

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

NOVEMBER 13, 2006

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

Pizzino moved and Meeks seconded a motion to go into Executive Session for Personnel (Appointment/Employment/Compensation) – Independent Contractor, Board of Zoning Appeals and Zoning Commission members; Highway and Park Citizens Advisory Committee members.
3-0 yes

Pizzino moved and Meeks seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Interview Secretary 2 applicant; Part-time officer compensation.
3-0 yes

Pizzino moved and Meeks seconded a motion to go into Executive Session for Park Department Personnel (Appointment/Employment/Compensation).
3-0 yes

Pizzino moved and Meeks seconded a motion to go into Executive Session for Highway Department Personnel (Appointment/Employment/Compensation).
3-0 yes

Upon return from Executive Session, Pizzino opened the General Session at 6:08 p.m. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks

Evelyn Heil, 3626 Pinehurst Ave. N.W., owns a property on Concord which she rents out to a pediatrician. She had planned to provide a parking area on the property but due to zoning restrictions those plans must be revised and she is requesting more time. She said she is not in favor of the no parking area as proposed. She suggested shortening the no parking area from the intersection at Wales in order to improve visibility. She is planning on providing parking space for her property and is not adverse to the neighbors' property being posted as no parking.

Police Department

Pizzino announced a short break for photos to be taken to recognize the promotion of Major Zink.

Pizzino reopened the meeting at 6:18 p.m.

Police Department

ATTACHMENT 11/13/06 A

Meeks moved and Burger seconded a motion to approve the appropriation transfer request as follows:

From	To	Amount
209.250.5480 Telephone	209.250.5482 Cell Phone Expense	\$1,520.00
209.255.5112 Part-time Wages	209.255.5120 Patrol Over time	\$10,000.00
209.255.5112 Part-time Wages	209.258.5120 DB Over time	\$16,000.00
209.250.5114 Temp. Services	209.250.5702 Vehicle Purchase	\$7,362.95
209.250.5230 Workers Comp	209.250.5395 Vehicle Maintenance	\$5,000.00
209.250.5387 Discretionary	209.250.5418 Towing	\$250.00
		3-0 yes

RESOLUTION 06-101, ATTACHED

Meeks moved and Burger seconded a motion to authorize the hiring of Lori A. Foutz for the full-time position of Secretary 2 in the Police Department, effective November 27, 2006, who will be compensated at the rate established in the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc., Office and Clerical Employees.

Be it further resolved that Lori A. Foutz will serve a six month probationary period during which time she may be terminated without cause by the Board of Trustees. **3-0 yes**

Pizzino asked that since Ms. Foutz is already a Township employee will she still serve a six month probationary period. Mr. Fitzgerald said yes.

RESOLUTION 06-102, ATTACHED

Meeks moved and Burger seconded a motion to authorize increasing the hourly rate of Part Time Patrol Officers to \$13.96 per hour which will be adjusted annually to reflect the hourly base rate of a starting Full Time Patrol Officer. **3-0 yes**

Meeks: I think it is appropriate to adjust it at this time. One thing that we must do and that is try to encourage staffing of part time ranks. We've exhausted that part of our police department and it's time to try to solicit quality candidates. I think one of the feedbacks that we were receiving was that they weren't making enough. I think it's very fair.

Pizzino: Chief, how many part time people would you like to go up to?

Neftzer: We're currently at six and we need about a dozen more. But because of the training that's required, we can only hire about four to six at a time. We just finished the training of our full time officers, so we're in a position now where we can start training part timers. So we'd like to hire four to six as soon as we can. We need to get that staffing built back up because they supplement our work force when our other officers take off but, and it's been reported in the media lately, it's a very competitive market and we're very selective and because of that our candidates are very attractive to other agencies and we have lost some because of very few

vacancies in the full time ranks. So we've kind of depleted our part timers and we need to get it replenished so we will start doing that immediately.

Gonzalez: Financially, that's been a major issue. I know the Board likes to hire from those ranks because we have a good chance to look at the part timers. But financially, as the Chief just said, rather than paying a full timer time and a half to fill in for somebody on vacation or sick leave, we could augment that with a part timer at a far less rate and it really keeps our overtime dollars lower. The Board's been working so hard to spread the levy dollars as far as they can and this is a big move toward saving dollars.

