items in Modification No. 3 to the Fulton / Wales Intersection Improvement Engineering Agreement. **3-0 yes**

**ATTACHMENT 07/10/06 I**

Meeks moved and Burger seconded a motion to approve Highway Budget Module No. 20-A-06, New Construction, Fulton / Wales Intersection Improvement, in the amount of \$7,245.00. **3-0 yes**

**ATTACHMENT 07/10/06 J**

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5220, Hospitalization, to account code 324.310.5387, Discretionary, in the amount of \$7,245.00. **3-0 yes**

**RESOLUTION 06-066, ATTACHED**

Meeks moved and Burger seconded a motion to adopt and authorize the placement of stop signs at Shiloh Street NW to stop eastbound and westbound at Blue Ash Ave. NW, and the removal of stop signs at Blue Ash Ave. NW to stop northbound and southbound at Shiloh Ave. NW.

**3-0 yes**

**RESOLUTION 06-067, ATTACHED**

Meeks moved and Burger seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached agreement with the Board of Stark County Commissioners for the Frank Avenue Improvement project.

**3-0 yes**

**Legal Department**

**RESOLUTION 06-068, ATTACHED**

Pizzino moved and Burger seconded a motion to adopt the attached Amended Tax Abatement Policy and appoint the attached listed individuals to the Abatement Review Committee. **3-0 yes**

Pizzino moved and Burger seconded a motion to add Steven Meeks to the Tax Abatement Review Committee. **3-0 yes**

**RESOLUTION 06-069, ATTACHED**

Meeks moved and Pizzino seconded a motion that pursuant to ORC Section 504.04(B)(4) and 504.13, in order to protect the health, safety and welfare of the inhabitants of the Township, it is necessary and desirable to amend the Jackson Township Property Maintenance Code to now regulate the repair and maintenance of existing dwellings owner occupied, rental or otherwise owned in the Township and to, adopt the 2006 International Property Maintenance Code, as published by the International Code Council, Inc., with amendments by the Board of Trustees of Jackson Township made thereto.

Be it resolved that:

1. The Board of Trustees proposes to amend the Jackson Township Property Maintenance Code to, among other matters, adopt the 2006 International property Maintenance Code, as published by the International Code Council, Inc.; with the attached amendments by the Board of Trustees of Jackson Township made thereto.
2. Two public hearings shall be held on the proposed Code amendments at the Township Hall, 5735 Wales Avenue NW, Massillon, OH 44646 on July 24, 2006 at 6:45 p.m. and August 14, 2006 at 6:45 p.m.
3. The Fiscal Officer shall keep a complete copy of the Jackson Township Property Maintenance Code and the proposed amendments thereto at the Township Offices

for inspection by the public and shall cause the attached notice of the hearings to be published in the Massillon Independent, a newspaper of general circulation in the Township. **3-0 yes**

**ATTACHMENT 07/10/06 K**

Meeks moved and Pizzino seconded a motion pursuant to ORC Section 309.09(B), to employ and authorize the law firm of Krugliak, Wilkins, Griffith & Dougherty Co. LPA to advise and represent the Board of Trustees of Jackson Township, Stark County, Ohio or any other member or employee thereof in any issues or matter as requested by the Board of Trustees or Law Director including labor negotiations, grievance administration or arbitration hearings, unfair labor practice charges or other personnel issues or matters at the rate of \$125 per hour in accordance with the attached purchase order. **3-0 yes**

**ATTACHMENT 07/10/06 L**

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.140.5387, Discretionary, to account code 101.140.5440, Legal Services, in the amount of \$8,500.00. **3-0 yes**

**Police Department**

**ATTACHMENT 07/10/06 M**

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.255.5112, Part-time wages, to account code 209.250.5120, Overtime Wages, in the amount of \$6,000.00. **3-0 yes**

**ATTACHMENT 07/10/06 N**

Meeks moved and Burger seconded a motion to authorize the hiring of Joseph Sheridan as a part-time courier, through the temporary service, subject to a negative drug screen, at the rate of \$8.00 per hour, effective July 11, 2006. **3-0 yes**

Meeks explained that hiring a courier will represent a savings. Currently a patrol officer is used approximately 10 hours per week at about \$22.72 per hour. Hiring a courier drops the cost more than half and keeps the patrol officer on the streets.

