

**RECORD OF PROCEEDINGS**

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

**MARCH 9, 2021**

Hawke called the meeting to order at 3:34 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino, and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Assistant Law Director FitzSimmons, Zoning Inspector Poindexter, Fire Chief Hogue, Police Chief Brink, and Public Works Director Rohn were also in attendance.

Hawke moved and Thomas seconded a motion to go into Executive Session for Fire Department Personnel (Appointment / Employment / Compensation) – Deputy Chief Posting.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Fire Department Personnel (Appointment / Employment / Compensation) – Grievances.

**3-0 yes**

Upon return from Executive Session at 4:30 p.m., Hawke called the General Session to order. Hawke requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

**Public Speaks - None**

**Fire Department**

The first order of business was the swearing in of new Fire Chief, Timothy G. Berczik. Hawke expressed the Board's appreciation to Chief Hogue for his years in fire service and welcomed Chief Berczik into his new role. Chief Hogue also offered his support of Chief Berczik. There was a brief recess for photos.

**RESOLUTION 21-049 ATTACHED**

**FULL TIME FIRE CHIEF OATH OF OFFICE**

Hawke moved and Pizzino seconded a motion that we hereby accept the attached Oath of Office for Timothy G. Berczik, Full Time Fire Chief for the Jackson Township Fire Department, Stark County, Ohio, effective March 12, 2021 at 1630 hours.

**3-0 yes**

Hawke moved and Thomas seconded a motion to accept a grant in the amount of \$5,000.00 from the Roland and Linda Lindsay Charitable Fund administered by the Stark Community Foundation.

**3-0 yes**

**Administration Department**

**ATTACHMENT 03/09/21 A**

Hawke moved and Pizzino seconded a motion to authorize and place the Board members' signatures on a letter of support for Stark Parks.

**3-0 yes**

Gonzalez asked to speak about the Jackson Tunnel Project. This project has been in the works for many years. There have been several attempts to make it happen. Each attempt has faced considerable obstacles. We finally have what is needed for the project to move forward. Gonzalez added that there may be that additional funding available through the upcoming federal relief bill or at least an upcoming infrastructure bill. Trustee Thomas said that he likes the project, but thinks the cost is too high.

**RESOLUTION 21-050 ATTACHED**

**LETTER OF COMMITMENT – JACKSON TUNNEL PROJECT**

Hawke moved and Pizzino seconded a motion that whereas, the Stark County Park District (the "District") has secured partial funding from the Ohio Department of Transportation to construct a tunnel under Fulton Road for a District walking path (the "Project");

Whereas, the remaining cost of the Project will be divided evenly between the District, the Township and the Jackson Local School District (the "School");

Whereas, the District, Township and School did memorialize their respective obligations with respect to the Project in a Support Agreement, approved pursuant to Resolution 20-077; and

Whereas, due to utility relocation an increase in construction costs has occurred which exceeds the Township's initial partner contribution; and

Whereas, the Trustees believe that the Project is in the best interests of the Township and the health, safety, and welfare of its residents.

Be it resolved that we hereby adopt, approve, and authorize the placement of our signatures upon, the attached Letter of Commitment.

**Hawke – yes**  
**Pizzino – yes**  
**Thomas - no**

**ATTACHMENT 03/09/21 B**

Hawke moved and Pizzino seconded a motion that we do not request a hearing for the Liquor Permit for Morning Chef LLC, 6708 Strip Ave NW, Jackson Township, North Canton, OH 44720.

**3-0 yes**

**ATTACHMENT 03/09/21 C**

Hawke moved and Pizzino seconded a motion to approve a Then & Now Certificate for purchase order MV21082 to Kurtz Brothers in the amount of \$10,230.00 for incorrect invoices from 2020.

**3-0 yes**

**RESOLUTION 21-051 ATTACHED**

**PROPOSED COMMUNITY ENTERTAINMENT DISTRICT (CED) APPLICATION & NOTICE OF HEARING**

Hawke moved and Pizzino seconded a motion that whereas, on March 3, 2021, the Board of Trustees received an application pursuant to Ohio Revised Code Section 4301.80 for a proposed Community Entertainment District (CED) in Jackson Township.

Be it resolved that the Board of Trustees of Jackson Township shall hold a public hearing on the proposed CED will be held at Jackson Township Hall on March 23, 2021 at 5:00 p.m. during the regular Board of Trustees meeting.

