

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

SEPTEMBER 27, 2005

Burger called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Clerk, Neftzer, Heck, Fitzgerald and Lyon present.

Pizzino moved and Meeks seconded a motion to go into Executive Session to prepare for negotiations with public employees concerning their compensation or other terms of their employment. **3-0 yes**

Upon return from Executive Session, Burger opened the Work Session at 5:00 p.m. with Bob Fonte, Stark County Park District – Devonshire Park.

Pizzino: Steve, you've been crunching some numbers and we've been talking about this for the last year, year and a half. Do you want to start off?

Meeks: First of all, thank you, Bob, for coming over. We do appreciate your time. We know you're very busy. You're here based on the letter we sent you and the Commissioners asking for them to take back Devonshire. I think your response is that they were looking for you to be that savior to pull the park. (Undistinguishable), possibly so and then your response back to that was that, well, first of all, I'll tell you, do you have anything to address the Board on before I go into that?

Bob Fonte: Yes. Thanks for the opportunity to come here this evening. We had gotten a letter, like you said, from the County Commissioners in response to your request to them about the property. I went back and did some research for our Board, because ultimately it's our Board's decision as to how we go forward. The property in question had been identified in our original five year plan, when I first joined the Parks back in 1995, it was identified as a property that was more classified as a community park or a neighborhood park and didn't fall under the long range plans and objectives of the Park District and that's why we had originally set out to transfer it to some local jurisdiction, preferably the Township, and we've done that in a number of areas where the land was small pieces and that sort of thing. Obviously some things have changed since then and you want to revisit that. In looking back at that agreement, at the same time, we were just getting started on projects and I think there was a sort of a side agreement that was written at the same time that you gave us certain funds. Those funds we used to develop the first section of trail in the Township of the Towpath Trail. So they were kind of unrelated although they were under the same agreement and I want to be clear that it wasn't really a purchase of a land type thing. It was really a way to get some projects done at the time and it ended up being all wrapped up into one deal.

I went back in and evaluated the property for the Board and came up with some observations and after I reported to the Board they felt it would be best if I came and discussed it with you first before we made a formal report to the County Commissioners in response to your request. So

we didn't want to close any doors. What we wanted to do is offer to work with you to come up with a plan to preserve the property as open space. Our interest is open space type approach; unfortunately I think that area has been accustomed to the area being maintained as recreational area. It's mowed, there were tennis courts and basketball courts and parking lots and that kind of thing, which is more like a neighborhood park set up. But we felt that if maybe we sat down together, looked at the site, and determined whether it's been 8 years since we looked at the trails in Jackson, as to where future trails will be. Maybe we ought to revisit that before any decisions are made and see if there's any way this property could be linked because if it's linked then the Park District has more interest in it than if it's a stand alone piece that's the size of property it is. Or if it's returned to open space where it's wet land, water fowl supporting.

Meeks: It is wet land.

Fonte: Well, but maintained as wet land as opposed to attempted to be made a recreational park again. So before any decisions are made we just felt it would be a good idea if we worked together and maybe had some public meetings to see what the public felt about the property before we just said 'well it's not in our mission, it's yours, do what you want'. We didn't want to answer you that way and at the same time we weren't prepared to say 'yeah, we'll just take it on'. So rather than close some doors we thought we'd use this as a opportunity to open some doors, talk about your long range plans, we haven't had those kinds of discussions in specifics lately. Now we're working on some long range plans that involve open space and additional trails and I just thought it would be a good idea if we kind of talked first before we made any decisions.

Meeks: Well, I definitely appreciate that approach. The Township has always welcomed any partnerships that we could do to help whether it's the County Engineer or the Commissioners or whatever and Stark Parks has the same offer from the Township. You had mentioned something about your mission statement. What is your mission statement?

Fonte: Well, basically, I'm not quoting it word for word, it's basically to develop and maintain open space and passive recreation. So we have boating and open waters we have trails where people can participate in we do not develop ball fields or high activity programs. We don't do water parks, where you'd have. . .

Meeks: Swimming pools.

Fonte: We don't do swimming pools, either. But we make that distinction between organized programming and passive recreation. And our mission is focused more on the open space and nature preservation and passive recreation.

Meeks: And Devonshire falls within. . .

Fonte: More of a neighborhood park where it's got tennis courts, basketball court, picnic shelter. Now we will incorporate picnic shelters in an open space area, so I don't want to exclude that part of it but the other parts where it's mostly mowed grass around the back of the apartment complex is not the kind of property we go out looking for today. But I know that there's quite a

bit of open space back there and if we can convince the public if we put it back in its natural state, maybe just build a limestone walking trail and try to treat it as passive recreation, maybe together we can work something out and then it's low maintenance, there's no mowing it every week. I mean right now, I'm sure Dave's chasing himself around mowing it, I'm not sure if the shelter gets much use without a restroom. So I don't know what the usage is now but there's an awful lot of maintenance there for the benefit it derives from the community.

Meeks: As you know, it is very much a wet land and that is

Fonte: The largest part of it is, yes.

Meeks: That is the reason that for really the recreational part of it doesn't fit what we want to give our residents in that area. And in looking through your list of parks and what you have, I do see at Petros Lake Park as well as Faircrest you do have picnic areas, volleyball courts, ball fields. This is real similar to what we have, not the volleyball court, there in Devonshire. So when I was told that Stark Parks wasn't interested because they're not into that type of recreation and that's when I asked for and found off your web site those parks that you do mention in here and the activities. And quite frankly, Bob, I think you've done a tremendous job in Stark County for what you're doing with Stark Parks, believe me, I think that you need to be commended for that. However, the reason why we've asked is because, quite frankly, it doesn't fit, I wish it did fit in our usage. So if there's something that we can work together, I think we'd be greatly appreciative, however, the other thing that I would love to see Jackson residents get is a little bang for their buck for what we pay to Stark Parks. We pay with Hills & Dales included \$567,000 a year and out of that money what do we receive back. And when I look through all your lists I see an awful lot happening in Perry Township, which they pay \$263,900, and they're receiving an awful lot and I look at other communities and they're receiving an awful lot and I would like to just say to our residents that the money that we have voted on and that are contributing to we need to see some return in our Township on.

