

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 9, 2013

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

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

Walters moved and Hawke seconded a motion to go into Executive Session for preparing for, conducting, or reviewing negotiations 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 to consider confidential information related to the marketing plans, specific business strategy, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project, and is necessary to protect the interest of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. **3-0 yes**

Upon return from Executive Session at 5:15 p.m., 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

RESOLUTION 13-072, ATTACHED APPOINTMENT OF LAW DIRECTOR

Walters moved and Pizzino seconded a motion pursuant to ORC Section 504.15, Michael B. Vaccaro is hereby appointed to the full time position of Law Director in the Legal Department, effective October 31, 2013 with a two year probationary period, who shall receive an annual salary of \$70,850.00 and the benefits of a Class A employee as described in the Benefit Package for Management Personnel. **3-0 yes**

Police Department

Walters moved and Hawke seconded a motion to authorize advertising for part-time police officers. **3-0 yes**

Public Works Department

Highway Division

ATTACHMENT 10/09/13 A

Walters moved and Hawke seconded a motion to approve Budget Module 2013-32-A for Red Fox Storm Sewer Replacement in the amount of \$55,000.00. **3-0 yes**

ATTACHMENT 10/09/13 B

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5558, Drainage, in the amount of \$55,000.00. **3-0 yes**

ATTACHMENT 10/09/13 C

Walters moved and Hawke seconded a motion to approve “Then and Now” Purchase Order to the Stark County Sanitary Engineering-Sewer Division in the amount of \$6,757.00. **3-0 yes**

Park Division

ATTACHMENT 10/09/13 D

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 214.510.5387, Discretionary, to account code 214.510.5522, Building Maintenance, in the amount of \$2,500.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to accept a \$500.00 sponsorship donation to the 2014 Community Celebration from the Jackson-Belden Chamber of Commerce. **3-0 yes**

Walters moved and Pizzino seconded a motion to accept a \$200.00 donation to the parks from Ken & Kathleen Kuhlmann of Autism Speaks. **3-0 yes**

Central Maintenance

ATTACHMENT 10/09/13 E

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 101.115.5220, Hospitalization, to account code 101.115.5524, Vehicle Parts, in the amount of \$8,000.00, from account code 101.115.5220, Hospitalization, to account code 101.115.5523, Facility Maint. Supplies, in the amount of \$4,000.00 and from account code 101.115.5387, Discretionary, to account code 101.115.5432, Computer Related Services, in the amount of \$1,500.00. **3-0 yes**

Fiscal Office

ATTACHMENT 10/09/13 F

Pizzino moved and Hawke seconded a motion to pay the bills in the amount of \$1,121,233.63. **3-0 yes**

ATTACHMENT 10/09/13 G

Walters moved and Hawke seconded a motion to approve the minutes of the September 20, the September 24, and the October 1, 2013 Board of Trustees' meetings. **3-0 yes**

ATTACHMENT 10/09/13 H

Walters moved and Pizzino seconded a motion to approve the September 2013 Financial Report. **3-0 yes**

ATTACHMENT 10/09/13 I

Walters moved and Hawke seconded a motion to accept 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 22, 2013, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC, October 21, 2013, 8:00 a.m., Township Hall.
- LOGIC, November 7, 2013, 1:00 p.m., Jackson Safety Center, Chiefs' Conference Room.
- Board of Zoning Appeals, October 10, 2013, 5:30 p.m., Township Hall.
- Zoning Commission, October 17, 2013, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, November 13, 2013, 5:30 p.m., Township Hall.
 - Park, November 13, 2013, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 13, 2013, 6:30 p.m., Township Hall.
- Friends of the Park, November 13, 2013, 7:00 p.m., Township Hall.
- Jackson Township Recycling Station Board, October 23, 2013, 11:00 a.m., Buehler's Community Room.
- Unity in our Community Pancake Breakfast & Health Fair, Saturday, October 19, 2013, 8:00 a.m. – 12:00 noon, Jackson High School Commons.

- Jackson Township Haunted Hayride, Saturday, October 19, 2013, 7:00 – 10:00 p.m., Jackson South Park.
- Halloween Trick or Treat, Sunday, October 27, 2013, from 3:00 – 5:00 p.m.

Old Business

Gonzalez explained that on the resolution regarding the rates and levies the Highway Levy is not on there because it expires next year. He pointed out that all the pictures on the wall in the Hall have been paid for with that Highway Levy. It said it has been on the books since 1978 and has never been replaced. He said it has only been renewed since. He said it was originally a 3 mill levy and now collects .79 in millage and generates about 1.2 to 1.3 million dollars a year. He said the Trustees do a great job of leveraging that to get grants.

New Business – None

Public Speaks – Open Forum

ATTACHMENT 10/09/13 J

Diane Aquino, 6019 Sherman Church Rd. S. W., Canton, Ohio 44706, said she is the founder of Jades Rescue which is a no kill animal shelter located in Canton. She said she is requesting help from each Trustee and Jackson Township to assist in solving the crime of cruelty to animals that occurred on August 3, 2013 on the corner of Whipple Ave. N.W. and Wise Rd. N.W.

She asked several questions regarding the investigation and said that while speaking to a Jackson Township Police Officer she was hung up on.

