

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JUNE 25, 2013

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

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

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

Upon return from Executive Session, Walters opened the Work Session at 5:10 p.m.

Work Session

ATTACHMENT 06/25/13 A Road Levy

Lyon pointed out that this is the last year for collection on this levy. She also pointed out the page ME Companies provided showing what projects have been done and what Jackson Township's portion of the cost has been.

Gonzalez said a renewal would generate around \$1.2 million.

Boger pointed out that the roads in the allotments are getting older and will need more repairs. He said at some point more money will be needed but for now it's probably better to renew.

Pizzino said there is one chance for this levy to pass but with it being a renewal the chance is better.

Walters 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.

Public Speaks – None

Administration Department

ATTACHMENT 06/25/13 B

Lyon reviewed some of the changes incorporated in the Street Pole Banner Program based on the suggestions made by the Trustees at the last meeting.

Walters moved and Hawke seconded a motion to approve the changes to the Street Pole Banner Program. **3-0 yes**

Fire Department

ATTACHMENT 06/25/13 C

Walters moved and Hawke seconded a motion to accept the attached resignation from part-time firefighter Matthew Litten, effective June 11, 2013. **3-0 yes**

ATTACHMENT 06/25/13 D

Walters moved and Hawke seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with the City of North Canton for the sale of one Life Pak 12 Battery Charger. **3-0 yes**

Legal Department

ATTACHMENT 06/25/13 E

Pizzino moved and Hawke seconded a motion not to request a hearing on the liquor license to Giant Ohio LLC dba Giant 439, 4625 Portage Rd., North Canton, Ohio 44720. **3-0 yes**

RESOLUTION 13-049, ATTACHED ENTERPRISE ZONE AMENDMENT

Walters moved and Hawke seconded a motion whereas, the Ohio Enterprise Zone Act, Ohio Revised Code Section 5709.61 through 5709.69 (“The Act”) authorizes a board of county commissioners, with the consent and agreement of the legislative body of the affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, and renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specific local tax incentives granted by the board of county commissioners; and

Whereas, the Board of Trustees for Jackson Township, Stark County, Ohio, (“The Trustees”) upon due consideration desires to implement The Act and to expand and enlarge the existing Enterprise Zone known as Enterprise Zone #252C within the boundaries of Jackson Township, Stark County; and

Whereas, the Trustees upon due consideration desire to implement The Act and to expand and enlarge the existing Enterprise Zone know as Enterprise Zone #252C within the boundaries of Jackson Township, Stark County; to promote the economic welfare of The Township; and

Whereas, it is necessary for The Trustees to formally request from the Board of County Commissioners of Stark County, Ohio (“The Commissioners”) the inclusion of additional portions of The Township in an Enterprise Zone proposal and to include such resolution in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such an Enterprise Zone; and

Whereas, the Trustees hereby find and determine that designation of the zone pursuant to Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of The Township by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of The Township; and

Whereas, the Trustees understand that The Commissioners are required by law to administer all Enterprise Zones and agreements within the county and will therefore appoint a designee to be responsible for:

- (1) The establishment and operations of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85,
- (2) To ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property,
- (3) To forward copies of all Enterprise Zone Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code.
- (4) To notify affected school board of proposed projects a minimum of fourteen days prior to formal legislative consideration and to include comments by the school boards as part of the review process as required under Ohio Revised Code Section 5709.83,
- (5) To maintain a centralized record of all aspects of the Enterprise Zone including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council’s annual review of each agreement, and
- (6) To submit a comprehensive annual report of the status of all Enterprise Zone activities on or before March 31 of each year pursuant to Ohio Revised Code Section 5709.68.

Whereas, the Trustees are requesting designation of an Enterprise Zone of the expansion thereof, which includes an additional portion of land which is entirely situated within the geographic boundaries of Jackson Township, Stark County, and meets the population and boundary requirements to be certified as a limited authority Enterprise Zone under Ohio Revised Code Section 5709.632.

Whereas, the Trustees hereby request The Commissioners to assign the power, duty and authority to negotiate Enterprise Zone Agreements as permitted by Ohio Revised Code Section

5709.632 and that The Trustees agree to negotiate agreements and to assist The Commissioners in the administration of the Enterprise Zone and will approve all agreements in accordance with all applicable statutory provisions before submitting agreements to The Commissioner for approval; and

Whereas, the Trustees hereby agree to the establishment of a Tax Incentive Review Council or Councils, pursuant to Ohio Revised Code Section 5709.85 and will appoint two representatives to said Tax Incentive Review Council within sixty days after the state development director certifies the Enterprise Zone; and

Whereas, the Enterprise Zone, as proposed to be expanded and/or enlarged will be the only Enterprise Zone within The Township; and

Whereas, the area proposed to be added to expand and enlarge the existing Enterprise Zone known as Enterprise Zone #252 C is set forth on the attached Exhibit A and fully incorporated herein by reference as if fully re-written herein; and

Be it further resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, does hereby petition and authorize the Board of Stark county Commissioners to expand and enlarge the existing Enterprise Zone known as Enterprise Zone #252 C is set forth on the attached Exhibit A and fully incorporated herein by reference as if fully re-written herein, and to include and designate same as an Enterprise Zone; and

Be it further resolved that the Clerk of the Board of Stark County Commissioners is hereby authorized to include this Resolution in the petition to the Director of the Department of Development of the State of Ohio for said Enterprise Zone.