Fonte: And we're trying to very hard to do that. We obviously have developed the trail from Jackson along the Towpath and Crystal Springs Park, what's it called, the park and area there. We are working with getting the trail connection through the college into North Canton; the new Dressler Bridge has a provision for a trail going across it so that we can make that connection. So there are plans to expand the trail system in Jackson. Land acquisition, we don't have much cash right now for land acquisition but we would like to buy more land and open space areas, particularly along – to broaden the amount of land that's along the existing trail in Jackson. So we are working long term to do a lot of those types of responses. Projects in the Township, as well as the whole County, in all candor, you know we started out on the west side, I mean we were a Perry Township Park District quite candidly in 1997 when we passed our first major levy and all the resources were centered between Sippo Lake and Petros. And those were the most developed parks. Some of those we inherited as far as the ball fields at Petros were built when they built the Timken Plant. That was not a park project. That was really a County Commissioner project. Faircrest you mentioned and that's another one that's been identified similar to Devonshire. We've been off and on negotiating with Canton Township and quite frankly they want to take it over. The only reason that hasn't happened is negotiations between them and the County Commissioners haven't been able to get finalized, there's some things the

Township was asking for the Commissioners weren't willing to give up, fee simple interest in the land. But that's, my point is, we're being consistent about how we're handling these properties around the county. Our goal of meeting with you today was to find out what we could do to address this property in a way that would be mutually agreeable. And that's why I say we don't want to take on mowing to mow if it's primarily suited for open space, we would be more than happy to take over, getting rid of invasive species, managing the wet lands, developing the habitat, it's a matter of what do we do with, what are the neighbors going to feel about the other features that have, not really been maintained, I don't think anybody plays tennis there anymore but the courts are there.

Pizzino: Unfortunately, they can't because the property, you know, we couldn't even open the restroom doors. And Steve hit on the question that for the \$2,500,000 we gave you in the last five years, what did Jackson really get? And I have a concern about that and looking at this what are you doing with the city of Canton parks, down at Stadium Park, are you involved in that also?

Fonte: Yes. We're working with. . .

Pizzino: (Indecipherable) a lot of money into that is that. . .

Fonte: We work with them to get the grant, quite candidly, we're building the trail. We worked with them to get a \$500,000, round numbers; I think it's around a \$400,000 or \$500,000 grant so in reality the grant is from the State of Ohio.

Pizzino: Did you do the gatehouse?

Fonte: The gatehouse we got that was with the hospital, we're using that as a trail head on the proposed trail, actually the trail is being developed starting next spring. That's part of a loop around the city, the first five miles. Like I said we started on the west side we built 25 miles of the Towpath Trail through the western part of the county. We've developed trail in Alliance right now which is under construction as we speak serving the city of Alliance and up through Deer Creek Reservoir. We did a section of trail in Louisville that is going ultimately to go to Minerva. So you can see we have been moving around the county. It's the same thing as the road department, you know, and I don't mean this in any way disrespectful but we don't look and say 'Well we get \$500,000 here; we have to spend \$500,000 in Jackson'. We're trying to develop a system that inter-ties because once it's interrelated it's going to benefit the whole county. And everybody will benefit by the connectivity of this system. So we're working our way around the county doing projects, we own the land, the County Commissioners own the canal land so obviously we did focus on that for the first seven years because we could build land without buying right of way. We also had the added advantage, if you know the good Congressman Ralph Regula, had a very high interest in that project so it also generated a lot of revenue to be able to develop that property from county line to county line, in particular when it got to the more expensive pieces like a tunnel under a railroad and bridges and that kind of thing. So we've been working consciously to work throughout the entire county and to deliver to the community a system that works together.

We did try to work with you on the development of the airport property. That ended up going back to the airport. We are still negotiating with the airport to get some of that back and when we do we already have the trail connection built into the overpass at Mt. Pleasant, have I got the names right, but there's a shelf there on the south side for the trail to go under there to be able to build the trail in that section, up past the Timken Research Center and into the airport property. So we're doing these project planning between that one and the college property and then after we get the right of way lined up then we get the grants lined up and then we do the projects. But we have been consciously moving around the county. We've made a first move in the southeast part of the county, to preserve a historic building down there known as the Elson Mill which is also part of the canal known as the Sandy Beaver Canal. So we, you know, as opportunities present themselves, we've tried to diversify the park district so we are a county wide park district and as we come around we will do more projects in Jackson. Like I said we are working on concrete plans to get the right of way lined up for those two projects I mentioned. We would have had a third project, which was a trail up at the Strip, we had the grant, which I have to say I don't give many grants back, but we had to give back three quarters of a million dollars because the land owner in which case was Bob Stark, backed out of his original commitment to give us the right of way. Or we would have finished the trail up to the Strip from the college also probably two years ago. So we've had a lot of these projects in Jackson in the pipeline. As all the pieces come together which include right of way, public interest, and grants then we build those projects. I mean that's kind of how, again it's not always because assured there's not that much money that we collect from Magnolia and yet that property was identified on our master plan as a very valuable piece of the history of the community and we had an opportunity to protect it. And we put a grant together and did that. I'm just trying to explain to you how we balance it out.

Meeks: But again, and I'm not saying that

Fonte: And we do want to give you the service that you also deserve.

Meeks: Right. And the monies that our residents do contribute to that, you're absolutely right we should lend a hand like we always do to help other communities. Absolutely. But again it's back to it's time that we receive some benefits on the contributions that we give. And back to Devonshire, in the agreement from you October 28, 1996, we have lived up to our portion of it and we've contributed \$163,000 to that, back to I think it was \$13,000 for the Ohio Erie Canal for materials that was stated in here, this letter was from you to Mark Cozy at the time. And then \$75,000 a year after which we have done that.

Pizzino: For two years.

