

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JUNE 24, 2014

Hawke called the meeting to order at 1:07 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Vaccaro, Brink and Bissler present.

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

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

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

Upon return from Executive Session at 5:22 p.m., Hawke opened the Work Session.

ATTACHMENT 06/24/14 A

Vaccaro gave the Board a brief history of the legislation adopted by the Township regarding massage establishments but it was included with sexually oriented businesses. He said the Ohio General Assembly separated massage establishments from adult entertainment establishments in 1999. He suggested that the 1994 legislation be modified by breaking out the massage establishments with separate regulations applying to them.

At 5:30 p.m., Hawke called the General Session to order with all department heads present. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

ATTACHMENT 06/24/14 B

Hawke read the following proclamation.

Whereas, the Jackson Polar Bears Boys Varsity Baseball Team members have displayed their talent and determination, and have shown poise, class, and discipline throughout their 2013 – 2014 baseball season; and

Whereas, the performance of Coach Bill Gamble rallied the Jackson Polar Bears to become Division 1 State Semifinal Champions on June 6, 2014 by defeating Cincinnati Archbishop Moeller 4 – 2 to earn a trip to Columbus, Ohio to participate in the Division 1 State Championship game; and

Whereas, on June 7, 2014 the Jackson Polar Bears won the first state title in school history by defeating North Royalton 5 – 1 to win the 2014 DIVISION 1 STATE CHAMPIONSHIP TITLE; and

Whereas, we the people of Jackson Township do hereby offer our sincere appreciation to Coach Bill Gamble and his staff for their outstanding coaching of the best high school boys baseball team in Stark County and the State of Ohio.

Now therefore be it resolved that we, the duly elected Board of Trustees of Jackson Township, Stark County, Ohio, hereby proclaim the 7th day of July in the year 2014 as JACKSON POLAR BEARS BOYS VARSITY BASEBALL APPRECIATION DAY.

Coach Gamble thanked the public for attending the games and supporting the team.

Public Speaks – None

Administration Department

ATTACHMENT 06/24/14 C

Walters moved and Pizzino seconded a motion to approve the vacation statement for Michael Vaccaro granting three days paid vacation prior to his one year anniversary. **3-0 yes**

ATTACHMENT 06/24/14 D

Hawke moved and Pizzino seconded a motion to approve and authorize the Board President's signature on the attached Business Associate Agreement with A. A. Hammersmith Insurance. **3-0 yes**

ATTACHMENT 06/24/14 E

Hawke moved and Walters seconded a motion to accept a donation from MCTV in the amount of \$17,750.00 for the Community Celebration and for supplies, flags, and promotional items. **3-0 yes**

Fire Department

ATTACHMENT 06/24/14 F

Hawke moved and Walters seconded a motion to accept the attached resignation from part-time firefighter/EMT, James A. Anderson effective June 11, 2014. **3-0 yes**

RESOLUTION 14-044, ATTACHED

FIRE DEPARTMENT CAPTAIN PROMOTIONAL POLICY

Hawke moved and Walters seconded a motion that, 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 the policy. **3-0 yes**

Legal Department

RESOLUTION 14-045, ATTACHED

RENEWAL OF AN EXISTING 4.5 MILL AND INCREASE OF 1.25 MILLS POLICE LEVY

Hawke moved and Walters 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 Police District, Stark County, Ohio, for the next five years will be insufficient to provide an adequate amount for the necessary requirements for said Jackson Township Police District for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, or the payment of the costs incurred as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, for the period not to exceed five (5) years, tax years 2014, 2015, 2016, 2017 and 2018, commencing in 2014, first due in calendar year 2015; and

Whereas, by reason thereof, this Board has determined that it will be necessary for the renewal of an existing tax of four and one half (4.5) mills and increase of one and one-quarter (1.25) mills to constitute a tax of five and three quarters (5.75) mills, which is in excess of such limitation, for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, or the payment of the costs incurred as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, for the period not to exceed five (5) years, tax years 2014, 2015, 2016, 2017 and 2018, commencing in 2014, first due in calendar year 2015; and

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), this Board as taxing authority for the Jackson Township Police District, Jackson Township, Stark County, Ohio, is required to certify to the Stark County Auditor a resolution requesting that the Stark County Auditor certify to this Board as taxing authority for the Jackson Township Police District, Jackson Township, Stark County, Ohio, the total current tax valuation of the Jackson Township Police District as a subdivision, and the dollar amount of revenue that would be generated by a specified number of mills. In addition, this Board as said taxing authority of said District is required to state the purpose of the tax, whether the tax is an additional levy or a renewal or a replacement of an existing tax and the section of the Ohio Revised Code authorizing submission of the question of the tax to the Stark County Board of Elections for determination as provided by law.

