

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

MAY 12, 2020

Hawke called the meeting to order at 4:02 p.m. at the Jackson Township Hall with Trustees Todd Hawke and John Pizzino present and Jim Thomas present via conference call. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Assistant Law Director Fitzsimmons, Police Chief Brink and Public Works Director Rohn were also in attendance.

Hawke moved and Pizzino seconded a motion to go into Executive Session to consider confidential information related to economic development assistance as described in the Ohio Revised Code §121.11(G)(8)(a).

3-0 yes

Hawke moved and Pizzino seconded a motion to go into Executive Session to consider the sale or other disposition of unneeded, obsolete, or unfit-for use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest – Fire Department.

3-0 yes

Hawke moved and Pizzino seconded a motion to go into Executive Session for All Departments (Administration, Public Works – Highway, Central Maintenance & Park Divisions, Police, Fire, Legal, Zoning and Planning, and Fiscal) Personnel – Employment Schedules.

3-0 yes

Upon return from Executive Session at 5:09 p.m., Hawke called the General Session to order. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Administration Department

**RESOLUTION 20-065, ATTACHED
CARES ACT FUNDING DISTRIBUTION**

Hawke moved and Pizzino seconded a motion that whereas, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) providing funding to local governments; and,

Whereas, the Ohio General Assembly passed SB 310 which distributes \$350 million to the eighty-eight (88) counties through the undivided local government fund.

Be it resolved that we hereby acknowledge and affirm that funds received through the SB 310 via the undivided local government fund may be expended only to cover costs consistent with the

requirements of section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) as described in 42 U.S.C. 601(d) and any applicable regulations to include the following:

1. CARES Act funding may be spent on unbudgeted expenses related to COVID-19 incurred between March 1 and December 30, 2020.
2. CARES Act funding not encumbered for eligible purposes by October 15, 2020, must be returned for redistribution.

Be it further resolved that the Fiscal Officer shall provide a certified copy of this resolution to the Stark County Auditor and the Ohio Office of Budget and Management.

3-0 yes

Legal Department

RESOLUTION 20-066, ATTACHED

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A TAX INCREMENT FINANCING AND COOPERATIVE AGREEMENT AND AMENDING TOWNSHIP RESOLUTION NO. 19-214 IN CONNECTION WITH CERTAIN REQUIREMENTS FOR THE ISSUANCE OF BONDS BY THE DEVELOPMENT FINANCE AUTHORITY OF SUMMIT COUNTY; AND DECLARING AN EMERGENCY.

Hawke moved and Pizzino seconded a motion that whereas, this Board approved Resolution No. 19-214 on August 15, 2019 (the “TIF Resolution”) describing certain public infrastructure improvements to be made that directly benefit certain parcels described therein (the “TIF Parcels”) and declaring “Improvements” (as defined in ORC §5709.73 and being generally the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the later of the effective date of the TIF Resolution or the commencement date as defined therein were it not for the exemption granted herein) with respect to such parcels of real property located in the Township to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of time, providing for the making of service payments in lieu of ad valorem real property taxes by the owner of such TIF Parcels, and establishing a township public improvement tax increment equivalent fund into which such service payments shall be deposited; and

Whereas, pursuant to the TIF Resolution, the Township also approved entering into one or more Tax Increment Financing Agreements (each, a “TIF Agreement”), with the property owner of each of the TIF Parcels, substantially in the form of the agreement attached thereto, and other related agreements and documents to facilitate the successful financing and completion of the Public Infrastructure Improvements, and the Township previously entered into a TIF Agreement for the TIF Parcels subsequently conveyed to Meijer Stores Limited Partnership (the “Meijer Parcels TIF Agreement”); and

Whereas, in connection with the issuance of bonds by the Development Finance Authority of Summit County (the “Authority”), the Authority has requested the Township to approve and execute a Tax

Increment Financing and Cooperative Agreement (the “Cooperative Agreement”) to be entered into by and among the Authority, the Township, ABC TGAB LLC, Meijer Stores Limited Partnership, and U.S. Bank National Association, a form of which is attached hereto as **Exhibit A**; and

Whereas, ABC TGAB LLC and Meijer Stores Limited Partnership are in discussions relative to an amendment to the Meijer Parcels TIF Agreement, in which case the Township will be requested to execute and approve such amendment.

Now, therefore, be it resolved by the Board of Trustees of Jackson Township, Ohio, that:

Section 1. Amendment to Meijer Parcel TIF Agreement. Attached hereto as **Exhibit B** is a copy of a proposed Amendment to Tax Increment Financing Agreement (the “Meijer TIF Amendment”). The Trustees are hereby authorized to execute and deliver the Meijer TIF Amendment in the form attached hereto or in such other form as is acceptable to them without need for additional authorization.

Section 2. Cooperative Agreement. The Trustees are hereby authorized to execute and deliver the Cooperative Agreement in the form attached hereto as **Exhibit A** on behalf of the Township, which shall include provisions regarding the assignment by the Township of Service Payments (and minimum service payments if applicable) deposited in the Greens at Belden Township Public Improvement Tax Increment Equivalent Fund (the “TIF Fund” established pursuant to Section 4 of the TIF Resolution with respect to the related TIF Parcel(s) and the use of the monies deposited in the TIF Fund, together with such revisions or additions thereto as approved by the Trustees as consistent with the objectives and requirements of this Resolution, which approval shall be conclusively evidenced by the signing of the Cooperative Agreement. The Fiscal Officer, Trustees and other appropriate Township officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all other things as are necessary for and incidental to carrying out the provisions of the Cooperative Agreement.