Chief Bissler asked her to call his office and make an appointment to speak with him.

Linda Roth, 6631 Christman Rd., Green, said that statistics have proven that child molesters and people that kill other people have started off by killing animals. She said this is another thing to keep in mind.

Lynn Serri, 1438 Manor S.W., Canton, said this is something near and dear to their hearts and would do whatever they could to work with the Police Departments to get this solved.

Walters thanked everyone for coming in and said he checked with Chief Bissler and Sergeant Monigold on the status of the investigation. He said Sergeant Monigold reviewed video from the day of the incident and several days after but nothing of value was found. He said businesses were canvassed for witnesses or video and nothing was found. He said the department has followed up on the leads that were provided and that everything that can be done is being done.

Zoning & Planning Department

ATTACHMENT 10/09/13 K

At 5:30 p.m., Walters opened the public hearing for Zoning Amendment 604-13. Redwood Acquisitions LLC requests to re-zone from B-3 (Commercial Business District) and R-R (Rural Residential District) to R-3 (Residential Planned Unit Development, approximately 23.75 acres approximately 435 feet south of the SE corner of Portage and Wales and 675 feet east of the SE corner of Portage and Wales.

Poindexter told the Board this amendment went before RPC on August 6 and RPC recommended denial in part because the property is currently zoned B-3 but prior to that it was zoned R-4 (Multi-Family) and R-3 (Planned Unit Development). She said in March RPC recommended to approve the re-zone to R-4 but that was denied by the township. She said there was also concern because of the lack of a second access for the property. She said that since then the plan has been modified and a second access was provided onto Wales with a right turn only entrance and exit. She said this went to the Zoning Commission in September and by a 2 – 2 tie vote it was recommended for denial because a tie vote goes as a recommendation for denial.

Walters asked if anyone wanted to speak in favor.

Barbara Sanchez, attorney with Akron General Health System spoke on behalf of Akron General, the owner of the property. She said the owner is in support of the Redwood Acquisition's proposal to re-zone. She cited several sections from the Comprehensive Plan supporting the zoning change.

Steve Abdar who is Senior Vice President of System Operations at Akron General Medical Center also spoke on behalf of the owner. He said Akron General supports this measure as it stands. He covered more of Akron General's history with the property and reminded the Board that about three acres was donated to the Township for water retention and drainage.

Patricia Rakoci with Redwood Management talked about the new R-3 PUD plans. She said the company wants to be in Jackson Township and that Redwood met with the adjacent property owners and addressed all their concerns. She read some comments regarding the companies' projects from other communities. She said there is a maintenance manager and a leasing manager living on site and that background checks are done on all potential residents.

Luke Fraser, Marketing Director for Redwood, showed a video about one of their recent properties. He talked about the design, construction and energy efficiency of the apartments. He said the price varies, in Hudson they rent for about \$1,400.00 a month and other communities are under \$1,000.00 a month. He said the value here would probably be around the \$1,300.00 range.

Walters asked if anyone else would like to speak in favor of the zoning request. No one came forward. Walters closed that portion of the hearing.

Walters asked if anyone would like to speak against the re-zoning request.

The following people spoke against the re-zoning request. Most of their concerns were safety, traffic, drainage and property values.

Greg Elefterin of 6266 Shenandoah Ave. N.W.

Dick Critchfield owns the property at the end of Thornwood St.

Richard Morgan of 6450 Grayson Circle added that apartments have not improved the Township.

Pradeep Manadhane of 6284 Sorrento added that there is more crime in areas that have apartments.

Kyle Bowditch of 6633 Wales Ave.

Skip Frizzell of 6774 Portage.

Melodie Lare of 6415 Elmar Dr.

Steve Sorvold of 6476 Shenandoah.

Rima Maghes of 6422 Weston Ave. asked the Trustees if they would allow apartments to be built behind their homes.

Joy Mathews of 6677 Thornwood N.W. said they have been dealing with zoning issues for 16 years. She said this allows for too many units and too many people.

Jim Hardy of 1045 Stuart which he said is nowhere near the property being discussed. He said the deed restrictions are not binding on the Board of Trustees or any agency in Stark County, it only applies to the property owners. He said it should not be up to the Trustees to correct bad business choices.

Walters asked if anyone else would like to speak against the amendment. No one came forward.

Walters pointed out that the number of units has come down to 99. He said he shared the concerns of the other Trustees regarding the density which has come down. He pointed out the advantage of the R-3 PUD zoning request is that they have to build what they showed to the Trustees unless the Board gives them approval.

Hawke said that the construction restriction also includes the landscaping. He said there is some concern regarding the buffering in the area of the gas line. He said he can see the traffic issue but that it doesn't appear that any of the new streets connect to any of the streets in any of the existing allotments.

Pizzino thanked everyone for coming in. He said this has been reviewed several times. He said there is nothing they can do about the right in/right out because that is ODOT's directive. He said his concern is the same as before and that is having the R-3 so close to the R-R or the R-1 areas.

Walters moved and Pizzino seconded a motion to adopt the recommendation of the Zoning Commission for denial. **3-0 yes**

Walters moved and Pizzino seconded a motion to adjourn. **3-0 yes**

James Walters

Randy Gonzalez