

AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO
82 OHLTOWN ROAD
AUSTINTOWN, OH 44515

REGULAR MEETING OF JUNE 27, 2016

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday June 27, 2016, at Town Hall, 82 Ohltown Road, Austintown, Ohio.

The meeting opened at 12:00 P.M. with a salute to the flag led by Chairperson Kenneth A. Carano. Roll Call was as follows: Mr. Davis, present; Mr. Stauffer, present; and Mr. Carano, present.

Mr. Carano introduced the Board Members, Department Heads, and Sergeant at Arms.

Mr. Carano asked for a moment of silence with the passing of Austintown Firefighter John Fritz who died while on duty this morning.

RESOLUTION #16-06-27-01: Motion by Mr. Stauffer to APPROVE Minutes of the Regular Meeting of June 13, 2016.

Mr. Davis seconded the motion. Roll Call: Mr. Carano, yes; and Mr. Stauffer, yes; and Mr. Davis, yes.

RESOLUTION #16-06-27-02: Motion by Mr. Davis to Hire Angelo Pasquale and Jason Murzda as Reserve Officers effective June 27, 2016.

Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

Oath given by Fiscal Officer Laura Wolfe to Reserve Officers Angelo Pasquale and Jason Murzda.

DEPARTMENT BUSINESS

ROAD DEPARTMENT

RESOLUTION #16-06-27-03: Motion by Mr. Stauffer to approve Thomas Fok & Associates, Inc. Engineering Services Proposal for a new Salt Bin Building at the total amount of Twenty Thousand Dollars (\$20,000.00) which includes design through construction inspection services.

Mr. Davis seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

POLICE DEPARTMENT

FIRE DEPARTMENT

RESOLUTION #16-06-27-04: Motion by Mr. Stauffer for a continuance on the approval of the 2015 International Fire Code until the July 11th meeting.

Mr. Davis seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

ZONING DEPARTMENT

RESOLUTION #16-06-27-05: Motion by Mr. Davis to approve the following:

RESOLUTION

The **Board of Trustees of Austintown Township, Mahoning County, Ohio**, meeting on **Monday, June 27, 2016**, did adopt the following Resolution:

WHEREAS: The Board of Trustees of Austintown Township has determined that the following properties constitute a nuisance pursuant to Ohio Revised Code 505.87:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Austintown Township that the above constitutes a nuisance and the property owners are hereby **ORDERED** to abate, control, or remove said nuisances:

302 Athens Drive
Parcel No. 48-059-0-025.000
High grass and weeds;

73 Benton Avenue
Parcel No. 48-027-0-098.000
High grass and weeds;

1456 Bexley Drive
Parcel No. 48-076-0-139.000
Used truck hood tied to tree in front yard for over three (3) weeks;

MINUTES – MEETING OF June 27, 2016

PAGE 3

3772 Bryant Drive

Parcel No. 48-0050-173.000

High grass and weeds in rear, a pile of broken tree limbs;

2957 Collingwood Place

Parcel No. 48-022-0-053.030

Above ground pool with stagnate, junk and debris including bags of trash and high grass and weeds;

40 North Edgehill Avenue

Parcel No. 48-025-0-297.000

High grass and weeds within rear yard with plate glass stored in an exposed manner. Damaged pop-up camper stored within rear yard;

315 South Edgehill Avenue

Parcel No. 48-012-0-028.000

High grass and weeds;

495 South Edgehill Avenue

Parcel No. 48-095-0-280.000

High grass and weeds;

499 South Edgehill Avenue

Parcel No. 48-095-0-252.000

High grass and weeds;

27 Evans Avenue

Parcel No. 48-027-0-244.000

High grass and weeds within rear yard with junk and debris and scrap wood;

504 Forest Hill Drive

Parcel No. 48-008-0-268.000

High grass, weeds, and tree branches;

3350 Johnson Farm court

Parcel No. 48-022-0-027.000

High grass and weeds around house and rear fence;

5597 London Drive

Parcel No. 48-059-0-023.000

High grass and weeds and junk and debris in rear;

141 South Main Street

Parcel No. 48-011-0-416.000

High grass and weeds;

MINUTES – MEETING OF June 27, 2016

PAGE 4

**248 South Main Street
Parcel No. 48-012-0-129.000
High grass and weeds;**

**144 Marcia Drive
Parcel No. 48-065-0-087.000
High grass and weeds;**

**2550 South Meridian Road
Parcel No. 48-004-0-169.000
High grass and weeds;**

**2574 South Meridian Road
Parcel No. 48-004-0-168.000
High grass and weeds;**

**4536 New Road
Parcel No. 48-075-0-012.000
Junk and debris and high grass and weeds;**

**682 Notre Dame Avenue (vacant lot)
Parcel No. 48-110-0-045.000
High grass and weeds;**

**74 Placid Blvd
Parcel No. 48-027-0-211.000
High grass and weeds in rear yard;**

**1746 South Raccoon Road
Parcel No. 48-070-0-009.000
Trash and debris dumped at rear of building, used furniture, couch, chairs,
and bags of trash;**