**Fiscal Office**

**ATTACHMENT 07/10/06 O**

Meeks moved and Burger seconded a motion to pay the bills in the amount of \$506,240.43. **3-0 yes**

**ATTACHMENT 07/10/06 P**

Meeks moved and Burger seconded a motion to approve the minutes of the June 26, 2006 Board of Trustees meeting. **3-0 yes**

## **ATTACHMENT 07/10/06 Q**

Meeks moved and Burger seconded a motion to approve the financial reports for June 2006.

**3-0 yes**

### **Central Maintenance**

Moore informed the Board that the last cruiser should be in service by Wednesday putting all five cars on patrol.

### **Routine Business**

#### **Announcements**

- Jackson Community Celebration, July 12 through July 15, 2006, North Park.
- The Township's Yard Waste Drop Off Site on Fulton Road will be closed on Saturday, July 15, due to fireworks scheduled for the Community Celebration.
- Next regular Board of Trustees meeting, July 24, 2006, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, August 3, 2006, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, August 7, 2006, 5:30 p.m., Jackson Library.
- Board of Zoning Appeals, July 13, 2006, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
  - Park, July 18, 2006, 6:30 p.m., Township Hall.
  - Highway/Traffic, August 16, 2006, 6:30 p.m., Township Hall.

### **Old Business**

### **Township Agreement**

## **ATTACHMENT 07/10/06 R**

Meeks: I asked to have this put on here. As we have stated numerous times in the past and we'll be talking about it, I'm sure, in the future. We are in the scope of neighboring communities. One neighboring community we have talked to numerous times and that is the City of North Canton. As I stated early on, numerous times, that within the next three years our funding will be cut tremendously through the State without any ways to offset those cuts for a new funding generator other than the answer from the State is an operational levy which, this Board member and I'm sure you guys feel the same, is opposed to any more levies that would attack the personal property taxes. So what we do is we try and look at what are our options out there and I

think neighboring communities that are faced with financial straits and cutbacks are doing the same thing. So right now, as they knock on our door we graciously welcome them to our community to talk. And that is exactly what this is. The City of North Canton what we had said to them was if you're interested in communicating and talking about how we can help you help us, first and foremost, you have got to do away with your water agreement. For those of you who don't know what the water agreement is, the City of North Canton, in the past regime, put a water agreement together that when they sold water in our community, in our industrial park, that purchaser of the water waived their right to protest against annexation. It actually gave that parcel to the Mayor, that at any time that they could use that for an annexation of our properties. What this is, is the first step in seeing that they would be sincere in talks and I think tonight at their meeting they are introducing this to their council and they will be, hopefully, passing it. But as we get into the talks further, there's nothing other than seeing if there's anything we can do together to help offset any costs that we may tend to lose in the future. We're at least willing to do that. And that's what this is about. I wanted to bring the Board up to date on it.

Pizzino: Thank you, any questions for Mr. Meeks or Mr. Gonzalez?

Gonzalez: I might add, John, the old and the new is in here. We started negotiations with Mayor Rice – I think it was probably a year and a half ago. The negotiations were ongoing and Mike Thompson gave a report to the Board about this about a year ago. This was held up because of the election in North Canton. Things have changed a little bit but we have since met with a couple members of council about four times. There's very little change to the original discussion.

Pizzino: Thank you, Randy.

### **New Business**

#### **ATTACHMENT 07/10/06 S**

Pizzino moved and Meeks seconded a motion to set a public hearing for Aberdeen Glen No. 3 Street Lighting Petition on July 24, 2006 at 6:30 p.m. **3-0 yes**

#### **ATTACHMENT 07/10/06 T**

Meeks moved and Pizzino seconded a motion not to request a hearing on the transfer of ownership of liquor license for MPMGI LLC, dba Hills & Dales Beverage, 4641 Hills & Dales Rd. NW, Canton, Ohio 44708. **3-0 yes**

