

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

MARCH 28, 2005

Pizzino called the meeting to order at 5:30 p.m. at the Jackson Township Hall with all Trustees, Clerk, Lyon, Fitzgerald, Moore, Heck, Neftzer and Boger present.

ATTACHMENT 3/28/05 A

Pizzino moved and Meeks seconded a motion to award a safety plaque and gift certificates to the Highway Department. **3-0 yes**

Meeks opened the Work Session. Mr. Phillippi was present.

ATTACHMENT 3/28/05 B

Lyon presented a draft of a letter from the Jackson-Belden Chamber of Commerce and the Board of Trustees to the business community with the question as to whether to send the letter to all businesses in the township or only those currently belonging to the Chamber of Commerce. Meeks moved and Pizzino seconded a motion to look into sharing the cost with the Chamber of Commerce and to mail the letter to all businesses. **3-0 yes**

ATTACHMENT 3/28/05 C

Gonzalez presented letters to be sent to State Representatives and Senator regarding the State Budget Bill. Meeks gave a brief overview of the discussion that was held at the CLOUT meeting in Columbus. Pizzino moved and Meeks seconded a motion to send the letter opposing the budget cuts to Representatives Hagan, Healy, Oelslager, and Senator Schuring. **3-0 yes**

ATTACHMENT 3/28/05 D

Lyon presented a letter to Stark State College of Technology in support of their plan to construct a new Health and Science Building at the campus on Frank Ave. Meeks moved and Pizzino seconded the motion to sign the letter. **3-0 yes**

At 6:00 p.m., Meeks called the General Session to order with all department heads present. Meeks requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

Meeks moved and Burger seconded a motion to approve the EPA Phase II Storm Water Management Annual Report. **3-0 yes**

Lyon presented a draft of the new Travel Policy to the Board for their consideration, to be brought up at the next meeting.

Fire Department

ATTACHMENT 3/28/05 G

Meeks moved and Burger seconded a motion to approve Budget Module 05-15 for computer replacement in the amount of \$8,800. **3-0 yes**

ATTACHMENT 3/28/05 H

Meeks moved and Burger seconded a motion to approve Budget Module 05-16 for educational seminars/conferences in the amount of \$10,000. **3-0 yes**

ATTACHMENT 3/28/05 I

Meeks moved and Burger seconded a motion to approve Budget Module 05-17 for HazMat team membership with Stark County in the amount of \$8,424. **3-0 yes**

ATTACHMENT 3/28/05 J

Meeks moved and Burger seconded a motion to approve Budget Module 05-21 for fire station building maintenance in the amount of \$40,000. **3-0 yes**

ATTACHMENT 3/28/05 K

Meeks moved and Burger seconded a motion to approve Budget Module 05-24 for ladder/pump testing equipment in the amount \$3,950. **3-0 yes**

ATTACHMENT 3/28/05 L

Meeks moved and Burger seconded a motion to approve Budget Module 05-29 for rapid water and ice rescue equipment in the amount of \$17,500. **3-0 yes**

ATTACHMENT 3/28/05 M

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 228.210.5385, Other Expense, to account code 228.210.5506, Medical Supplies, in the amount of \$10,000, and account code 228.210.5385, Other Expense, to account code 228.210.5652, Equipment, in the amount of \$30,000. **3-0 yes**

Highway Department

ATTACHMENT 3/28/05 N

Meeks moved and Pizzino seconded a motion to approve Budget Module 13-05-D for Portage West II Widening in the amount of \$5,000. **3-0 yes**

ATTACHMENT 3/28/05 O

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.310.5639, Portage West 2, in the amount of \$5,000. **3-0 yes**

ATTACHMENT 3/28/05 P

Meeks moved and Pizzino seconded a motion to approve Budget Module 12-05-A for LaFayette (SR 236) / High Mill Intersection Improvement in the amount of \$47,879. **3-0 yes**