Meeks: For two years, that's right. All I'm saying, Bob, is if there's some way and I understand, you know, we've got a little over 41 acres there and gosh I wish it was all green space. We wouldn't be having this conversation because we'd have quite a few ball fields over there. But it isn't. And I think there is something that we can do that will please this Board, your Board, and a lot of people around that area. Really, be in recreational use if it's observing nature, walking on a path, or doing some other activities there, I think it's something that we should look at the alternatives that we can come together on because doggone it we're maintaining it now, we're

putting money into it on the minimal side just so that we don't have to send ourselves a noxious weeds ordinance but I do think that there are some things – Dave, do you have anything to add?

Pizzino: Dave, let me ask you. When we first got in this agreement, Lake Cable was dredging their lake and they were using that as a fill. It is my understanding from when Dana was here, you guys never came back and leveled that off like you were supposed to.

Fonte: The Park District was never involved in the arrangements to dispose of Lake Cable's dredging on that property. We had already turned it over; we had nothing to do with that agreement. You made any agreements you had or understanding you had you may have done with the County Commissioners but in terms of the Park District, we were not involved in the disposal.

Meeks: In number two in your items from your letter is says, 'the parcel currently being used as a disposal grounds for the Lake Cable dredging project will be incorporated in that lease upon completion of the dredging project and restoration of the site'.

Fonte: But we didn't make that agreement, we did not manage that dredging operation.

Pizzino: Stark County Commissioners.

Fonte: That was with the County Commissioners.

Pizzino: It was on your letter, (indecipherable) on there somewhere.

Fonte: I was asked the only thing I was doing was reporting on the status of the property. We didn't control that dredging; we did not give them the permission. If there's an agreement to level it, it was with Lake Cable and their contractor and they were, whatever they were doing they were supposed to take care of.

Burger: I talked with (indecipherable) this spring.

Fonte: We weren't involved in that.

Burger: Concerning

Fonte: Leveling it off.

Burger: Leveling it off. They said that was Lake Cable's responsibility.

Fonte: Okay, that would be my

Burger: (Indecipherable) look into it and make sure that that gets settled enough that they could get equipment in there and do that without losing any equipment.

Fonte: Yes, we were never involved in the negotiations of the dredging operation.

Pizzino: Did you have some kind of contract with Lake Cable?

Fonte: We never did.

Meeks: It would be with the Commissioners if anybody.

Fonte: It would be with the County Commissioners.

Meeks: How do you feel?

Fonte: That letter and I haven't read that letter in a while but from the memory of the circumstances I wasn't involved in

Pizzino: Sounds like it's coming from you to me, when I read it. Without anything about Commissioners.

Fonte: Did the confirming conversation

Pizzino: I never read anywhere it says your confirming conversation with the Commissioners. It just says Stark Parks.

Fonte: No, between myself and Mark Cozy, at the time, I was confirming the conversation he and I had that stipulated he could go forward with the development of Devonshire, subject to the approval of the County Commissioners and the Park Board of Trustees. Okay, lease term. And again the Commissioners made the agreement about the dredging and all I was reporting to him was once that was completed it was going to be covered by the lease for the property. And I reported that we didn't negotiate it, I just reported that. Then the rest was about the care and maintenance.

Meeks: Well, what we've talked about today is there any

Fonte: What I'm saying, I agree with what you said but you basically said what I said and that we should get together and see what we can work out because on the surface that facility doesn't generally fall under our long range plans and objectives. But at the same time if we can figure out how it fits in to benefit both of us we want to help you do that and that's why I came. I mean, I didn't write a letter saying 'no, we don't want it'. That wasn't the way we wanted to handle it. We want to figure out what's the best way to handle that property and then go from there.

Meeks: Well, I think we're moving in the right direction and I do appreciate you being here, again, but I think that if we can sit down and look at the parcel together I think there are some very creative things that we can come up with and that would please a lot of people.

Fonte: I agree.

Meeks: Because if we can't then we are still going to plead to the Commissioners to take this parcel back because I mean all it is, it's costing the Township money to maintain and not getting any benefit out of it for what it was intended for.

Pizzino: I guess my concern is and maybe we're talking circles, the only thing I can see we could do with that area there is demolish the restroom, demolish the tennis courts. Am I correct in saying that Dave?

Dave Ruwadi: Pretty much.

Pizzino: We can't use them. When we went over there and looked at it a number of times and they're so bad we can't save them. So we take the dilapidated tennis courts out of there and the restroom that you can't even open the door and all the pipes that are broken there because it's settled, what do you have there, Steve? You've got open land and you've got like a bog.

Meeks: Well, I don't know what you're going to have once Lake Cable, if they are the responsible party to grade off all the dredging material, I mean you may have a few acres to do some active recreation. I don't know. But again (indecipherable).

Pizzino: (Indecipherable). And Bob keeps saying you know we could work together. It's limited, what are you going to do with it. You're looking at allotments.

Fonte: Well, and that's why I said we ought to really sit down together and talk about more than just that and come up with a plan how we're going to work together in the Township in general. I would very much like to become involved in that kind of discussion because you know that's what we've done, you asked about Canton City, we've been sitting down with them, working on this master trail plan, it's very similar to what we adopted in '97 - '98, we're basically still following that plan, but we're also working with the master planning they're doing right now about revitalizing downtown. If any of you did hear, or at least read about the presentation a couple Monday's ago, I could have written that speech in terms of the quality of life that they need to develop downtown. So we're working with the city about how we will interconnect this trail into the downtown area and do other projects in the future. And all I'm saying is, you know, I think it will be a good idea for us to have the same kind of dialogue about how we could tie the pieces together that we do have. And maybe you're right, maybe Devonshire doesn't fit in by itself but when we look at the whole Township, maybe we can tie it in, maybe not, but maybe we can tie in some other parcels. Then we can come up with an overall plan that addresses your concerns, you know, where do we go, I mean, right now I don't know how we're going to connect from the Campus, College Campus west. I mean I've got it going east, I mean that's easiest, it's going over the Dressler Bridge. How do I get it west, I've had some property owners in Lake Cable approach us, that's a real dicey problem because of right of way. But I think we need to look at alternatives and come up with a solution that ultimately, that can connect to the Jackson bog or to the trail on the west side. That's what I'm getting at and I think that is what I'd like to come out of this is, we use this opportunity to talk about the whole plan in the Township and how we can work together and maybe that will make the obvious, make the Devonshire problem an obvious solution once we look at the whole Township.

