

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 13, 2015

Walters called the meeting to order at 4:02 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Vaccaro, Brink, Moore, Poindexter, Boger and Hogue present.

Walters moved and Hawke seconded a motion to go into Executive Session for Public Works Department Personnel (Appointment/Employment/Compensation) – Interview Park Maintenance leased worker applicant and Mechanic applicants. **3-0 yes**

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

Walters moved and Hawke seconded a motion to go into Executive Session to prepare for, conduct, or review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. **3-0 yes**

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

Walters moved and Pizzino seconded a motion to go into Executive Session to consider confidential information related to economic development assistance as described in Ohio Revised Code §121.22(G)(8)(1) and (2). **3-0 yes**

Walters moved and Pizzino seconded a motion to go into Executive Session to consider the sale of property. **3-0 yes**

Upon return from Executive Session at 5:20 p.m., Walters opened the Work Session.

#### **Work Session**

Robb Hankins with Arts in Stark told the Board they are working on a public art display where students decorate fifty polar bears to be displayed around the Township. He said he brought some prototypes and submitted a letter that he wanted to go over some of the fine, basic points. He said several years ago they did a 2020 (indistinguishable) project for Jackson. He said the focus was how to emphasize the intersection of Wales and Fulton and how to make public their projects in and around there to celebrate Jackson's history. He then displayed and discussed the drawings he brought. He said he submitted seven sites. He said he realized that this would come under the signage ordinance but said that at some point they may want to develop a public art policy.

Hawke said he has had discussions about this in the past and if the locations are on private property the issue is being conscious of where the rights of ways are and where they sit so the

safety of the roadways are maintained. He also said that Poindexter pointed out that there is a permit process but since it is a non-profit organization there would be no cost. He said as far as the public locations he is not in favor of having them in front of the Safety Center. He said most of the walking traffic is in the Park and suggested discussing that location.

All the Trustees said they liked the idea but safety must be considered.

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**

**Fire Department**

**ATTACHMENT 10/13/15 A**

Walters moved and Pizzino seconded a motion to approve the Negotiated Agreement and the Memorandum of Understanding between the Jackson Township Board of Trustees and the Jackson Township Professional Firefighters Local 2280, IAFF, effective January 1, 2015 through December 31, 2017, and to authorize the Board of Trustees to sign said agreement and Memorandum of Understanding. **3-0 yes**

**ATTACHMENT 10/13/15 B**

Walters moved and Hawke seconded a motion to accept Dominos Pizza gift cards in the amount of \$200.00 from Mr. Rick Stock. **3-0 yes**

**Administration Department**

**ATTACHMENT 10/13/15 C**

Walters moved and Pizzino seconded a motion to authorize the attached annual compensation increases in accordance with the Benefit Package for Management Personnel and Part-Time employees. **3-0 yes**

**RESOLUTION 15-063, ATTACHED  
COMPENSATION FOR FIRE DEPARTMENT DEPUTY CHIEF AND BATTALION CHIEF**

Walters moved and Hawke seconded a motion whereas, the Board of Trustees of Jackson Township, adopted Resolution 15-032 on June 23, 2015, and set forth therein the compensation for Fire Department Deputy Chief and Battalion Chief in conformity with Article II of the Benefit Package for Management Personnel.

Be it resolved that, effective the first pay period ending in January of 2015, Fire Department Battalion Chiefs shall receive a compensation adjustment of one percent (1%), when combined with the compensation adjustment approved pursuant to Resolution 15-032, shall not exceed a compensation adjustment of three percent (3%) for calendar year 2015. Additionally, effective

the first pay period ending in January of 2015 the differential between the base compensation of a Fire Department Battalion Chief and the base compensation salary of a Fire Department Captain shall be a minimum of fifteen percent (15%). In any subsequent years, compensation adjustments shall be effective the first pay period ending in January.

Be it further resolved that, effective the first pay period ending in January of 2015, Fire Department Deputy Chiefs shall receive a compensation adjustment of one percent (1%), when combined with the compensation adjustment approved pursuant to Resolution 15-032, shall not exceed a compensation adjustment of three percent (3%) for calendar year 2015. Additionally, effective the first pay period ending in January of 2015 the differential between the base compensation of a Fire Department Deputy Chief and the base compensation salary of Fire Department Battalion Chief shall be a minimum of ten percent (10%). In any subsequent years, compensation adjustments shall be effective the first pay period ending in January. **3-0 yes**

**ATTACHMENT 10/13/15 D**

Walters moved and Hawke seconded a motion to approve the Negotiated Agreement between the Jackson Township Board of Trustees and the Utility Workers Union of America, AFL-CIO, Local 568, effective July 1, 2015 to June 30, 2018, and to authorize the Board of Trustees to sign said agreement. **3-0 yes**

