

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

SEPTEMBER 27, 2016

Hawke called the meeting to order at 4:06 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Vaccaro, Brink and Hogue present.

Hawke moved and Walters seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Employment of Full-time Firefighter/Paramedics. **3-0 yes**

Hawke moved and Pizzino seconded a motion to go into Executive Session for Administration Department Personnel (Appointment/Employment/Compensation) – Employment of Administrative Staff. **3-0 yes**

Upon return from Executive Session at 5:17 p.m., Hawke 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

Administration Department

ATTACHMENT 09/27/16 A

Hawke moved and Walters seconded a motion to approve the appropriation transfer request from account code 329.110.5752, Property Purchase – Admin. General Capital, to account code 329.210.5652, Fire Equipment, in the amount of \$162,402.75. **3-0 yes**

ATTACHMENT 09/27/16 B

Hawke moved and Walters seconded a motion to approve an unpaid medical leave of absence for Constance R. Holla from September 27, 2016 through October 25, 2016, with the exception that the unpaid leave of absence terminates if the employee returns to work full-time or separates from Township employment pursuant to an OPERS approved benefit. **3-0 yes**

Police Department

Hawke administered the oath of office to Sean M. Daly.

RESOLUTION 16-130, ATTACHED

APPOINTMENT OF PART TIME POLICE PATROL OFFICER

Hawke moved and Walters seconded a motion pursuant to ORC Section 505.49 and 509.01, Sean M. Daly is hereby employed and appointed as a Part Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, effective October 1,

2016 at 0001 hours, at the Part Time Patrol Officer rate of \$17.0000 per hour and we hereby accept the attached Oath of Office. **3-0 yes**

**RESOLUTION 16-131, ATTACHED
POLICE DEPARTMENT PART TIME POLICE OFFICER CONDITIONAL
APPOINTMENT**

Hawke moved and Walters seconded a motion pursuant to ORC Section 505.49 and 509.01, we hereby appoint Ryan C. Mack as a Part Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio conditioned upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the background check, negative drug screen and any other testing requirements. **3-0 yes**

ATTACHMENT 09/27/16 C

Hawke moved and Walters seconded a motion to approve Budget Module No. 2016-16 for K-9 Unit – Add on Module in the amount of \$9,220.02. **3-0 yes**

ATTACHMENT 09/27/16 D

Hawke moved and Walters seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5516, K9 Unit, in the amount of \$3,055.56 and from account code 209.250.5299, Discretionary – PS, to account code 209.265.5110, Juvenile Salaries, in the amount of \$13,000.00. **3-0 yes**

Public Works Department

**RESOLUTION 16-132, ATTACHED
EAGLE CIRCLE STOP SIGN**

Hawke moved and Walters seconded a motion to adopt and authorize the placement of a stop sign on Eagle Circle NW to stop eastbound at Sunset Strip Avenue NW. **3-0 yes**

**RESOLUTION 16-133, ATTACHED
PROMLER AVENUE NW SPEED REDUCTION**

Hawke moved and Walters seconded a motion whereas, a request has been made to this Board that the statutory vehicular speed limit established by ORC Section 4511.21 is greater than that considered reasonable and safe on Promler Avenue NW between Promway Avenue NW and Dressler Road NW.

Whereas, this Board has caused to be made an engineering and traffic investigation upon the section of road described above and received a recommendation by the Stark County Engineer's Office regarding the appropriate speed limit which should be established; and

Whereas, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic.

Be it resolved, by the Board of Trustees of Jackson Township, Stark County, Ohio that pursuant to ORC Sections 504.04 and 4511.21(K)(5) we hereby determine that a reasonable and safe

prima facie speed limit for Promler Avenue NW between Promway Avenue NW and Dressler Road NW to the thirty Five (35) miles per hour.