ATTACHMENT 3/28/05 Q

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.311.5710, Design, in the amount of \$47,879. **3-0 yes**

ATTACHMENT 3/28/05 R

Meeks moved and Burger seconded a motion to approve the consent agreement with ODOT for an I-77 detour. **3-0 yes**

ATTACHMENT 3/28/05 S

Pizzino moved and Burger 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 \$1,200. **3-0 yes**

RESOLUTION 05-016, ATTACHED

Meeks moved and Burger seconded a motion to adopt and authorize the placement of a stop sign at : Glenbrook Ave. N.W. to stop southbound at Mudbrook St. N.W.

Sandbrook St. N.W. to stop eastbound at Glenbrook Ave. N.W.

Beechcreek St. N.W. to stop eastbound at Glenbrook Ave. N.W.

Rustic Ridge St. N.W. to stop westbound at Glenbrook Ave. N.W.

Birchcrest St. N.W. to stop eastbound at Glenbrook Ave. N.W.

Old Forest St. N.W. to stop westbound at Glenbrook Ave. N.W.

Eastbrook St. N.W. to stop westbound at Glenbrook Ave. N.W.

Cliffside Ave. N.W. to stop northbound at Sandbridge St. N.W.

Forest Ridge St. N.W. to stop southwest bound at Rustic Ridge St. N.W. **3-0 yes**

RESOLUTION 05-017, ATTACHED

Meeks moved and Burger seconded a motion to adopt and authorize the placement of a stop sign at: Oak Pointe St. N.W. to stop westbound at High Mill Ave. N.W.

Oak Pointe St. N.W. to stop eastbound at Diamond Back Ave. N.W.

Pondera St. N.W. to stop westbound at Diamond Back Ave. N.W. **3-0 yes**

ATTACHMENT 3/28/05 T

Pizzino moved and Meeks seconded a motion to adopt and ratify Addendum #1 to the Dunkeith/Devonshire Drives Drainage Improvement Project. **3-0 yes**

Legal Department

ATTACHMENT 3/28/05 U

Meeks moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the Fireworks Agreement for the Community Celebration. **3-0 yes**

RESOLUTION 05-018, ATTACHED

Pizzino moved and Meeks seconded a motion that it be resolved that, pursuant to ORC Section 5709.85 (A)(3), we hereby establish a Tax Incentive Review Council consisting of the Board of Trustees, the County Auditor or his designee and an individual appointed by the Board of Education of the Jackson Local School District who shall review all exemptions from the property taxation resulting from the declaration of public purpose improvements under ORC Section 5709.73, and that it be further resolved that we hereby assign to Law Director Neal Fitzgerald the authority to administer and establish all meetings of the Tax Incentive Review Council and file all reports with the Ohio Department of Development. **3-0 yes**

Police Department

Chief Neftzer informed the Board and citizens of a Town Hall Meeting that will be held on April 6 at Jackson High School at 7:00 p.m. by the Citizens for a Safe Jackson to answer questions regarding the police levy and services. Chief Neftzer will also be participating.

Clerk's Office

ATTACHMENT 3/28/05 V

Meeks moved and Burger seconded a motion to pay bills in the amount of \$1,055,545.96. **3-0 yes**

ATTACHMENT 3/28/05 W

Meeks moved and Burger seconded a motion to approve the minutes of the March 14, 2005 Board of Trustees meeting. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, April 11, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, April 4, 2005, 5:45 p.m., Township Hall.
- LOGIC, April 7, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Zoning Commission, April 7, 2005, 7:00 p.m., Township Hall.
- Board of Zoning Appeals, April 14, 2005, 7:30 p.m., Township Hall.
- Comprehensive Plan Steering Committee, April 12, 2005, 4:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, April 6, 2005, 6:00 p.m., Township Hall.

- Park, April 19, 2005, 6:30 p.m., Township Hall.
- Highway/Traffic, May 18, 2005, 6:30 p.m., Township Hall.

