

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

SEPTEMBER 08, 2015

Walters called the meeting to order at 4:04 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Vaccaro, Brink, Hogue, Poindexter and Boger present.

Walters moved and Hawke 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 Hawke seconded a motion to go into Executive Session for a conference with the Attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **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**

Upon return from Executive Session at 5:24 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

Administration Department

ATTACHMENT 09/08/15 A

Walters moved and Pizzino seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Health Benefit Plan Amendment, effective June 26, 2015. **3-0 yes**

**RESOLUTION 15-052, ATTACHED
HALLOWEEN**

Walters moved and Pizzino seconded a motion whereas, the Stark County Commissioners recommended that all political subdivisions within Stark County uniformly observe Halloween (door-to-door trick or treat activities) each year between 3:00 and 5:00 p.m. on the afternoon of October 31 if it falls on Saturday or Sunday or on the afternoon of the preceding Sunday if October 31 falls on weekday (Monday through Friday).

Now therefore be it resolved that, in accordance with the recommendation of the Stark County Commissioners, the Jackson Township Board of Trustees hereby designates Halloween (Trick or Treat) on Saturday, October 31, 2015, from 3:00 to 5:00 p.m., in Jackson Township. **3-0 yes**

Fire Department

ATTACHMENT 09/08/15 B

Walters moved and Hawke seconded a motion to authorize the purchase of two atmospheric monitor replacements approved on 11/20/14, Budget Module 210-15-14. **3-0 yes**

ATTACHMENT 09/08/15 C

Walters moved and Hawke seconded a motion to accept the attached resignation from part-time firefighter, Leroy Yoder, effective August 25, 2015. **3-0 yes**

Legal Department

RESOLUTION 15-053, ATTACHED DISPOSITION OF TOWNSHIP RADIO EQUIPMENT

Walters moved and Hawke seconded a motion whereas, Ohio Revised Code Section 505.10(A)(7) permits the Jackson Township Board of Trustees to adopt by resolution a list of personal property that is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and to discard the personal property that has no value and;

Be it resolved, and pursuant to, Ohio Revised Code Section 505.10(A)(7), the Board of Jackson Township Trustees hereby finds the attached list of radio equipment is no longer needed for the use it was originally acquired, said equipment has no value and is unfit for use, and authorizes the discarding of the items listed. **3-0 yes**

Police Department

ATTACHMENT 09/08/15 D - Ohio Drug Law Enforcement Grant Agreement

Walters moved and Hawke seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with the Stark County Sheriff. **3-0 yes**

Zoning & Planning Department

RESOLUTION 15-054, ATTACHED NOXIOUS WEEDS – 4055 PORTAGE STREET NW, PARCEL NO. 16-27669, JACKSON TOWNSHIP, OHIO.

Walters moved and Hawke 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 Hemingway Holdings LLC in Jackson Township described as follows: 4055 Portage Street NW, Parcel No. 16-27669, Jackson Township, Ohio.

Be it resolved that said Hemingway Holdings LLC, whose tax mailing address is 161 Bayview Terrace, Akron, OH 44319, 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 continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2015. 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 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 15-055, ATTACHED

NOXIOUS WEEDS – 9555 BERYL STREET NW, LOT 45 IN WESTMOOR ALLOTMENT #2, PARCEL NO. 16-11294, JACKSON TOWNSHIP, OHIO

Walters moved and Hawke 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 Michael & Mira Zelin in Jackson Township described as follows: 9555 Beryl Street NW, Lot 45 in Westmoor Allotment #2, Parcel No. 16-11294, Jackson Township, Ohio.

Be it resolved that said Michael & Mira Zelin, whose tax mailing address is 4129 Orchid Drive, Hernando Beach, FL 34607, 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 continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2015. 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 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 15-056, ATTACHED

NOXIOUS WEEDS – LOT 19 (16-27991) AND LOT 20 (16-27992) ON TRAIL HEAD CIRCLE NW, FOREST TRAIL ALLOTMENT, JACKSON TOWNSHIP, OHIO

Walters moved and Hawke 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 in Jackson Township described as follows: Lot 19 (16-27991) and Lot 20 (16-27992) on Trail Head Circle NW, Forest Trail Allotment, Jackson Township, Ohio.

Be it resolved that said TOP Enterprises, whose tax mailing address is 7694 Strausser Street NW, North Canton, OH 44720, 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 continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2015. 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 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**

Fiscal Office

ATTACHMENT 09/08/15 E

Walters moved and Hawke seconded a motion to pay the bills in the amount of \$1,299,308.60.

3-0 yes

ATTACHMENT 09/08/15 F

Walters moved and Pizzino seconded a motion to approve the minutes of the August 25, 2015 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 09/08/15 G

Walters moved and Pizzino seconded a motion to approve the August 2015 Financial Reports.

3-0 yes

RESOLUTION 15-057, ATTACHED

Walters moved and Hawke seconded a motion that pursuant to ORC Section 515.11, we hereby authorize the Fiscal Officer to certify the street light assessments as per the attached listing for 2016 collections.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, September 22, 2015, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC Meeting, September 17, 2015, 8:00 a.m., Township Hall.
- CIC Work Session, September 28, 2015, 3:30 p.m., Township Hall.
- LOGIC, October 1, 2015, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Board of Zoning Appeals, September 10, 2015, 5:30 p.m., Township Hall.
- Zoning Commission, September 17, 2015, 5:00 p.m., Township Hall.
- Jackson Township Recycling Station Board, September 23, 2015, 11:00 a.m., Buehler's Community Room.