Be it further resolved that the Public Works Director is directed to erect the appropriate signs, properly posted and giving notice thereof. **3-0 yes**

Park Division

ATTACHMENT 09/27/16 E

Hawke moved and Walters seconded a motion to authorize the hiring of a new Leased Park Maintenance Worker, Matthew Zahler, through a temporary service, subject to a negative drug screen effective October 3, 2016, at the rate identified in the attached memorandum from David Ruwadi. **3-0 yes**

RESOLUTION 16-134, ATTACHED

2016 NORTH PARK ROOFING OF PAVILION & RESTROOM PROJECT AWARD

Hawke moved and Walters seconded a motion that we hereby determine that Architectural Roofing Contractors, Inc. is the lowest and best bidder for the 2016 North Park Roofing of Pavilion & Restroom Project and hereby award a Contract to them in the amount of \$53,960.00 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

Hawke moved and Walters seconded a motion to accept a donation in the amount of \$20.00 from George and June Johnson in memory of Ruth O'Brien. **3-0 yes**

Zoning & Planning Department

RESOLUTION 16-135, ATTACHED

NOXIOUS WEEDS-8575 HICKERYLANE AVENUE NW, LOT 85 IN SCENIC WONDERLAND #10, PARCEL NO. 16-07629, JACKSON TOWNSHIP, OHIO

Hawke 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 Eric Schreffler in Jackson Township described as follows: 8575 Hickerylane Avenue NW, Lot 85 in Scenic Wonderland #10, Parcel No. 16-07629, Jackson Township, Ohio.

Be it resolved that said Eric Schreffler, whose tax mailing address is Core Logic, 2500 Westfield Dr., Ste. 102, Elgin IL 60124, 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 October 31, 2016. 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 \$150.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to

you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

RESOLUTION 16-136, ATTACHED

NOXIOUS WEEDS-5362 BLARNEY CIRCLE NW, LOT 99 IN IRISH OAKS #2, PARCEL NO. 16-10136, JACKSON TOWNSHIP, OHIO

Hawke 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 Mark & Amber Mellion in Jackson Township described as follows: 5362 Blarney Circle NW, Lot 99 in Irish Oaks #2 Parcel No. 16-10136, Jackson Township, Ohio.

Be it resolved that said Mark & Amber Mellion, whose tax mailing address is Core Logic, 2500 Westfield Dr., Ste. 102, Elgin IL 60124, 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 October 31, 2016. 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 \$150.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

ATTACHMENT 09/27/16 F

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 2nd day of May it was informed in writing that noxious weeds were growing on lands of Leona Stroka & Well Fargo Bank, N.A. in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 3915 Bel Air Avenue NW, Lot 29, Bel Air Estates, Parcel No. 16-06267, NE Qtr. Section 25, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

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 be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 09/27/16 G

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 19th day of May it was informed in writing that noxious weeds were growing on lands of Dennis E. Mulqueen, c/o Chris

Mulqueen in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 6668 Knightsbridge Avenue NW, Lot 90, The Woods at Nobles Pond 3, Parcel No. 16-20382, NW Qtr. Section 22, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

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 be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 09/27/16 H

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 19th day of May it was informed in writing that noxious weeds were growing on lands of Dennis E. Mulqueen, c/o Chris Mulqueen in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 6668 Knightsbridge Avenue NW, Lot 91, The Woods at Nobles Pond 3, Parcel No. 16-20383, NW Qtr. Section 22, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

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 be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 09/26/16 I

Proposed re-zone of property – Zoning Amendment 627-16 seeks to re-zone from R-R (Rural Residential) to B-2 (Commercial Business District), consisting of approximately .88 acres, (parcel #1630431 & 1630433) more or less, located on the north side of Hills and Dales, NW, approximately 400 ft west of Abbotsford Blvd. Section 27SE, Jackson Twp.

Poindexter told the Board this went before Stark County Regional Planning and they recommended denial. She said this went to the Zoning Commission on September 15 and they also recommended denial.

Hawke opened the hearing and asked if the applicant would like to come forward and speak.

Kimm Hannan, owner of Hannan Cleaner Properties, told the Board that he has owned the business for two years. He said today's equipment requires three phase power, not single phase, and the cost of updating piping and steam systems would run about \$350,000.00. He said the dry cleaning business today will not support that cost. He said he has started to gut the building and has cleared out most of the cleaning equipment. He asked that it be rezoned so it could be sold and used for something that would flatter the township and the residents. He said anything with high traffic doesn't belong there.

Hawke asked if anyone else would like to speak in favor of the zoning change. No one came forward. He then closed that section of the hearing.

Hawke asked if anyone would like to speak against the zoning change.

Mike Warren, 5919 Heather NW, said he sympathizes with Mr. Hannan regarding the problems with this property, but he wanted to remind the trustees that the reason there is a business there is because it was there before the township had any zoning, the RPC did not recommend changing the zoning, and the Zoning Commission also voted no. He urged the trustees to vote against the re-zoning.