Old Business

Pizzino: I have some old business and what I'd like to discuss is the Research and Technology District. As you know, Mr. Burger was ill, but Mr. Meeks and I had an informal hearing. It basically was a hearing to let the neighbors know what was going on up in that area and get their comments and their concerns. Since then we have, I've talked to many people and I'm sure Mr. Burger and Mr. Meeks have talked to many people, and everybody tells me what a great idea the Research and Technology District is. You know, this Board has been very aggressive to try to bring jobs to this community and keep Jackson on the pace that we're used to. And Mr. Meeks worked very hard with the Research and Technology District to make it a reality. I think the confusion here, what I believe, is a number of meetings ago, we passed a resolution on the text and we passed a resolution on the map. Right now that's what's in front of our Zoning Board or Zoning Commission, so what I would like to do is to get rid of the confusion and basically, let's put the horse in front of the cart again, I would like to make a motion this evening to revoke the attached resolution of the Zoning Code Map Amendment. And what that does, it lets our Zoning Commission go through the text with the residents, with the businesses, with all the people that are involved in that and really zero in on the true issue of what's going to be involved in that district. What could be involved, you know, what we allow, what we don't allow. And once we get this text, once the Zoning Board comes back, tweaks it, brings a recommendation back to this Board, this Board would hear it, then what would happen from that point on is that we are going to say okay, where can we geographically set this R-T District. Maybe not where it was but maybe we could set it off the ramp of 77 or whatever. But I think the confusion is, right now and everything and all the comments I've been getting is, where this is going to be. It's not that anybody doesn't want it and they know and we've been commended a number of times by people saying it's great to bring that type of job into our community, it not only helps Jackson Township, but it helps the Stark County area. But I think at this time here I think we should just take a step back and here's the motion I'd like to make.

RESOLUTION 05-019, ATTACHED

Pizzino moved and Meeks seconded a motion to revoke Resolution Nos. 05-014 and 05-008 thereby withdrawing Zoning Code Map Amendment No. 547-05. **3-0 yes**

I hope I have a second.

Meeks: Second

Pizzino: We have a second from Mr. Meeks. And again I think that it's very important to get back on the right track. And I think the issue is being clouded because of where that's being set. Again, I have not talked to anyone who's against this. Everybody could be a winner, the township could be a winner, this District could be a winner, but we have to take into consideration the effect it has on our residents up there. And I think that's the biggest concern I have, making sure our residents are protected up there, and I'm sure we talked about this before,

Mr. Meeks, when you brought it to this Board, how it's important for you and it's important for Mr. Burger to protect what buffer zones and setbacks. But I think that let's just slow down and let's get the text approved then we'll work on the map issue of it – where we can actually set this District in the Township that it won't affect our residents. So that's my resolution and that's my thinking and I don't know what you guys are thinking about that.

Meeks: Just so everybody understands, and the Research and Technology District, and John you're right on cue here. We need to separate this, making sure that it is something that by all the other committees that were putting their endorsement on it, the most important endorsement that we needed was the residents. The informational meeting that we had that was bringing out for the first time that you truly tried to understand. What we wanted to do, and we did not have to have an informational meeting, but we felt it was very important to get the residents' up there opinion. Now, like John said, do we want the District, is it something that is needed to improve Jackson Township for our future. Now, take the location out of it. Do we want to have an area not eaten up by more retail or commercial. Or do we just want our I-77 corridor to be what it is presently zoned which would allow more retail space, just like our Strip, just like the Belden Village area. By doing that, and we've been very successful because it gives us our fifty – fifty balance in our tax base, but by doing that what also happens is that we're not encouraging any type of high tech business that would attract the high paying jobs that we want to come to our community. Now put Waywood site out of it. The only reason that came to the plate as a first phase was you had a major land owner, which is the airport, presenting a parcel that was presently leased by leasee. That usually doesn't happen too often when you have two parties like that coming together and aren't asking anything of us. But again I think this is the direction that we need to move in. I am very concerned about the impact to the Pinecreek Allotment. Very much so. If we weren't concerned, if we didn't care about that, we would never want to hear your opinions. Those are your investments, we understand that, very much. And we wouldn't want to hurt anything to do that. That's why, again, we're talking about it here. It's still in front of our commission which all of that will be gathered and we'll slow that pace down. And it may come to us as a recommendation from our commission and we may just deny it altogether. It's all in this fact finding and if you understand the process then they are gathering the information to help us make that decision. And you are a very, very valuable part of that decision.

