

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

MAY 11, 2009

Pizzino called the meeting to order at 6:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Boger, Ruwadi, Zink, Heck and Poindexter present. Moore was excused. He asked that all pagers and cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

ATTACHMENT 05/11/09 A

Walters moved and Burger seconded a motion to approve the Division of Liquor Control, F-2 Permit Application, for the 2009 Arts in Jackson Park, August 30, 2009. **3-0 yes**

ATTACHMENT 05/11/09 B

Lyon explained the Rotary project for North Park which is in an area about 70 foot by 70 foot and will include a walkway and plantings. Benches will be added in the future.

ATTACHMENT 05/11/09 C

Walters moved and Burger seconded a motion to adopt the attached amended Outside Employment and Activities Policy. **3-0 yes**

Highway Department

RESOLUTION 09-016, ATTACHED

Walters moved and Burger seconded a motion to authorize the attached Advertisement for Bids for 2009 Curbing Replacement Project in accordance with the Specifications on file. **3-0 yes**

RESOLUTION 09-017, ATTACHED

Walters moved and Burger seconded a motion to authorize the attached Advertisement for Bids for 2009 Striping Project in accordance with the Specifications on file. **3-0 yes**

ATTACHMENT 05/11/09 D

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with Hanover Township, Ashland County for the sale of a 1989 Ford Model 4610 (901R) Tractor and a 1989 74" Right Hand Interstater Mower. **3-0 yes**

RESOLUTION 09-018, ATTACHED

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees has publicly bid out for a road improvement project commonly referred to as the Wales Avenue/Fulton Drive Streetscape Project, and

Whereas, the Ohio Department of Transportation, District 4, 2008 South Arlington Road, Akron, Ohio 44306, has reviewed the plans and specifications and has approved the plans and finalized the ODOT permit application process; and

Whereas, the Ohio Department of Transportation, District 4, as part of the permit process approval, requires a statement and agreement concerning the construction, reconstruction, operation, maintenance and repairs of the improvements to be made within the Ohio Department of Transportation’s right of way, along a portion of Mudbrook Street from Wales Avenue to Cheryl Lane, a portion of Wales Avenue from Mudbrook Street to Caritas Circle, a portion of Fulton Drive immediately east and west of Wales Avenue, and on portions of community Parkway and Caritas Circle immediately west of Wales Avenue.

Be it resolved that the Board of Trustees of Jackson Township, Jackson County, Ohio, does hereby assume full responsibility for the construction, reconstruction, operation, maintenance, repairs and related expenses for the improvements to be made by the Board of Trustees of Jackson Township, Stark County, Ohio, as part of the Streetscape Project, and pursuant to the plans and specifications as submitted to the Ohio Department of Transportation and fully incorporated herein by reference, including, but not limited to, sidewalks, landscaping, streetlight poles and luminaries, and the electrification which will be separately metered and billed to the Board of Trustees of Jackson Township, Stark County, Ohio, for the luminaries actually selected and installed by them and shall resume full responsibility for the maintenance, repairs and reconstruction therefor and shall hereby release the Ohio Department of Transportation from any and all damages or claims resulting from said construction. **3-0 yes**

RESOLUTION 09-019, ATTACHED

Walters moved and Burger seconded a motion to adopt and ratify the attached Addendum #1 for the Wales Avenue/Fulton Drive Streetscape Project and the attached Addendum #1 for the 2009 Resurfacing Project. **3-0 yes**

Legal Department

ATTACHMENT 05/11/09 E

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Community Celebration Agreements with Illumination Nation and Midnight Blue Productions. **3-0 yes**

Park Department

ATTACHMENT 05/11/09 F

Walters moved and Burger seconded a motion to hire Joshua Kumpf as a seasonal park programming assistant (fifth year), through the temporary service, subject to a negative drug

screen, at the rate of \$8.85 per hour, effective May 19, 2009, per the recommendation of the Park/Operations Director. **3-0 yes**

ATTACHMENT 05/11/09 G

Walters moved and Burger seconded a motion to accept a donation of mulch from Weisgarber Trucking, Inc. **3-0 yes**

Pizzino reported that he has begun talking with the school regarding their cooperation with another new equipment storage building for the Park Department. Ruwadi said they are looking into putting a pavilion near the basketball courts.

Police Department

ATTACHMENT 05/11/09 H

Major Zink told the Board about the Police Staff and Command School he attended recently. He thanked the Board for making it possible for him to attend and provided a list of the courses covered.

Walters moved and Burger seconded a motion to accept a \$1,500.00 donation to “Hooked on Fishing – Not on Drugs” from the Wal-Mart Foundation. **3-0 yes**

ATTACHMENT 05/11/09 I

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5363, Hooked on Fishing, in the amount of \$1,500.00. **3-0 yes**

Zoning & Planning Department

RESOLUTION 09-020, ATTACHED

Pizzino 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 Francisca Mishler & Sandra Floom in Jackson Township, described as follows: 6030-6032 Chermont Street NW, Lot #64, Spenbrock Allotment #1, Parcel No. 16-02442, Jackson Township.

Therefore, be it resolved that said Francisca Mishler & Sandra Floom whose tax mailing address is Countrywide Title Coro Tax Department, 1757 Tapo Canyon Road, Simi Valley, CA 93063, 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 September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. **3-0 yes**

RESOLUTION 09-021, ATTACHED

Pizzino 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 Denise Dawson in Jackson Township, described as follows: 8682 Candleberry Street NW, Lot #8, Pines Hollow Allotment, Parcel No. 16-17167, Jackson Township.

