

The Board of Lake Township Trustees met in regular session at 5:00 p.m. at 12360 Market Avenue North, Hartville, Ohio. The meeting was open to the public and streamed live via Facebook with the following members present:

John Arnold, President
Jeremy Yoder, Vice President
Steve Miller, Member

Also Present:

Matt Erb Sam Miller
Chief Batchik Derek Shaffer

John Arnold called the regular meeting.

24-258 A resolution was made by John Arnold approving the minutes of the July 22, 2024, regular meeting as submitted. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold yes
Jeremy Yoder yes
Steve Miller yes

24-259 A resolution was made by John Arnold authorizing payment and processing of payroll for August 16, 2024. Seconded by Steve Miller. Roll call votes were:

John Arnold yes
Jeremy Yoder yes
Steve Miller yes

24-260 A resolution was made by John Arnold approving the Financial (Fund/Appropriation/Revenue Status and Cash Summary by Fund) Reports as August 12, 2024 reports will be attached to the minutes and made a part thereof. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold yes
Jeremy Yoder yes
Steve Miller yes

24-261 A resolution was made by John Arnold authorizing all EXPENDITURES as of August 12, 2024 in the amount of \$95,247.17 reports will be attached to the minutes and made a part thereof. Seconded by Steve Miller. Roll call votes were:

John Arnold yes
Jeremy Yoder yes
Steve Miller yes

CORRESPONDENCE

1. Lisa Reicosky – concerns about birds getting electrocuted on power lines (Stover and Chadwell)
2. Stark County Regional Planning Commission – August 2024 meeting notice and meeting packet; Stark County CDBG Virtual Application Workshop; copy of correspondence regarding Pond Wiser, Inc. – Cleveland Avenue, Oldestone Crossing No. 2, Lake Township Garage; August – November 2024 *Fair Housing Newsletter*
3. Community, University, Education (CUE) Council of Governments – August 14th meeting notice and agenda
4. Landmark Dividend – interest in purchasing cellular lease
5. Stark County Transportation Improvement District – August 12th meeting cancellation notice
6. Force America – announcement that corporate office and all operations will be relocating
7. U.S. EPA – **EPA Begins Next Stage of Groundwater Investigation** / Industrial Excess Landfill (IEL) in Uniontown and the City of Green
8. Spitzer Ford – reminder of recall notice for 2017 Ford Explorer
9. Amber Hassig – inquiry about runoff water from neighboring property
10. Ohio Department of Administrative Services – weekly report of new contracts and amendments
11. Holly Burnside – safety concerns about Greentown Park playground equipment
12. State Employment Relations Board – 2024 Health Insurance Report; notice of October SERB Academy
13. Stark Economic Development Board, Inc. – *SEDB Weekly Ohio Report* legislative news
14. Jim Topper – question about metal recycling
15. Larry Hart – question about recycling a push mower
16. Gregg Wright – question about recycling cardboard
17. Ohio Auditor of State Keith Faber – *The General Standard* July 2024 East Region
18. Ohio Department of Public Safety – reimbursement check for eligible costs submitted to Ohio EMA because of the Eclipse 2024 occurrence
19. Huntington Securities, Inc. – disclosure statement
20. FirstEnergy Corp. – storm updates

In reference to following correspondence:

No. 1 – This was referred to First Energy Corp.

No. 3 – The Lake Township Road Superintendent will be attending.

DEPARTMENT REPORTS

Police Department

- Chief Batchik reported on an 11-year-old child that went missing over the weekend. There was not an Amber Alert because it was determined that it was a runaway situation. He thanked the responding Officers, Massillon PD, Akron PD, Summit County CPS, and the Uniontown FD for all their efforts. He noted the child returned on their own yesterday to a family member’s home.

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

24-262 Trustee Arnold motioned the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that [Canada Thistle](#) is growing on the lands in charge of [Timothy Beck](#) in this township, described as follows: [Parcel 2000506 Map Routing # 20 029NW 02-0100 \(2999 Perrydale St. NW, Uniontown OH 44685\)](#)

THEREFORE, BE IT RESOLVED that said [Timothy Beck](#) whose address is [3155 Perry Dr. NW, Canton OH 44708](#) 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 Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-263 Trustee Arnold motioned the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle is growing on the lands in charge of Ella Gailey in this township, described as follows: Parcel 2202096 Map Routing # 22 018SW 04-1300 (11825 Basswood Ave. NW, Uniontown OH 44685)

THEREFORE, BE IT RESOLVED that said Ella Gailey whose address is 11825 Basswood 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 Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-264 Trustee Arnold motioned the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle is growing on the lands in charge of Paul and Heather Ivan in this township, described as follows: Parcel 2206086 Map Routing # 22 008SW 05-2700 (12284 San Marino Ave. NW, Uniontown OH 44685)