Administration Department

Lyon introduced Jean Ginonni, RN and Case Manager who told the Board the purpose and goals of Caretenders which is a home care agency, and their main focus is to serve Medicare clients in Stark, Summit, Portage and Wayne Counties. They work with discharge planners in hospitals and doctors offices, for those that need skilled nursing at home, since people do better and heal quicker in their own home. They are celebrating National Home Care and Hospice month and appreciate the Board inviting them to attend the meeting and receiving the following proclamation.

ATTACHMENT 11/13/06 B

Meeks moved and Burger seconded a motion that whereas, home care services provide high quality and compassionate health care services to those in need, especially at time of community or personal health care crisis, and

Whereas, home care is the most preferred method of health care delivery among disabled, elderly, and chronically ill individuals eager to live independently in their own homes as long as they possibly can, and

Whereas, home care services allows families to stay together, and provide for greater health, dignity and comfort in our communities, and

Whereas, home care in the United States is a growing alternative to hospitalization or other institution-based forms of health care for acute and chronic illnesses, providing care to millions of Americans each year, and

Whereas, Caretenders, Almost Family, the National Association for Home Care and Hospice, and thousands of home care agencies across the United States have declared the month of November 2006 as National Home Care Month and are calling on all Americans to observe these occasions with appropriate ceremonies and activities.

Now therefore be it resolved that we, the duly elected Board of Trustees of Jackson Township, Stark County, Ohio, hereby proclaim November 2006 as National Home Care Month in Jackson Township, Stark County, Ohio and encourage the support and participation of all citizens in learning more about the home care and hospice concepts for the elderly, disabled and infirm.

3-0 yes

Lyon introduced Greg Becker, the Township's health plan consultant, who explained the renewal numbers to the Board. He pointed out that total medical charges increased 20% but the average cost per employee increased only 2.3%. Gonzalez commended the Township Administrator for her efforts with the committee.

ATTACHMENT 11/13/06 C

Pizzino moved and Meeks seconded a motion to approve the Health Plan Renewal Option A as recommended by the Health Insurance Committee. **3-0 yes**

Meeks thanked Mr. Becker for his work with the committee and for controlling the costs and the way he explains things so they can be understood.

ATTACHMENT 11/13/06 D

Meeks moved and Burger seconded a motion to approve the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc. (Sergeants), effective September 1, 2006 to August 31, 2009. **3-0 yes**

ATTACHMENT 11/13/06 E

Pizzino moved and Burger seconded a motion to re-schedule two regular Board of Trustees' meetings from November 27 to November 22 and from December 25 to December 22, 2006. **3-0 yes**

RESOLUTION 06-103, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Section 9.36, we hereby adopt and authorize the placement of our signatures on the attached Consultant Agreement with Robert E. Patris. **3-0 yes**

Pizzino pointed out that Mr. Patris has been with the Township for some time and does an excellent job at a great savings to the Township. Meeks concurred and said Mr. Patris has done a fantastic job.

Pizzino moved and Meeks seconded a motion to approve advertising for the Data Coordinator position in the Zoning Department. **3-0 yes**

Central Maintenance

ATTACHMENT 11/13/06 F

Meeks moved and Pizzino seconded a motion to approve Central Maintenance Budget Module No. 06-3, for two computers and two printers, in the amount of \$2,800.00. **3-0 yes**

ATTACHMENT 11/13/06 G

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.115.5524, Vehicle Parts & Supplies, to account code 101.115.5432, Computer Related Services, in the amount of \$2,800.00. **3-0 yes**

Moore informed the Board the HVAC for the meeting room has been completed and is working well.

Fire Department

RESOLUTION 06-104, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Sections 146.03, to hereby establish the Volunteer Fire Fighters Dependents Fund Board and elect Lawrence Baughman and Jimmie Conley to be members thereof. **3-0 yes**

Highway Department

ATTACHMENT 11/13/06 H

Meeks moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached proposal from ME Companies for the Portage / Lutz Intersection Project. **3-0 yes**

Meeks: I think this is an excellent proposal because the way the water flows now it does take a good chunk of our western part of this property. And by being able to move it, hopefully, we'll then also help with the placement of the ingress/egress apron coming out of the fire station and straighten a little bit of the curvy creek that's to the west.

Boger presented the Board with a presentation on the overhead projector showing Ms. Heil's property and the intersection of Wales and Concord. He pointed out what is currently posted as no parking, and what this resolution would do. There was discussion among the Trustees, Mr. Boger and Chief Neftzer regarding the distance required to provide for improved visibility. Ms. Heil said she would like to see the street parking stay as it is.