**68 North Roanoke Avenue (No trash service, Ohio Valley Waste)
Parcel No. 48-025-0-242.000
Bags of trash at curb, between shed and garage including used tires;**

**3761 Robert Frost Drive
Parcel No. 48-005-0-175.000
High grass and weeds in rear yard with above ground pool with stagnate
water;**

**5360 West Rockwell
Parcel No. 48-031-0-081.000
Junk and debris on front and rear yard, snow plow stored on driveway;**

MINUTES – MEETING OF June 27, 2016

PAGE 5

**4942 Signature Circle
Parcel No. 48-097-0-255.000
High grass and weeds;**

**5631 Tulane Avenue
Parcel No. 48-120-0-026.000
High grass and weeds;**

**5665 Tulane Avenue
Parcel No. 48-120-0-032.000
Junk and debris stored on driveway;**

**4825 Mahoning Avenue (Save A Step)
Parcel No. 48-015-0-090.000
High grass and weeds;**

**5192 Mahoning Avenue (McQuaids)
Parcel No. 48-028-0-102.000
High grass and weeds;**

**1209 South Raccoon Road (Raccoon Auto Group)
Parcel No. 48-080-0-029.000
High grass and weeds;**

**1481 South Raccoon Road
Parcel No. 48-080-0-037.000
High grass and weeds;**

**1500 South Raccoon Road (vacant lot)
Parcel No. 48-080-0-039.000
High grass and weeds;**

**1643 South Raccoon Road (Smoker Friendly)
Parcel No. 48-080-0-083.000
High grass and weeds;**

**1651 South Raccoon Road (Gia Pizza)
Parcel No. 48-080-0-084.000
High grass and weeds;**

**1681 South Raccoon Road
Parcel No. 48-080-0-086.010
High grass and weeds;**

4684 Woodridge Drive
Parcel No. 48-129-0-021.000
High grass, weeds and junk and debris

If said nuisances is not abated, controlled or provision for its abatement, control, or removal is not made within SEVEN (7) DAYS from the below date of adoption, the BOARD OF TRUSTEES will provide for the abatement, control, or removal, and any expenses incurred-\$500 minimum-by the Board of Trustees in performing that task will be entered upon the tax duplicate and will be a lien upon the land from the date of entry.

Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; and Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #16-06-27-06: Motion by Mr. Davis to find the following motor vehicles meet all of the following criteria: 1) Three model years or older; 2) Apparently inoperable; and 3) extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission and to declare the following vehicles public nuisances under Ohio Revised Code 505.871 and order the removal of the junk vehicle within 14 days after noticed is served to the property owner:

2491 Deborah Court: An inoperable and unlicensed vehicle covered with a tarp parked behind the dwelling and an inoperable silver pick-up truck with an expired license plate (DPW 8347) parked in an exposed manner within the driveway; and

1 Jonathan Lane: An inoperable vehicle with an expired license plate parked in an exposed manner within the driveway.

Mr. Stauffer seconded the motion. Roll Call: Mr. Davis, yes; and Mr. Carano, yes; and Mr. Stauffer, yes.

PARK DEPARTMENT

SENIOR CENTER

Jim Henshaw, Senior Center Director stated the Center is approaching 2,000 members.

FISCAL OFFICER

RESOLUTION #16-06-27-07: Motion by Mr. Stauffer to APPROVE May Reports submitted to Board at the June 13th, 2016 meeting:

a. Fund Status

- b. Revenue Status
- c. Appropriation Status

Mr. Davis seconded motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

NEW BUSINESS

RESOLUTION #16-06-27-08: Motion by Mr. Davis to Approve A.G.E. and July 4th Committee as Volunteers who are performing a service for the Township or at the Township’s request pursuant to Section II (B)(4) of the Township’s insurance policy with OTARMA.

Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #16-06-27-09:

**A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF LEVYING A TAX IN EXCESS OF THE TEN-MILL LIMITATION
ORC 5705.19, ORC 5705.191, ORC 5705.192, ORC 5705.25, ORC 5705.26**

The Board of Trustees of Austintown Township, Mahoning County, Ohio met in Regular Session on the 27th day of June, 2016, at 12PM at 82 Ohltown Road, Austintown Township, Mahoning County Ohio, 44515, with the following members present:

Mr. Kenneth A. Carano

Mr. Richard A. Stauffer

Mr. James C. Davis

Mr. Davis moved the adoption of the following Resolution:

WHEREAS, on the 13th day of June, 2016, this Board adopted a resolution determining to submit to the electors of Austintown Township, the question of levying a tax in excess of the ten-mill limitation, as described below, a copy of which resolution was certified to the County Auditor of Mahoning County; and

WHEREAS, the County Auditor has certified to this Board that the total current tax valuation of Austintown Township is **\$ 614,954,900.00** and the dollar amount of revenue that will be produced annually by the millage stated below would be **\$ 614,955.00.**

NOW, THEREFORE, BE IT RESOLVED, by the Austintown Township Board of Trustees of Mahoning County, Ohio, that:

MINUTES – MEETING OF June 27, 2016

PAGE 8

Section 1. This Board has determined that the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the subdivision and that it is necessary to levy a tax in excess of that limitation.

Section 2. This Board desires and determines to proceed with the submission to the electors of the question of levying a tax in excess of the ten-mill limitation for the benefit of Austintown Township, Mahoning County, Ohio, pursuant to ORC 5705.19(G), for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges, at a rate not exceeding one (1.0) mill for each one dollar of valuation, which amounts to ten cents (\$0.10) for each hundred dollars of taxable valuation for five years and which levy is an additional levy of one (1.0) mill.

Section 3. The question of approving the levy shall be submitted to the electors of Austintown Township at the General Election to be held on the 8th day of November, 2016, and that said levy be placed on the tax lists, commencing in tax year 2016, first due in the calendar year 2017, in compliance with the provisions of ORC 5705.34, if a majority of the electors voting thereon vote in favor thereof.

Section 4. The Fiscal Officer of this Board is directed to certify a copy of this resolution to the Board of Elections of Mahoning County, Ohio, not less than ninety days before the election, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

Section 5. It is found and determined that all formal actions of this Board concerning and relating to the adopting of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public, in compliance with law.

Mr. Stauffer seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

	<u>AYE</u>	<u>NAY</u>
Mr. Kenneth A. Carano	<u> X </u>	_____
Mr. Richard A. Stauffer	<u> X </u>	_____
Mr. James C. Davis	<u> X </u>	_____

ADOPTED the 27th day of June, 2016

Laura L. Wolfe
Fiscal Officer

THE STATE OF OHIO, MAHONING COUNTY

I, Laura L. Wolfe, Fiscal Officer of Austintown Township, do hereby certify that the foregoing is taken from the Record of Proceedings of said regular meeting, and that the same has been compared by me with the Resolution of said Record, and that it is a true and correct copy thereof.

Witness my signature this 27th day of June, 2016.

Laurie Wolfe
Fiscal Officer

RESOLUTION #16-06-27-10:

**A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO
THE ELECTORS OF THE QUESTION OF LEVYING A TAX IN EXCESS
OF THE TEN-MILL LIMITATION
ORC 5705.19, ORC 5705.191, ORC 5705.192, ORC 5705.25, ORC 5705.26**

The Board of Trustees of Austintown Township, Mahoning County, Ohio met in Regular Session on the 27th day of June, 2016, at 12PM at 82 Ohltown Road, Austintown Township, Mahoning County Ohio, 44515, with the following members present:

Mr. Kenneth A. Carano

Mr. Richard A. Stauffer

Mr. James C. Davis

Mr. Davis moved the adoption of the following Resolution:

WHEREAS, on the 13th day of June, 2016, this Board adopted a resolution determining to submit to the electors of Austintown Township, the question of levying a tax in excess of the ten-mill limitation, as described below, a copy of which resolution was certified to the County Auditor of Mahoning County; and

WHEREAS, the County Auditor has certified to this Board that the total current tax valuation of Austintown Township is \$ **614,954,900.00** and the dollar amount of revenue that will be produced annually by the millage stated below would be \$ **614,955.00.**

MINUTES – MEETING OF June 27, 2016

PAGE 10

NOW, THEREFORE, BE IT RESOLVED, by the Austintown Township Board of Trustees of Mahoning County, Ohio, that:

Section 1. This Board has determined that the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the subdivision and that it is necessary to levy a tax in excess of that limitation.

Section 2. This Board desires and determines to proceed with the submission to the electors of the question of levying a tax in excess of the ten-mill limitation for the benefit of Austintown Township, Mahoning County, Ohio, pursuant to ORC 5705.19(J), for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section [145.48](#) or [742.33](#) of the Revised Code, at a rate not exceeding one (1.0) mill for each one dollar of valuation, which amounts to ten cents (\$0.10) for each hundred dollars of taxable valuation for five years and which levy is an additional levy of one (1.0) mill.

