

The Board of Lake Township Trustees met at 6:20 p.m. for the purpose of conducting a Public Hearing for the consideration of a possible nuisance situation at 3630 Mulberry Street NW, Uniontown and 3255 Sweitzer Street NW, Uniontown immediately following in regular session with the following members present:

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

Also Present:

- |                  |                 |
|------------------|-----------------|
| Ben Sommers      | Mary Ann Kannam |
| Sam Miller       | Joy Dingman     |
| Charles Shepherd | Don Wise        |

Mr. Stoll called the meeting to order and opened the Public Hearing at 6:20 p.m. for possible nuisances at 3630 Mulberry Street NW, Uniontown and 3255 Sweitzer Street NW, Uniontown.

The Board reviewed the information and photographs provided by the Zoning Administrator for 3630 Mulberry Street NW, Uniontown and 3255 Sweitzer St. NW, Uniontown. Mr. Stoll called for anyone who would like to speak for/or against these matters, hearing none, the board discussed the matters.

08-225 Mr. Stoll made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Department, the Board has determined that a nuisance **does** exist at **3630 Mulberry Street NW, Uniontown**, due to, **vegetation (tall grass/weeds)**.

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises either within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will begin the process to provide for such abatement and/or control. 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. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. 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 |

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

08-226 A resolution was made by Ellis Erb, if nuisance is not abated at 3630 Mulberry Street NW, Uniontown within seven (7) days after receipt of certified notice pursuant to Res. 08-225, the Board is authorized to accept the quote of Vaughn's Refuse, PO Box 372, Greentown, Ohio 44630, for abatement of said nuisance for a cost not to exceed \$275.00. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-227 Mr. Stoll made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Department, the Board has determined that a nuisance **does** exist at **3255 Sweitzer Street NW, Uniontown**, due to, **vegetation (tall grass/weeds) and miscellaneous debris**.

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises either within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will begin the process to provide for such abatement and/or control. 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. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. 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

08-228 A resolution was made by John Arnold, if nuisance is not abated at 3255 Sweitzer Street NW, Uniontown within seven (7) days after receipt of certified notice pursuant to Res. 08-227, the Board is authorized to accept the quote of Vaughn's Refuse, PO Box 372, Greentown, Ohio 44630, for abatement of said nuisance for a cost not to exceed \$325.00. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

08-229 A resolution was made by Galen Stoll closing the Public Hearing. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Mr. Stoll called the regular meeting of the Board to order.

08-230 A resolution was made by Galen Stoll approving the minutes of June 9, 2008, as submitted. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-231 A resolution was made by Galen Stoll authorizing payment of payroll for June 27, 2008, in the amount of \$48,570.68. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-232 A resolution was made by Galen Stoll authorizing payment of payroll for July 11, 2008, in the amount of \$62,042.56. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-233 A resolution was made by Galen Stoll accepting/approving the Financial Report as of June 23, 2008, as submitted by the Lake Township Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-234 A resolution was made by Galen Stoll authorizing payment of bills as of June 23, 2008 in the amount of \$61,740.10. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**CORRESPONDENCE**

1. Citizens’ Advisory Council – copy of June 26, 2008 Agenda
2. OTA – inquiry from Miami Township, Montgomery County (twp. parks)
3. Avizent – reminder about recent name change
4. OTA – Update on SB 18 Court Case (General Welfare Zoning)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Grassroots Clippings – June 2008 Newsletter
6. Stark County RPC – The Enclave No. 3 (Construction Inspection Report)
7. Ohio Department of Public Safety – Permissive Tax Statistics Report
8. Ohio Department of Transportation – notification of June 23, 2008 “Transportation Conversation” forum
9. OTA – inquiry from Violet Township, Fairfield County
10. Richard Gotham – drainage at corner of Lake Center and Lela
11. Mike & Debbi Hayworth – weeds on Aylesworth Circle
12. Time Warner Cable – upcoming “Spin-Off” of TWX and Time Warner Cable
13. Ohio Department of Public Safety – License Tax Statistics Report
14. The E Group – State of Ohio Natural Gas Aggregation Program
15. Walter & Haverfield LLP – information request
16. Robert & Karen Krebs – curb replacement at 2395 Vixen
17. Stark County RPC – Notice of Subdivision Review
18. Lafarge – notice of change to in-bound rail fuel surcharge
19. OTA/CLOUT – legislative updates
20. OTA – legislative alert
21. Stark County RPC – notice of Stark area GIS technical user group meeting
22. Verizon Wireless
23. OPERS – June Employer Notice newsletter
24. Jon Yerrick – zoning complaint
25. OTA – inquiry from Marion County and Marion city health departments
26. EMHT – stormwater utility funding assistance

In reference to the following correspondences:

- No. 10 - Rick Criss, Road Superintendent, will address.
- No. 11 - Steve Lacey, Zoning Administrator, will address.
- No. 15 - Sophia Kapadia, Administrative Coordinator, responded.
- No. 16 - Rick Criss, Road Superintendent, will address.
- No. 24 - Steve Lacey, Zoning Administrator, will address.

**DEPARTMENT REPORTS**

**Police Department**

08-235 A resolution was made by Ellis Erb authorizing Holli Webb's request to take four unpaid days off on June 30, July 1, 2 and 3, 2008 as secretary at the Uniontown Police Department. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Road Department**

- Mr. Erb informed the Board that the Road Department is working on the Vixen storm sewer and should be done this week.

**Zoning Department**

- The Board acknowledge receipt of the May 2008 Zoning Report.

**Fire Departments/Fire Prevention Office**

- None

**OLD BUSINESS:**

- The Board discussed the Lake Lacrosse Association lease.

08-236 A resolution was made by Galen Stoll authorizing the Board to enter into and execute a Lease Agreement with the Lake Lacrosse Association as initially discussed at the March 12, 2007 Board meeting. Said Lease Agreement will have an initial term of one (1) year. The Board further resolves and acknowledges that said Lease Agreement has been reviewed and approved by township legal counsel. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**NEW BUSINESS:**

08-237 A resolution was made by Galen Stoll based on information and photos provided by the Zoning Department, the Board hereby schedules a public hearing for Monday July 14, 2008 at 6:25 p.m. to determine whether or not a nuisance exists at 3330 Edison Street NW, Uniontown (vegetation - tall grass/weeds and garbage). The Board further resolves to contact the current property owner and interested parties and advise them of said date and intention. The regular Board meeting will start immediately following this public hearing. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

08-238 A resolution was made by Galen Stoll appointing John Arnold to the Stark County 911 Planning Committee as a township representative. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-239 A resolution was made by Ellis Erb approving the June 17, 2008 request of Advent Lutheran Church to waive the \$200.00 zoning appeal application fee for a sign. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-240 A resolution was made by Galen Stoll executing the Deed for Cemetery Lot 505, Section South at Woods Cemetery. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-241 Mr. Stoll made the following Resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot and Canadian Thistle are growing on the lands in charge of David & Martha Miller in this township, described as follows: Parcel No. 2204182, Jamestown Ave. NW, Uniontown - northern portion of parcel - Section 8NE, Lake Township.

THEREFORE, BE IT RESOLVED that said David and Martha Miller whose address is 12665 Jamestown Ave. NW, Uniontown, OH 44685 be notified by serving on him/her/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 they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is not need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

08-242 A resolution was made by Ellis Erb authorizing the June 19, 2008 request of Uniontown Community Park to waive the zoning permit fee for a sign. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-243 A resolution was made by Galen Stoll authorizing the release of the bond for Road Open Permit No. O-06-02 (Bitzel Excavating/Mt. Pleasant). Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-244 A resolution was made by Galen Stoll authorizing the Board to execute an Agreement with Carol Brown DBA Carol Brown Cleaning Service for cleaning services for the period July 1, 2008 and continuing through June 30, 2009 with no changes. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-245 A resolution was made by Galen Stoll authorizing Harold Thompson, Jr. to receive payment of one half (1/2) hour of sick leave on June 12, 2008 from 3:00 p.m. to 3:30 p.m. waiving the one hour minimum requirement due to extenuating circumstances. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board discussed whether the road levy should be a replacement or renewal.