#### **ATTACHMENT 07/10/06 U**

Meeks moved and Burger seconded a motion not to request a hearing on the transfer of ownership of liquor license for Joseph L. Riffil dba Riffils Riverside Bar and Grill, 9200 Forty Corners Rd. N.W., Massillon, OH 44646. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$100.00 sponsorship donation to the Community Celebration from Burnham & Flower Agency of Ohio. **3-0 yes**

Meeks moved and Burger seconded a motion to accept four \$5.00 Gift Certificates from Perkins Restaurant for the Community Celebration. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a Gift Certificate from Comfort Inn for one night's lodging. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$200.00 donation to the Park Department from Jackson Fury Soccer Club. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$25.00 donation to the Fire Department from Patricia Obreza in memory of Charles Kramer. **3-0 yes**

### **Zoning & Planning Department**

#### **RESOLUTION 06-070, ATTACHED**

Pizzino moved and Burger seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Thomas Suter, in Jackson Township, described as follows: 5621 Echodell NW, North Canton, OH 44720, Jackson Township.

Therefore, be it resolved that said Thomas Suter, whose tax mailing address is 5621 Echodell NW, North 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 to 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<sup>th</sup>. 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**

### **Public Hearing on Nuisance Violation**

#### **ATTACHMENT 07/10/06 V**

At 6:30 p.m., Pizzino opened the public hearing on the nuisance violation at 4531 Erie Avenue NW.

Poindexter presented the correspondence, photos, and extensions involved with the case stating that the owner was given a final extension until May 30<sup>th</sup>. Pizzino asked if anyone wished to speak either for or against this case.

Pizzino moved and Meeks seconded a motion to declare the property at 4531 Erie Avenue NW a public nuisance to be cleaned up by July 28, 2006. **3-0 yes**

### **ZONING AMENDMENT 553-06**

#### **ATTACHMENT 07/10/06 W**

At 6:45 p.m., Pizzino opened the public hearing on zoning amendment 553-06.

Poindexter presented the amendment. The property owner is Power Resources Operating Company, 4051 Whipple Ave. N.W., Canton. The applicant is Parker Construction Group, 4501 Navarre Rd. S.W., Canton and Cooper & Associates, LLP, 1359 Market Ave. N., Canton. The application is signed by Bill Parker with a proposal to rezone R-R (Rural Residential District) to B-1 (Suburban Office & Limited Business District) .50 acres, more or less, parcel 1702551, Section 25NE Jackson Township.

The Regional Planning Commission recommended approval based on the following:

1. The acreage proposed for rezoning is part of a larger tract with frontage on Whipple Avenue, which is already zoned B-1 Suburban Office and Limited Business. Said acreage is surrounded by B-1 zoning on three sides, with R-R zoning to the west and southwest.
2. This general area is developed with offices and retail businesses along Whipple Avenue in both Jackson and Plain Townships. An existing ditch/stream runs along the west side of the said tract, which creates a natural buffer between the residential uses to the southwest and the commercial uses along Whipple and Munson.
3. The extension of the B-1 district should not have a detrimental effect on the existing residential uses.

The Zoning Commission recommended approval on June 15<sup>th</sup>.

Pizzino asked if anyone wished to speak in favor of the amendment.

Brian Ashman with Cooper and Associates, 1359 Market Ave. N., Canton, Ohio, engineers for the project, presented maps showing the property and surrounding area. He explained that the building will be a commercial condominium office complex. The building itself will be in the current B-1 district but the zoning change is needed for the parking area for the new building. There was some discussion of water run-off and retention. Mr. Ashman said they design to a 100 year flood plan and part of the plan would probably provide for retention basins under the parking lot.

James Dutrow, 214 Williams Place, Alliance, Ohio is the Corporate Manager of Affairs for Power Resources. He explained that this is a relatively new office concept for this area, although it is currently in use in the Atlanta area. He said he is hoping to make this project as successful, not only for Power Resources but for Jackson Township as well, as their previous project.

Meeks moved and Burger seconded a motion to adopt the recommendation of the Zoning Commission. **3-0 yes**

### **Public Speaks – Open Forum**

No one came forward.

Meeks moved and Burger seconded a motion to adjourn.

**3-0 yes**

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**John Pizzino**

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**Randy Gonzalez**