

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

SEPTEMBER 12, 2011

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

Pizzino moved and Walters seconded a motion to go into Executive Session for Land Acquisition. **3-0 yes**

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

Upon return from Executive Session, Pizzino opened the Work Session at 4:50 p.m.

Work Session

ATTACHMENT 09/12/11 A

Dave Ruwadi told the Board that Jeff Fisher has donated the money to install a swingset at Fisher Park. Jeff Fisher thanked the Board and said that he is at the park almost daily to walk. He said he is very impressed with the way the park is maintained and the maintenance employees.

The Board thanked Mr. Fisher for his donation.

Pizzino moved and Walters seconded a motion to accept a \$1,500.00 donation for playground equipment at Fisher Park from Jeff Fisher. **3-0 yes**

Pizzino called a short recess.

At 5:03 p.m., Pizzino called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

Pizzino moved and Burger seconded a motion to re-schedule the October 10 meeting to October 11 due to the Columbus Day Holiday. **3-0 yes**

ATTACHMENT 09/12/11 B

Walters moved and Burger seconded a motion to approve the attached Renewal Amendment with QBE Insurance Corporation. **3-0 yes**

ATTACHMENT 09/12/11 C

Walters moved and Burger seconded a motion to appoint the attached listed individuals to serve as members of the 2012 Community Celebration Advisory Committee. **3-0 yes**

Fire Department

ATTACHMENT 09/12/11 D

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures on the attached Agreement with Lawrence Township for the purchase of Uniform shirts. **3-0 yes**

Walters moved and Burger seconded a motion to accept a \$1,500.00 donation to the Fire Department from Loretta Sheridan in memory of J. Allen Sheridan. **3-0 yes**

Legal Department

Fitzgerald read the following on the proposed Regulation of Collection of Solid Waste, Refuse and Garbage.

1. Establish that all collection of solid waste, refuse and garbage within the limits of Jackson Township within 500 feet of a residential dwelling, apartment building or other residential structure be limited to the hours of 7:00 AM to 8:00 PM.
2. Adopt the attached citation form and request the Township Fiscal Officer to publish the attached notice.
3. Whoever violates this resolution is subject to a fine of \$500 for the first violation and a fine of \$1,000 for each subsequent violation.

This was the second reading of the proposed resolution.

John Connerton, Operations Manager of J & J Refuse, said there are many businesses that require pickup prior to 7:00 a.m. because of traffic. He said their commercial trucks start at 3:00 a.m. and usually arrive in the township around 4 or 4:30 a.m. He also pointed out having their trucks out helps deter crime because if the drivers see anything suspicious, they report it. He said the residential trucks don't get into the township until after 6:00 a.m., so the resolution wouldn't hinder them too much. He asked that the Trustees reconsider the time restriction.

ATTACHMENT 09/12/11 E

Pizzino moved and Burger seconded a motion to table the decision upon the regulation of collection of Solid Waste, Refuse and Garbage resolution. **3-0 yes**

Police Department

Chief Zink told the Board that on Wednesday, September 7, the emergency phone lines to the RED Center malfunctioned. He explained that on the AT & T end an electronic card at a remote terminal malfunctioned. He said the 911 lines were operational but the phone lines had to be rerouted. He said the problem has been corrected.

Public Works Department

RESOLUTION 11-100, ATTACHED ADDITION TO SALT STORAGE BUILDING

Walters moved and Burger seconded a motion to authorize the attached Advertisement for Bids for the Addition to the Salt Storage Building in accordance with the Specifications on file.

3-0 yes

ATTACHMENT 09/12/11 F

Walters moved and Burger seconded a motion to authorize the hiring of Stephen L. Ott as a part-time Asphalt Inspector and Trainer in the Highway Department, through PTSI at the rate of \$18.00 per hour, effective September 1, 2011.

3-0 yes

ATTACHMENT 09/12/11 G

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5760, Building Additions, in the amount of \$1,360.00.

3-0 yes

ATTACHMENT 09/12/11 H

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5299, Discretionary, to account code 204.310.5114, Temp. Service, in the amount of \$10,500.00.

3-0 yes

ATTACHMENT 09/12/11 I

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5502, Supplies, Tools, in the amount of \$2,000.00.

3-0 yes

ATTACHMENT 09/12/11 J

Walters moved and Burger seconded a motion to approve the request of the Highway/Traffic Citizens Advisory Committee to meet twice per year.

3-0 yes

Park Department

ATTACHMENT 09/12/11 K

Walters moved and Burger seconded a motion to accept a park bench and Sterling Silver Linden Tree to Jackson North Park from Jeanne Sprott in memory of Terrence Sprott.