Be it resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, on behalf of the Jackson Township Police District, Jackson Township, Stark County, Ohio, and as said taxing authority for said District, does hereby determine that it is necessary for the renewal and increase of an existing tax, outside the ten (10) mill limitation for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, or the payment of the costs incurred as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, for the period not to exceed five (5) years, tax years 2014, 2015, 2016, 2017 and 2018, commencing in 2014, first due in calendar year 2015.

Be it further resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, as taxing authority for the Jackson Township Police District, Jackson Township, Stark County, Ohio, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), does hereby certify to the Stark County Auditor this resolution requesting that the Stark County Auditor certify to this taxing authority, the total current tax valuation of the Jackson Township Police District as a subdivision, and the dollar amount of revenue that would be generated by the renewal of an existing tax of four and one half (4.5) mills and increase of one and one-quarter (1.25) mills to constitute a tax of five and three quarters (5.75) mills for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, or the payment of the costs incurred as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, for the period not to exceed five (5) years, tax years 2014, 2015, 2016, 2017 and 2018, commencing in 2014, first due in calendar year 2015. Ohio Revised Code Sections 5705.19(J), 5705.191 and 5705.25 authorizes submission of the question of the renewal and increase of an existing tax at the November 4, 2014 general election.

Be it further resolved that the Fiscal Officer of this board be, and hereby is, directed and authorized to certify this resolution to the Stark County Auditor pursuant to the provisions of Sections 5705.03(B) of the Ohio Revised Code, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution and the requirements of Section 5705.03(B) of the Ohio Revised Code.

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.

3-0 yes

ATTACHMENT 06/24/14 G

Pizzino moved and Hawke seconded a motion not to request a hearing on the liquor permit to MJ Hotels of Canton LLC, dba Courtyard by Marriott, 4375 Metro Circle NW, Canton, Ohio.

3-0 yes

ATTACHMENT 06/24/14 H

Hawke moved and Pizzino seconded a motion to adopt and authorize the placement of the Board President’s signature upon the attached Community Celebration Agreements with Summit Mainstage and Blues in Schools.

3-0 yes

Public Works Department

Highway Division

ATTACHMENT 06/24/14 I

Hawke moved and Pizzino seconded a motion to approve Budget Module 2014-18-A for 2014 Resurfacing Contract in the amount of \$172,631.00.

3-0 yes

ATTACHMENT 06/24/14 J

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5606, Resurfacing, in the amount of \$172,631.00.

3-0 yes

At 5:45 p.m., Boger opened the bids received for the 2014 Curbing Project.

T. R. Snyder	\$137,069.14
Lockhart Concrete	\$179,835.50

Boger will review the bids and will report back to the Trustees at the next meeting.

ATTACHMENT 06/24/14 K

Hawke moved and Walters seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5502, Supplies, Tools, & Materials, in the amount of \$5,000.00.

3-0 yes

Park Division

Hawke moved and Walters seconded a motion to accept the following donations to the 2014 Community Celebration:

1. \$50.00 from J. Michael Coyle, Goodyear Commercial Tire
2. \$500.00 from Medical Mutual of Ohio

3-0 yes

Hawke moved and Walters seconded a motion to accept a \$2,500.00 donation to Jackson Parks from the Northwest Jackson Soccer League.

