

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JUNE 26, 2012

Walters called the meeting to order at 4:05 p.m. at the Jackson Township Hall with Trustees Walters and Pizzino, Fiscal Officer, Lyon, Fitzgerald, Hogue and Zink present. Trustee Hawke was on vacation.

Walters moved and Pizzino seconded a motion to go into Executive Session for Management Personnel (Appointment/Employment/Compensation). **2-0 yes**

Walters moved and Pizzino seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation/Promotion). **2-0 yes**

Walters moved and Pizzino seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation/Promotion). **2-0 yes**

Upon return from Executive Session, Walters called the General Session to order at 5:27 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

Police Department

RESOLUTION 12-050, ATTACHED

APPOINTMENT OF PART TIME POLICE PATROL OFFICER

Walters moved and Pizzino seconded a motion whereas, Resolution No. 12-043 is incorporated herein, and Jeffery M. Caughey has successfully completed the psychological and physical testing or other requirements.

Be it resolved that, pursuant to ORC Section 505.49 and 509.01, Jeffery M. Caughey is hereby appointed as Part Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, effective June 30, 2012, at the established compensation rate and we hereby accept the attached Oath of Office. **2-0 yes**

Walters administered the oath of office.

RESOLUTION 12-051, ATTACHED

SERGEANT'S PROMOTION

Walters moved and Pizzino seconded a motion whereas, on May 22, 2012, we established the Sergeant's Promotion Eligibility List, which is incorporated herein.

Be it resolved that, pursuant to Article 36 of the Negotiated Agreement, we hereby appoint Jason W. Collins to the position of Full Time Sergeant in the Jackson Township Police District Department, effective 0001 on June 26, 2012, with a probationary period of three hundred sixty five days and we hereby accept the attached Oath of Office. **2-0 yes**

Walters administered the oath of office. He called a short recess to allow time for photos.

Walters moved and Pizzino seconded a motion to accept the donation of radios from CCI-CRI. **2-0 yes**

Administration Department

ATTACHMENT 06/26/12 A

Walters moved and Pizzino seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with the Rotary, Lions, and Kiwanis Clubs for the distribution of proceeds from the Celebration amusement company. **2-0 yes**

ATTACHMENT 06/26/12 B

Walters moved and Pizzino seconded a motion to approve the Negotiated Agreement between the Jackson Township Board of Trustees and the Utility Workers Union of America, AFL-CIO, Local 568, effective July 1, 2012 to June 30, 2015, and to authorize the Board of Trustees to sign said agreement. **2-0 yes**

ATTACHMENT 06/26/12 C

Walters moved and Pizzino seconded a motion to approve amendments to the Benefit Package for Management Personnel hired prior to July 1, 2012, and to approve the Benefit Package for Management Personnel hired after July 1, 2012, effective July 1, 2012. **2-0 yes**

Fire Department

RESOLUTION 12-052, ATTACHED

FIRE DEPARTMENT CAPTAIN PROMOTIONAL PROCEDURES

Walters moved and Pizzino seconded a motion pursuant to ORC Section 505.38, we hereby adopt the attached amended Fire Department Captain Promotional Policy and authorize Fire Chief Tracy Hogue to proceed with the established examination in accordance with policy. **2-0 yes**

Legal Department

RESOLUTION 12-053, ATTACHED

JACKSON TOWNSHIP ADDITIONAL TAX FOR CURRENT EXPENSES

Walters moved and Pizzino seconded a motion whereas, upon due investigation and consideration, the Board of Trustees of Jackson Township has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for said Jackson Township, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount

for the necessary requirements for said Jackson Township, Stark County, Ohio for the purpose of for current expenses of the subdivision of Jackson Township, Stark County, Ohio, and

Whereas, by reason thereof, this board has determined that it will be necessary for an additional tax of two and two tenths (2.2) mills which is in excess of such limitation, for the purpose of for current expenses of the subdivision of Jackson Township, Stark County, Ohio; and

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), this Board as taxing authority for the Jackson Township, Stark County, Ohio, certified to the Stark County Auditor, on the 12th day of June, 2012, a resolution requesting that the Stark County Auditor certify to this Board as taxing authority for the Jackson Township, Stark County, Ohio, the total current tax valuation of the Jackson Township as a subdivision, and the dollar amount of revenue that would be generated by an additional tax of two and two tenths (2.2) mills, which resolution stated that the purpose of said tax was for the purpose for current expenses of the subdivision of Jackson Township, Stark County, Ohio for five (5) years, tax years 2012, 2013, 2014, 2015, and 2016, commencing in 2012, first due in calendar year 2013. Ohio Revised Code Sections 5705.19(A), 5705.191 and 5705.25 authorizes submission of the question of the tax.