- Bicentennial Committee, October 13, 2015, 6:30 p.m., Jackson Old School House on Fulton Road.
- Citizens Advisory Committees:
 - Community Celebration, September 9, 2015, 5:30 p.m., Township Hall.
 - Park, October 14, 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.
- Farmers Market, every Thursday through October 1, 3:00 – 6:30 p.m., Jackson North Park.
- Safety Center Open House for Fire Prevention Week, Sunday, October 4, 2015, 2:00 – 4:00 p.m.,
- Unity in our Community Pancake Breakfast and Health Fair, Saturday, October 17, 2015, 8:00 – 12:00 noon, Jackson High School Commons.
- Haunted Hayride, Saturday, October 17, 2015, 7:00 – 10:00 p.m., Jackson South Park.

Public Works Department

Park Department

Boger opened the bids for the 2015 Fisher Park Paving Project.

Superior Paving	\$47,605.00
Vasco	\$43,397.47

Old Business

Gonzalez told the Board they sat down with the Auditors for the post audit meeting and that it was a clean audit. He said the draft has been received and that it will be on the State Auditor’s website shortly. He said, he, Ms. Lyon and Mr. Vaccaro sat with the auditors and there was nothing to report, that it was a great audit.

New Business – None

Public Speaks – Open Forum

No one came forward.

Public Works Department

Park Department

Boger opened the bids received for the 2015 North Park Tennis Courts Refinishing Project.

Vasco	\$51,987.00
Industrial Surface Sealers	\$64,300.00

Walters called a recess until 5:50 p.m.

At 5:50 p.m., Walters called the General Session back to order.

Zoning & Planning Department

ATTACHMENT 09/08/15 H

At 5:50 p.m., Walters opened the public hearing on nuisance violations at 3796 Amherst Avenue N.W.

Poindexter told the Board this is about high grass and weeds. She said since it didn't fall under the weed legislation so it was done under the nuisance legislation. She said a pre-nuisance letter was sent on July 24 and a nuisance letter on July 31. She said no one is living on the property and the certified letters were not claimed. She said notices were also posted on the door.

Walters asked if anyone would like to speak regarding this issue. No one came forward.

Walters asked if anyone would like to speak in opposition. No one came forward. He then closed that portion of the hearing.

Vaccaro pointed out that the owners would be given seven days to abate the nuisance and if it wasn't done in that time period the Township would then abate it.

Walters moved and Hawke seconded a motion to declare the property a nuisance. **3-0 yes**

Public Works Department

Park Department

Walters moved and Hawke seconded a motion to accept the bids for the 2015 Fisher Park Paving Project and the 2015 North Park Tennis Courts Refinishing Project. **3-0 yes**

Boger will look the bids over and come back to the Board with recommendations.

Walters called a recess until 6:00 p.m.

At 6:00 p.m., Walters called the General Session back to order.

ATTACHMENT 09/08/15 I

Walters opened the public hearing on the nuisance violations at 2980 Brunnerdale NW.

Poindexter told the Board this started in November 2014 when a pre-nuisance letter was sent and the nuisance letter was mailed in January 2015. She said Mr. Revlock was working with the property owner in getting the property cleaned up. She said Cliff went out in July and found there was still a nuisance on the property. She said they sent another pre-nuisance letter and another nuisance letter. She said there has been progress made as of September 4 but there are several areas that have items covered by tarps.

Yvonne Curatolo, 2980 Brunnerdale Avenue N.W., said she makes her living by repurposing items. She explained that she makes yard art and garden art and makes raised bed gardens for people. She said since 2010 she has had one health challenge after another. She said she has tried to be mindful of where she puts things. She said since receiving the last notice she has done everything she could to come into compliance.

Walters pointed out that she has made progress but the Trustees have an obligation to make sure the issue is resolved.

Walters asked if anyone else would like to address the Board.

Jeff Bernstein, 2994 Brunnerdale, said this hasn't been going on for just one year. He said it has been a problem since 2009. He said the trailers that were moved from his neighbors yard has been placed within a few feet of the fence which he placed so he would have two foot to access and maintain the fence but he is not able to do so.

Kathy Bernstein, 2994 Brunnerdale N.W., said they have lived there for about 25 years and the situation has gone on for years. She said it's not a health related, it's not an issue of her being under house arrest, it's an issue of Yvonne. She said if she's reading the zoning correctly, she's not allowed to have that many commercial trailers on the property. She said they are just asking for some help.

Walters asked if anyone had questions. No one did.

Walters moved and Hawke seconded a motion to declare 2980 Brunnerdale N.W. a nuisance.

3-0 yes

Ms. Poindexter informed Ms. Curatolo what needed to be moved in order to be compliant. Ms. Poindexter said she would be willing to meet with Ms. Curatolo at the property and point out everything that needed to be done.

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

Upon return from Executive Session at 7:20 p.m., Walters moved and Hawke seconded a motion to adjourn. **3-0 yes**

James Walters

Randy Gonzalez