08-246 A resolution was made by John Arnold requesting the Stark County Auditor, pursuant to Section 5705.03(B) of the Ohio Revised Code, to certify to the Board of Trustees of Lake Township, as taxing authority for the Lake Township Road District, the total current tax valuation of the Lake Township Road District as a subdivision and the dollar amount of revenue that would be generated by one and a quarter (1.25) Mill for **replacement** of an existing tax for a period not to exceed five years, tax years 2009, 2010, 2011, 2012 and 2013. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- The Board discussed the Township taking responsibility of the Greenlawn Cemetery.

08-247 Mr. Arnold made the following resolution.

WHEREAS, Ohio Revised Code Chapters 517 and 4767, and certain administrative rules and regulations of the Ohio Department of Commerce, Division of Real Estate and Professional Licensing, Cemetery Division, impose and mandate certain duties and responsibilities upon the Board of Trustee of a Township, when a cemetery, located within the township, requires future management for its continued control, upkeep, maintenance and repair; and

WHEREAS, Uniontown Greenlawn Cemetery is a cemetery situated within, Lake Township, Stark County, Ohio; and

WHEREAS, the Uniontown Greenlawn Cemetery Association held a special meeting on May 14, 2008, and unanimously passed a resolution that:

“Due to the ages and health of all the board member, it has become necessary to give the cemetery over to the township. We, the board of the cemetery, care deeply and respect the owners of graves and those buried in the cemetery, and citizens of Uniontown and surrounding areas. Thus, we felt giving the cemetery to Lake Township [Board of Trustees] only proper and necessary.”

WHEREAS, by reason thereof, the Lake Township Board of Trustees has determined that it will accept, manage and administer the Uniontown Greenlawn Cemetery, located within Lake Township, Stark County, Ohio, in accord with the Ohio state statutes, rules and regulations and as expressed in the May 14, 2008 resolution of the Uniontown Greenlawn Cemetery Association; and

NOW THEREFORE IT IS HEREBY RESOLVED, by reason of the facts above set forth, this Board has determined that it should, and hereby does, pursuant to Revised Code Chapters 517 and 4767, and certain administrative rules and regulations of the Ohio Department of Commerce, Division of Real Estate and Professional Licensing, Cemetery Division, accept all lawful responsibility for the ownership, management, control, upkeep, maintenance and repair over the Uniontown Greenlawn Cemetery; and

BE IT FURTHER RESOLVED, that the Ben Sommers, the Lake Township Fiscal Officer, LaVonne Hays, Lake Township Administrative Assistant and Charles D. Hall III, Lake Township Additional Legal Counsel, are hereby authorized and directed to perform any lawful act and to do any and all things necessary to dissolve the Uniontown Greenlawn Cemetery Association, to make an accounting of its liabilities and assets, to file any and all reports as may be required with any Ohio and federal

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



agencies and taxing authorities, and to transfer the Uniontown Greenlawn Cemetery deed and assets, if any, to the Lake Township Board of Trustees.

BE IT FURTHER RESOLVED that the Fiscal Officer shall send a certified copy of this resolution to Delores Armstrong, Secretary, Treasurer, Sexton of the Uniontown Greenlawn Cemetery Association and to Mr. Theodore Hornyak, Ohio Department of Commerce, Division of Real Estate Licensing, 615 W. Superior Ave., 12<sup>th</sup> Floor, Cleveland OH 44113-1801.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**MEETING REPORTS:**

- Mr. Erb informed the Board the responsibility for House Numbering has been moved to Stark County Regional Planning.

**FISCAL OFFICER’S REPORT**

08-248 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers and Vendor’s Certificates. Seconded by John Arnold.

Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**PUBLIC SPEAKS**

*John Beck, 3647 Mulberry Street. NW, Uniontown;* Mr. Beck asked the Board about the nuisance situation at 3630 Mulberry, he arrived after the public hearing. He informed the Board that the home has recently been broken into. The Board informed him that they had declared it a nuisance and the tall grass would be taken care of.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

08-249 A resolution was made by Galen Stoll adjourning the meeting at 7:00 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

---

Ben Sommers, Fiscal Officer

---

Galen Stoll, President

---

John Arnold, Vice President

---

Ellis Erb, Member