Whereas, the Stark County Auditor based upon said certification request advised this Board, pursuant to the provisions of Ohio Revised Code Section 5705.03(B), on or about the 18th day of June, 2012 as provided for in said section, that the total current tax valuation of the subdivision was \$1,328,442,200 and that the dollar amount of revenue that would be generated by a specified number of mills, to wit, two and two tenths (2.2) mills be \$2,922,573 for the proposed additional tax for the above stated purposes; and

Whereas, by reason of facts above set forth, this Board has determined that it should, and hereby does, declare itself to submit to the electors of Jackson Township, Stark County, Ohio, at the general election to be held on November 6, 2012, the question of the renewal of an additional tax of two and two tenths (2.2) mills outside the ten (10) mill limitation for the purpose of for current expenses of the subdivision of Jackson Township, Stark County, Ohio for five (5) years, tax years 2012, 2013, 2014, 2015, and 2016, commencing in 2012, first due in calendar year 2013.

Be it resolved that there shall be submitted to the electors of Jackson Township, Stark County, Ohio, at the general election to be held on November 6, 2012, the question of an additional tax of two and two tenths (2.2) mills outside the ten (10) mill limitation in and for said subdivision for the purpose of for current expenses of the subdivision of Jackson Township, Stark County, Ohio for five (5) years, tax years 2012, 2013, 2014, 2015, and 2016, commencing in 2012, first due in calendar year 2013.

Be it further resolved that the submission of said proposal, the notice of election, the form of ballot, the certification of the levy as voted outside the ten (10) mill limitation, and the levying of such millage shall be in accordance with the provisions of Sections 5705.19, 5705.191 and 5705.25 and other related sections of the Ohio Revised Code and in accordance with the statutes in such cases made and provided; and that the levy is to be placed on the tax lists of tax years 2012, 2013, 2014, 2015, and 2016, commencing in 2012, first due in calendar year 2013.

Be it further resolved that the form of ballot cast at such election shall be:

**PROPOSED TAX LEVY – ADDITIONAL
JACKSON TOWNSHIP**

A Majority Affirmative Vote is Necessary for Passage

“An additional tax for the benefit of Jackson Township, Stark County, Ohio, for the purpose of for current expenses at a rate not exceeding two and two tenths (2.2) mills for each one dollar of valuation, which amounts to twenty two cents (\$0.22) for each one hundred dollars of valuation, for five (5) years, commencing in 2012, first due in calendar year 2013.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

Be it further resolved that the Fiscal Officer of this Board be, and hereby is, directed and authorized to proceed forth with the certification hereof to the Board of Elections of Stark County, Ohio pursuant to the provisions of Sections 5705.19, 5705.191 and 5705.25 and other related statutes, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution.

Be it further resolved that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Be it further resolved that it is found and determined that all formal actions of this Board complied with Ohio Revised Code Section 5705.03(B) and that the attached certification was provided by the Stark County Auditor as required by law, which is hereby acknowledged and accepted by this Board. **2-0 yes**

ATTACHMENT 06/26/12 D

Walters moved and Pizzino seconded a motion not to request a hearing on the liquor permit to 6041 Whipple Ave NW LLC dba Blue Fig, 6041 Whipple Ave. N.W., North Canton, Ohio 44720. **2-0 yes**

Public Works Department

Highway

RESOLUTION 12-054, ATTACHED 2012 RESURFACING PROJECT

Walters moved and Pizzino seconded a motion that we hereby determine that Superior Paving & Materials, Inc. is the lowest and best bidder for the 2012 Resurfacing Project and hereby award a Contract to them in the base bid amount of \$824,011.70 with Alternates A, E, I and J in the amount of \$126,231.18 for a total Contract amount of \$950,242.88 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **2-0 yes**

ATTACHMENT 06/26/12 E

Walters moved and Pizzino seconded a motion to approve Budget Module 2012-17-A, Resurfacing, in the amount of \$150,250.00. **2-0 yes**

ATTACHMENT 06/26/12 F

Walters moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 211.327.5606, OPWC Brunnerdale/LOS, to account code 211.310.5606, Resurfacing, in the amount of \$150,250.00. **2-0 yes**

ATTACHMENT 06/26/12 G

Walters moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5522, Building Maintenance, in the amount of \$6,000.00. **2-0 yes**

Park Department

Walters moved and Pizzino seconded a motion to accept the following sponsorship donations to the 2012 Community Celebration:

1. \$50.00 from AC Laser Technologies, Inc.
2. \$250.00 from Staley Technologies, Inc.
3. \$1,500.00 from Suarez Corporation Industries

Zoning and Planning Department

Walters moved and Pizzino seconded a motion to set a public hearing for Amendment 597-12 (Text Amendments) on July 10, 2012 at 5:40 p.m.

ATTACHMENT 06/26/12 H

Notice to County Auditor for Mowing Noxious Weeds

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certified that on the 9th day of May, 2012 it was informed in writing that noxious weeds were growing on lands of Fred D. Burleson in Jackson Township and were about to spread and mature seeds; said lands being described as follows:

400 Leecrest Street NW, Blaumeiser Tract, Lot #12, Parcel No. 16-03455, SW Qtr. Section 32, Jackson Township, and thereupon said Jackson Township Trustees adopted and service 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. **2-0 yes**

ATTACHMENT 06/26/12 I

Notice to County Auditor for Mowing Noxious Weeds

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certified that on the 21st day of May, 2012 it was informed in writing that noxious weeds were growing on lands of Gordon and Jada Spears in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 7811 Cricket Circle NW, Hillsdale Allotment #5, Lot #61, Parcel No. 16-08223, SW Qtr. Section 33, Jackson Township, and thereupon said Jackson Township Trustees adopted and service 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. **2-0 yes**

RESOLUTION 12-055, ATTACHED

NOXIOUS WEEDS - LOT 53 ON VILLA GLEN CIRCLE NW, ABERDEEN GLEN #2, PARCEL NO. 16-27580, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Vince Tram & Quyen Luong in Jackson Township described as follows: Lot 53 on Villa Glen Circle NW, Aberdeen Glen #2, Parcel No. 16-27580, Jackson Township, Ohio.