Section 3. This Board of Trustees finds and determines that all formal actions of this Board of Trustees and of any of its committees concerning and relating to the passage of this Resolution were taken, and that all deliberations of this Board of Trustees and of any committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Township, and for the further reason that this Resolution is required to be immediately effective in order to enable the Township to provide for the real property tax exemption, the assignment of Service Payments and any minimum payments, and the related objectives provided for herein that are needed to benefit the Township and its residents by creating economic opportunities, enlarging the property tax base, and stimulating collateral development within the Township; wherefore, this Resolution shall be in full force and effect immediately upon its adoption by the unanimous vote of all three (3) members elected to Board of Trustees, or otherwise at the earliest time allowed by law.

3-0 yes

Police Department

Hawke moved and Pizzino seconded a motion to accept a donation of \$50.00 from William and Nicole Manusakis for the Police K9 Fund.

3-0 yes

RESOLUTION 20-067, ATTACHED TRANSPORTATION AGREEMENT MEMORANDUM OF UNDERSTANDING

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached City of Massillon/Jackson Township Transportation Agreement Memorandum of Understanding.

3-0 yes

Public Works Department

Highway Division

ATTACHMENT 05/12/20 A

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary - Highway, to account code 204.310.5420, Striping Services - Highway, in the amount of \$1,991.09.

3-0 yes

Park Division

RESOLUTION 20-068, ATTACHED AMPHITHEATER PARKING LOT PROJECT – GENERAL CONSTRUCTION AWARD

Hawke moved and Pizzino seconded a motion that we hereby determine that Cavanaugh Building Corporation is the lowest and best bidder for the Amphitheater Parking Lot Project – General Construction Award and hereby award a Contract to them in the amount of \$196,200.00 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract.

3-0 yes

RESOLUTION 20-069, ATTACHED AMPHITHEATER PARKING LOT PROJECT – ASPHALT AWARD

Hawke moved and Pizzino seconded a motion that we determine that Chagrin Valley Paving, Inc. is the lowest and best bidder for the Amphitheater Parking Lot Project – Asphalt Award and hereby award a Contract to them in the amount of \$204,000.00 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract.

3-0 yes

RESOLUTION 20-070, ATTACHED AMPHITHEATER PARKING LOT PROJECT – ELECTRICAL AWARD

Hawke moved and Pizzino seconded a motion that we determine that Wood Electric, Inc. is the lowest and best bidder for the Amphitheater Parking Lot Project – Electrical Award and hereby award

a Contract to them in the amount of \$117,100.00 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract.

3-0 yes

ATTACHMENT 05/12/20 B

Hawke moved and Pizzino seconded a motion to adopt and authorize the Board Chairman's signature upon the attached Change Order No. 15 for the North Park Amphitheater Project.

3-0 yes

ATTACHMENT 05/12/20 C

Hawke moved and Pizzino seconded a motion to authorize the hiring of two (2) returning Leased Park Maintenance Workers, as attached, through a temporary service, subject to a negative drug screen, effective at the rate and start date identified in the attached memorandum from David Ruwadi.

3-0 yes

Gonzalez thanked Rohn for his work on the amphitheater project.

Fiscal Department

ATTACHMENT 05/12/20 D

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,297,456.41.

3-0 yes

ATTACHMENT 05/12/20 E

Hawke moved and Pizzino seconded a motion to approve the minutes of the April 28, 2020 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 05/12/20 F

Hawke moved and Pizzino seconded a motion to approve the monthly reports for April 2020.

3-0 yes

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, May 26, 2020, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- **CIC**, May 21, 2020, 8:00 a.m., via video conference. Those interested in participating should email Katie Robertson at krobertson@jacksontwp.com.
- **LOGIC**, June 4, 2020, 9:00 a.m., via video conference. Those interested in participating should call (330)-830-4285.

- **Zoning Meetings:**
 - Board of Zoning Appeals - June 11, 2020, 5:00 p.m., via video conference. Those interested in participating should call (330)-832-8023.

Old Business – None

New Business

Hawke briefly reviewed the Media Release, which can be found in its entirety [here](#). It will go into effect May 18, 2020.

To summarize, the Jackson Parks will remain open to the public for walking and jogging, however, the fields and courts are still closed. We are monitoring the Governor’s directives from the Outdoor Recreation Advisory Group and will make adjustments as information is made available.

The Safety Center will re-open to the public, however we are limiting the number of people in the lobby to 4 at a time. If you need to come in person, please try to make an appointment first and please wear a mask to help keep our staff and residents safe.

The Administration Building will also re-open, but we are asking the same thing in terms of only coming into the building if absolutely necessary. If you must, please try to make an appointment and wear a mask or face covering of some sort. As a reminder, several services are available online at www.jacksonwp.com.

Lastly, in terms of funding, please take a few minutes to complete the census. It is vital information in order for Jackson Township to get the appropriate money. The census can be completed by going online to www.2020census.gov. Gonzalez added a reminder that the money from Federal Government CARES package is based primarily on population. Therefore it is our money that is being returned back to us, so it is important that they know how many people are here in the Township.

Hawke moved and Pizzino seconded a motion to adjourn. **3-0 yes**

Todd Hawke

Randy Gonzalez