

**RECORD OF PROCEEDINGS**

**MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING**

**MARCH 24, 2020**

Hawke called the meeting to order at 5:01 p.m. at the Jackson Township Hall with Trustees John Pizzino, Todd Hawke, and Jim Thomas present as well as Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Public Works Director Rohn, Zoning Inspector Poindexter, and Fire Chief Hogue.

The Pledge of Allegiance was recited.

**Administration Department**

**ATTACHMENT 03/24/20 A**

Hawke moved and Thomas seconded a motion to approve the Jackson Township NPDES Small MS4 General Permit Annual Report and Storm Water Management Plan to Ohio EPA for year ending December 31, 2019. **3-0 yes**

**RESOLUTION 20-052, ATTACHED  
NORTH PARK AMPHITHEATER PARKING LOT PROJECT – BID PACKAGE  
DEVELOPMENT**

Hawke moved and Thomas seconded a motion we hereby authorize the placement of the Board President’s signature upon the attached Proposal with Sōl Harris/Day Architecture for the North Park Amphitheater Parking Lot Project. **3-0 yes**

**RESOLUTION 20-053, ATTACHED  
WARWICK PHONE UPGRADE**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Board President’s signature upon the attached phone systems upgrade proposal with Warwick Communications in the amount of \$8,015.98. **3-0 yes**

**Public Works Department**

**Highway Division**

**ATTACHMENT 03/24/20 B**

Hawke moved and Pizzino seconded a motion to accept the attached retirement from Patricia A. Hippler, effective June 30, 2020 at 16:30 hours. **3-0 yes**

Rohn opened the bids received for the 2020 Resurfacing Project as follows:

- |                       |                |
|-----------------------|----------------|
| 1. North Star Asphalt | \$1,297,292.20 |
| 2. Superior Paving    | \$1,215,384.15 |

Rohn and the Highway Department will review the bids and report back to the Board.

Rohn also opened the bids received for the 2020 Curbing Project as follows:

- |                           |              |
|---------------------------|--------------|
| 1. TR Snyder Construction | \$142,876.24 |
| 2. Cementech Incorporated | \$137,381.00 |
| 3. Lockhart Concrete      | \$166,713.70 |
| 4. Perrin Asphalt         | \$174,511.00 |

These bids will also be reviewed and reported upon.

### **Park Division**

Hawke moved and Thomas seconded a motion to accept a sponsorship donation to the 2020 Community Celebration in the amount of \$100.00 from Robert Fay. **3-0 yes**

### **RESOLUTION 20-054, ATTACHED NORTH PARK AMPHITHEATER PARK LOT PROJECT**

Hawke moved and Pizzino seconded a motion that we hereby authorize the attached Advertisement for Bids for North Park Amphitheater Parking Lot Project in accordance with the Specifications on file. **3-0 yes**

### **ATTACHMENT 03/24/20 C**

Hawke moved and Thomas seconded a motion to adopt and authorize the Board Chairman's signature upon the attached Change Order No. 10 for the North Park Amphitheater Project. **3-0 yes**

### **Fire Department**

### **RESOLUTION 20-055, ATTACHED JACKSON TOWNSHIP PART TIME FIREFIGHTER OATH**

Hawke moved and Thomas seconded a motion that we hereby accept the attached Oath of Office for Shiloh N. Bailey, part time Firefighter for the Jackson Township Fire Department, Stark County, Ohio, effective March 11, 2020 at 0800 hours. **3-0 yes**

### **Zoning Department**

### **RESOLUTION 20-056, ATTACHED ZONING FEE WAIVER**

Hawke moved and Thomas seconded a motion we hereby authorize the Zoning Inspector to waive the fee required pursuant to section 806.1(C) of the Zoning Fee Schedule. **3-0 yes**

Public Hearing is not scheduled until 5:15 p.m. We will move onto Fiscal in the meantime.

## **Fiscal Department**

### **ATTACHMENT 03/24/20 D**

Hawke moved and Thomas seconded a motion to pay the bills in the amount of \$661,498.03.

**3-0 yes**

### **ATTACHMENT 03/24/20 E**

Hawke moved and Thomas seconded a motion to approve the minutes of the March 10, 2020 Board of Trustees' meeting.

**3-0 yes**

## **Routine Business**

### **Announcements**

- Next regular **Board of Trustees'** meeting, April 14, 2020, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- **CIC**, April 16, 2020, 8:00 a.m., Township Hall.
- **LOGIC**, April 2, 2020, 9:00 a.m., Safety Center Chiefs' Conference Room.
- **Zoning Meetings**: Cancelled until further notice

**Old Business** – None

**New Business** - None

Vaccaro thanked Mrs. Caldwell and Firefighter Sullivan for their help in the new technology that was being utilized for this meeting. Hawke also thanked them and encouraged the public and staff to do their part to help during these unprecedented times.

Pizzino additionally thanked the Jackson Township employees for stepping up and doing what needed to be done. Gonzalez reiterated what Pizzino said as well as thanked the safety forces for their continued work while putting themselves at risk.

A short recess took place while waiting for the public hearing to begin that was scheduled for 5:15 p.m.

## **Zoning Department Continued**

### **5:15 P.M. PUBLIC HEARING**

**FENSTERMAKER – 4835 EAST BLVD NW, CANTON, OH 44718**

Poindexter presented a brief overview of the nuisance violation and junk motor vehicle and discussion ensued involving the best course of action, including the limitations of the public attending the meeting given the current economic situation. It was agreed upon that all required legal postings had been performed, including certified letters to next of kin, the newspaper and posting on the house, and no one has come forward in opposition. The Board agreed to move forward with the nuisance and junk motor vehicle violations.

**RESOLUTION 20-057, ATTACHED  
NUISANCE HEARING FOR 4835 EAST BLVD NW, CANTON, OH 44718**

Hawke moved and Thomas seconded a motion that on February 13, 2020, the attached nuisance report was filed by the Zoning Inspector for property located at 4835 East Blvd NW, Canton, OH 44718, (Parcel #1603437) which was owned by Bradley S. Fenstermaker (Deceased), and which said property is a single family residence.

Whereas, Bradley S. Fenstermaker is the listed property owner of the real estate, but the County Auditor lists Craig Fenstermaker as the receipt of the tax mails. Service to Craig Fenstermaker was provided February 19, 2020 for the March 24, 2020, hearing to include a copy of the February 13, 2020 nuisance report. Said service was returned unclaimed and reissued by regular U.S. Mail to Craig Fenstermaker. A publication was run in the newspaper of local circulation announcing the hearing date, time, and place. No mortgage and lien holders exist. No estate has been opened in Stark County, Ohio, in the name of Bradley S. Fenstermaker.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, held a hearing on March 24, 2020 at which no one appeared on behalf of the real estate owner.

Whereas, the attached November 15, 1989 (amended April 25, 2011) Nuisance Legislation is incorporated herein.

Be it further resolved that we hereby find that there is a large amount of garbage, refuse and in particular other debris scattered through the front, side and back yards to include, but not limited to, discarded wooden, limbs, fallen tree, brush piles, several plastic items tools and hand tools which violate the community standard for a single family residential within the meaning of the Refuse/Debris List contained in the attached November 15, 1989 Nuisance Legislation (amended April 25, 2011).

Be it further resolved that the piling of the material as described in the preceding paragraph obstructs the reasonable and comfortable use of surrounding properties in that:

1. The Jackson Board of Trustees having taken into account all the facts presented and the surrounding circumstances, marks the photographs and written report of the Zoning Inspector as Exhibits A and B, respectively.
2. Taking into account the property owner's interest in the free use of his land, the refuse, garbage and debris found on the property violates the average property owner's sensitivities of the community standard for the area.

3. The Jackson Board of Trustees declares and finds a Nuisance exists within the meaning of the attached November 15, 1989, Nuisance Legislation (amended April 25, 2011) and Ohio Revised Code 505.87, at 4835 East Blvd NW, Canton, OH 44718 (Stark County Parcel No. 16-03437, which is owned by Bradley S. Fenstermaker.
4. The Jackson Board of Trustees declares and finds service was perfected upon all interested parties.

Be it further resolved that the Law Director has obtained a report of the owners of record or holders of legal or equitable liens of record upon the real estate.

Be it further resolved that the attached notice to abate the nuisance shall be sent by certified mail to Federal National Mortgage Association. **3-0 yes**

**RESOLUTION 20-058, ATTACHED  
JUNK MOTOR VEHICLE**

Hawke moved and Thomas seconded a motion that pursuant to Section 505.871 of the Ohio Revised Code, the Board is authorized to determine that a motor vehicle located on private property is a junk motor vehicle within the meaning of Section 505.173 of the Ohio Revised Code and order the property owner to remove any such junk motor vehicle from the property within fourteen (14) days of service of written notice; and if the property owner fails to remove or to cause the removal of the junk motor vehicles from the property within said fourteen days, the Board may proceed to remove the junk motor vehicles from the property and enter the cost of such removal upon the tax duplicate for the property;

Be it resolved that the Board hereby determines that a motor vehicle located at 4835 East Boulevard NW, Parcel No. 1603437, which may be generally described as a maroon Buick sedan with flat tires and no current Ohio registration (“Junk Motor Vehicle”) is three model years or older, apparently inoperable and extensively damaged, thus constituting a “junk motor vehicle” as defined in Section 505.173 of the Ohio Revised Code.

Be it further resolved that the Board hereby determines that it is in the best interest of the Township and its residents that the Board proceed under Section 505.871 of the Ohio Revised Code to order and the Board hereby orders that the record owner of the Property (“Record Owner”), or the Executor for the estate of the Record Owner or other lawful representative for the Record Owner remove or provide for the removal of the Junk Motor Vehicle from the Property within fourteen (14) days of the date of receipt of written notice of passage of this Resolution.

Be it further resolved that the Board authorizes the Township Zoning Inspector to provide written notice to the Record Owner, his representative(s) or the Executor of the estate of the Record Owner, and to the holders of liens of record on the Property, of the Board’s intention to remove or cause the removal of the Junk Motor Vehicle from the Property as provided in Section 505.871 (C) of the Ohio Revised Code.

Be it further resolved that if the Record Owner, his representative(s) or the Executor of the estate of the Record Owner does not remove or cause the removal of the Junk Motor Vehicle from the

Property within fourteen (14) days of receipt of written notice of the passage of this Resolution evidencing the Board's intention to remove or cause the removal of the Junk Motor Vehicle from the Property, then the Township Administrator is authorized to order Township employees, materials and equipment to be used to remove the Junk Motor Vehicle from the Property or to enter into a contract with a motor vehicle salvage dealer or scrap metal processing facility, as defined in Sections 4738.01 and 4737.05 of the Ohio Revised Code, for removal of the Junk Motor Vehicle, and all costs and expenses incurred in connection therewith, in an amount not to exceed \$500.00, shall be paid from the Township's general fund, which funds are hereby appropriated for the purpose.

Be it further resolved that the Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

Be it further resolved that this Resolution shall take effect immediately upon its passage.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for all departments, Administration, Public Works – Highway, Central Maintenance, and Parks Divisions – Police, Fire, Zoning and Planning, and Fiscal Personnel (Appointment/Employment/Compensation).

**3-0 yes**

Upon return from Executive Session at 6:50 p.m., Hawke moved and Pizzino seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**