3-0 yes

Zoning & Planning Department

Pizzino moved and Walters seconded a motion to set a Public Hearing on October 11, 2011 at 5:30 p.m. for nuisance violation at 6625 Fulton Road N.W. **3-0 yes**

Pizzino moved and Burger seconded a motion to set a Public Hearing on October 11, 2011 at 5:40 p.m. for nuisance violation at 7969 Bricker N.W. **3-0 yes**

ATTACHMENT 09/12/11 L

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #112, Emerald Cove Avenue NW, Emerald Estates Allotment #3, Parcel No. 16-26779, S.W. Qtr. Section 7, 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 09/12/11 M

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #135, Emerald Brook Circle NW, Emerald Estates Allotment #3, Parcel No. 16-26802, S.W. Qtr. Section 7, 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 09/12/11 N

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #137, Emerald Brook Circle NW, Emerald Estates Allotment #3, Parcel No. 16-26804, S.W. Qtr. Section 7, 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 09/12/11 O

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #143, Emerald Ridge Street NW, Emerald Estates Allotment #3, Parcel No. 16-26811, S.W. Qtr. Section 7, 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 09/12/11 P

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #283, Emerald Glen Avenue NW, Emerald Estates Allotment #6, Parcel No. 16-28150, S.W. Qtr. Section 7, 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 09/12/11 Q

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #284, Emerald Glen Avenue NW, Emerald Estates Allotment #6, Parcel No. 16-28151, S.W. Qtr. Section 7, 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 09/22/11 R

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 1st day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Unmistakably Premier Homes in Jackson Township and were about to spread and mature seeds; said lands being described as follows: Lot #285, Emerald Glen Avenue NW, Emerald Estates Allotment #6, Parcel No. 16-28152, S.W. Qtr. Section 7, 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**

RESOLUTION 11-101, ATTACHED

NOXIOUS WEEDS – 7191 KNIGHT STREET NW, CLOVER DALE #1, LOT 48, PARCEL NUMBER 16-05533, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Jeremy D. and Jennifer N. Fleishour in Jackson Township described as

follows: 7191 Knight Street NW, Clover Dale #1, Lot 48, Parcel Number 16-05533, Jackson Township, Ohio.

Be it resolved that said Jeremy D. and Jennifer N. Fleishour, whose tax mailing address is BAC Tax Services Corp., 2375 N. Glenville Dr. TX2975 02 01, Richardson, TX 75082 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 September 30, 2011. 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 11-102, ATTACHED

NOXIOUS WEEDS – PROVIDENCE ALLOTMENT, LOT 1 ON HILLS AND DALES ROAD NW, PARCEL NUMBER 16-27008, LOTS 2 (16-27009), 28 (16-27035) AND 29 (16-27036) ON VINEYARD AVENUE NW, JACKSON TOWNSHIP, OHIO.

Walters moved and Pizzino 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 Providence Development Co. Ltd. in Jackson Township described as follows: Providence Allotment, Lot 1 on Hills and Dales Road NW, Parcel Number 16-27008, Lots 2 (16-27009), 28 (16-27035) and 29 (16-27036) on Vineyard Avenue NW, Jackson Township, Ohio.

Be it resolved that said Providence Development Co. Ltd., whose tax mailing address is 5126 Birkdale Street NW, Canton, OH 44708 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 September 30, 2011. 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 11-103, ATTACHED

NOXIOUS WEEDS – LOT 12 ON VINEYARD AVENUE NW, PROVIDENCE ALLOTMENT, PARCEL NUMBER 16-27019, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Joseph M. Musser Jr. in Jackson Township described as follows: Lot 12 on

Vineyard Avenue NW, Providence Allotment, Parcel Number 16-27019, Jackson Township, Ohio.

Be it resolved that said Joseph M. Musser Jr., whose tax mailing address is 7699 Bethany Circle NW, North Canton, OH 44720-8804 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 September 30, 2011. 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 11-104, ATTACHED

NOXIOUS WEEDS – LOT 15 IN THE GLOUCESTER VILLAGE ALLOTMENT ON BROOKE HOLLOW STREET NW, PARCEL NUMBER 16-17438, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Midwest Ohio Realty LLC in Jackson Township described as follows: Lot 15 in the Gloucester Village Allotment on Brooke Hollow Street NW, Parcel Number 16-17438, Jackson Township, Ohio.

Be it resolved that said Midwest Ohio Realty LLC, in care of Sean Sanford, whose tax mailing address is 7264 Ricciardi 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 a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2011. 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 11-105, ATTACHED

NOXIOUS WEEDS – 6496 PEBBLE CREEK AVENUE NW, BLENDON RIDGE ALLOTMENT 2, LOT 35, PARCEL NO. 16-17880, JACKSON TOWNSHIP, OHIO

Walters moved and Pizzino 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 Megan Oakes in Jackson Township described as follows: 6496 Pebble Creek Avenue NW, Blendon Ridge Allotment 2, Lot 35, Parcel No. 16-17880, Jackson Township, Ohio.

