

AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO
82 OHLTOWN ROAD
AUSTINTOWN, OH 44515

AGENDA

<p>MEETING OF JUNE 27, 2011 REGULAR MEETING – 6:00 P.M.</p>

1. OPEN MEETING
2. SALUTE TO THE FLAG
3. ROLL CALL
4. INTRODUCTION
5. APPROVE MINUTES OF THE REGULAR MEETING OF JUNE 13, 2011.
6. *PRESENTATION: RICH AND ROSE MARY WILLCOX
SECOND TIME AROUND CONSIGNMENT AND GIFT SHOP*
7. *PRESENTATION: SAM NAPLES: NLP HYPHOTHERAPY*
8. DEPARTMENT BUSINESS

ZONING DEPARTMENT

1) Motion pursuant to Ohio Revised Code 505.86 for the removal (DEMOLITION) of three accessory buildings located at 6513 Mahoning Avenue, Austintown Township, Mahoning County, Ohio, 44515, being further described as Parcel 48-058-0-040, Lot No. 44, Aikens Plat, based on the three (3) structures being declared insecure, unsafe and structurally defective by the Austintown Township Fire Inspector.

2) Motion to declare 2240 Elm Trace Drive a public nuisance under Ohio Revised Code 505.87 and order the removal of stagnate water from the in-ground swimming pool.

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DEPARTMENT BUSINESS (CONTINUED)

ZONING DEPARTMENT (CONTINUED)

3) Motion to declare 5638 Radcliffe Avenue a public nuisance under Ohio Revised Code 505.87 and order the removal of stagnate water from the above-ground swimming pool and the removal of junk and yard debris.

4) Motion to declare 2691 South Raccoon Road a public nuisance under Ohio Revised Code 505.87 and order the removal of a large amount of construction debris, brush piles, metal fencing, a dismantled swimming pool, and other debris and order the cutting of the grass and weeds within the rear yard.

9. NEW BUSINESS

1) Motion to approve the following Resolution:

The Board of Trustees of Austintown Township, Mahoning County, Ohio, meeting in Regular Session on Monday, June 27, 2011, 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:

15 N. Beverly
Parcel #480250225000
2' high grass

163 N. Beverly Avenue
Parcel #480250179000
2' high grass - rear

Lot #188 Cherrywood Ct.
Parcel #480410084000
24" high grass

6270 Fairview
Parcel #480810021000
18" high grass

6266 Fairview
Parcel #480810022000
18" high grass

4189 Kirk Road
Parcel #480030122000
12" high grass – back yard

4475 Nantucket
Parcel #480750141000
12" high grass

Lot #11 N. Raccoon Road
Parcel #480260084000
2' – 3' high grass

Lot #12 N. Raccoon Road
Parcel #480260083000
12" high grass

2) Motion to approve the following Resolution:

**RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION AND
REQUESTING CERTIFICATION FROM THE
MAHONING COUNTY AUDITOR**

Resolution # _____

The Board of Trustees of Austintown Township, Mahoning County, Ohio met in Regular Session on the 27th day of June, 2011, at 6PM with the following members present: David C. Ditzler, Lisa L. Oles and James C. Davis

Motion was made by _____ to approve the following Resolution:

WHEREAS, the amount of taxes which may be raised within the ten mill-limitation will be insufficient to provide an adequate amount for the necessary requirements of Austintown Township, Mahoning County, Ohio; and

WHEREAS, it is necessary to levy a tax under ORC 5705.19(G) in excess of the ten-mill limitation and to certify to the County Auditor of Mahoning County a resolution requesting that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be

generated by the renewal of one and a half (1.5) mill levy in excess of the ten-mill limitation.