Pizzino: And, Mr. Meeks, I'd also like to make a comment that I appreciate the Comprehensive Zoning Plan Committee, the Stark Development Board, the airport, all those people that were a part of this and putting their comments and concerns in to make this district a reality. Again I have heard not one person say they didn't want the district. The big concern is where we are going to put this district. So here or there, I made a motion, if there's no other discussion. Mr. Gonzalez would you call the roll.

New Business

Meeks moved and Burger seconded a motion to accept a \$500 sponsorship donation to the Jackson Community Celebration from Kent State University. **3-0 yes**

Public Speaks – Open Forum

Carl Stair of Skylane St. asked for clarification on what will be before the Zoning Commission meeting on April 7. Mr. Pizzino explained that this resolution will be pulled from the Zoning Commission. The only resolution before them is the text amendment, nothing on the geographical area.

Gust Elliopoulis of Willowdale Lake, President of Willowdale Lake spoke out opposed to the RT district in the Waywood location, also anywhere east or west of 241, because it is a residential area. He also feels it should not be anywhere near Pinebrook due to the proximity to Willowdale Lake and the water supply. He feels it's a very high risk location. He then asked for an explanation of the Planning Commission's place in relation to the Board of Trustees and when they met. Mr. Pizzino asked Mr. Meeks to make that clarification. Mr. Meeks then turned the question over to Mr. Phillippi, since he attends Planning Commission meeting on a regular basis. Mr. Fitzgerald then explained the procedures followed in making zoning changes.

Lynn Jones of Redford Road and Pinecreek asked if a document with citizen's signatures would influence the decision of the Zoning Commission and at what point it should be presented. Mr. Gonzalez told her she had the right to sign any petitions at any time, file them with his office and the Board of Trustees will receive copies of the petitions or the easiest way is to present them at any public meeting.

Mr. Pizzino closed the Public Speaks segment.

At 7:10 p.m. Mr. Pizzino called the meeting back into session for bid openings.

Mr. Boger read the bids for highway materials and requested that names be entered into the record and that all bids be accepted at the end of opening.

1. Central Allied Enterprises for hot mix and aggregates.
2. J. D. Mining for limestone.
3. American Sand & Gravel for aggregates.
4. Oster Sand & Gravel for gravel.
5. Massillon Asphalt Co. for asphalts.
6. Allied Corp. for asphalts.
7. La Farge North America Co. for limestones.
8. National Lime & Stone Co. for limestones.
9. North Star Asphalt for asphalt concrete.

Burger moved and Meeks seconded a motion to accept all bids as proposed.

3-0 yes

Mr. Boger opened and read bids for the Dunkeith/Devonshire Project.

1. Bitzel Excavating \$107,570.44 alternate bid with different pipe \$33,699.
2. Superior Paving & Materials \$158,843.00 alternate \$26,790.
3. Donald L. Bennington Contractors of Massillon \$145,202.17 alternate \$32,430.
4. H & W Contractors of Massillon \$139,143.18 alternate \$33,981.
5. Wenger Excavating \$117,512.56 alternate \$40,608.

Mr. Boger will return to the Trustees with recommendations after checking for proper filing procedures.

Meeks moved and Burger seconded a motion to adjourn.

3-0 yes

William Burger, President

Randy Gonzalez, Clerk