

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 24, 2017

Hawke called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Vaccaro, Hogue and Brink present.

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

Hawke moved and Walters seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Interview Full-time Firefighter/Paramedics. **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 except Poindexter who was on vacation.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

**RESOLUTION 17-130, ATTACHED
CULTURAL PROJECT COOPERATIVE USE AGREEMENT**

Hawke moved and Walters seconded a motion that we adopt and authorize the placement of the Township Administrator/Law Director, Michael B. Vaccaro, Law Director, to sign the attached Cultural Project Cooperative Use Agreement with the State of Ohio Facilities Construction Commission and all future documents related to the North Park Activity Complex/Amphitheatre Project. **3-0 yes**

ATTACHMENT 10/24/17 A

Hawke moved and Walters seconded a motion to approve and adopt the attached Amended Jackson Township Discrimination and Harassment policy, effective October 25, 2017. **3-0 yes**

ATTACHMENT 10/24/17 B

Hawke moved and Pizzino seconded a motion not to request a hearing on the Ohio Division of Liquor Control Notice for Melt Bar and Grilled Inc., 4199 Belden Village Mall Circle NW, Jackson Township. **3-0 yes**

Police Department

Hawke moved and Walters seconded a motion to accept a donation of \$100.00 from the Jackson Boys. Soccer. **3-0 yes**

RESOLUTION 17-131, ATTACHED

POLICE DEPARTMENT PART-TIME POLICE OFFICER CONDITIONAL APPOINTMENT

Hawke moved and Walters seconded a motion pursuant to ORC Section 505.49 and 509.01, we hereby appoint Brandon M. Alger, as a Part-Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, conditioned upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the background check, negative drug screen and any other testing requirements. **3-0 yes**

Public Works Department

Park Division

Hawke moved and Pizzino seconded a motion to accept the following sponsorship donations to the 2018 Community Celebration.

1. \$1,000.00 from Merry Maids
2. \$1,000.00 from Siegfried Enterprises, Inc.
3. \$ 500.00 from Bell Stores
4. \$ 500.00 from Fitzpatrick Enterprises
5. \$ 250.00 from Terry's Truck & Trailer
6. \$ 250.00 from Pfund Superior Sales Company, Inc.
7. \$ 250.00 from Wenger Companies
8. \$ 100.00 from Southway Fence Company
9. \$ 100.00 from Tom Jackson Commercial Realty.

3-0 yes

Hawke moved and Pizzino seconded a motion to accept a donation of \$1,500.00 from the JGSL.

3-0 yes

Fire Department

RESOLUTION 17-132, ATTACHED

SALE TO BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP, WAYNE COUNTY, OHIO

Hawke moved and Walters seconded a motion that pursuant to ORC Section 505.101, the Board of Trustees of Jackson Township, Stark County, Ohio (hereafter Jackson Township) and the Board of Trustees of Chippewa Township, Wayne County, Ohio (hereafter Town & Country) hereby agree that Jackson Township will sell one (1) Morning Pride Bunker Coat (SN: 1107002612, MN: LT042Q2TZ) and one (1) pair Morning Pride Bunker Pants (SN: 1107002605, MN: LT042Q2PZ) "AS IS" for a total price of \$800.00. Payment by Chippewa Township to Jackson Township shall be concurrent with or prior to the receipt of one (1) Morning Pride Bunker Coat (SN: 1107002812,

MN: LT042Q2TZ) and one (1) pair Morning Pride Bunker Pants (SN: 1107002605, MN: LT042Q2PZ). **3-0 yes**

Hawke moved and Walters seconded a motion to accept a donation of \$100.00 from the Jackson Boys' Soccer. **3-0 yes**

Zoning & Planning Department

RESOLUTION 17-133, ATTACHED

Hawke moved and Walters seconded a motion whereas the Jackson Township Board of Trustees from time-to-time receive recommendations for text amendments to the Jackson Township Zoning Resolution.

Whereas the Jackson Township Board of Trustees having reviewed the attached text changes and believe the recommendations deserve consideration by the Jackson Township Zoning Commission.

Be it resolved that pursuant to ORC 519.19(A)(1), we authorize the Zoning Inspector, as the Board of Trustees' designee, to file an application with the Jackson Township Zoning Commission initiating a text amendment to the Jackson Township Zoning Resolution. Associated fees are hereby waived. **3-0 yes**

RESOLUTION 17-134, ATTACHED

INITIATION OF ZONING CHANGE FOR PARCEL NOS. 16-80281 AND 16-80606

Hawke moved and Pizzino seconded a motion whereas the Jackson Township Board of Trustees own undeveloped real estate identified by the Stark County Auditor as Parcel Nos. 16-80281 and 16-80606, consisting of 30.64 acres, more or less, located on Wales Avenue NW near the Strausser Street NW and Wales Avenue NW intersection. Parcel No. 16-80281 is currently zoned partially B-3 (Commercial Business) and partially R-R (Rural Residential). Parcel No. 16-80606 is currently zoned R-R (Rural Residential).

Whereas the Jackson Township Board of Trustees seeks to have the real estate (Parcel Nos. 16-80281 and 16-80606) re-zoned to B-2 (Neighborhood Businesses).

Be it resolved that pursuant to ORC 519.12(A)(1), we authorize the Zoning Inspector, as the Board of Trustees' designee, to file an application with the Jackson Township Zoning Commission initiating a zoning amendment to rezone Parcel Nos. 16-80281 and 16-80606, consisting of 30.64 acres, more or less, acres located on Wales Avenue NW near the Strausser Street NW and Wales Avenue NW intersection currently zoned R-R (Rural Residential), B-3 (Commercial Business) to B-2 (Neighborhood Businesses). Associated fees are hereby waived. **3-0 yes**

ATTACHMENT 10/24/17 C

Hawke moved and Pizzino seconded a motion to approve and authorize the placement of the Zoning Inspector's signature upon the attached Sworn Statement of Abandoned/Vacant Land as requested by the Stark County Regional Planning Commission. **3-0 yes**

Fiscal Office

ATTACHMENT 10/24/17 D

Hawke moved and Walters seconded a motion to pay the bills in the amount of \$968,667.01.

3-0 yes

ATTACHMENT 10/24/17 E

Hawke moved and Walters seconded a motion to approve the minutes for the October 10, 2017 Board of Trustees' meeting.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees' meeting, November 17, 2017, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC, November 16, 2017, 8:00 a.m., Township Hall.
- CIC, Work Session, November 16, 2017, 8:15 a.m., Township Hall.
- LOGIC, November 2, 2017, 9:00 a.m., Safety Center Chiefs' Conference Room.
- Jackson Recycling Board, October 25, 2017, 11:00 a.m., Buehler's Community Room.
- Zoning Meetings:
 - Board of Zoning Appeals – none scheduled.
 - Zoning Commission – none scheduled.
- Halloween Trick or Treat, Sunday, October 29, 2017, 3:00 p.m. – 5:00 p.m.

Old Business – None

New Business – None

Public Speaks – Open Forum

Someone asked about the amphitheater and library. Gonzalez said we will be receiving a million dollar grant for the amphitheater and are currently applying for a second million dollar grant. He said the drawings are moving along and a meeting has been held with the library. He said the library is going to rebuild in front of the amphitheater close to where they were before. He said it will be good and they are still looking for funding and grants for the amphitheater.

Someone asked if they will be taking over some of the basketball courts. Gonzalez said the basketball courts and the skate park will be relocated. He said the basketball courts get used a lot. He said the skate park and basketball courts will be located in the area where the movies have been held. He said tentatively ground breaking is scheduled for spring of next year.

Zoning & Planning Department

Hawke called the Nuisance Hearing to order at 5:30 p.m.

Vaccaro explained the procedure that after the resolution is signed the owner is given a seven day notice after that the Township will go in. Vaccaro said the owner called today. He said the tenant did not do what they should have.

Vaccaro told the Board that the photos are marked as Exhibit A and the letters to the property owner and resident are marked Exhibit B. He asked the Board to review those. He said that ample notice was given to the property owner to clean the property up. He said this property violates the nuisance legislation and asked the Board to declare this property a nuisance.

Vaccaro said the property owner called today and acknowledged that he did receive the certified mail service. He said the property owner wasn't clear on whether he would attend the meeting and expressed displeasure with the tenant for not cleaning up the situation. He said since the property owner nor the tenant was in attendance, it becomes a default situation. He asked the Board to move forward with the resolution.

Hawke pointed out that no one was in the audience to speak on behalf of the property owner.

Hawke closed the hearing.

RESOLUTION 17-135, ATTACHED NUISANCE HEARING FOR 3441 (UNIT 3443) MALABU AVENUE NW, MASSILLON, OH 44646

Hawke moved and Pizzino seconded a motion whereas, on October 10, 2017, the attached nuisance report was filed by the Zoning Inspector for property located at 3441 (Unit 3443) Malabu Avenue NW, Massillon, OH 44646, which is owned by Dale A. Rieger and which said property is a multi-unit apartment building. Dale A. Rieger leases the individual apartment units to various tenants.

Whereas, Dale A. Rieger was provided notice of the October 24, 2017 hearing to include a copy of the October 10, 2017 nuisance report.

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

Be it resolved that we hereby find that there are a large number of discarded wooden pieces, a bucket full of rags, several window screens, and a pile of cloth and plastic items which violate the community standard for residential area multi-unit apartment buildings 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 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 3441 (Unit 3443) Malabu Avenue NW, Massillon, OH 44646 (Stark County Parcel No. 16-06754, which is owned by Dale A. Rieger.

Be it further resolved that the Law Director has obtained a report of the owners of record or holders of 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 Dale A. Rieger and the Commercial and Savings Bank of Millersburg Ohio. **3-0 yes**

Hawke moved and Walters seconded a motion to return to Executive Session to consider confidential information related to economic development assistance as described in Ohio Revised Code §121.22(G)(8)(a). **3-0 yes**

Upon return from Executive Session, Hawke moved and Walters seconded a motion to adjourn. **3-0 yes**

Todd Hawke

Randy Gonzalez