Be it resolved that said Megan Oakes, whose tax mailing address is BAC Tax Services Corp., 2375 N. Glenville Dr. TX2975 02 01, Richardson, TX 75082, 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 September 30, 2011. 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 09/12/11 S

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,224,770.49. **3-0 yes**

ATTACHMENT 09/12/11 T

Pizzino moved and Burger seconded a motion to approve the minutes of the August 22, 2011 Board of Trustees' meeting. **3-0 yes**

ATTACHMENT 09/12/11 U

Pizzino moved and Burger seconded a motion to approve the Financial Reports for August 2011. **3-0 yes**

RESOLUTION 11-106, ATTACHED STREET LIGHT ASSESSMENT LIST

Gonzalez explained that last year this was raised 10% in order to build some money up in the fund. He said there was not much of an increase this year and no increase to the districts with gas lights.

Walters moved and Burger 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 2012 collections. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, Sept. 26, 2011, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, October 6, 2011, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, October 17, 2011, 5:00 p.m., Township Hall.

- Zoning Commission, September 16, 2011, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, September 22, 2011, 6:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, September 13, 2011, 5:30 p.m., Township Hall.
 - Park, November 9, 2011, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 16, 2011, 6:30 p.m., Township Hall.
- Board of Trustees Town Hall Meeting, Sunday, September 25, 2011, 1:00 – 2:00 p.m., Township Hall.
- Jackson Township Farmers Market, Thursdays through September 29, 3:00 – 6:00 p.m., Jackson North Park.
- Fire Prevention Week – October 9 – 15, 2011
 Open House, Sunday, October 9, 2011, 2:00 – 4:00 p.m., Jackson Safety Center,
 3:00 p.m., Dedication of the Restored 1953 GMC Fire Engine.

Old Business – None

New Business – None

Public Speaks – Open Forum

No one came forward.

ATTACHMENT 09/12/11 V

Poindexter informed the Board of the owners and applicant of the amendment and that it is a request to rezone B-1 Suburban Office & Limited Business District to B-3 Commercial Business District. She said Regional Planning recommended denial of the amendment. She said the applicant modified the application on August 18th to request a B-2 and the Zoning Commission recommended approval of the modification.

Pizzino opened the hearing on amendment 589-11 and asked if anyone wanted to speak in favor of the request. No one came forward. Pizzino closed that portion of the hearing.

The property owner was in attendance.

Pizzino asked if anyone wanted to speak against the request. No one came forward. Pizzino closed that portion of the hearing.

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

Pizzino called a five minute recess.

At 5:40 p.m., Pizzino opened the Public Hearing on Amendment 590-11.

ATTACHMENT 09/12/11 W

Poindexter reviewed the names of the owner and applicant and said this is a request from R-R (Rural Residential) to R-T (Research & Technology) and is for approximately five acres at the northwest corner of Strausser and Frank. She said RPC recommended approval of the zoning change. She said the Zoning Commission also recommended approval.

Pizzino asked if anyone wanted to speak in favor of the zoning change.

Ben Heggy whose address is Post Office Box 545, 150 Rocky Ridge Rd. in Champion, Pennsylvania, said he was asking for the zoning change. He said the trend along that portion of Frank Road is no longer residential and the airplane noise, the proximity to the airport and the heavy traffic on Frank and Strausser makes the area incompatible with a pleasant residential area.

Pizzino asked if anyone else would like to speak in favor of the request. He then closed that portion of the hearing.

Pizzino asked if anyone would like to speak against the request.

Bill Lewers of 7762 Frank which is catty-corner from the property. He said that directly north of this property is another residential property and if this change is approved that residential property would be trapped between the re-zoned property and property owned by the airport. He asked if the owner of the residential property was contacted about also being re-zoned. Ms. Poindexter said the property owner would not have been contacted by the Zoning Commission about being re-zoned but they were notified of the hearing and request on this parcel. He also expressed concern about bio-chemical research being done in that area since there is no sanitary sewer. He said his main concern is the possible effect on the aquifer.

Jason Norch of 7638 Wyndgate Court Avenue off Strausser said he is in software development and currently a student so he understands the value of the research and technology zoning. He said his concern is with the research and technology area and the possible development on the Heiser Sand and Gravel property. The area on the west side of Frank will soon be developed and “two years from now I’ll be looking at a Wal Mart right out my back door.” He said those fields are currently for sale. He said he was concerned about starting a precedent west of Frank.

Pizzino said each request for a re-zone is looked at and considered individually.

Pizzino closed that portion of the hearing. He asked the Board if they had any questions or recommendations.

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

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

John Pizzino

Randy Gonzalez