Section 3. The question of approving the levy shall be submitted to the electors of Austintown Township at the General Election to be held on the 8th day of November, 2016, and that said levy be placed on the tax lists, commencing in tax year 2016, first due in the calendar year 2017, in compliance with the provisions of ORC 5705.34, if a majority of the electors voting thereon vote in favor thereof.

Section 4. The Fiscal Officer of this Board is directed to certify a copy of this resolution to the Board of Elections of Mahoning County, Ohio, not less than ninety days before the election, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

Section 5. It is found and determined that all formal actions of this Board concerning and relating to the adopting of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public, in compliance with law.

Mr. Stauffer seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

	<u>AYE</u>	<u>NAY</u>
Mr. Kenneth A. Carano	<u> X </u>	<u> </u>
Mr. Richard A. Stauffer	<u> X </u>	<u> </u>
Mr. James C. Davis	<u> X </u>	<u> </u>

ADOPTED the 27th day of June, 2016

Laura L. Wolfe
Fiscal Officer

THE STATE OF OHIO, MAHONING COUNTY

I, Laura L. Wolfe, Fiscal Officer of Austintown Township, do hereby certify that the foregoing is taken from the Record of Proceedings of said regular meeting, and that the same has been compared by me with the Resolution of said Record, and that it is a true and correct copy thereof.

Witness my signature this 27th day of June, 2016.

Laurie Wolfe
Fiscal Officer

RESOLUTION #16-06-27-11: Motion by Mr. Stauffer to Approve ADVANCES from General Fund (1000) to:

\$35,000.00 to Public Works (4401)

Mr. Davis seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

PUBLIC RESPONSE

OFF CAMERA: NONE

ON CAMERA: Teddi Oberman; 5974 Calloway Circle – Complained about the fence that separates the condos from Wal-Mart. Because the deliveries and noise have increased, she asked the Trustees to reach out to Wal-Mart to replace rear barrier to preserve the properties of Calloway Circle.

REMARKS FROM THE BOARD MEMBERS

FISCAL OFFICER LAURA L. WOLFE: Had nothing to add

TRUSTEE KENNETH A. CARANO:

Promoted the Austintown Township Park in that it's a great place to take the family and with the renovations, it's even better now.

He also promoted the Township Levies that are being voted on in November.

Mr. Carano stated that in 1976 the 4th of July Festivities started in the Township. This year celebrates the 40th year anniversary. Mr. Carano asked for volunteers for the upcoming events.

TRUSTEE RICHARD A. STAUFFER:

Mr. Stauffer presented some of the July 4th festivities being held this year. The Concert in the Park on Tuesday evening, 7 – 8:30 P.M., a Car show at Hollywood Gaming Wednesday 5 – 8:30 P.M., a 5K run on Thursday starting at the 911 Memorial Park on Raccoon Rd., 7:00 P.M., the Ecumenical Service at the Log Cabin Sunday morning at 8:30 A.M.

TRUSTEE JAMES C. DAVIS:

Also commented on the July 4th festivities; the Party on the Plaza starts at 4:00 P.M. on Sunday with the fireworks starting at 10:00 P.M. Mr. Davis also commented on the donations benefit for the Austintown Fitch Boys Basketball Team. Reminded everyone the Parade is Monday at 2:00 P.M. This year's Grand Marshall is Bob Bishop, 95, a Pearl Harbor survivor and his wife. Mr. Davis also reminded everyone to use caution with fireworks. On a final note, Mr. Davis congratulated the Cleveland Cavaliers on the victory.

RESOLUTION #16-06-27-12: Motion by Mr. Davis to recess into Executive Session at 1:00 P.M for the following:

- A. To consider the appointment, employment, discipline, or compensation of public employees
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

Mr. Stauffer seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

RESOLUTION #16-06-27-13: Motion by Mr. Stauffer to reconvene from Executive Session at 2:10 P.M.

Mr. Davis seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

RESOLUTION #16-06-27-14: Motion by Mr. Davis to approve status change of Nick Heitzer from probationary status to part time firefighter on the Austintown Fire Department roster having completed his schooling and probationary period and having been tested successfully.

Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #16-06-27-15: Motion by Mr. Stauffer to adjourn at 2:15 P.M.

Mr. Davis seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

This is to certify that the foregoing is an accurate record of the proceedings of the board of township trustees at its meeting held on the date listed above.

Date: _____
Fiscal Officer

Approved:

Chairperson Board of Trustees