Burger: I think when you talk about working together, I think that is a point that I have in the back of my mind, that isn't a total loss over there. It does need work to make it an active park as far as soccer fields, baseball fields, whatever. But if the park system had some way of helping the Township to improve that to the point where it is useful, I don't think the Township would have any problem maintaining it, as we have been doing in the last few years. Now whether we tear the tennis courts out, obviously the restrooms, but

Fonte: And my understanding initially that was the Township's interest, was to develop active recreation fields in that area.

Pizzino: But I understand from you that's not what you're looking for.

Fonte: It's not, that's not what we're looking for. No, we are not in that area. But again maybe this parcel, I think the best thing to do would be look at the parcel as a whole, answer the questions, you know, what is the best use for the property? And once we've identified that, then go forward on how we're going to develop it and then who's going to maintain it. And what I'm saying is, trying to get the door open and say let's not just look at Devonshire but let's look at the whole Township while we're doing it because we're going into our five year planning cycle again starting this fall. It will run through the end of the year where we basically lay out what we're going to do in the next five years. So your timing is good in the sense of us talking, it will help us crystallize what our plans are for the next five years and if we can come up with something proactive, whether it includes Devonshire or not. And I'm not, my point is, I don't want to just tie it to Devonshire, I really want to tie it to the community and what's best for the whole township. And then if we come up with some projects that we can schedule in the next five years, get them into our five year plan, then they become priority for funding in the next five year cycle. Whether it's Devonshire or what it is, if we're going to get together let's keep the slate open.

Meeks: And I don't have a problem with that and I think this Board would welcome that. But I hope you understand where we're coming from. We've already contributed \$163,000 toward Devonshire to the Commissioners as well as the monies that we talked about and it's time that we start looking at Jackson and seeing how it can fit and be very active through the Stark Parks.

Fonte: Yes, we've been pushing, trying to get some commitments out of the developers. We've extended the trail up through Sean O'Brien's property to start moving it east, northeast. We've been trying to do the same thing in Lawrence Township heading east but haven't got that finalized yet, which would then give a connection. We are working, again, we anticipated the 77 improvements and got a connection over I-77. The Zimber Ditch project which is going to come up in the Jackson, we've been working with the designers to make sure that they provide for the trail following Zimber Ditch. So again we're trying to keep these projects planned for so we don't get shut out. And I think if you know all that first hand and then we can find out what's more important to you then we can make those priorities and make sure that they get built sooner rather than later.

Meeks: I just think it's very important for you and us to communicate back and forth more than what we have in the past, because there are a lot of exciting things that sounds like you've

already got on the drawing board that will happen in Jackson and that's great, that is absolutely wonderful.

Gonzalez: Bob, the one point I've been asked by some of our park committee a couple times and they keep talking about their source of funding and future sources of funding for Jackson Parks and as the Trustees have mentioned, I know that we paid well over half a million, in fact, we are the largest source of income to Stark Parks. In Jackson Township, the taxpayers pay a larger share than the city of Canton, we are the single entity with the largest amount, because of our evaluation and the return on that investment, and I've heard like three different ideas here and all of them good. Mr. Burger's saying maybe you could do some infrastructure work and use this as an active park. Mr. Meeks and Mr. Pizzino have had some other ideas but the fact of the matter is the thing is landlocked on three sides, it has one access road, it's not a great spot to do, I don't know what you could use it for. But we have a lot of money invested in it and giving \$163,000 plus another half a million a year in taxpayers' money and we're trying to fund the park with no source of income. Our entire parks has no park levy and there's a big misconception out there with the Jackson residents thinking every time they vote for Stark Parks, it's Jackson Parks. I don't know how many times I've been in the park and people say 'We pay for these parks'. They don't pay anything for those parks; those parks are strictly general fund money. Now I shouldn't say that.

Fonte: Well, yes, they still pay. It's not in the voted levy for the park district.

Gonzalez: There's a bigger issue there. We have the group that came to this Board and recommended giving this back is the Citizens Committee of the Park that said 'wait a minute, we can't fund what we have, let's not fund any more, something that we're not using'. So there's a bigger picture here. And they're talking on they want this Board to vote to go to the people and ask for a park levy for Jackson Township, well, we had a hard time with the Police Levy and the Fire Levy, it's kind of tough to go back to the Parks now and ask for people to vote for two and then we'll be competing with you also at the ballot if that would happen. I guess I just (indecipherable) pieces of – it's a swamp. And if you can do something or you can say, Steve, or whoever mentioned that use that dirt that's there and make some of it usable maybe you could kick back some infrastructure and you know, look at that and maybe pay for something in Jackson there that it could be used part of that acreage or something? Would you look at that?

Fonte: I said we'd look at everything. I don't have any preconceived idea as far as what we're going to look at or what we're not. I'm saying let's start with the big picture and look at the overall plan and what's best for the whole township and then let's, that's the way I do business, I mean, look at the whole picture, set the list of want to be's, want to do's, prioritize them and then we'll just go down the list and do them. I mean that's what we do and again I gave examples of how we've worked our way around, well, you know, we're going to come back around again but we had never had anything in the east side of the county and we've made some major inroads there. We had made a major investment that goes through Jackson, it's not just the mile and a half, two miles of the trail, and it's the fact that it's a twenty five mile trail that makes it valuable to Jackson. And the same thing when we start working east/west connectors, it's going to be the same thing when we get something going east/west it's not just

Gonzalez: The part that we need and the spaces is what Steve brought up earlier. In Petros Park you did a marvelous job. I'm very familiar with Petros Park, I've watched kids play ball there. That's a whole different, that's more like our parks.

Fonte: And in all candor, this Park District wouldn't build that park the way it is today. That's not the nature of what we are focusing on. Ball fields and that type, no. Having water

Gonzalez: Did you get assistance from Perry Township in that? You guys do anything jointly in that project?

Fonte: We turn over management of the ball fields to the local ball association, they take care of the infields, and we mow the outfield and take care of the rest of the park. So we don't maintain the ball fields, they built, the local associations put up the backstops, the dugouts, all the fencing, all the baseball interior, the clay fields, whatever, that's all been done by local clubs, we don't touch it.

Meeks: Okay, well, I think what we need to do though, Bob, is to schedule meetings so that it just doesn't drop. You'll have your list of priorities and I guarantee you, on ours, Devonshire's number one. And then, but we do need to continue these talks so that we can move in a positive direction.

Fonte: Our goal is to have our five year plan formed up by the end of this year. And we're not going just do it internally. We're doing it, internally within our staff, but then we're scheduling public meetings throughout the county to get public input, the same way we've done it five years ago and ten years ago. In fact we're using Regional Planning Commission to help us pull a plan together. We fully intend to go out in the community and specifically, since we have a specific agenda, we need to have some work sessions internally with your organization, whether it's through Dave or whoever you include in it to go through the process of identifying all the projects in the township and coming up with all the wish list. We're looking at open space at the same time; we're trying to get a list of those areas that are highest priority throughout the county. You're familiar with the work we're doing on the drainage task force which will, I think, go a long way in creating a revenue stream that will help the entire county relative to, it's not just flooding, but its water quality and open space. If that can get off the ground, we need to have priorities set for that as well. So that's kind of how we're looking at it, to use this development period to identify what's most important within each community.

Gonzalez: What does your levy generate, about four million a year?

Fonte: Our levy generates \$3.2. We've been fortunate, again, because of the access the community has to Mr. Regula's ability to raise money. We get somewhere around \$2,000,000 a year in grants. Most of that is, but most of it's line item grants for things like the tunnel under the railroad, but I'm saying that type of target is what moves his projects forward and we happen to be aligned with his projects. Everybody knows, we've said this back in 97, we started with that project because we had both the land ownership by the Commissioners and the support of a Congressman to develop that as part of a regional facility. So that's been an obvious advantage to get that off the ground.

Pizzino: Mr. Meeks, why don't we have our administrator, Ms. Lyon, set up some meetings. I'd like to get this handled by the end of the year, one way or another, because it sounds like he's doing a great job but we keep talking, we're getting away from Devonshire Park. We're talking about everybody but Devonshire and I understand what his situation is and he doesn't want to be in the ball field business and I can't blame him for that either. But if that's the case, then we have to get with the Commissioners.

Meeks: Right.

Pizzino: I mean to get you out of it, Bob. We'll get you out of it.

Fonte: I don't want to get out of it, per se, but I want to make it clear what we focus on and do well and what we don't do well. And we've been very successful in not competing with each community because once you get into ball fields and rec programs and most major park districts then we'd be recruiting people to play in our programs and you'd be, you'd be creating and we've avoided that and I don't want to go down that path. We want to focus

Meeks: (indecipherable) schedule for that

Fonte: Yes.

Pizzino: Sitting over there.

Fonte: Right. So, if we can figure out how to solve the Devonshire issue.

Pizzino: If we can solve this one issue, we won't have an issue with Stark Parks.

Fonte: And that's where I'm saying if we can agree how we get this property resolved and if it isn't suitable to rebuild to do something like a passive, because you're taking something away that some people may say 'well, gee, you really ought to repair those tennis courts at \$10,000 to \$20,000 a court' maybe I don't know that's a down and dirty number but resurfacing them is usually a good \$10,000 and those are probably beyond that so it's \$20,000 a court.

Pizzino: Dave came up with some numbers and we just didn't feel it was feasible to even put any money at all in

Fonte: Well, and that's assuming you have a good base to begin with.

Pizzino: And we don't have that.

Fonte: No.

Ruwadi: It's on water. Are there any grants through Devonshire Park that you receive?

Fonte: That we receive. No, I don't think we did, no. And the County Commissioners, which is something we'll have to look at as far as how it's used. But I think it might have been Land and Water Conservation Funds and as long as it remains park land I don't think, I

Ruwadi: You don't know where that money is channeled.

Fonte: I don't know what. We'll have to look at what the restrictions were, that's part of what we have to do in the research phase, but I think that they bought it, or they developed it, because it was donated from Al Michaels.

Meeks: Right.

Fonte: But I think they developed it with Land and Water Conservation Funds so it can't go private. That much I know. But whether you could just take out the worn out facilities and convert them into a nature trail, bird watching, habitat, which would be more along the lines of and that's also low maintenance. We may be able to work something out that way.

Ruwadi: There's a real large drainage problem there. I mean, as you know, actually that fits right into your drainage plans.

Fonte: Well, that's what I was getting at. It may be it's a good site to work with the drainage committee once it's funded, however that works.

Meeks: We've already funded that project.

Fonte: Funded the drainage project?

Meeks: For Devonshire.

Fonte: The money that was funded really was for the towpath.

Meeks: Every year.

Pizzino: Not to give you a hard time, but we appreciate you coming.

Fonte: Well, I don't mind. Hey, you don't think I ever go and get a hard time.

Ruwadi: I don't want to give you a hard time, either, Bob. Is there or do you have a plan for a trail head in Jackson Township, while I have you here. Did we ever get what we were talking about a trail head in Jackson Township?

Fonte: There were several locations identified in the master plan. One is up at the airport, we have not given up on that yet.

Ruwadi: The one that we talked about across from Boca Grande. It's supposed to be an ice skating rink, restrooms.

Fonte: That would be the phase, later phase of developing that because there's a pond back in there. And putting a restroom in there. Yes, that's still on the list of projects.

Ruwadi: Were there ever any drawings done on that?

Fonte: Well, we have a drawings of the, we contracted for what I call generic restroom for the parks that we would modify it to the site but we have generic drawings for a park restroom, it has a restroom, it has a picnic shelter, and it has a concession area in three pieces. And depending on the size you would put one, two or three parts together. So those plans are pretty much developed, we just have been, we haven't gotten the funds.

Ruwadi: Nothing site specific.

Fonte: Not site specific for that one. In all candor, one of the things in the five year plan we'll do is try to identify where we put a restroom next. Now we worked with Lake in 21 because we had a partnership with Ernie's Bike Shop and we got a restroom there. We worked with Canal Fulton and they just are opening up their visitor's center in Community Park that was a grant that they got through ODOT, and that's a new restroom there. So we've been working strategically along, right now there's interest, there's one proposed at Lock 4 as a restroom and there's one proposed at Crystal Springs as a restroom. At this point, there's nothing, well, one south of Massillon at John Glenn Grove, so those three restrooms along that stretch of trail and part of what we need to do in this is target which one would be the first priority, second, third of those three along the canal. And part of that will be where the spacing, obviously it's only a mile from Community Park to Lock 4, but if the Congressman says he wants that one, guess what. If we get funding for that, that one might come up quicker. So it is opportunity and funding, both.

Burger: I'd like to compliment you on being involved in Elson Mill. I had the opportunity to go down there and tour the building. It would have been a terrible shame to see that

Fonte: We're hoping to do that more and more as the people understand that when you say passive recreation, our goal is to help people understand where they came from in the community. That history is part of our mission as a park district. So rather than, nothing against ball fields, but that's not our focus, but community history, open space, and quality of life which are very, very important when people make a decision where they stay or relocate to. And we feel those are the types of projects we will continue to look for. So thank you and we will keep looking for those types of opportunities.

Pizzino: Thank you. Ms. Lyon will get a hold of you.

Meeks: Thank you, Bob.

## **Highway Department**

Ralph Boger introduced Mike Rekestis from ME Companies who presented the Board with the monthly update on the Fulton/Wales Intersection.

Rekstis: Thank you for the opportunity to be here and report on the project today.

Meeks: I hope so.

Rekstis: Rich is out of town today.

Meeks: Must not be good.

Rekstis: It's not bad news, no. Actually we had a good meeting this afternoon with ODOT and the developer on the southeast quadrant. I'd like to give you information on how the meeting went today. A little bit of background on the history. The developer submitted a permit application on June 2nd of this year; ODOT had reviewed that June 17<sup>th</sup>. They resubmitted on August 2<sup>nd</sup> of this year and ODOT had reviewed and commented on that on August 22<sup>nd</sup>. There were some outstanding issues that had to be coordinated yet and that was what our meeting was about today. ODOT had three main issues and I just kind of want to bring you up to speed because these are the things that primarily are driving the coordination right now.

First was the profile of their access drive out on 241 across from Caritas. The designer, GBC, has a profile that they like and ODOT was favorable to that today. They're going to review it and make sure that it works for both the interim and the permanent condition out there. Because their development will go in before the road project is built.

Second issue, ODOT had a concern about their detention basin location. It's overlapping on the right of way. GBC has redesigned it, moved the pond back away from State Route 241 and that issue appears to have also have been corrected.

The third coordination issue was with utilities. There was some sanitary sewer that's going to be filled over and that, we believe, is going to be approved by the Sanitary Engineers office. There's a water line that needs to be adjusted to grade. It will not be a big issue. And also the Dominion East Ohio Gas relocation will be done along the developer's property by the developer. Those issues also appear to have been resolved.

The conclusion of the meeting was ODOT felt there was enough coordination there. They're going to look at the permit application that GBC turned in today which is basically a set of revised plans telling them what they're going to do. And they would like to get McCoy Associates moving again on the final design.

We talked about the schedule going into the future. We're hoping to get McCoy started working October 3<sup>rd</sup> and having the State's street plans wrapped up by next May. The right of way acquisition is on schedule. All the appraisals have been completed and ODOT's working on acquiring the properties as we speak. They're on schedule for an April of '06 clear date. The utilities will require some time to be relocated as ODOT has been reporting. They anticipate the utilities to take at least six months to be relocated. They have some gas line relocations and some power pole relocations and they look at that work being done between April of '07 or early '07 and late '07, so basically during the summer of '07, with construction to follow shortly

thereafter. Now they have moved back the sale date of the project one quarter, from fiscal year '07 to fiscal year '08.

Meeks: The reason being?

Rekstis: The reason being that they're going to need the time, starting today with the new schedule that they have laid out, they feel that realistically to get the utilities out of the way without having any contractor delays, the contractor won't be able to start until the middle of summer of '07. Now I don't see it being a big change from where we were before. It's still a two year construction project, starting during '07, finishing at the end of '08. That's where it sits today. Now as far as the actual saw dates for the construction, they won't be able to pin those down until we get further along. And they're optimistic about the possibility of sliding them up rather than having to slide them back again. So that's the position that they're in now.

Meeks: Have you seen the letter that we received today from Mo Darwish?

Rekstis: This was the delay? The sale date, yes, I have seen that.

Meeks: And that's what you're reporting to now is in reference to Mo's letter.

Rekstis: Yes, they've moved it back from fiscal year '07 to '08. That is exactly what I'm reporting. They feel that the utility relocations after they get all the right of way clear, really the utilities will not design their relocation plans until the final plans are actually done which won't be until next April.

Meeks: So is that why it is so difficult for the utility company and ODOT to give me a breakdown with Fulton Road being the divider for as many times, and I know you've been in numerous meetings that I've asked for a breakdown of the costs that they're assuming, is what it's going to take for the gas companies' movement. Has there been any talk, any update, anything on that line?

Rekstis: I do not have an update on that. And I would agree that is the root of the problem. They're unwilling to try to split that out without having the gas company actually produce that for them.

Meeks: It's imperative that I see that and this Board needs to see that. I need to see the breakdown with Fulton Road as the divider of the costs that they assume that the Township is going to pay for the right of way of the gas line. Okay?

Rekstis: Okay.

Gonzalez: At one point, we looked at this as doing it under a TID. The State kind of took ownership of that. Do you know, has that been discussed at all of late?

Rekstis: That has not been discussed. It was a decision that was made.

Gonzalez: By the State?

Rekstis: By the State.

Gonzalez: And do you have any feelings at all, I don't mean to put you on the spot, I certainly understand. I mean is this something they're pledged into? I mean, it's just dragged it out and dragged it out.

Rekstis: Well once a decision was made they would have to administer the project or we basically were bought into that decision as their (indecipherable). They certainly have every right to do so.

Gonzalez: With our money.

Rekstis: Yes, that's been a stipulation.

Burger: Now you've got the hard one out of the way.

Meeks: Please, Mike, if you would be a thorn in their side. We need that information. Just as they are very persistent on getting others' information back to them.

Rekstis: Yes, we'll certainly start to push for that information and I know Ralph has done a lot of pushing over the last couple weeks to get these meetings set up and it's been a good effort. It seems to be working well.

Meeks: Very good.

**ATTACHMENT 09/27/05 A**

Meeks moved and Pizzino seconded a motion to adopt the terms of Ralph Boger's September 19, 2005 memo regarding a 50/50 split with the Stark County Engineer for the Portage/Lutz Right-of-way acquisition appraisal. **3-0 yes**

**ATTACHMENT 09/27/05 B**

Meeks moved and Pizzino seconded a motion to adopt the terms of Ralph Boger's September 19, 2005 memo regarding ME Companies proposal for the Lafayette/High Mill Right-of-way acquisition. **3-0 yes**

Gonzalez asked about the status of the right-of-way appraisals for the Fulton/Wales project and whether any had been donated. Mr. Rekstis replied that all appraisals have been completed but he had no information regarding donations.

At 6:07 p.m., Burger called the General Session to order with all department heads present except Chief Heck who was represented by Assistant Chief Shreiner. Burger requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

**Public Speaks – None**

**Police Department**

**RESOLUTION 05-079, ATTACHED**

Meeks moved and Pizzino seconded a motion that pursuant to the procedure set forth in attached Article 37 of the Negotiated Agreement, we hereby appoint Patrol Officer Joel M. Hammer to the position of Full Time sergeant in the Jackson Township Police District Department contingent upon the successful completion of a probationary period. **3-0 yes**

**ATTACHMENT 09/27/05 C**

Burger moved and Meeks seconded a motion to approve the appropriation transfer request from account code 209.250.5235, Unemployment Comp., to account code 209.250.5396, Vehicle Maintenance, in the amount of \$5,521.00; from account code 209.255.5110, Patrol Reg. Salaries, to account code 209.250.5396, Vehicle Maintenance, in the amount of \$3,979.00; from account code 209.250.5387, Discretionary, to account code 209.250.5522, Building Maint/Repair, in the amount of \$3,000.00; from account code 209.250.5319, Education & Tuition Reimbursement, to account code 209.250.5526, Fuel, in the amount of \$1,000.00; and from account code 209.255.5110, Patrol Reg. Salaries, to account code 209.250.5526, Fuel, in the amount of \$12,800.00 for a total transfer of \$26,300.00. **3-0 yes**

**ATTACHMENT 09/27/05 D**

Burger moved and Meeks seconded a motion to authorize posting in-house the position of full-time patrol officer to fill a vacancy in the Police Department. **3-0 yes**

Pizzino: Discussion. Chief, you know I'll vote for this, and like I told you before, I want to see some part-time officers in front of this Board. We talked about it a number of times, I know we have about 180 applicants. Before we hire these two or three people that you want to hire, I'd like to see more part-time officers on the road and I'm sure we could pick from those officers that we choose to put on there part-time.

Meeks: I concur with Trustee Pizzino. I think, as you are very well aware, Chief, that it is important to keep a stable of quality part-time officers. They help us tremendously, they also help you help us keep the costs down in the absence of full-time officers and as you well know that is where we try and look for successful candidates to fill full-time positions and if we don't have that stable there it's very difficult to promote the quality people that we look for.

Gonzalez: Financially, after all I've said, it's been Chief Neftzer, though, by not filling these positions as long as he has and running short staffed which all of you probably heard about our big Police Levy not too long ago. It's allowed him to hire these employees now or he wouldn't have that money.

**Administration Department**

**Park Department**

**ATTACHMENT 09/27/05 E**

Meeks moved and Burger seconded a motion to approve Budget Module No. 05-28 in the amount of \$40,000 for the Parks & Recreation Department to provide funding for excavation, drainage and asphalt for the future basketball courts and parking lot expansion in North Park.

**3-0 yes**

**ATTACHMENT 09/27/05 F**

Meeks moved and Burger seconded a motion to approve Budget Module No. 05-27 for the amended amount of \$50,000 for the Parks & Recreation Department to provide funding for the excavation for a skatepark in North Park.

**3-0 yes**

Meeks: Under discussion. David, this is for you. If you could please, sir, and I know that it's been a while since you met with the Committee, but I just want to make sure that before we do any excavation whatsoever for the site prep that we make sure that we are making a site suitable for the proper park that we'd like to see for the skate activities. I was contacted and just to be honest with you I have no idea about a skatepark. That's why we had the Committee. I was also questioned that should the skatepark have different elevations set forth other than just a smooth surface with different height apparatus so if you could please, sir, look into that, seeing if, because once we spend the money I want this Board to spend the money wisely, making sure that we do have a park that

Ruwadi: That's going to be used.

Meeks: Right. Okay, could you do that for me?

Ruwadi: Yes.

Meeks: All right. Thank you very much, sir.

Pizzino: Mr. Gonzalez.

Gonzalez: Yes.

Pizzino: In the capital project fund, the bottom number, should that be changed to \$50,000?

Gonzalez: I did it on the motion, John.

Pizzino: Okay, I just wanted to make sure. Mine wasn't . . .

Gonzalez: It shows the amendment on the fund, but I haven't changed any part of the (indecipherable)

Pizzino: Then at the top, Randy, while we're talking about it, the estimated cost of \$138,401 through \$223,151. Explain that to me again? Because this has been back in . . .

Gonzalez: That was the original cost of the entire presentation which I believe Dave could elaborate on better than (indecipherable).

Pizzino: The \$223

Gonzalez: The apparatus and all that, didn't it Dave?

Pizzino: The \$223 and a \$138. Which one?

Ruwadi: The \$138, John, was the bottom dollar of what the kids or the Committee wanted. And it could go as high as \$223 if they had more elaborate types of equipment and so on and so forth. That particular number included from lay out to (indecipherable).

Pizzino: Well, I suggest you rework these numbers, then. Because we're only going to approve \$50,000 tonight.

Ruwadi: That's correct.

Pizzino: And I'm sure those numbers have changed but that's a pretty good spread. You're talking a \$90,000 spread.

Ruwadi: The basic concrete, excavation and moving of the dirt, the fencing and so on and so forth and then on top of that you had different options from different companies if you look at the second page on that you'll see that.

Pizzino: My concern is, Mr. Gonzalez, they've only raised \$1,547.

Gonzalez: Right. We only have, as I reported last week, about \$99,000 so you've spent the \$90,000. It's going to be up to the Committee at this point, there are break outs, John, are on the third page.

Pizzino: I understand that. I guess what I'm saying is before we start this project we better make sure we have, one, the money to complete it and two, the commitment. Because it looks like it started out and we had one fund raiser and it collected \$1,500 and we thought that number would be a lot higher when they came in here and talked to us half a year or so ago.

Ruwadi: Correct.

Meeks: Well, the other thing, too, is that by Dave looking into the proper base and elevation and foundation of this park, it will be an ongoing project for many years. It isn't something that we see to be started and completed within a fiscal year. It is something that can grow and that's very important to make sure that the elevations are set correctly, foundation and the base are put in so that we can look at future additions to making it a quality skatepark.

**ATTACHMENT 09/27/05 G**

Meeks moved and Pizzino seconded a motion to approve Budget Module No. 05-4 in the amount of \$9,100 for the Parks & Recreation Department to provide funding for a walking path at Fisher Park, Phase II. **3-0 yes**

**Zoning & Planning Department**

**RESOLUTION 05-080, ATTACHED**

Pizzino moved and Meeks seconded a motion that whereas, the Jackson Township Board of Trustees, 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 NW, SE Lake Cable Farmlets, Canton, OH 44720, Parcel No. 1623032, 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 30. 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**

**Fire Department**

**ATTACHMENT 09/27/05 H**

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 228.210.5385, Other Expense, to account code 228.210.5506, Medical Supplies, in the amount of \$5,310.21; from account code 210.210.5387, Discretionary, to account code 210.210.5460, Fleet Insurance, in the amount of \$2,505.10; from account code 210.210.5387, Discretionary, to account code 210.210.5462, Building Insurance, in the amount of \$1,740.35; and from account code 210.210.5387, Discretionary, to account code 210.210.5396, Vehicle Maintenance/Repairs, in the amount of \$10,000.00 for a total transfer of \$19,555.66. **3-0 yes**

Assistant Chief Shreiner announced an open house will be held for National Fire Prevention Week on Sunday, October 9, from 2:00 to 4:00 p.m. at the Safety Center.

Meeks moved and Pizzino seconded a motion to authorize two mechanics to attend the American LaFrance Service and Mechanic School in North Carolina, October 10 through October 13, 2005. **3-0 yes**

Pizzino moved and Meeks seconded a motion to authorize two fire inspectors to attend the Commercial Kitchen Exhaust Hood Duct System School in Pittsburgh, December 15 and 16. **3-0 yes**

## **Highway Department**

### **ATTACHMENT 09/27/05 I**

Pizzino moved and Meeks seconded a motion to sell two snow-ready 1990 Ford L-8000 dump trucks to Augusta Township, Carroll County for a total of \$12,000. **3-0 yes**

### **RESOLUTION 05-081, ATTACHED**

Burger moved and Meeks seconded a motion to adopt and authorize the placement of the Boards signatures upon the attached Agreement with the Airport Authority. **3-0 yes**

### **RESOLUTION 05-082, ATTACHED**

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of a stop sign at:

1. Spring Brooke Circle N.W. to stop eastbound at Galena Avenue N.W.
2. Diamond Ridge Circle N.W. to stop westbound at Galena Avenue N.W. **3-0 yes**

## **Clerk's Office**

### **ATTACHMENT 09/27/05 J**

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$1,084,699.33. **3-0 yes**

### **ATTACHMENT 09/27/05 K**

Meeks moved and Pizzino seconded a motion to approve the minutes of the September 13, 2005 Board of Trustees meeting. **3-0 yes**

### **ATTACHMENT 09/27/05 L**

Meeks moved and Burger seconded a motion to authorize the transfer of \$232,000 from Fund 101, General Fund, to Fund 214, Park Fund. **3-0 yes**

Meeks moved and Burger seconded a motion to amend Resolution No. 05-066 to authorize the transfer of \$34,009.92 from Fund 203, Gasoline Tax Fund, and \$600,000 from Fund 211, Road Levy Fund, to Fund 324, Highway Capital Projects Fund, in accordance with paragraph 2 of the above Resolution. **3-0 yes**

## **Routine Business**

### **Announcements**

- Next regular Board of Trustees meeting, October 11, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, October 3, 2005, 5:30 p.m., Township Hall.
- LOGIC, October 6, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.

- Board of Zoning Appeals, October 13, 2005, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
  - Community Celebration, October 5, 2005, 6:00 p.m., Township Hall.
  - Park, October 18, 2005, 6:30 p.m., Township Hall.
  - Highway/Traffic, November 16, 2005, 6:30 p.m., Township Hall.

**Old Business**

Mr. Fitzgerald updated the Board on the D5B Liquor License for Bravo. Bravo will withdraw that request and apply for a D5I license.

Pizzino asked if there would be a resolution on the truck sale to Augusta Township. Fitzgerald spoke with their Clerk. He will send a one paragraph agreement to be signed and adopted, and returned with a copy of their minutes.

**New Business**

Meeks moved and Pizzino seconded a motion to accept a \$20 donation to the Park Tree Fund from Marlyn & Jean Class in memory of Sara Conard. **3-0 yes**

Meeks moved and Pizzino seconded a motion to accept a \$20 donation to the Fire Department from Mr. & Mrs. John Mohr. **3-0 yes**

**Public Speaks – Open Forum**

No one came forward.

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

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**William Burger, President**

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**Randy Gonzalez, Clerk**