RESOLUTION 06-105, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Sections 505.17 and 4521.02 (A) and ORC Chapter 4521, the Board of Trustees of Jackson Township, Stark County, Ohio hereby amends, effective December 14, 2006, the non criminal parking infraction violations legislation previously adopted and amended to include the attached marked described area of Concord Street to read as follows:

Vacate no parking on the north side of Concord Street NW from Wales Avenue to Amherst Avenue.

No parking on the north side of Concord Street NW from Wales Avenue to 50 feet west of Wales Avenue NW.

No parking on the south side of Concord Street NW from Wales Avenue to Amherst Avenue.

3-0 yes

Legal Department

Fitzgerald explained that the letter to the Ohio Department of Development informs them of the tax abatement agreement with Kenan Advantage Group.

Pizzino thanked Meeks and Gonzalez for working on this agreement with Kenan and keeping the Board up to date.

Meeks pointed out that this agreement will not take any dollars from the school district. He said this is a quality business that had all intentions of leaving, not just Jackson Township, but Stark County. He said that the State was involved and in order to get the job tax credits that they deserve, Jackson Township had to come up with a local match and that is what the tax abatement is about.

Gonzalez asked the press to minimize any announcement at this time until Kenan is prepared to issue their press release. With Senator Schuring's help, the agreement with Kenan was worked out.

RESOLUTION 06-106, ATTACHED

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached letter to the Ohio Department of Development. **3-0 yes**

ATTACHMENT 11/13/06 I

Meeks moved and Burger seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Easements for the Portage/Lutz Intersection Project. **3-0 yes**

ATTACHMENT 11/13/06 J

Meeks moved and Burger seconded a motion to adopt the attached Easements and Temporary Right of Way Agreements for the High Mill/Lafayette Project and further authorize the payment of the consideration described therein. **3-0 yes**

ATTACHMENT 11/13/06 K

Meeks moved and Burger seconded a motion pursuant to ORC Section 309.09(B), to employ and authorize the law firm of Krugliak, Wilkins, Griffith & Dougherty Co. LPA to advise and represent the Board of Trustees of Jackson Township, Stark County, Ohio or any other member or employee thereof in any issues or matter as requested by the Board of Trustees or Law Director including labor negotiations, grievance administration or arbitration hearings, unfair labor practice charges or other personnel issues or matters at the rate of \$125 per hour in accordance with the attached purchase order. **3-0 yes**

ATTACHMENT 11/13/06 L

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.250.5416, Booking Fees, to account code 101.140.5440, Legal Services, in the amount of \$20,000.00. **3-0 yes**

Park Department

RESOLUTION 06-107, ATTACHED

Meeks moved and Burger seconded a motion to transfer \$5,173.00 from the Discretionary Appropriation Code 326.510.5387 in the Park Capital Projects Fund #326 to the Truck and Equipment Appropriation Code 326.510.5658 in Fund #326 for the purchase of Park bleachers.

3-0 yes

ATTACHMENT 11/13/06 M

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 326.510.537, Capital – Discretionary, to account code 326.510.5658, Capital – Equipment, in the amount of \$5,173.00.

3-0 yes

Zoning & Planning Department

ATTACHMENT 11/13/06 N

Pizzino moved and Meeks seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of September, 2006 it was informed in writing that noxious weeds were growing on lands of Joseph Smith in Jackson Township and were about to spread and mature seeds; and said lands being described as follows: 5140 Fleetwood Avenue NW, Parcel No. 16-23031 & 16-23032, S.E. Qtr. Section 22, Jackson Township, and thereupon said Jackson Township Trustees caused said noxious weeds to be cut or destroyed by the Jackson Township Park Department.

The following is a statement of the charges for labor, materials, and equipment used . . . \$400.00

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 collected as other taxes and returned to the Township to be placed in the Township general fund.

3-0 yes

Fiscal Office

ATTACHMENT 11/13/06 O

Meeks moved and Burger seconded a motion to pay the bills in the amount of \$1,128,722.60.

3-0 yes

ATTACHMENT 11/13/06 P

Meek moved and Burger seconded a motion to approve minutes of the October 23 and October 26, 2006 Board of Trustees meetings.

3-0 yes

ATTACHMENT 11/13/06 Q

Meeks moved and Burger seconded a motion to approve the financial reports for October 2006.

3-0 yes

Gonzalez asked the Board if they would be in favor of paying for the electric on a temporary streetlight at the intersection of Wales and Caritas if the power company would agree to install it at their own cost.