Be it further resolved that we hereby adopt and authorize the placement of the Board President's signature upon the to the Superintendent at Jackson Local School District. **3-0 yes**

Police Department

ATTACHMENT 06/25/13 F

Walters moved and Hawke seconded a motion to authorize the purchase of (3) 2014 Ford SUV Interceptors and related equipment at \$34,391.10 per vehicle and one (1) 2014 Ford Taurus Sedan Interceptor and related equipment for \$31,991.80. **3-0 yes**

Walters moved and Hawke seconded a motion to accept a \$400.00 donation to the PRIDE program from Walmart. **3-0 yes**

Public Works Department

Highway Division

**RESOLUTION 13-050, ATTACHED
2013 RESURFACING PROJECT**

Walters moved and Hawke seconded a motion that we hereby determine that Northstar Asphalt, Inc. is the lowest and best bidder for the 2013 Resurfacing Project and hereby award a Contract to them in the base bid amount of \$795,589.63 with Alternates C, D, E, F and G in the amount of \$117,089.90 for a total Contract amount of \$912,679.53 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

ATTACHMENT 06/25/13 G

Walters moved and Hawke seconded a motion to approve Budget Module 2013-13-B for 2013 Resurfacing in the amount of \$12,679.53. **3-0 yes**

ATTACHMENT 06/25/13 H

Walters moved and Hawke 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 \$12,700.00. **3-0 yes**

**RESOLUTION 13-051, ATTACHED
2013 PAINT STRIPING OF ROADWAYS PROJECT**

Walters moved and Pizzino seconded a motion to authorize the attached Advertisement for Bids for 2013 Paint Striping of Roadways Project in accordance with the Specifications on file. **3-0 yes**

Park Division

Walters moved and Pizzino seconded a motion to accept a \$2,500.00 sponsorship donation to the 2013 Community Celebration from Ohio Health Choice. **3-0 yes**

Walters moved and Hawke seconded a motion to accept a \$1,000.00 donation to the Parks from the Akron Canton Soccer Club. **3-0 yes**

Zoning & Planning Department

**RESOLUTION 13-052, ATTACHED
NOXIOUS WEEDS – 4041 BATTON STREET NW, PARCEL NO. 16-09122, JACKSON TOWNSHIP, OHIO**

Walters moved and Hawke 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 No. 16-09122, 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, 2013. 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 13-053, ATTACHED
NOXIOUS WEEDS – 7811 CRICKET CIRCLE NW, LOT 61, HILLSDALE 5, PARCEL NO. 16-08223, JACKSON TOWNSHIP, OHIO**

Walters moved and Hawke 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, 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, 2013. 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 06/25/13 I

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 8th day of May, 2013 it was informed in writing that noxious weeds were growing on the lands of Deutsche Bank National Trust Company in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 6753 Lake Cable Avenue NW, Lot #4, Brandywine Allotment #1, Parcel No. 16-08833, SE Qtr. Section 11, 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 06/25/13 J

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 9th day of May, 2013 it was informed in writing that noxious weeds were growing on the lands of Dale Mastin in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 5911 West Shore Drive NW, Lot #132, Lake Cable Section A, Parcel No. 16-06481, NW Qtr. Section 23, 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 06/25/13 K

Walters moved and Hawke seconded a motion to set a public hearing for nuisance violation on July 23, 2013 at 5:30 p.m., for property located at 7811 Parkford NW. **3-0 yes**

Fiscal Office

ATTACHMENT 06/25/13 L

Pizzino moved and Hawke seconded a motion to pay the bills in the amount of \$811,084.15. **3-0 yes**

ATTACHMENT 06/25/13 M

Pizzino moved and Hawke seconded a motion to approve the minutes of the June 11, 2013 Board of Trustees' meeting. **3-0 yes**

ATTACHMENT 06/25/13 N

Walters moved and Hawke seconded a motion to send the request for advance of property taxes collected to the Stark County Auditor. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, July 9, 2013, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, July 11, 2013, 9:00 a.m., Jackson Safety Center, Chiefs' Conference Room.
- CIC, August 19, 2013, 8:00 a.m., Township Hall.
- Citizens Advisory Committee:
 - Community Celebration, July 10, 2013, 5:30 p.m., Township Hall.
 - Park, July 10, 2013, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 13, 2013, 6:30 p.m., Township Hall.
- Friends of the Jackson Parks, July 10, 2013, 6:30 p.m., Township Hall.
- Jackson Township Recycling Station Board, June 26, 2013, 11:00 a.m., Buehler's Community Room.
- Jackson-Belden Food Fest & Fireworks, Pro Football Hall of Fame Enshrinement Festival Balloon Classic Invitational, Friday & Saturday, July 19, and 20, 4:00 – 11:30 p.m., Kent State Stark Campus.
- Jackson Township Community Celebration, Wednesday, June 26 – Saturday, June 29, North Park. Enjoy food, rides, inflatables, games, children's activities, free nightly entertainment, 5K nightglow run/walk, and fireworks on Saturday night.

Old Business

Gonzalez told the Board that the County Auditor charges fees for the levies. He said for years the fees have come from the general fund. He told the Board and department heads that those fees will be covered by each department in the future.

New Business – None

Public Speaks – Open Forum

John Karaiskos of 5668 Hillrun Circle asked what the banner program is, if it was just for the schools. Walters told him it was for any organization. Mr. Karaiskos asked if it has been for anyone within the community since the beginning. Walters said it has been for any non-profit organization. He said he mostly sees the sports team banners.

Gonzalez said the first customer was the Jackson-Belden Chamber of Commerce.

Hawke pointed out that the sports banners are not from the School Board they are from the booster clubs.

Mr. Karaiskos asked several other questions regarding any future discussions about the banner program which were answered by the Trustees.

A lady thanked the Board for the fine job that is done.

Walters moved and Pizzino seconded a motion to adjourn.

3-0 yes

James Walters

Randy Gonzalez