Therefore, be it resolved that said Denise Dawson whose tax mailing address is Countrywide Title Coro Tax Department, 1757 Tapo Canyon Road, Simi Valley, CA 93063, 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 September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

RESOLUTION 09-022, ATTACHED

Pizzino 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 Elizabeth Lloyd in Jackson Township, described as follows: 7476 Hills and Dales Road NW, Lot #20, Cloverdale 1 Allotment, Parcel No. 16-30446, Jackson Township.

Therefore, be it resolved that said Elizabeth Lloyd whose tax mailing address is Countrywide Title Coro Tax Department, 1757 Tapo Canyon Road, Simi Valley, CA 93063, 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 September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

RESOLUTION 09-023, ATTACHED

Pizzino 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 TOP Enterprises of Stark County LTD in Jackson Township, described as follows: Trail Head Circle NW, Lots #19 & 20, Forest Trail Allotment, Parcel Nos.16-27991 & 16-27992, Jackson Township.

Therefore, be it resolved that said TOP Enterprises of Stark County LTD whose tax mailing address is 7694 Strausser Street NW, 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 September 30, 2009. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. **3-0 yes**

ATTACHMENT 05/11/09 J

At 6:15 p.m., Pizzino opened the Public Hearing for the Sidewalk Improvement. No one had any comments for or against. He then closed the Public Hearing.

Boger opened the bids received for the Streetscape Project.

Scassa Asphalt, Inc.	\$477,538.00
Kemppel Industries	\$462,387.62
Cornerstone Electric	\$446,470.85
BCS Contractors	\$464,434.60
McClintock Electric	\$469,316.34
Northstar Asphalt Inc.	\$469,645.75
Lockhart Concrete Co.	\$476,524.40
Parella Pannunzio, Inc.	\$466,363.00
Miller Cable	\$540,300.00

Pizzino moved and Walters seconded a motion to accept all bids. **3-0 yes**

At 6:30 p.m., Boger opened the bids for the Resurfacing Project.

Central Allied Enterprises	\$738,067.30
Northstar Asphalt Inc.	\$596,300.00
Superior Paving	\$596,010.00

Pizzino moved and Walters seconded a motion to accept all bids. **3-0 yes**

Fiscal Office

ATTACHMENT 05/11/09 K

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,463,675.92. **3-0 yes**

ATTACHMENT 05/11/09 L

Pizzino moved and Burger seconded a motion to approve the minutes of the April 27, 2009 Board of Trustees meeting. **3-0 yes**

ATTACHMENT 05/11/09 M

Pizzino moved and Burger seconded a motion to approve the April 2009 financial reports. **3-0 yes**

ATTACHMENT 05/11/09 N

Pizzino moved and Burger seconded a motion to approve the fund transfer from General Fund #101 to Park Fund #214 in the amount of \$216,594.00 **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, May 27, 2009, 4:00 p.m., Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC meeting, June 4, 2009, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC meeting, May 18, 2009, 5:00 p.m., Township Hall.
- Zoning Commission, May 21, 2009, 5:00 p.m., Township Hall.
- Board of Zoning Appeals:
 - May 14, 2009, 6:30 p.m., Township Hall.
 - June 11, 2009, 6:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, May 12, 2009, 5:30 p.m., Township Hall.
 - Highway/Traffic, May 20, 2009, 6:30 p.m., Township Hall.
 - Park, June 9, 2009, 6:30 p.m., Township Hall.
- Jackson Safety Village, June 15-19, Sauder Elementary School, 8:45 a.m. – 12:00 noon, must be in Kindergarten or First Grade for the 2008-2009 school year. Registration from April 20 to May 20 at the Safety Center. Sponsored by the Jackson Police & Fire Departments and Jackson Local Schools.

Old Business - None

New Business

Pizzino moved and Walters seconded a motion to accept a \$1,000.00 sponsorship donation to the Community Celebration from Employers Health Purchasing Corp. of Ohio. **3-0 yes**

Walters moved and Burger seconded a motion to accept \$957.65 from Nancy (Gentzler) Grimes for a flag pole to be installed in Jackson Park in memory of Geraldine A. Gentzler. **3-0 yes**

Walters moved and Burger seconded a motion to accept two trees from Nancy (Gentzler) Grimes, one in memory of George E. Books, and one in memory of Gordon Paul Gentzler.

3-0 yes

ATTACHMENT 05/11/09 O

At 6:30 p.m., Pizzino opened the Public Hearing on zoning amendment 573-09 to re-zone from B-3 Commercial Business District to R-R Rural Residential District, .64 acres, located at 4120 Revere NW.

Poindexter told the Board this re-zone went before the RPC and the RPC recommended approval of the re-zone. She gave one of the reasons being that most of the area to the north and east was zoned single family and two family housing, open land is to the west, and undeveloped land is zoned B-3 southward along the east side of Erie Avenue. She said an auto repair and a drive thru are to the northwest on one parcel almost directly across the street from the property. She also said this re-zone came before the Zoning Commission on April 16 and the Zoning Commission also recommended approval.

Pizzino asked if anyone wanted to speak in favor of the zone change.

Randy Close, 4120 Revere, said he didn't know why it had been zoned commercial. He explained that to buy the property he had to get a commercial ARM loan from the bank. He said his bank will no longer give that kind of loan for that property. He said he is requesting that it be re-zoned residential so he can get a regular home loan.

Pizzino asked if anyone wanted to speak against the zone change. No one came forward.

Pizzino closed that portion of the hearing.

Walters moved and Burger seconded a motion to adopt the recommendation of the Zoning Commission.

3-0 yes

Public Speaks – Open Forum

No one came forward.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez