

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 08, 2017

Hawke called the meeting to order at 4:05 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Vaccaro, Poindexter and Brink present.

Hawke moved and Walters seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Part-time Police Patrol Officer. **3-0 yes**

Hawke moved and Walters seconded a motion to go into Executive Session for a conference with Attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **3-0 yes**

Upon return from Executive Session at 5:12 p.m., Hawke called the General Session to order with all department heads present. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks

Jackson Rotary Club – Field of Heroes

Justin Hardesty, 6464 Corrine Drive NW, Canton, Ohio 44718, thanked the Board for the use of the area around the Safety Center for the Memorial Day weekend Field of Heroes display. He said it was a success. He said this wouldn't be possible without the Trustees, Police, Fire Department, and the Park Department. He said this is not only a way to remember and honor, it is also a fund raiser through the sale of flags and sponsorships. He said they have given \$12,000.00 for the purchase of armored vests for first responders in Jackson Township and \$5,000.00 for the Military Family Center at Pegasus Farm. He said they are looking for ideas for storage of 500 to 600 flags and some other supplies that are used in the event and Dave Ruwadi has told him that there is no space at the Park Department building.

Hawke thanked Mr. Hardesty for the Township for this great event. He said it is wonderful to see all the flags out and to see the people be able to come out to honor their heroes and veterans.

Stark County Health Department

Christina Gallion, 4850 Sippo Reserve Drive NW, Massillon, Ohio 44647, and Bonnie Carrigan, 4980 (indecipherable) NW, Canton, thanked the Board for having them. Christina Gallion said she is the Safety Program Coordinator at the Stark County Health Department and has been with them for 12 years and she does the food inspections for the restaurants in Jackson Township as well as some managerial duties with contractors coming in to the Township and opening new food service operations.

Bonnie said she is a public health nurse and has been with the Stark County Health Department for closer to 20 years. She said the Health Department Commissioner asked them to come to a Trustee meeting to put faces to names since they both are responsible for Jackson Township. She said they have clinics at the Health Department, they do home visits in Jackson Township - the home visitations for children with medical handicaps called VCMH. She said they do school nursing services for many other schools but they provide resources for the Jackson school nurses. She mentioned several programs that they oversee.

Police Department

Hawke administered the Oath of Office to Jason N. Coppock as a full time sergeant.

RESOLUTION 17-094, ATTACHED

ACCEPTANCE OF FULL TIME POLICE SERGEANT OATH OF OFFICE

Hawke moved and Walters seconded a motion that we hereby accept the attached oath of office for Jason N. Coppock as Full-time Sergeant for the Jackson Township Police District, Stark County, Ohio. **3-0 yes**

Hawke moved and Walters seconded a motion to accept a donation to the K9 Unit in the amount of \$500.00 from Thomas and Carol Barber. **3-0 yes**

Hawke moved and Walters seconded a motion to accept a donation to the Police Department in the amount of \$200.00 from Philip Carlin. **3-0 yes**

Administration Department

ATTACHMENT 08/08/17 A

Hawke moved and Walters seconded a motion not to request a hearing on the liquor license to Kenny and Sylvia Inc. dba Mint and Lime Asian Bistro, 7180 Fulton Dr. NW., Canton, Ohio 44718. **3-0 yes**

RESOLUTION 17-095, ATTACHED

JACKSON TOWNSHIP RECYCLING STATION LEASE

Hawke moved and Walters seconded a motion that we hereby renew the attached Lease with the Jackson Township Recycling Station, Inc. for a one-year term expiring August 31, 2018. **3-0 yes**

RESOLUTION 17-097, ATTACHED

SUBMISSION OF ZONING REFERENDUM TO ELECTORS OF JACKSON TOWNSHIP

Hawke moved and Walters seconded a motion whereas, pursuant to Ohio Revised Code Section 519.12(H), there was presented to this Board of Trustees, a Petition(s) signed by a number of registered electors residing in the unincorporated area of Jackson Township, included within the Jackson Township Zoning Plan, equal to not less than eight percent (8%) of the total vote case for all candidates for governor in the area at the last preceding general election at which a governor was elected, requesting this Board of Trustees to submit an amendment to the Jackson Township Zoning Resolution described as follows:

Amendment No. 630-17 to the Jackson Township Zoning Resolution:

A proposal to amend the zoning map of the unincorporated area of Jackson Township, Stark County, Ohio, adopted on the 27th day of June, 2017.

The following is a brief summary of the proposed zoning amendment:

The proposed Zoning Amendment No. 630-17 authorizes the rezoning of parcel 1625421 and 1629943 from R-R Rural Residential District to B-3 Commercial Business District and rezoning a portion of parcel 1629943 from R-R Rural Residential District to B-1 Commercial Business District, located on the southeast corner of Everhard and Fulton.

Whereas, the form of this petition, calling for the zoning referendum as aforementioned, was filed on July 24, 2017 with the Board of Trustees and was accompanied by the attached appropriate map of the area affected by the zoning proposal; and

Whereas, pursuant to Ohio Revised Code Section 519.12(H), within two (2) weeks of receipt of the Petition(s), on July 24, 2017, the Board of Trustees certified said Petition(s) to the Stark County Board of Elections on July 25, 2017; and

Whereas, on August 2, 2017, the Board of Elections certified as to the sufficiency and validity of the Petition and provided the attached notice of the same to the Board of Trustees on August 2, 2017.

Be it resolved that there shall be submitted to the electors of Jackson township, Stark County, Ohio, at the general election to be held on November 7, 2017, the question of Amendment No. 630-17 to the Jackson Township Zoning Resolution described in the Petition(s) and above.

Be it further resolved that the submission of said issue, the notice of election, and the form of ballot shall be in accordance with Ohio Revised Code Section 519.12(H) and any and all other related sections of the Ohio Revised Code in accordance with the statutes in such cases made and provided.

Be it further resolved that the form of ballot cast at such election, subject to amendment or replacement by the Stark County Prosecutor's Office, Office of the Ohio Secretary of State or other applicable authority, should be:

Proposed Zoning Amendment
(By Referendum Petition)
Jackson Township

A majority affirmative vote is necessary for passage.

The proposed Zoning Amendment No. 630-17 authorizes the re-zoning from R-R Rural Residential District to B-3 Commercial Business District approximately .36 acres of parcel 1625421 located at the southeastern corner of Everhard Road NW and Fulton Drive NW, and

approximately 61.75 acres of a 112.841 acre tract, parcel 1629943, with approximately 59 acres located approximately 70 ft. east of the southeast corner and 185 ft. south of the southeast corner re-zoning from R-R Rural Residential District to B-3 Commercial Business District, and approximately 2.75 acres re-zoning from R-R Rural Residential District to B-1 Commercial Business District consisting of 300 ft. north of the southwest property line and 400 ft. east of the west property line.

SHALL THE ZONING AMENDMENT AS ADOPTED BY THE JACKSON TOWNSHIP TRUSTEES BE APPROVED?

_____ YES

_____ NO

Be it further resolved that the Fiscal Officer of this Board be, and hereby is, directed and authorized to proceed with the certification of this Resolution hereof to the Board of Elections of Stark County, Ohio, pursuant to the provisions of Section 519.12(H) and other related sections of the Ohio Revised Code in accordance with the statute in such cases made and provided; and to proceed with all things necessary to be done in order to accomplish the purposes of this Resolution.

Be it further resolved that it is found and determined that all formal actions of the Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. **3-0 yes**

**RESOLUTION 17-096, ATTACHED
ARCHITECTURAL AND ENGINEERING SERVICES**

Hawke moved and Walters seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Architectural and Engineering Services Agreement with Sol Harris/Day Architecture, not to exceed \$173,595.00, subject to final project approval of the Ohio Facilities Construction Commission. **3-0 yes**

Public Works Department

Highway Division

ATTACHMENT 08/08/17 B

Hawke moved and Walters seconded a motion to approve Budget Module No. 2017-33 for Strip Avenue Extension Design in the amount of \$2,400.00. **3-0 yes**

ATTACHMENT 08/08/17 C

Hawke moved and Walters seconded a motion to approve the appropriation transfer request from account code 327.310.5387, Discretionary, to account code 327.320.5710, in the amount of \$2,400.00. **3-0 yes**

RESOLUTION 17-098, ATTACHED

AGREEMENT WITH THE BOARD OF STARK COUNTY COMMISSIONERS

Hawke moved and Walters seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreement with the Board of Stark County Commissioners for the Strip Avenue Extension. **3-0 yes**

Park Division

RESOLUTION 17-099, ATTACHED

Hawke moved and Walters seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Change Order No. 1 with M-E Companies, dba IBI Group for the Consulting Services Agreement. **3-0 yes**

Fire Department

Hawke moved and Walters seconded a motion to accept a donation in the amount of \$92.00 from the Carrington Allotment Party to be used for the purchase of ballistic vests. **3-0 yes**

Hawke moved and Pizzino seconded a motion to accept a donation of gift certificates in the amount of \$40.00 from Carol & Doug Seran. **3-0 yes**

RESOLUTION 17-100, ATTACHED

ASSISTANCE TO FIREFIGHTERS GRANT

Hawke moved and Pizzino seconded a motion whereas, the Jackson Township Fire Department filed an application with the Assistance to Firefighters grant for the purchase of air-pack equipment.