THEREFORE, BE IT RESOLVED that said Paul and Heather Ivan whose address is 12284 San Marino 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 Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-265 A resolution was made by John Arnold authorizing the Board to execute the following Cemetery Deeds:

- Woods Cemetery – Section South, Lot 443, Grave 1
- Woods Cemetery – Section South, Lot 566, Grave 2
- Woods Cemetery – Section South, Lot 444, Graves 1 & 2

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-266 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to execute the following Road Open Permits:

- O-24-17: Underground Services, 8393 Burkey (sewer lateral)
- O-24-19: Wilson Plumbing & Heating, 12767 Williamsburg (downspouts)
- O-24-20: Custom Cable, 11200 Laura Lee, (replace existing cable)
- O-24-21: Custom Cable, San Marino Ave. (replace existing coax)

Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

- The Board noted that currently the Township does not have a noise ordinance. They looked at neighboring communities and tried to shape it in a way that is fair to the residents and businesses of Lake Township. They noted that noise complaints are the number one complaint the township receives. The following resolution should give the Stark County Sheriff and the Uniontown Police something to enforce.

24-267 Trustee Arnold motioned the following resolution:

WHEREAS, the Board of Trustees of Lake Township, Stark County, Ohio (the “Board”) necessarily acknowledges that certain levels of noise are unavoidable and to be expected in everyday commercial, recreational and other social pursuits; and

WHEREAS, it is the judgment of the Board, however, that unnecessary, unreasonable and harmful noise in residential areas of the township, and those areas where a D liquor license is applicable, detrimental to the public health and safety, and it is a disturbance to the quiet enjoyment of property constituting a public nuisance; and

WHEREAS, it is further the judgment of the Board that the elimination of noise beyond that which is essential, reasonable or otherwise acceptable as part of everyday living is beneficial to all residents of the township and to the community and quality of life as a whole; and

WHEREAS, it is declared the intent of this Resolution to regulate and prohibit noise that is unnecessary and unreasonable in residential areas of the township; and

WHEREAS, it is declared the intent of this Resolution to regulate and prohibit noise that is unnecessary and unreasonable in those areas of the township where a D liquor license is applicable; and

WHEREAS, Revised Code Section 505.172 authorizes a board of trustees to adopt regulations and orders that are necessary to control noise within the unincorporated territory of the township that is generated within any area zoned for residential use; and

WHEREAS, Revised Code Section 505.172 further authorizes a board of trustees to adopt regulations and orders that are necessary to control noise within the unincorporated territory of the township that is generated at any premises to which a D license has been issued by the division of liquor control.

NOW, THEREFORE, be it Resolved by the Board that:

REGULATIONS AND ORDERS

A. DEFINITIONS

Plainly Audible. As used in this Resolution, Plainly Audible means any noise or sound produced by any source that can be clearly heard by a person using normal hearing faculties or ordinary auditory senses not enhanced by any mechanical device, such as a hearing amplification device or hearing aid.

B. CERTAIN NOISE PROHIBITED

No person in the unincorporated territory of Lake Township, Stark County, Ohio (“Township”) shall make and no landowner or lawful occupant of land shall permit at any premises to which a D permit has been issued by the Ohio Division of Liquor Control or that is zoned for residential use, the making of any noise or sound, which by reason of volume, pitch, frequency, intensity, duration, or nature annoys or disturbs the comfort, peace, or health of a person of ordinary sensibilities and not a resident of the property from which the noise or sound emanates. The noise or sound must be Plainly Audible at a distance of fifty (50) feet or more from the property line from which the noise emanates.

There shall be in the Township observed quiet hours between the hours of 10:00 P.M. and 6:00 A.M. every day of the week. During this quiet hour period there shall be no making of any noise or sound, which by reason of volume, pitch, frequency, intensity, duration, or nature annoys or disturbs the comfort, peace, or health of a person of ordinary sensibilities and not a resident of the property from which the noise or sound emanates. The noise or sound must be Plainly Audible at a distance of fifty (50) feet or more from the property line from which the noise emanates.