Be it resolved that said Vince Tram and Quyen Luong, whose tax mailing address is 2897 Kipling Ave. N.W., Massillon, Ohio 44646, 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 October 31, 2012. 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 per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **2-0 yes**

RESOLUTION 12-056, ATTACHED

NOXIOUS WEEDS – 1251 LEECREST STREET NW, LOT 153, KENDAL HEIGHTS, PARCEL NO. 16-04593, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Mark E. Rainey, in Jackson Township described as follows: 1251 Leecrest Street NW, Lot 153, Kendal Heights, Parcel No. 16-04593 Jackson Township, Ohio.

Be it resolved that said Mark E. Rainey whose tax mailing address is BAC Services Corp., 2375 N. Glenville Dr. TX2975 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 October 31, 2012. 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 per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **2-0 yes**

RESOLUTION 12-057, ATTACHED

NOXIOUS WEEDS – 5615 PORTAGE STREET NW, PORTAGE PARK ESTATES, PARCEL NO. 16-30374, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Ogen LLC, in Jackson Township described as follows: 5615 Portage Street NW, Portage Park Estates, Parcel No. 16-30374 Jackson Township, Ohio.

Be it resolved that said Ogen LLC whose tax mailing address is 5432 Island Dr. N.W., Canton, Ohio 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 October 31, 2012. 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 per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **2-0 yes**

RESOLUTION 12-058, ATTACHED

NOXIOUS WEEDS – 5381 BLARNEY CIRCLE NW, LOT 72, IRISH OAKS #2, PARCEL NO. 16-10109, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Charles S. Ayers, Trustee, in Jackson Township described as follows: 5381 Blarney Circle NW, Lot 72, Irish Oaks #2, Parcel No. 16-10109, Jackson Township, Ohio.

Be it resolved that said Charles S. Ayers, Trustee, whose tax mailing address is Core Logic, 2500 Westfield Cir., Suite 102, Elgin, IL 60124, 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 October 31, 2012. 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 per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **2-0 yes**

Fiscal Office

ATTACHMENT 06/26/12 J

Walters moved and Pizzino seconded a motion to pay the bills in the amount of \$510,985.47.

2-0 yes

ATTACHMENT 06/26/12 K

Walters moved and Pizzino seconded a motion to approve the minutes of the June 5 and June 12, 2012 Board of Trustees' meetings.

2-0 yes

ATTACHMENT 06/26/12 L

Walters moved and Pizzino seconded a motion to send the Request for Advance of Property Taxes collected to the Stark County Auditor.

2-0 yes

Gonzalez told the Board the Audit they requested has been completed. Gonzalez gave them a copy of the report.

Work Session

Canton Marathon

Lyon said we are getting a final tally on the costs, and what the Canton Marathon has paid will cover the services provided. She said every department has some issues but that was to be expected.

Walters asked where the investigation stood regarding the police officer who was struck by a car. Chief Zink brought him up to date.

Pizzino said a lot of the problems occurred because there were not enough volunteers to work within the township at intersections. Chief Zink concurred.

Routine Business

Announcements

- Next regular Board of Trustees meeting, July 10, 2012, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, July 12, 2012, 9:00 a.m., Jackson Safety Center, Chiefs' Conference Room.
- CIC Subcommittee, July 10, 2012, 8:30 a.m., Township Hall.
- Zoning Commission, July 19, 2012, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Park, August 8, 2012, 6:30 p.m., Township Hall.
 - Community Celebration, September 12, 2012, 5:30 p.m., Township Hall.
 - Highway/Traffic, November 7, 2012, 6:30 p.m., Township Hall.
- Friends of the Park, August 8, 2012, 7:00 p.m., Township Hall.
- Farmers Market, Thursdays through September 27, 3:00 – 6:30 p.m., Jackson North Park. No market June 28 due to Community Celebration.
- Jackson Community Celebration, June 27-30, 2012, North Park. Great Food, Amusement Rides, Inflatables, Games, Children's activities, Entertainment, 5K Night-Glo Run, Fireworks on Saturday night. Admission is free.

Old Business

Gonzalez said the 911 Board has met and the recommendation was to use the money collected from the sales tax on a CAD system for the county. He said the Red Center would get their own and the balance would be matched and used to purchase 800 mega-hertz radios for the departments that need them.

New Business – None

Public Speaks – Open Forum

No one came forward.

Pizzino moved and Walters seconded a motion to adjourn.

2-0 yes

James Walters

Randy Gonzalez