Burger explained the new driveway coming from the YMCA, which continues back to the school, is difficult to see when traveling on Wales at night.

Meeks suggested looking into what the cost would be and then the Township would pay the monthly bill.

Meeks moved and Burger seconded a motion that the electric company erects a streetlight at the intersection of Caritas and Wales at their expense, and the Township will pay the monthly utility bill. **3-0 yes**

ATTACHMENT 11/13/06 R

Gonzalez informed the Board that he, Mr. Fitzgerald and Chief Neftzer attended the hearing on the liquor license for Woodlawn Market. The Liquor Commission overruled the Township and will allow the application process to continue. Mr. Gonzalez said the Liquor Commission said the Township did not present enough evidence to stop it.

Routine Business

Announcements

- Next regular Board of Trustees meeting, November 22, 2006, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, December 4, 2006, 5:30 p.m., Township Hall.
- LOGIC, December 7, 2006, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Zoning Commission, November 16, 2006, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Park, November 14, 2006, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 15, 2006, 6:30 p.m., Township Hall.
 - Community Celebration, including Board of Trustees, November 20, 2006, 6:00 p.m., Township Hall.

Old Business

Mr. Gonzalez informed the Board there is a SCOG meeting tomorrow. Bill is on the committee. One of the presentations will be by Mr. Giavasis for the CJIS project to buy an affidavit maker to do the complaints and indictments for all the criminal justice of Stark County. Affidavit maker is a product that the Jackson Township Police Department currently uses and could soon be used county wide. If SCOG decides to pick up the fee, the Jackson Township Police Department will no longer have to pay the fee because it is a county wide product. He suggested a letter of support from the Board for Mr. Burger to take to the meeting with him.

Pizzino moved and Meeks seconded a motion for the Administrator to write a letter in favor of SCOG backing the purchase of the Affidavit maker software. **3-0 yes**

New Business

ATTACHMENT 11/13/06 S

Meeks moved and Burger seconded a motion not to request a hearing on the advisability of issuing a liquor permit to Daniela Popovici dba Euro Deli, 4655 Whipple Ave. N.W. **3-0 yes**

Pizzino moved and Meeks seconded a motion to accept a \$2,000 donation to the Park Department from the Jackson Girls Softball League, Inc. **3-0 yes**

Pizzino moved and Meeks seconded a motion to accept a \$750 donation to the Park Department from the Jackson Youth Football Association. **3-0 yes**

Pizzino moved and Meeks seconded a motion to accept a \$1,000 donation to the Fire Department from the Jackson Youth Football Association. **3-0 yes**

At 6:30 p.m., Pizzino opened the public hearing for Shady Knolls #2 Street Lighting District.

Gonzalez asked if anyone would like to speak in favor of or against the street lighting district. He explained this is a new allotment with primarily one owner which is the developer. No one spoke for or against the district.

RESOLUTION 06-108, ATTACHED

Meeks moved and Burger seconded a motion that a hearing having been had upon the attached petition requesting that the Board of Jackson Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this Township, following notice and actual view taken, and the Board of Township Trustees finding:

- (1) That the petition was filed with the Township Fiscal Officer on September 13, 2006 and that the Board of Township Trustees was duly notified by him of such filing and a copy of the petition was delivered to it on October 17, 2006.
- (2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the

petition complied with the law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and

- (3) That due notice of a hearing before the Board of Township Trustees on the petition for Shady Knolls Number 2 was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published as against nonresidents pursuant to RC 515.04, and return of due service and publication was made according to law.

Be it further resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that the proposed improvement to light artificially the streets and public ways in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the streets and public ways is 9, that the lights shall be standard street light lumens; that they shall be located at the places described in the attached print; and that the kind of supports therefore shall be described on the print.

Be it further resolved that, pursuant to ORC Section 515.08 and in accordance with the attached ESIP Agreement with Ohio Edison, we hereby contract with Ohio Edison for a ten (10) year period for the installation and maintenance of the lights described in the attached plan in the amount of approximately \$2.22 per light per month for a total of \$239.76 per year. The Developer is responsible for payment of the installation cost and/or connection fee for this street lighting.

Be it further resolved that the costs and expenses of furnishing and maintaining such lights shall be paid from a fund made by special assessment against the lots and lands in the district which are benefited by such lighting as provided in the attached assessment chart and the Fiscal Officer shall certify this Resolution and assessment chart to the Stark County Auditors Office. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

Meeks moved and Burger seconded a motion to adjourn. **3-0 yes**

John Pizzino

Randy Gonzalez