C. EXAMPLES OF NOISES

The following noises or sounds, which constitute a **non-exclusive list**, may be considered a violation of this Resolution if they violate division (B) of this Resolution:

1. Horns or Signaling Devices. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle; a creation by means of any such sounding or signaling unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable length of time. This shall not apply to the use of any such sounding or signaling device as a call for help or warning of danger.
2. Reproduction and/or Amplification of Sound. The use or operation of any radio, phonograph, television, tape player, speaker, loudspeaker, cassette, compact disc player, MP3 player, computer, synthesizer, or any other machine or device for the producing or reproducing of sound or amplifying sound with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, or on the property in which such machine or device is operated and who are voluntary listeners thereto.
3. Vocalizations. Yelling, shouting, hooting, whistling, or singing.
4. Musical Instruments. The use of any drum or other musical instrument or device with or without electronic amplification.
5. Internal Combustion Engines or Other Power Equipment. The operation of any internal combustion engine or other piece of power equipment, excluding power mowers, trimmers, chain saws, or tillers.
6. Gunfire. Repeated discharging of firearms for an unreasonably long period of time under the circumstances then existing.

D. EVIDENCE

It shall be a *prima facie* violation of division (B) of this Resolution when the noise can be heard at a distance of fifty (50) line or more from the property line where the noise or sound emanates.

E. NOISE FROM MOTOR VEHICLES

No person while operating or occupying a motor vehicle within the unincorporated territory of the Township within any area zoned for residential use or at any premises to which a D permit has been issued by the Ohio Division of Liquor Control shall operate or amplify the noise or sound produced by a radio, tape player, speaker, cassette, compact disc player, MP3 player, computer, synthesizer, instrument, or any other machine or device for the producing or reproducing of sound or amplifying sound from within the motor vehicle so that the noise or sound is Plainly Audible at a distance of fifty (50) feet or more from the motor vehicle.

F. OFFICIAL USE EXEMPTIONS

The regulations contained in this Resolution shall not apply in the following circumstances:

1. To any law enforcement motor vehicle equipped with any communication device necessary to the performance of law enforcement duties or to any emergency vehicle equipped with any communication device necessary to the performance of any emergency procedures.
2. To the noise or sound made by a horn, siren, or other warning device required or permitted by state law, when used in accordance with state law.

G. LAW ENFORCEMENT DETERMINATION OF SOURCE

Any law enforcement personnel who hears a noise or sound that is Plainly Audible, shall measure the noise or sound according to the following standards:

1. The primary means of detection shall be by means of the officer's ordinary auditory senses, so long as the officer's hearing is not enhanced by any mechanical device, such as a hearing amplification device or hearing aid.
2. Regarding division (E) of this Resolution, the officer must have a direct line of sight to the motor vehicle producing the noise or sound so that the officer can readily identify the offending motor vehicle and the distance involved.
3. The officer need not determine any particular words or phrases being produced or the name of any song or artist. The detection of a noise, sound, or rhythmic bass reverberating type sound is sufficient to constitute a Plainly Audible sound.
4. Any motor vehicle from which sound is produced must be located (stopped, standing, or moving) within the unincorporated area of the Township in an area zoned for residential use or on any premises to which a D permit has

been issued by the Ohio Division of Liquor Control. Parking lots and driveways are included.

H. EXEMPTIONS

The regulations contained in this Resolution shall not apply in the following circumstances:

1. Any person engaged in activities described in R.C. § 1.61 (Titled: “Agriculture Defined”) is exempt from the provisions of this Resolution if the noise is attributed to an activity described in R.C. § 1.61.
2. Any person engaged in coal mining and reclamation operations, as defined in R.C. 1513.01(B), or surface mining, as defined in R.C. § 1514.01(A), is exempt from the provisions of this Resolution if the noise is attributed to coal mining and reclamation or surface mining activities.
3. Noise resulting from the drilling, completion, operation, maintenance, or construction of any crude oil or natural gas wells or pipelines or any appurtenances to those wells or pipelines or from the distribution, transportation, gathering, or storage of crude oil or natural gas is exempt from the provisions of this Resolution.
4. Nothing in this Resolution shall be deemed to prohibit noise that is made by construction, repair, or maintenance of structures or yards between the hours of 6:00a.m. and 10:00 p.m.
5. Refuse collection operations shall be exempt from the provisions of this Resolution provided that all equipment used in such operations is operated in accordance within typical industry standards.

I. PENALTY

Whosoever violates divisions (B) or (E) of this Resolution shall be guilty of the level of offense as provided in the most current version of R.C. § 505.172 for violating any regulation or order, such as this Resolution, adopted pursuant to R.C. § 505.172. Fines levied and collected pursuant to this Resolution shall be paid into the Township general revenue fund.

J. PRIVATE CIVIL ACTION

Pursuant to R.C. § 505.172, any person allegedly aggrieved by another person’s violation of this Resolution may seek in a civil action a declaratory judgment, an injunction, or other appropriate relief against the other person for committing an act or practice that violates this Resolution.

K. ADOPTION

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

This Resolution shall be in full force and effect upon adoption.

