

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

SEPTEMBER 25, 2006

Pizzino called the meeting to order at 5:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Moore present.

Pizzino moved and Burger seconded a motion to go into Executive Session to review negotiations. **3-0 yes**

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

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

At 6:00 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

Central Maintenance

ATTACHMENT 09/25/06 A

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.115.5120, Overtime, to account code 101.115.5485, Electric, in the amount of \$1,400.00. **3-0 yes**

Fire Department

ATTACHMENT 09/25/06 B

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 228.210.5450, Dispatch Services, to account code 228.210.5396, Vehicle Maintenance & Repair, in the amount of \$30,000.00. **3-0 yes**

Highway Department

ATTACHMENT 09/25/06 C

Meeks moved and Burger seconded a motion to approve Budget Module No. 17-B-06, Portage/Lutz Intersection Improvement, in the amount of \$4,750.00. **3-0 yes**

ATTACHMENT 09/25/06 D

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.310.5649, Portage/Lutz, in the amount of \$4,750.00. **3-0 yes**

Police Department

ATTACHMENT 09/25/06 E

Meeks moved and Burger seconded a motion to accept a \$1,000.00 donation to the Hooked on Fishing program from the Wal-Mart Foundation. **3-0 yes**

ATTACHMENT 09/25/06 F

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5363, Hooked on Fishing, in the amount of \$1,000.00. **3-0 yes**

RESOLUTION 06-089, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Sections 505.49 and 509.01, we hereby appoint Kimberly S. Haines as Full Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, contingent upon successful completion of the psychological and physical evaluation, background check, negative drug screen and any other testing requirements. **3-0 yes**

Pizzino mentioned that Kimberly has been with Jackson Township for about 12 years, most recently with the Detective Bureau as a secretary. Chief Neftzer said she has been a hard working, dedicated employee with very good character and should perform very well as an officer if given the opportunity.

Fiscal Office

ATTACHMENT 06/25/06 G

Meeks moved and Burger seconded a motion to pay the bills in the amount of \$528,253.30. **3-0 yes**

ATTACHMENT 06/25/06 H

Meeks moved and Burger seconded a motion to approve the minutes of the September 13, 2006 Board of Trustees' meeting. **3-0 yes**

RESOLUTION 06-090, ATTACHED

Pizzino moved and Meeks seconded a motion pursuant to ORC Section 515.11, we hereby authorize the Fiscal Officer to certify the street light assessments as per the attached listing for 2007 collections. **3-0 yes**

ATTACHMENT 06/25/06 I

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.150.5806, Election Expense, to account code 101.150.5805, State Fees, in the amount of \$3,993.11. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, October 10, 2006, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, October 2, 2006, 5:30 p.m., Township Hall.
- LOGIC, October 5, 2006, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Board of Zoning Appeals, October 12, 2006, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Park, October 3, 2006, 6:30 p.m., Township Hall.
 - Community Celebration, October 16, 2006, 6:00 p.m., Township Hall.
 - Highway/Traffic, November 15, 2006, 6:30 p.m., Township Hall.
- Board of Trustees will attend CIC's Business/Government Day, September 29, 2006, 7:30 a.m., Kent State Stark Conference Center.
- Fire Department Open House for Fire Prevention Week, Sunday, October 8, from 2:00 to 5:00 p.m., Safety Center.

Old Business – None

New Business

ATTACHMENT 09/25/06 J

Meeks moved and Burger seconded a motion not to request a hearing on issuing a liquor permit to Sam Ragu LLC, dba Bombay Sitar, 4633 Belden Village St., Canton, Ohio. **3-0 yes**

RESOLUTION 06-091, ATTACHED

Pizzino moved and Meeks seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Delores Weimer, in Jackson Township, described as follows: Portage Street NW, Massillon, OH 44646, .67 acres, parcel #1626984, Jackson Township.

Therefore, be it resolved that said Delores Weimer, whose tax mailing address is Mid Ohio Securities, PO Box 230, Lakemore, OH 44250, 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 30th. 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. **3-0 yes**

RESOLUTION 06-092, ATTACHED

Pizzino moved and Meeks seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Joseph Smith, in Jackson Township, described as follows: 5140 Fleetwood Ave NW, Canton, OH 44718, Jackson Township.

Therefore, be it resolved that said Joseph Smith, whose tax mailing address is 1618 Myers Drive, Wooster, OH 44691, 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 30th. 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. **3-0 yes**

Pizzino moved and Meeks seconded a motion to accept a donation of a Japanese Maple Tree and Plaque in memory of John Preston Allen from Elaine McCrimmon, Toby Roth, Fran Mucci, Brian & Kristin Allen, Lori Allen Hayes, Daemon Hayes, and Linda Allen. **3-0 yes**

Meeks said there seems to be some misconception by residents that the Township oversees the school district. He pointed out that this is not true, that they are two separate entities. Although the Township Board of Trustees take pride in having a great relationship with the school district and helping wherever they can, all financial issues and decisions regarding the school district is made by the Board of Education and the Township Board of Trustees has no jurisdiction. He asked that the press help clear this up.

Meeks moved and Pizzino seconded a motion to approve certificates of appreciation for assistance in the elections for the Safety Forces levies. **3-0 yes**

ATTACHMENT 09/25/06 K

Pizzino moved and Meeks seconded a motion to approve a 5 percent salary increase for Class A employee, Carles Moore, effective September 30, 2006, which shall be calculated on an hourly rate basis. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

At 6:30 p.m., Pizzino opened the Public Hearing on the Mudbrook Village Street Lighting District.

Gonzalez presented the petition to create the Mudbrook Village Street Lighting District. He said that compliance has been met with the type of lights the Board has approved. First Energy will install and maintain them. The monthly operating cost has been projected as \$68.82 for the entire allotment.

He asked if anyone would like to speak in favor of the lighting district. No one came forward.

He then asked if anyone would like to speak against the lighting district. No one came forward.

RESOLUTION 06-093, ATTACHED

Pizzino moved and Meeks seconded a motion that a hearing having been had upon the attached petition requesting that the Board of Jackson Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this Township, following notice and actual view taken, and the Board of Township Trustees finding:

- (1) That the petition was filed with the Township Fiscal Officer on August 14, 2006 and that the Board of Township Trustees was duly notified by him of such filing and a copy of the petition was delivered to it on September 1, 2006.
- (2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with the law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and
- (3) That due notice of a hearing before the Board of Township Trustees on the petition for Mudbrook Estates/Mudbrook Village was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published as against nonresidents pursuant to RC 515.04, and return of due service and publication was made according to law.

Be it further resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that the proposed improvement to light artificially the streets and public ways in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the streets and public ways is 31, that the lights shall be standard street light lumens; that they shall be located at the places described in the attached print; and that the kind of supports therefore shall be described on the print.

Be it further resolved that, pursuant to ORC Section 515.08 and in accordance with the attached ESIP Agreement with Ohio Edison, we hereby contract with Ohio Edison for a ten (10) year period for the installation and maintenance of the lights described in the attached plan in the amount of approximately \$2.22 per light per month for a total of \$825.84 per year. The Developer is responsible for payment of the installation cost and/or connection fee for this street lighting.

Be it further resolved that the costs and expenses of furnishing and maintaining such lights shall be paid from a fund made by special assessment against the lots and lands in the district which are benefited by such lighting as provided in the attached assessment chart and the Fiscal Officer shall certify this Resolution and assessment chart to the Stark County Auditors Office. **3-0 yes**

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

John Pizzino

Randy Gonzalez