Whereas, on July 14, 2017 the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) has made funds available for the purchase of air-pack equipment in the amount of \$339,246.00 with a 10% cost match of their award in the amount of \$33,924.00.

Be it resolved that we hereby approve the acceptance of the Assistance to Firefighters Grant and further authorize the Fire Chief or his designee to complete any required reporting documentation necessary for the completion of the grant program.

Be it further resolved that we hereby authorize the payment of Jackson Township's 10% cost match in the amount of \$33,924.00. **3-0 yes**

RESOLUTION 17-101, ATTACHED

EMS CHARGES BILLING AGREEMENT

Hawke moved and Walters seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached EMS Charges Billing Agreement with the Board of Trustees of Lawrence Township, Stark County, Ohio. **3-0 yes**

**RESOLUTION 17-102, ATTACHED
FIRE DEPARTMENT LIGHT TOWER PURCHASE**

Hawke moved and Walters seconded a motion that we hereby authorize the purchase of an Apparatus Mounted Light Tower for Rescue 1 in the total amount of \$15,885.02 from the Will-Burt Company. **3-0 yes**

Gonzalez commended the Chief on bringing in millions of dollars in grants which is money that doesn't have to come out of the levy funds. Chief Hogue said he won't take credit for it because he has good people around him that make a difference. He said it's a team effort and that the free money is out there and you have to try.

Gonzalez said his office received a letter that we had received our cap on the amount we could receive from FEMA. He said we couldn't get any more and it turned out it was because we had applied for the radio grant which was for several other agencies and since we didn't get all the money we were still able to stay under the cap. He said that is a nice problem to have – that we have literally capped out how much money we could get from the Federal government.

Zoning & Planning Department

ATTACHMENT 08/08/17 D

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 25th day of May it was informed in writing that noxious weeds were growing on lands of Jesus Ortiz in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 3591 Harris Avenue NW, Lot 72, Hampton Park Estates #1, Parcel No. 16-10580, NW Qtr. Section 34, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
TOTAL	\$550.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 08/08/17 E

Hawke moved and Walters seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 16th day of May it was informed in writing that noxious weeds were growing on lands of us Bank National Association in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 5095 Bob O'Link Street NW, Lot 39, Song Bird Allotment, Parcel No. 16-04272, SE Qtr. Section 11, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:	
Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$450.00</u>
TOTAL	\$600.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

Hawke moved and Pizzino seconded a motion to set a public hearing on September 12, 2017, at 5:30 p.m., for a nuisance violation at 6963 Harvey Ave. N.W. **3-0 yes**

**RESOLUTION 17-103, ATTACHED
NOXIOUS WEEDS – 8149 CAROLINE STREET NW, PARCEL NO. 10009059, JACKSON TOWNSHIP, OHIO**

Hawke moved and Walters seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Sunlane Properties, LLC in Jackson Township described as follows: 8149 Caroline Street NW, Parcel No. 10009059, Jackson Township, Ohio.

Be it resolved that said Sunlane Properties, LLC, whose tax mailing address is 1876 Barber Road, Suite 200, Sarasota, FL 34240, be notified by serving on 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, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2017. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 17-104, ATTACHED
NOXIOUS WEEDS – 6963 HARVEY AVENUE NW, LOT 2 IN DOMER’S SUBDIVISION, PARCEL NO. 16-06576, JACKSON TOWNSHIP, OHIO**

Hawke moved and Walters seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Anthony Jacobsen in Jackson Township described as follows: 6963 Harvey Avenue NW, Lot 2 in Domer’s Subdivision, Parcel No. 16-6576, Jackson Township, Ohio.

Be it resolved that said Anthony Jacobsen, whose tax mailing address is 1566 Harvester Lane, Columbus, OH 43229, be notified by serving on 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, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner

shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2017. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

RESOLUTION 17-105, ATTACHED

NOXIOUS WEEDS – 4897 HILLS AND DALES ROAD NW, PARCEL NO. 17-00122, JACKSON TOWNSHIP, OHIO

Hawke moved and Walters seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Bernard Ferrante in Jackson Township described as follows: 4897 Hills and Dales Road NW, Parcel No. 17-00122, Jackson Township, Ohio.

Be it resolved that said Bernard Ferrante, whose tax mailing address is 7294 Bretz Street NW, Massillon, OH 44646, be notified by serving on 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, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2017. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

Fiscal Office

ATTACHMENT 08/08/17 F

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,686,075.54. **3-0 yes**

ATTACHMENT 08/08/17 G

Hawke moved and Pizzino seconded a motion to approve the minutes for the July 11, 2017 and July 25, 2017 Board of Trustees' meetings. **3-0 yes**

ATTACHMENT 08/08/17

Hawke moved and Pizzino seconded a motion to approve the financial reports for July 2017. **3-0 yes**

Gonzalez explained that this document goes only to Stark County. He said there is nothing out of the ordinary this year. He explained that this document is done by every political subdivision so everyone can look at the same document on a county wide basis and make comparisons. He said this is based on what will be spent for the entire year and there's still a good portion of the year left, so it's based on what is being spent monthly. He pointed out where the percentage of

carryovers could be found and said that we have done pretty well with those. He said they don't want us to go over 25% on our carryovers and there were times in the general fund that we had more and had to transfer some to a capital fund. He pointed out that is not the case this year.

**RESOLUTION 17-106, ATTACHED
2018 ALTERNATE TAX BUDGET DOCUMENT**

Hawke moved and Walters seconded a motion that we hereby adopt the attached Alternate Tax Budget Document for Fiscal Year 2018 as required by the Stark County Budget Commission in their attached July 13, 2017 directive and pursuant to the July 13, 2006 action of the Stark County Budget Commission, authorize the Township Fiscal Officer to sign the Alternate Tax Budget Document and authorize the Township Fiscal Officer to file said Alternate Tax Budget Document with the Stark County Auditor's Office. **3-0 yes**

Routine Business

Announcements

- CIC, August 17, 2017, 8:00 a.m., Township Hall.
- CIC Work Session, August 17, 2017, 8:15 a.m., Township Hall.
- LOGIC, September 7, 2017, 9:00 a.m., Safety Center Chiefs' Conference Room.
- Jackson Recycling Board, August 23, 2017, 11:00 a.m., Buehler's Community Room.
- Zoning Meetings:
 - Board of Zoning Appeals – August 10 and 24, 2017, 5:30 p.m., Township Hall.
 - Zoning Commission – none scheduled.
- Farmers Market, Thursdays through October 5, 3:00 – 6:0 p.m.
- Movie in the Park, Friday, August 11, 2017, Jackson North Park.

Old Business – None

New Business – None

Public Speaks – Open Forum

Debbie Marucci, 8797 Colton St. N.W., Massillon, said she came with a concern about the library. She said she saw that everything has been leveled and (indecipherable). She said she didn't know if it was completely true but she's pretty sure considering the source she has within the library

system. She said she didn't attend the previous meetings regarding the library, she didn't know if that was covered or not. She said she is looking forward to a library being built. She asked if a library is going to be built or are they going to be in a little hole.

Pizzino asked if she had called the Stark County Library.

Ms. Marucci said she knew that the library board met and that was a decision they let the librarians and the staff from Jackson library know.

Pizzino asked if the decision was not to rebuild.

Hawke said that was interesting because that is not what they heard just this afternoon.

Gonzalez said they met. . .

Hawke said that was never the intent of the discussion that was held with them. He said there are some other ramifications in the lease contract that they have with the Township. He said the discussion they had with them today was about what their future would be and some options that they are exploring. He said the Trustees asked the library to poll people to get information on what they prefer. He said prior to the library coming down, a lot of the comments he heard from people was that they didn't care either way. He said now those same people say they want their branch back. He said they would continue to work with the library board. He said that the decision not to build a new branch library was not how it was presented to them at the meeting. He said that he and Mr. Gonzalez told the library board that is wasn't what the Trustees think, it matters what the residents think.

Gonzalez said the trustees have been in constant communication with them since the beginning, when they first discussed the idea of building. He said he's been around so long that he helped raise money to build the one that was just torn down. He said there are only three options that have been looked at, one is that they are going to expand a little bit now to keep up for a while if they do rebuild. He said at first they heard that people liked the idea of having the library in the shopping center, then they started hearing that there were no books, you had to order a book and it took two days to get a book. He said he talked to a lot of people during the Celebration and everyone said they wanted the library back. He said having a library influences people's decision to move to Jackson Township as much as schools, parks and YMCAs.

Hawke said they have met with the architect that is working on the amphitheater and library and this is a very serious topic.

Gonzalez said that area of the park where the library came down will become the center of where the Celebration is held each year and the center of many events. He said the Trustees are heading toward activities other than athletics, not just ball fields. He said there may be bocci ball courts and cornhole things and hopefully the library will do some kid oriented things outside.

Hawke moved and Walters seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation/Discipline) – Step 2 – Formal Grievance Hearing. **3-0 yes**

Upon return from Executive Session at 6:52 p.m., Hawke moved and Walters seconded a motion to adjourn. **3-0 yes**

Todd Hawke

Randy Gonzalez