Hawke asked if anyone else would like to speak against the re-zoning. No one came forward. He then closed that portion of the hearing. He asked Mr. Hannan if he would like to make any rebuttal comments.

Mr. Hannan apologized to the neighbors. He said there is always some noise when running a business like his. He also apologized to the Fire Department.

Hawke closed the hearing and asked for comments from the Trustees.

Pizzino said he has lived in the township all his life and the cleaners that were there has been a good township partner for many years. He said that side of the street is residential and that he doesn't see the advantage of one business.

Walters said he understands the catch 22 situation but with the location of the property it's pretty hard to put a business zone right in the middle.

Hawke said he has the same sentiment, the concern of putting a business zone in the middle of a residential section. He said he has the same concerns as RPC.

Walters moved and Hawke seconded a motion to accept the recommendation of the Zoning Commission.

Hawke	yes
Walters	yes
Pizzino	yes

Fiscal Office

ATTACHMENT 09/27/16 J

Hawke moved and Walters seconded a motion to pay the bills in the amount of \$588,463.34.

3-0 yes

ATTACHMENT 09/27/16 K

Hawke moved and Walters seconded a motion to approve the minutes of the September 13, 2016 Board of Trustees' meeting.

3-0 yes

RESOLUTION 16-137, ATTACHED GPS PARTICIPATION AGREEMENT

Hawke moved and Walters seconded a motion that we hereby adopt and authorize the placement of the Fiscal Officer's signature upon the attached Participation Agreement with Government Payment Service, Inc.

3-0 yes

Gonzalez explained that this will allow the Township to accept debit and credit card payments. He said the company is providing all the equipment with no upfront costs and no cost to the tax payers but there is a charge to the people who use a card. He said the Safety Center asked for four or five card swipers and a couple at the Hall.

Gonzalez commended the Board on giving \$162,000.00 from the general fund to the Fire Department to provide support to them. He also said that bringing a K-9 officer back will be a huge help in the Township.

Routine Business

Announcements

- Next regular Board of Trustees' meeting, October 11, 2016, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC, October 20, 2016, 8:00 a.m., Township Hall.
- LOGIC, October 6, 2016, 9:00 a.m., Safety Center Chiefs' Conference Room.
- Citizen Advisory Committees:
 - Community Celebration, October 12, 2016, 5:30 p.m., Township Hall.
- Jackson Recycling Board, September 28, 2016, 11:00 a.m., Buehler's Community Room.

- Zoning Meetings:
 - Board of Zoning Appeals – October 13, 2016, 5:30 p.m., Township Hall.
 - Zoning Commission – October 20, 2016, 5:00 p.m., Township Hall.
- Farmers Market, Thursdays through October 6, 3:00 – 6:00 p.m., Jackson North Park.
- Safety Center Open House for Fire Prevention Week, Sunday, October 9, 2016, 2:00 p.m. to 4:00 p.m.
- Unity in our Community Pancake Breakfast and Health Fair, Saturday, October 16, 2016, 8:00 a.m. to Noon, Jackson High School Commons.
- Haunted Hayride, Saturday, October 16, 2016, 7:00 p.m. to 10:00 p.m., Jackson South Park.
- Halloween Trick or Treat, Sunday, October 30, 2016, 3:00 p.m. – 5:00 p.m.

Old Business – None

New Business – None

Public Speaks – Open Forum

Rick Monsell, 3360 Malory Circle NW, said that twice this week he has been to Papa Gyro’s and Foxy Golf. He said that coming in and out of that shopping center has gotten dangerous at times. He said people make left turns in front of people making right turns. He said he couldn’t see any stop signs or any painted traffic notations on the ground. He said he knows it’s private property but he suggests it be looked into before a serious accident occurs.

Mary Ann Jackson, 7789 Windward Trace Circle NW, asked if they know where the new library will be built and what will be done with all the bricks in the current library.

Hawke said they don’t know exactly but it will be in the same vicinity. He said they don’t know about the bricks from the building as that is being handled by the library board but the bricks that were purchased by donors will stay with the new facility.

Gonzalez said the roofing will be used on the dugouts at the ball fields and the bricks used in the library were made to match the high school in order to keep a campus effect.

Walters moved and Hawke seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez