

The Board of Lake Township Trustees met at 6:30 p.m. at 12360 Market Avenue North, Hartville, Ohio for the purpose of conducting a Public Hearing for Zoning Amendment No. 14-234 (Map Change – Proposed rezone of 8920 Cleveland Avenue NW (Original request from C-2 General Commercial and OR Office Research to C-2 General Commercial and R-2 Medium Density Residential) immediately following in regular session with the following members present:

Galen Stoll, President  
John Arnold, Vice President  
Ellis Erb, Member

Also Present:

Ben Sommers	Michael Wilt
Earl McClung	Steve Lacey
Sam Miller	William Peters
Daniel R. Kamerer	Joy Dingman
Mike Boylar	

Mr. Stoll called the Public Hearing to order.

Mr. Stoll asked if there was anyone present that would like to speak for or against the proposed amendment, hearing none the board closed public comment.

The Board explained that the change was approved by Stark County Regional Planning. The request was then changed by the applicant from R2 to R1 which is a lesser use, that change was unanimously approved by the Zone Commission.

14-124 A resolution was made by Galen Stoll accepting the recommendation of the Lake Township Zoning Commission and approving the zoning change for Zoning Amendment No. 14-234 to rezone a portion of one tract (8920 Cleveland Avenue), totaling approximately 4 acres, located on the north side of Brumbaugh Street and east of Cleveland Avenue in the NE 1/4 Section 31, Lake Township from its current OR Office Research zoning classification to R-1 Low Density Residential. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Mr. Stoll adjourned the public hearing at 6:34 p.m.

Mr. Stoll called the regular meeting to order.

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14-125 A resolution was made by Galen Stoll approving the minutes of March 24, 2014 as submitted. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-126 A resolution was made by Galen Stoll authorizing payment of payroll for April 25, 2014 in the amount of \$ \_\_\_\_\_. Seconded John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-127 A resolution was made by Galen Stoll accepting/approving the Financial Report as of April 14, 2014 as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-128 A resolution was made by Galen Stoll authorizing payment of bills as of April 14, 2014 in the amount of \$772,729.72. Seconded by John Arnold. Roll call votes were

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that \$634,688.01 is going to the fire departments and another \$48,656.32 is going to the Bureau of Workers Compensation.

### CORRESPONDENCE

1. NEFCO -- April 16, 2014 Tentative Agenda of the Regular Meeting of the General Policy Board
2. Time Warner Cable -- notice of programming changes/digital broadcasting
3. Ohio Attorney General -- Competition Matters, Spring 2014 Newsletter
4. Time Warner Cable -- notice of upcoming pricing for some Time Warner Cable Business Class Television services
5. Ohio Township Association -- legislative alerts and information
6. Stark County Metropolitan Sewer District -- response to letter sent regarding sewer billing at 9776 Cleveland Avenue
7. Stark Soil & Water Conservation District -- Site Inspection Reports (Top Advantage Building; Comfort Suites; Kirk Key Interlock)
8. Stark County Treasurer -- response to letter sent regarding sewer billing at 9776 Cleveland Avenue
9. John Schuster -- suggesting berms and/or bike/walking lanes on Lake Center Street

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10. Akron University -- notice of new membership application from Chester Township and City of Medina
11. Stark County Regional Planning Commission -- April 8, 2014 Agenda
12. Ohio Public Employees Retirement System -- March 25, 2014 Employer Notice newsletter
13. Young Energy Services, LLC -- information regarding South Run Pumped Storage Sixth and Final Six-Month Progress Report
14. Stark County Township Association -- notice of April 17, 2014 meeting
15. Dave Yost/Auditor of State -- notice of audit stark, estimated completion date
16. U.S. Department of Justice -- Bulletproof Vest Partnership FY2014 Application Announcement
17. Maggie Humphrey /Bricker & Eckler LLP -- questions regarding the royalties or rent the Township is receiving for oil or gas production on the Midway property (preparing lease documents for telecommunications tower/Verizon)
18. The University of Akron/CUE -- fuel bid tabulation
19. Stark County Metropolitan Sewer District -- Use of Manhole Adjusting Rings on Township or Village Road Resurfacing Projects
20. Ohio Township Association -- April 2014 *Grassroots Clippings* Newsletter
21. Ohio Deferred Compensation -- *Staying Connected* information on Opt-In or Opt-Out form
22. Stark County Regional Planning Commission -- notice of April 8, 2014 meeting
23. AT&T -- notice that our AT&T Business Local Calling term will soon end
24. Mercy Medical Center -- *Concern Connection* newsletter December 2013
25. Jon Husted/Ohio Secretary of State -- notice of statewide Issue 1 on May 6, 2014 Primary Election
26. CareWorks -- *Customer News* Spring 2014 newsletter

## **DEPARTMENT REPORTS**

### **Police Department**

- None

### **Road Department**

14-129 A resolution was made by Galen Stoll accepting the April 10, 2014 Proposal from Cleveland Freightliner, Inc., 10901 Brookpark Road, Parma, Ohio 44130 for the purchase of a Western Star 4900SB Cab and Chassis for a total price of \$125,434.00. Two quotes were received and the Board acknowledges that said Proposal meets/beats the Ohio Department of Transportation Bid Initiation/Award No. 044-14 Proposal submitted by Kinstle Western Star Truck Center. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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**Zoning Department**

- The Board acknowledged receipt of the March 2014 Zoning Report.

**Fire Departments/Fire Prevention Office**

- None

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

- The Board discussed the location of proposed telecommunications tower. Verizon has been out and would like to place it within 70' of the lot line; the Board would like to see it down by the gas well, where it would be less visible. It would look better overall and keep the other location open for other uses.