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-268 A resolution was made by John Arnold acknowledging participation in the National Opioid Settlement: **Kroger Co.** as completed by Tonya J. Rogers, consistent with the *OneOhio Subdivision Participation Form* and the *One Ohio Memorandum of Understanding* and other provisions as adopted under Resolution No. 21-269.

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-269 A resolution was made by John Arnold accepting the August 5, 2024, quote of Kimble Companies for solid waste disposal for the 2024 Fall Cleanup as follows:

Setup and Delivery of Six 30-yard/40-yard Roll Off Containers:

300.00 (one-time fee)

Solid Waste:

\$260.00/load + \$42.00/ton (disposal)

In addition, the Board hereby acknowledges that Harry's Scrap will provide a roll off dumpster at no charge to the township for appliances and scrap metal. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-270 A resolution was made by John Arnold authorizing the Board to execute the *Stark Council of Governments/Independent Energy Consultants Natural Gas Purchase Contract / Interstate Gas Supply, LLC* gas purchase contract –in accordance with Resolution No. 24-255 adopted July 22, 2024. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-271 A resolution was made by John Arnold accepting the February 28, 2024, UniFirst Customer Service Agreement, as submitted, for mat and other facility services needed for the Uniontown Police Department (1635 Edison Street) and authorizing the President to sign on behalf of the Board. It is further resolved that this is a 36-Month Agreement and will replace the 2021 Agreement signed with RentWear Inc. and acquired by UniFirst. A copy of the Agreement shall be attached to and made a part of these Minutes. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

- The Board noted the funds being used for the mantis include monies raised from an auction and trade-ins. They also noted that the new mower will be much more efficient and safer.

24-272 A resolution was made by John Arnold accepting the June 19, 2024, Quote from Southeastern Equipment Co., Inc. and authorizing an expenditure, for the Road Department, in the amount of \$254,410.40 for the purchase of a Mantis Roadside Boom Mower as detailed in said Quote. Said purchase is through Sourcewell Cooperative Purchasing Contract No. 070821-AGI. Said expenditure reflects a credit in the amount of \$46,500.00 for the trade-in of the following equipment which is no longer needed by the township and therefore, pursuant to Ohio Revised Code Section 505.10, will be traded-in and credited towards the purchase price:

- One (1) 2017 Kubota M5-111HDC12 Tractor (Inventory No. RB 17-1)
- One (1) Terrain KB21 21' King Boom Mower (Inventory No. RB 17-2)

Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

MEETING REPORTS/MISCELLANEOUS

- Trustee Yoder had a couple of meetings with the Stark Economic Group to give us some ideas on being more promotable for economic development. He and the Zoning Administrator met with Jackson Twp. to discuss how they have brought in commercial growth. Right now, 90% of Lake Township’s tax base is residential, in Jackson it is more like 50/50 and in Plain 70/30. They do have the advantage of direct access to the freeway. He noted that the Zoning Administrator is excited about planning for the future, and he would like to see that incorporated more into her job.
- Trustee Miller met with the cell tower company located behind us regarding damage that was incurred to our septic system while boring outside of the easement. We want the septic system repaired. The Road Superintendent will contact the Stark County Health Dept. for guidance on whether the system can be repaired or needs replaced. The cell tower company has re-marked the easement and will re-run the line within the easement.
- Trustee Miller also met with a builder who is interested in rezoning a parcel in Uniontown to smaller lot sizes. He noted the parcel in question is probably not viable to be developed unless we do smaller lot sizes. He said the plan has smaller lot sizes but also includes 41% open space. He is in favor of this as he feels it’s a better use of space. Trustee Yoder noted that there is a need for more homes in Stark County.

PUBLIC SPEAKS

Boy Scout, North Canton: The Board invited the boy scout to the podium and asked what he was working on. The Scout stated he is from Troop 12 and is working on his Communication Merit Badge. The Board told him consider us as a resource when he is ready for his Eagle Scout project.

Sam Miller 10368 Sudbury Cir, North Canton; Mr. Miller questioned the address of one the noxious weed complaints.

- There will be no public speaks through the Facebook Live streaming; however, the Trustees still welcome your “public speaks” comments to be emailed to info@laketwpstarkco.com

FISCAL OFFICER'S REPORT

24-273 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers, and Reconciliations. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

24-274 A resolution was made by John Arnold to adjourn the meeting at 5:31 p.m. Seconded by Jeremy Yoder. Roll call votes were:

John Arnold	yes
Jeremy Yoder	yes
Steve Miller	yes

Matt Erb, Fiscal Officer

John Arnold, President

Jeremy Yoder, Vice President

Steve Miller, Member