3-0 yes

Central Maintenance

ATTACHMENT 06/24/14 L

Hawke moved and Walters seconded a motion to approve the appropriation transfer request from account code 101.115.5235, Unemployment Costs, to account code 101.115.5652, Capital Equipment, in the amount of \$4,543.00 and from account code 11.115.5432, Computer Related, to account code 101.115.5652, Capital Equipment, in the amount of \$3,457.00. **3-0 yes**

Zoning and Planning Department

Hawke moved and Pizzino seconded a motion to set a public hearing on July 8, 2014 at 6:00 p.m., for Zoning Amendment #610-14. Mark Memmer, Applicant for Racar Properties LLC, Property Owner, requests to rezone approximately 1.8 acres located at the SW corner of Portage and Lorraine NW, from R-4 Multi Family Residential District to B-1 Suburban Office & Limited Business District. **3-0 yes**

Pizzino moved and Hawke seconded a motion to set a public hearing on July 22, 2014 at 5:30 p.m. for a nuisance violation at 9379 Rapid Falls NW. **3-0 yes**

RESOLUTION 14-046, ATTACHED

NOXIOUS WEEDS – 7811 CRICKET CIRCLE NW, LOT 61, HILLSDALE 5, PARCEL NO. 16-08223, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Gordon and Jada Spears, in Jackson Township described as follows: 7811 Cricket Circle NW, Lot 61, Hillsdale 5, Parcel No. 16-08223, Jackson Township, Ohio.

Be it resolved that said Gordon and Jada Spears, whose tax mailing address is Core Logic (Formerly FARETS), 2500 Westfield Dr. Ste. 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, 2014. 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. **3-0 yes**

RESOLUTION 14-047, ATTACHED

NOXIOUS WEEDS – 6161 LAKE O'SPRINGS AVENUE NW, PARCEL NO. 16-29935 JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Deutsche Bank National Trust Company, in Jackson Township described as follows: 6161 Lake O'Springs Avenue NW, Parcel No. 16-29935, Jackson Township, Ohio.

Be it resolved that said Deutsche Bank National Trust Company, whose tax mailing address is 1675 Palm Beach Lakes Blvd., West Palm Beach, Florida 33401, 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, 2014. 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. **3-0 yes**

RESOLUTION 14-048, ATTACHED

NOXIOUS WEEDS – 5576 EAST BLVD. NW, LOT 339, LAKE CABLE SECTION G, PARCEL NO. 16-04859, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders CWALT, Inc., Alternative Loan Trust 2006-32CB, Mortgage Pass-Through Certificates, Series 2006-32CB, in Jackson Township described as follows: 5576 East Blvd. NW, Lot 339, Lake Cable Section G, Parcel No. 16-04859, Jackson Township, Ohio.

Be it resolved that said The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders CWALT, Inc., Alternative Loan Trust 2006-32CB, Mortgage Pass-Through Certificates, Series 2006-32CB whose tax mailing address is 400 Countrywide Way, Simi Valley, CA 93065, 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, 2014. 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. **3-0 yes**

RESOLUTION 14- 049, ATTACHED

NOXIOUS WEEDS – 6808 OAKCREST AVENUE NW, LOT 7, WEST OAK 1, PARCEL NO. 16-03887, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 MRF Ohio One LLC, in Jackson Township described as follows: 6808 Oakcrest Avenue NW, Lot 7, West Oak 1, Parcel No. 16-03887, Jackson Township, Ohio.

Be it resolved that MRF Ohio One LLC, whose tax mailing address is 1675 Palm Beach Lakes Blvd. Suite 402, West Palm Beach, FL 33401, 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, 2014. 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. **3-0 yes**

RESOLUTION 14-050, ATTACHED

NOXIOUS WEEDS – 300 STUART STREET NW, LOT 54, BLAUMEISER TRACT, PARCEL NO. 16-05670, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Ronald & Sheila Weaver, in Jackson Township described as follows: 300 Stuart Street NW, Lot 54, Blaumeiser Tract, Parcel No. 16-05670, Jackson Township, Ohio.

Be it resolved that said Ronald & Sheila Weaver, whose tax mailing address is Core Logic, 2500 Westfield Dr. Ste. 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, 2014. 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. **3-0 yes**

RESOLUTION 14- 051, ATTACHED

NOXIOUS WEEDS – 6843 HIGH MILL AVENUE NW, PARCEL NO. 16-14166, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Ray & Dorise Dodds, in Jackson Township described as follows: 6843 High Mill Avenue NW, Parcel No. 16-14166, Jackson Township, Ohio.