14-130 A resolution was made by Galen Stoll authorizing correspondence be forwarded to NTP Wireless, for Verizon, notifying them that the Board is not in favor of the proposed setback location of the tower as depicted on the March 26, 2014 preliminary survey. The Board, in order to avoid potential complaints from neighboring properties, asks that NTP Wireless/Verizon position the tower by the existing gas well. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-131 A resolution was made by Galen Stoll acknowledging the acceptance of the RentWear Rental Service Agreement for Road Department. The Board acknowledges that there are no increases in the cost of the service. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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14-132 A resolution was made by Galen Stoll authorizing the Board to execute the following Road Open Permits:

- D-14-14: Dominion EOG - 2000 Butternut Street NW (new service line)
- D-14-15: Dominion EOG - 12533 Amber Circle NW (tie-in new long service line)
- D-14-16: Dominion EOG - 13689 Marlene Ave NW (new service line)
- D-14-17: Dominion EOG - 10158 Jordan Circle NW (new service line)
- D-14-18: Dominion EOG - 12224 Titano Cir NW (new service line)

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-133 A resolution was made by Galen Stoll authorizing the Board to execute the following Road Open Permits:

- O-14-03: Time Warner Cable - Highland Park (install conduit)
- O-14-04: Bontrager Excavating - Pleasantwood (new 16" water main)

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-134 A resolution was made by Galen Stoll authorizing the Board to execute all necessary renewal forms for PUCO Certification as a Governmental Aggregator for Lake Township's Electric Program. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-135 A resolution was made by Galen Stoll scheduling the annual Records Commission Meeting for 6:30 p.m. on Monday, April 28, 2014 with the regular meeting of the Board to begin immediately following. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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- 14-136 A resolution was made by Galen Stoll authorizing the Board to execute the following Cemetery Deeds:

Uniontown Greenlawn Cemetery - Section N, Lot 79, Grave 4  
Mt. Peace Cemetery - Section 3, Lot 113, Grave 2  
Mt. Peace Cemetery - Section 3, Lot 56, Graves 3 & 4

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 14-137 A resolution was made by Galen Stoll authorizing an expenditure in the amount of \$40.00 for Sophia Kapadia to attend a Frank Gates 2-Hour Safety Training Session on October 14, 2014 at Jackson Township Safety Center as a requirement of the Bureau of Workers' Compensation. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 14-138 A resolution was made by Galen Stoll determining, pursuant to Ohio Revised Code Section 505.871, based on, in part, information and photos provided by the Zoning Department, that a nuisance **does** exist at **3866 Edison Street NW, Uniontown, Ohio 44685**, due to, **abandoned/inoperable vehicle(s)**. Further resolving that the owner of such premises is hereby ORDERED to clean up said items and abate said nuisance from the premises within fourteen (14) days after receipt of certified notice. If said nuisance is not abated within fourteen (14) days, this Board will abate said nuisance. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within fourteen (14) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 14-139 A resolution was made by Galen Stoll determining, pursuant to Ohio Revised Code Section 505.871, based on, in part, information and photos provided by the Zoning Department, that a nuisance **does** exist at **3866 Edison Street NW, Uniontown, Ohio 44685**, due to, **the owner's maintenance of vegetation, garbage, refuse and other debris**. Further resolving that the owner of such premises is hereby ORDERED to clean up said items and abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will abate

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said nuisance. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- Ellis Erb asked the Zoning Administrator, Steve Lacey, to take a look at another potential nuisance at the SE corner of William Penn & Smith Kramer.

**MEETING REPORTS/MISCELLANEOUS**

- The Board met with the engineer’s office where they were thanked for partnering with them on some drainage issues.
- Ellis Erb attended a meeting regarding the St. Rt. 619 project, it is progressing on schedule.

**FISCAL OFFICER’S REPORT**

14-140 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board acknowledged following *Transfers Within a Fund*, pursuant to Resolution No. 14-024:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
04/04/14	\$1,000.00	2031-330-319-0000 R/B – Other – Prof. & Tech. Svcs.	2031-330-350-0000 R/B – Utilities

Purpose: To cover 2013 expenses just being billed

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<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
04/04/14	\$1,600.00	4906-760-790-0000 Misc. Capital Proj./169-Cor – Other-Capital Outlay	4906-330-314-0000 Misc. Capital Proj./169-Cor – Tax Collection Fees

Purpose: To cover Auditor fees charged to this fund.

14-141 A resolution was made by Galen Stoll authorizing the Fiscal Officer to make a Fund Balance Adjustment to the General Fund (1000) to remove a \$54.00 error that has been carried on the Bank Reconciliation for numerous years. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll      yes  
 John Arnold     yes  
 Ellis Erb        yes

**PUBLIC SPEAKS**

Sam Miller, 412 Jerome Ave., Hartville; Mr. Miller thanked the Board for the new lawn mowers for the maintenance of the cemeteries that were picked up today.

Michael Wilt, 1732 Edison St., Uniontown; Mr. Wilt asked the Board if they were still responsible for the old senior center on Edison because there was some damage to the exterior of the building. The Board responded they were aware of it and that it would be fixed.

14-142 A resolution was made by Galen Stoll to convene an executive session at 7:00 p.m. pursuant to ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and to include the Trustees, Fiscal Officer, legal counsel, Chief Britt and Sergeant Weidman. Seconded by John Arnold. Roll call votes were:

Galen Stoll      yes  
 John Arnold     yes  
 Ellis Erb        yes

14-143 A resolution was made by Galen Stoll to return from executive session at 8:04 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll      yes  
 John Arnold     yes  
 Ellis Erb        yes

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14-144 A resolution was made by Galen Stoll adjourning the meeting at 8:05 p.m. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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Ben Sommers, Fiscal Officer

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Galen Stoll, President

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John Arnold, Vice President

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Ellis Erb, Member

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