THEREFORE, BE IT RESOLVED, by the Board of Trustees, two-thirds of all members elected thereto concurring, that it is necessary to place on the ballot a renewal levy of one and a half (1.5) mill, to constitute a tax in excess of the ten-mill limitation for the benefit of Austintown Township, pursuant to ORC 5705.19(G), for the purpose of *GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES pursuant to Ohio Revised Code 5705.19(G)* of the Revised Code, at a rate not exceeding one and a half (1.5) mill for each one dollar of valuation, which amounts to fifteen cents (\$0.15) for each hundred dollars of taxable valuation for five years and commencing with the tax year 2011, first due in the calendar year 2012; and,

BE IT FURTHER RESOLVED, that the question of approving the levy shall be submitted to the electors of Austintown Township at the election held on the 8th day of November, 2011; and

BE IT FURTHER RESOLVED, that the Fiscal Officer is hereby directed to certify a copy of the Resolution to the County Auditor, Mahoning County, Ohio. The Board of Trustees hereby requests that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be generated by the renewal of a one and a half (1.5) mill levy in excess of the ten-mill limitation, if approved by the electors.

_____ seconded the motion to adopt the Resolution.

The Roll Call resulted as follows:

	<u>AYE</u>	<u>NAY</u>
David C. Ditzler	_____	_____
Lisa L. Oles	_____	_____
James C. Davis	_____	_____

Resolution Requesting Certification from the Mahoning County Auditor is hereby duly adopted upon reading this _____ day of _____, 2011.

BY ORDER OF THE AUSTINTOWN TOWNSHIP BOARD OF TRUSTEES,
MAHONING COUNTY, OHIO:

David C. Ditzler

Lisa L. Oles

James C. Davis

ADOPTED the _____ day of _____, 2011.

Michael Kurish
Fiscal Officer

3) Motion to approve the following Resolution:

**RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION AND
REQUESTING CERTIFICATION FROM THE
MAHONING COUNTY AUDITOR**

Resolution # _____

The Board of Trustees of Austintown Township, Mahoning County, Ohio met in Regular Session on the 27th day of June, 2011, at 6 PM with the following members present: David C. Ditzler, Lisa L. Oles and James C. Davis

Motion was made by _____ to approve the following Resolution:

WHEREAS, the amount of taxes which may be raised within the ten mill-limitation will be insufficient to provide an adequate amount for the necessary requirements of Austintown Township, Mahoning County, Ohio; and

WHEREAS, it is necessary to levy a tax under ORC 5705.19(H) in excess of the ten-mill limitation and to certify to the County Auditor of Mahoning County a resolution requesting that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be generated by the renewal of eight tenths (0.8) of a mill levy in excess of the ten-mill limitation.

THEREFORE, BE IT RESOLVED, by the Board of Trustees, two-thirds of all members elected thereto concurring, that it is necessary to place on the ballot a renewal levy of eight tenths (0.8) of a mill, to constitute a tax in excess of the ten-mill limitation for the benefit of Austintown Township, pursuant to ORC 5705.19(H), for the purpose of *PARKS AND RECREATIONAL PURPOSES pursuant to Ohio Revised Code 5705.19(H)* of the Revised Code, at a rate not exceeding eight tenths (0.8) mill for each one dollar of

valuation, which amounts to eight cents (\$0.08) for each hundred dollars of taxable valuation for five years and commencing with the tax year 2011, first due in the calendar year 2012; and,

BE IT FURTHER RESOLVED, that the question of approving the levy shall be submitted to the electors of Austintown Township at the election held on the 8th day of November, 2011; and

BE IT FURTHER RESOLVED, that the Fiscal Officer is hereby directed to certify a copy of the Resolution to the County Auditor, Mahoning County, Ohio. The Board of Trustees hereby requests that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be generated by the renewal of a eight tenths (0.8) mill levy in excess of the ten-mill limitation, if approved by the electors.

_____ seconded the motion to adopt the Resolution.

The Roll Call resulted as follows:

	<u>AYE</u>	<u>NAY</u>
David C. Ditzler	_____	_____
Lisa L. Oles	_____	_____
James C. Davis	_____	_____

Resolution Requesting Certification from the Mahoning County Auditor is hereby duly adopted upon reading this _____ day of _____, 2011.

BY ORDER OF THE AUSTINTOWN TOWNSHIP BOARD OF TRUSTEES,
MAHONING COUNTY, OHIO:

David C. Ditzler

Lisa L. Oles

James C. Davis

ADOPTED the _____ day of _____, 2011.

Michael Kurish
Fiscal Officer

- 4) Motion to approve the following Resolution:

**RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION AND
REQUESTING CERTIFICATION FROM THE
MAHONING COUNTY AUDITOR**

Resolution # _____

The Board of Trustees of Austintown Township, Mahoning County, Ohio met in Regular Session on the 27th day of June, 2011, at Austintown Township Hall with the following members present:

David C. Ditzler, Lisa L. Oles and James C. Davis

Motion was made by _____ to approve the following Resolution:

WHEREAS, the amount of taxes which may be raised within the ten mill-limitation will be insufficient to provide an adequate amount for the necessary requirements of Austintown Township, Mahoning County, Ohio; and

WHEREAS, it is necessary to levy a tax under ORC 5705.19(Y) in excess of the ten-mill limitation and to certify to the County Auditor of Mahoning County a resolution requesting that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be generated by the addition of one half (0.5) of a mill levy in excess of the ten-mill limitation.

THEREFORE, BE IT RESOLVED, by the Board of Trustees, two-thirds of all members elected thereto concurring, that it is necessary to place on the ballot an additional levy of one half (0.5) of a mill, to constitute a tax in excess of the ten-mill limitation for the benefit of Austintown Township, pursuant to ORC 5705.19(Y), for the purpose of providing or maintaining senior citizen services or facilities as authorized by section 505.70 or 505.706 of the Revised Code, at a rate not exceeding one half (0.5) mill for each one dollar of valuation, which amounts to five cents (\$0.05) for each hundred dollars of taxable valuation for five years and commencing with the tax year 2011, first due in the calendar year 2012; and,

BE IT FURTHER RESOLVED, that the question of approving the levy shall be submitted to the electors of Austintown Township at the election held on the 8th day of November, 2011; and

BE IT FURTHER RESOLVED, that the Fiscal Officer is hereby directed to certify a copy of the Resolution to the County Auditor, Mahoning County, Ohio. The Board of Trustees hereby requests that the County Auditor certify to the Board of Trustees the total current tax valuation of Austintown Township and the dollar amount of revenue that would be generated by the addition of a one half (0.5) mill levy in excess of the ten-mill limitation, if approved by the electors.

_____ seconded the motion to adopt the Resolution.

Roll Call resulted as follows:

	<u>AYE</u>	<u>NAY</u>
David C. Ditzler	_____	_____
Lisa L. Oles	_____	_____
James C. Davis	_____	_____

Resolution Requesting Certification from the Mahoning County Auditor is hereby duly adopted upon reading this _____ day of _____, 2011.

BY ORDER OF THE AUSTINTOWN TOWNSHIP BOARD OF TRUSTEES,
MAHONING COUNTY, OHIO:

David C. Ditzler

Lisa L. Oles

James C. Davis

ADOPTED the _____ day of _____, 2011.

Michael Kurish
Fiscal Officer

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10. OHIO DIVISION OF LIQUOR CONTROL

1) Notice to Legislative Authority – Transfer from Connie Patrick, d.b.a. Split Level, 169 S. Four Mile Run Road – 1st Floor, Austintown Township, to Rachels Inc., d.b.a. Rachels Steak & Seafood, 169 S. Four Mile Run Rd. – 1st Floor, Austintown Township – Permit Number 67465740005 - Permit Classes D1, D3, D3A and D3X.

11. ADVANCES

12. APPROVAL OF REQUISITIONS

13. PUBLIC RESPONSE

14. REMARKS FROM THE BOARD MEMBERS

15. RECESS TO EXECUTIVE SESSION:

a. To consider the appointment, employment, discipline or compensation of public employees;

b. To prepare for, conduct, or review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

16. MOTION TO RECONVENE FROM EXECUTIVE SESSION.

17. ADJOURN