Be it resolved that said Ray & Dorise Dodds, whose tax mailing address is Ray & Dorise Dodds, c/o Charles F. Dodd, W2804 Shorewood Court, West Salem, WI 54669, 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, 2014. 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. **3-0 yes**

RESOLUTION 14-052, ATTACHED

NOXIOUS WEEDS – 9379 RAPID FALLS STREET NW, LOT 17, RIVER BEND ALLOTMENT 2, PARCEL NO. 16-23134, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Niki Lenhart, in Jackson Township described as follows: 9379 Rapid Falls Street NW, Lot 17, River Bend Allotment 2, Parcel No. 16-23134, Jackson Township, Ohio.

Be it resolved that said Niki Lenhart, whose tax mailing address is 9379 Rapid Falls Street NW, Massillon, OH 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, 2014. 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. **3-0 yes**

RESOLUTION 14- 053, ATTACHED

NOXIOUS WEEDS – 4041 BATTON STREET NW, PARCEL NOS. 16-09122 AND 16-07093, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters 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 Rizk Towers LLC, in Jackson Township described as follows: 4041 Batton Street NW, Parcel Nos. 16-09122 and 16-07093, Jackson Township, Ohio.

Be it resolved that said Rizk Towers LLC, whose tax mailing address is 14012 Clifton Blvd, Lakewood, OH 44107 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, 2014. 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. **3-0 yes**

ATTACHMENT 06/24/14 M

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 8th day of May 2014 it was informed in writing that noxious weeds were growing on lands of Anthony & Rosalee Cunningham in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 3205 Waterford Avenue NW, Lot #161, Brookshire Hills Allotment #5, Parcel No. 16-16901, NE 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**

Fiscal Office

ATTACHMENT 06/24/14 N

Hawke moved and Walters seconded a motion to pay the bills in the amount of \$1,330,167.07.

3-0 yes

ATTACHMENT 06/24/14 O

Hawke moved and Walters seconded a motion to approve the minutes of the June 10, 2014 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 06/24/14 P

Hawke moved and Walters seconded a motion to send the request for advance of property taxes collected to the Stark County Auditor.

3-0 yes

Routine Business

Announcements

- Board of Trustees next regular meeting, July 8, 2014, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, July 10, 2014, 9:00 a.m., Jackson Safety Center, Chiefs' Conference Room.
- CIC, July 24, 2014, 8:00 a.m., Township Hall.

- Jackson Township Recycling Station Board, June 25, 2014, 11:00 a.m., Buehler's Community Room.
- Citizens Advisory Committees:
 - Community Celebration, September 10, 2014, 5:30 p.m., Township Hall.
 - Park, August 13, 2014, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 19, 2014, 6:30 p.m., Township Hall.
- Friends of the Park, August 13, 2014, 7:00 p.m., Township Hall.
- Gardening with Zest, monthly educational series through September, North Park Pavilion. Call Park for details.
- Bicentennial Committee, July 8, 2014, 6:30 p.m., Old School House on Fulton Road.
- Farmers Market, Thursdays through October 2, from 3:00 – 6:30 p.m., North Park.
- Jackson Community Celebration, June 25 - 28, North Park.
- Jackson-Belden FoodFest & Fireworks, Pro-Football Hall of Fame Enshrinement Festival Balloon Classic Invitational, July 18 & 19, Kent State Stark Campus, 6000 Frank Road NW.

Old Business – None

Hawke called a short recess until 6:00.

At 6:05 p.m., Hawke called the general session back to order.

Public Speaks – Open Forum

Paul Mallue of 6452 Amblewood St. N.W., said he is the President of the Jackson Cross Country Parents Board and that he attended the meeting to see where matters stood regarding the banner program. He said it's been six weeks and time is running out for the fall programs to get banners ready. He asked when the Board would address this.

Hawke told him they could not give him an answer at that time since the Board has not seen a draft of the rewrites. He said the next Board meeting would be the next opportunity for them to vote on any changes.