**ATTACHMENT 10/13/15 E**

Walters moved and Pizzino seconded a motion to approve Certificates of Appreciation for the 2015 Citizens Advisory Committees (Highway/Traffic, Park and Community Celebration) and to authorize the Trustees' and Fiscal Officer's signatures thereon. **3-0 yes**

**ATTACHMENT 10/13/15 F**

Walters moved and Pizzino seconded a motion to approve Certificates of Appreciation for the Blue Star Memorial Dedication and to authorize the Trustees' and Fiscal Officer's signatures thereon. **3-0 yes**

**Legal Department**

Walters moved and Hawke seconded a motion to waive the second reading of the following resolution. **3-0 yes**

**RESOLUTION 15-064, ATTACHED  
REGULATIONS PROHIBITING THE BURIAL OF HUMAN REMAINS IN A FAMILY  
OR PRIVATE CEMETERY**

Walters moved and Hawke seconded a motion whereas, the Board of Trustees is authorized to pass and enforce necessary resolutions which are necessary for the promotion of the public health, safety and general welfare; and

Whereas, Jackson Township is a large Urban Township with a population of 40,373; and

Whereas, the Board of Trustees has determined that establishment of family and private cemeteries that would allow families to bury deceased members of their family in such

cemeteries poses a substantial risk to public health, safety, general welfare and adversely affects real property values within the unincorporated area of the Township; and

Whereas, Jackson Township is a limited home rule government pursuant to Ohio Revised Code Chapter 504; and

Whereas, Ohio Revised Code Section 504.04(A) permits the Board of Trustees to adopt and enforce within the unincorporated area of the Township police regulations.

Now therefore, be it resolved that, pursuant to Ohio Revised Code Sections 504.04(A)(1) and (2), 504.05, 504.06, and 504.07 we hereby adopt the attached Regulations Prohibiting the Burial of Human Remains in a Family or Private Cemetery, effective 30 days from the adoption of this Resolution.

Be it further resolved that, the Board of Trustees determines this Resolution is in the best interest of the public health, safety, and general welfare of the public, and that this Resolution is reasonable and consistent with constitutional limitations.

Be it resolved that, pursuant to ORC Section 504.10, we hereby dispense with the requirement that this resolution be read on two separate days and authorize the passage of this resolution upon its first reading and authorize the Law Director to publish the attached notice. **3-0 yes**

**RESOLUTION 15-065, ATTACHED  
DISPATCH SERVICES AGREEMENTS (FIRE AND POLICE)**

Walters moved and Hawke seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreements for Dispatch Services for the Fire and Police Departments with the Local Organized Governments in Cooperation (L.O.G.I.C.). **3-0 yes**

**Police Department**

**ATTACHMENT 10/13/15 G**

Walters moved and Hawke 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., Office and Clerical Employees, effective July 1, 2015 to June 30, 2018, and to authorize the Board of Trustees to sign said agreement. **3-0 yes**

**RESOLUTION 15-066, ATTACHED  
DISPOSITION OF TOWNSHIP POLICE EQUIPMENT**

Walters moved and Hawke seconded a motion whereas, Ohio Revised Code Section 505.10(A)(3) requires the Jackson Township Board of Trustees to adopt, by resolution, a list identifying equipment or tools the Board finds are not needed or are unfit for use, and approve the sale to a firm which will credit the selling price against the purchase of new equipment and/or tools in future.

Be it resolved, and pursuant to, Ohio Revised Code Section 505.10(A)(3), the Board of Jackson Township Trustees hereby finds the attached list of equipment is no longer needed or is unfit for

use, and authorizes the selling of said equipment to Kiesler's Police Supply, Inc., at the price listed for credit toward the purchase of new equipment from Kiesler's Police Supply, Inc.

**3-0 yes**

#### **ATTACHMENT 10/13/15 H**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 209.250.5299, Discretionary PS, to account code 209.255.5122, Step OT, in the amount of \$16,000.00 and from account code 209.250.5387, Discretionary, to account code 209.250.5804, County Auditor, in the amount of \$13,000.00.

**3-0 yes**

### **Public Works Department**

#### **Highway Division**

#### **ATTACHMENT 10/13/15 I**

Walters moved and Hawke seconded a motion to approve Budget Module 2015-31-A for Nimishillen Creek Drainage Basin Analysis in the amount of \$24,982.50.

**3-0 yes**

#### **ATTACHMENT 10/13/15 J**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5558, Drainage, in the amount of \$24,983.00.

**3-0 yes**

### **Park Division**

#### **ATTACHMENT 10/13/15 K**

Walters moved and Hawke seconded a motion to authorize Mark Haverfield as a leased park maintenance worker, through a temporary service, subject to a negative drug screen, at the rate of \$8.50 per hour, effective October 19, 2015, in accordance with the attached memorandum from David Ruwadi.

**3-0 yes**

#### **ATTACHMENT 10/13/15 L**

Walters moved and Hawke seconded a motion to approve Budget Module 15-14 for Equipment in the amount of \$8,000.00.