Vaccaro said he could have something to the Board by the next meeting.

Hawke closed the public speaks portion of the meeting and opened the Public Hearing for Zoning Amendment 609-14, Jackson Woods LLC, agent for Appleman Haymaker Properties Ltd. The request is to rezone 21.484 acres of a 31.55 acre tract on the south side of Strausser, east of Wyndgate Court from R-R, Rural Residential, to R-1, Single Family Residential.

ATTACHMENT 06/24/14 Q

Poindexter told the Board this went before Stark County Regional Planning on April 8 and they recommended approval from R-R to R-1. She said it went before the Zoning Commission on April 17 and they recommended denial with a 5-0 vote.

Hawke asked if anyone wanted to speak in favor of the amendment.

Terry Moore an attorney with Krugliak, Wilkins and is representing the applicant who was running late. He said Bill Day is the principle in Jackson Woods which is requesting the zoning change. He asked Brian Ashman to speak to the Board regarding the development plan.

Brian Ashman who is a partner at Cooper and Associates, 1359 Market Ave., Canton, Ohio. He said that normally there is no development plan with a zone change to R-1 and since they did in their original request there were a lot of concerns and questions brought up. He said he met with Stark County Regional Planning and the subdivision engineer regarding the possible entrance onto Strausser and he said they indicated that it would mandate a variance from the Stark County Subdivision Regulations and they would recommend denial of any variance request for a roadway entrance onto Strausser. He said they are recommending a zone change for the area while disregarding the road entrance. He displayed maps on the overhead screen to show other possibilities if the zone change is granted. He said they would like to get approval on the application for the R-1 for that area of the development.

Mr. Moore asked Mr. Ashman to give a historical background regarding his experience, job and expertise.

Mr. Ashman said he have been in civil engineering and land planning for his entire career, he graduated from the University of Akron and has been working in private business doing land development, residential and commercial.

Mr. Moore and the Trustees asked Mr. Ashman several other questions.

John McCue, Skip Rea, Bill Day all spoke in favor of the zone change. Floyd Appleman sent an affidavit.

Hawke asked if anyone else wanted to speak in favor of the rezoning amendment. No one came forward. He then closed that portion of the hearing and asked if anyone wanted to speak against the zoning change.

Jason Norch, 7638 Wyndgate Court Ave. N.W. in Wyndham Ridge allotment said he is opposed to the zoning requests. He said the changes being proposed were not presented to the RPC or the Township Zoning Commission. He said the Trustees should consider the recommendations made by RPC and the Zoning Commission to deny the changes. He presented a power point presentation to point out some of the reasons why they are against the zoning change, some of which are traffic, safety, and inconsistencies with the Jackson Township Comprehensive Plan.

The following people spoke against the zoning change addressing parts of the power point presentation.

Eric Escola, 7620 Wyndgate Court Ave. N.W., Lt. Commander Ohio State Highway Patrol

Martin Long, 5902 Westridge Circle N.W., Wyndham Ridge allotment

Tim Bruss, 5901 Westridge Circle N.W., Wyndham Ridge allotment

Gordy Wolbert, Attorney, representing Dick and Lynn Kempthorn, their daughter and son-in-law, Dana and Jud Parker, and two Kempthorn family-owned entities known as Jamerdan Properties and Jamerdan Farms said his clients own about 90 acres to the east and south of the property in the zoning request and that his clients feel the surrounding area should be consistent with the surrounding areas and the Township's Comprehensive Plan. He showed a google map and pointed out inconsistencies in the density of the area with the proposed plan. He said there is no good principle reason for this zone change.

Hawke asked if anyone else would like to speak against the zoning change. No one came forward. He closed that portion of the hearing.

He asked the parties in favor if they would like to speak in rebuttal.

Hawke called a short recess.

Hawke called the meeting back to order. He asked if anyone wanted to speak in rebuttal.

Mr. Day pointed out that he spoke with Jackson Township Zoning and was told there was no conservation district that has been established at this point. He made several other statements referencing other sections of the Comprehensive Plan that would apply to the area.

Hawke asked if anyone else wanted to speak in rebuttal. No one came forward. He then closed the public hearing for Amendment 609-14.

Hawke moved and Walters seconded a motion to postpone the vote on Amendment 609-14 until after the hearing on Amendment 608-14. **3-0 yes**

ATTACHMENT 06/24/14 R

Hawke opened the Public Hearing on Amendment 608-14, Jackson Woods LLC, agent for Appleman Haymaker Properties LTD requests to rezone 9.145 acres, more or less, of a 31.55 acre tract on the south side of Strausser, east of Wyndgate Court from (R-R) Rural Residential to R-3 Planned Unit Development.

Poindexter told the Board it went to RPC on April 8 and they recommended denial based on the surrounding area consists of single family homes and agricultural land, that split-zoning the parcel limits the site distance at Strausser and that the PUD development would not meet either of the requirements in the Township's Zoning Resolution.

Hawke asked if anyone would like to speak in favor of the rezoning amendment.

Mary Ann Partcher with Remax Edge, 6929 Portage, in Jackson Township, said she wanted to share the insights of the market. She said she has had calls, most recently from a family in Belgium, who wanted to live in Jackson Township. She said the market appreciates condo developments in an area with single family homes. She said the good thing about the condo development is that it will always be taken care of because there will be an association that will see that they are maintained. She said this plan would be an asset.

Tim Harbert, 5400 Echodell Ave., in Irish Oaks Allotment said he has financed homes for many years and those built by Mr. Day hold their value because they are well built.

Judy Bennett with URS, 564 White Pond Dr., Akron, Ohio said her company was contracted by Mr. Day to look at the traffic that could be expected to be generated by the R-3 district. She said they looked at it several different ways and explained what they looked at and what the results were.

Brian Ashman showed the Board the orientation of the plots and what the condominium units would look like. He reviewed some of the setbacks and buffers that are planned. He pointed out that the roads are private and would not be the responsibility of the Township. He pointed out that this plan would not be much different from other condominium allotments within the Township.

Bill Day reviewed some of the things in their condo agreement and referenced some of the other condominium allotments he has done.

Walters asked Mr. Day if he planned on starting on the R-3 before the R-1 is complete. Mr. Day answered not really, because they have to wait for the utilities to be brought over.

Hawke asked if anyone else wanted to speak in favor of the rezoning. No one came forward. He closed that portion of the hearing. He asked if anyone wanted to speak against the rezoning.

Jason Norch, 7638 Wyndgate Court Ave. N.W., reiterated that RPC and the Zoning Commission denied the changes.

Eric Escola pointed out that there have been 85 crashes on Strausser in the last five years with 15 injuries and 2 fatalities. He said one of the concerns he has is that there is no way to predict how much traffic will come through there and through his neighborhood.

Tim Bruss asked Mr. Gonzalez to play a video showing the site lines from a vehicle moving west on Strausser at Portview.

Gordy Woolbert on behalf of the Kempthorns, the Parkers, and the Jamerdan entities, said they stand in opposition to the R-3 proposal for most of the same reasons as they oppose the R-1 proposal. He said it's inconsistent with the current development, it's inconsistent with general zoning principles, there are the traffic and safety concerns and it's inconsistent with the Comprehensive Plan.

Hawke asked if anyone else wanted to speak against the zoning amendment. No one came forward. Hawke then closed this portion of the hearing.

Hawke said the meeting had gone on for about three hours. He said they have heard a lot of information from both sides with some new information from both sides. He said it was a lot of information to take in on such a significant subject to make a decision in the time period. He suggested they continue to allow the Trustees time to review all the information.

Gonzalez said that Strausser has been on the Township's list to be fixed for perhaps ten years. He said when they asked for funds to build the Shuffel off-ramp, the Township said no, they wouldn't contribute to that because it would throw more traffic onto Strausser and Strausser needs fixed. He said the only way Strausser will be fixed is to work with the County Engineer and they don't have the money for it and the Township doesn't at this time either.

Hawke moved and Walters seconded a motion to continue the decision on Amendment 609-14 and Amendment 608-14 for up to thirty days. **3-0 yes**

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

Todd Hawke

Randy Gonzalez