**3-0 yes**

#### **ATTACHMENT 10/13/15 M**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 214.510.5387, Discretionary, to account code 214.510.5652, Park Equipment, in the amount of \$7,204.30.

**3-0 yes**

#### **ATTACHMENT 10/13/15 N**

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 214.515.5114, Temporary Services Programming, to account code 214.510.5114, Temporary Services Operations, in the amount of \$10,000.00.

**3-0 yes**

Walters moved and Hawke seconded a motion to accept a \$750.00 donation to the parks from Jackson Fury Soccer Club. **3-0 yes**

### **Central Maintenance Division**

#### **RESOLUTION 15-066, ATTACHED**

##### **CENTRAL MAINTENANCE DIVISION MECHANIC**

Walters moved and Hawke seconded a motion that we hereby authorize the employment of Richard Z. Bergmann for the full-time position of Mechanic in the Public Works Department, Central Maintenance Division, effective November 2, 2015 at the Step 3 rate (\$20.6346) set forth in the negotiated agreement between the Board of Trustees of Jackson Township and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Richard Z. Bergmann will serve a seven hundred thirty day probationary period during which time he may be terminated without cause by the Board of Trustees. **3-0 yes**

#### **ATTACHMENT 10/13/15 O**

Walters moved and Hawke seconded a motion to approve an unpaid leave of absence for Richard Z. Bergmann from November 12 through November 20, 2015 for the purpose of his pre-paid vacation. **3-0 yes**

### **Zoning & Planning Department**

Walters moved and Hawke seconded a motion to set a public hearing for Zoning Amendment 622-15 on October 27, 2015, at 6:00 p.m. DeVille Enterprises LLC, Donald DeVille, agent for property owners, Willmary Investments LTD and Joseph & Patty Mahoney, propose to rezone from R-R Rural Residential District to R-3 Planned Unit Development District approximately 19.96 acres, and from R-R Rural Residential District to R-4 Multi-Family Residential Planned Unit Development District, approximately 18.56 acres, located at the northwest corner of Hills & Dales and Brunnerdale NW. **3-0 yes**

#### **ATTACHMENT 10/13/15 P**

Walters moved and Hawke seconded a motion to send the Report to County Auditor of Township, Action Regarding Abatement of a Nuisance at 3796 Amherst Ave. N.W., Parcel No. 16-13146, Northwest Quarter Section 29, in the amount of \$389.13. **3-0 yes**

### **Fiscal Office**

#### **ATTACHMENT 10/13/15 Q**

Walters moved and Hawke seconded a motion to pay the bills in the amount of \$1,508,274.09.

**3-0 yes**

**ATTACHMENT 10/13/15 R**

Walters moved and Hawke seconded a motion to approve the minutes of the September 22, 2015 Board of Trustees' meeting. **3-0 yes**

**ATTACHMENT 10/13/15 S**

Walters moved and Pizzino seconded a motion to approve the September 2015 Financial Reports. **3-0 yes**

**ATTACHMENT 10/13/15 T**

Walters moved and Pizzino seconded a motion to accept the resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. **3-0 yes**

**Routine Business**

**Announcements**

- Next regular Board of Trustees meeting, October 27, 2015, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC Meeting, October 15, 2015, 8:00 a.m., Township Hall.
- CIC Work Session, November 30, 2015, 3:30 p.m., Township Hall.
- LOGIC, November 5, 2015, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Board of Zoning Appeals, October 22, 2015, 5:30 p.m., Township Hall.
- Jackson Township Recycling Station Board, October 28, 2015, 11:00 a.m., Buehler's Community Room.
- Bicentennial Committee, November 10, 2015, 6:30 p.m., Jackson Old School House on Fulton Road.
- Citizens Advisory Committees
  - Community Celebration, November 18, 2015, 5:30 p.m., Township Hall.
  - Park, October 17, 2015, 6:30 p.m., Township Hall.
  - Highway/Traffic, November 18, 2015, 6:30 p.m., Township Hall.
- Friends of the Park, October 14, 2015, 7:00 p.m., Township Hall.

- Unity in our Community Pancake Breakfast and Health Fair, Saturday, October 17, 2015 8:00 a.m. – 12:00 noon, Jackson High School Commons
- Haunted Hayride, Saturday, October 17, 2015, 7:00 p.m. – 10:00 p.m., Jackson South Park, Fulton Drive next to Jackson High School.
- Halloween Trick or Treat, Saturday, October 31, 2015, from 3:00 – 5:00 p.m.

**Old Business** – None

**New Business** – None

**Public Speaks – Open Forum**

No one came forward.

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

Walters moved and Pizzino seconded a motion to go into Executive Session to consider the sale of property. **3-0 yes**

Upon return from Executive Session at 7:00 p.m., Walters moved and Hawke seconded a motion to adjourn. **3-0 yes**

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**James Walters**

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**Randy Gonzalez**