Be it further resolved that a copy of the application for the proposed CED is available for public examination at the Jackson Township Administrative Offices, 5735 Wales Avenue NW, Massillon, Ohio 44646 during regular business hours.

Be it further resolved that the Fiscal Officer publish the attached newspaper notice.

**3-0 yes**

**RESOLUTION 21-052 ATTACHED**

**JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD OF DIRECTORS – STARK STATE**

Pizzino moved and Thomas seconded a motion that pursuant to 715.72(P)(2)(b) and Section 9 of the Jackson/Canton Joint Economic Development District Contract, we hereby re-appoint Todd J. Hawke, Chairman, Board of Trustees of Jackson Township, Stark County, Ohio, as the Township member of the Jackson/Canton Joint Economic Development District Board of Directors (JEDD Board of Directors) for a four year term from 10/23/21 to 10/22/25.

**3-0 yes**

**RESOLUTION 21-053 ATTACHED**

**JOINT ECONOMIC DEVELOPMENT DISTRICT CD BOARD OF DIRECTORS**

Pizzino moved and Thomas seconded a motion that pursuant to ORC Section 715.72 and Section 9 of the Jackson/Canton Joint Economic Development District CD Contract, we hereby re-appoint Todd J. Hawke, Chairman, Board of Trustees of Jackson Township, Stark County, Ohio, as the Township member of the Jackson/Canton Joint Economic Development District CD Board of Directors (JEDD CD Board of Directors) for a four year term from 3/12/21 to 3/12/25.

**3-0 yes**

**RESOLUTION 21-054 ATTACHED**

**JOINT ECONOMIC DEVELOPMENT DISTRICT TSG BOARD OF DIRECTORS**

Pizzino moved and Thomas seconded a motion that pursuant to ORC Section 715.72 and Section 9 of the Jackson/Canton Joint Economic Development District TSG Contract, we hereby re-

appoint Todd J. Hawke, Chairman, Board of Trustees of Jackson Township, Stark County, Ohio, as the Township member of the Jackson/Canton Joint Economic Development District TSG Board of Directors for a four year term from 11/21/21 to 11/21/25.

**3-0 yes**

### **Legal Department**

#### **RESOLUTION 21-055 ATTACHED AMPHITHEATER BAND BOOKING AGREEMENTS**

Hawke moved and Thomas seconded a motion that whereas, the Board of Trustees owns the Jackson Amphitheater in Jackson Township, Stark County, Ohio.

Whereas, the Board of Trustees has determined that, as part of its programming for the Jackson Amphitheater, the acts identified in the attached contracts are to be engaged for performances for the 2021 season.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Booking Agreements for the following bands:

1. Terry Lee Goffee; and
2. Escape

**3-0 yes**

### **Police Department**

#### **ATTACHMENT 03/09/21 D**

Hawke moved and Thomas seconded a motion to accept the attached resignation from part-time Police Patrol Officer, Joseph J. Stambolzioviski, effective March 3, 2021, at 14:30 hours.

**3-0 yes**

#### **RESOLUTION 21-056 ATTACHED GRAYSHIFT GRAYKEY UPGRADE**

Hawke moved and Thomas seconded a motion that we hereby authorize the upgrade of one (1) GrayKey License - Advanced Unit and a one (1) year GrayKey annual license with Grayshift in the amount of \$9,995.00.

**3-0 yes**

#### **ATTACHMENT 03/09/21 E**

Hawke moved and Pizzino seconded a motion to approve a Then & Now Certificate for purchase order RG21326 to Axon Enterprise in the amount of \$69,000.00 for dash and body cameras payment plan. The dash cameras invoice for \$19,500.00 was sent in February, but not received until March.

**3-0 yes**

**RESOLUTION 21-057 ATTACHED  
AXON EQUIPMENT PURCHASE**

Hawke moved and Pizzino seconded a motion that whereas, on December 11, 2018, we authorized Police Chief Mark Brink to execute the Axon Master Services and Purchasing Agreements for future purchases of equipment from Axon Enterprises, Inc.

Be it resolved that we hereby authorize the purchase of the attached equipment in the amount of \$18,295.92.

**3-0 yes**

Chief Brink thanked Chief Hogue for his service. He expressed his appreciation for their professional working relationship over the past 8 years. Chief Brink also welcomed newly appointed Chief Berczik.

Hawke also commended Chief Brink and the Police Department for the great work they have done during the past couple weeks. Chief Brink agreed that the department has responded to some dangerous and stressful situations recently and he is proud of the work of his officers.

**Public Works Department**

**Highway Division**

**RESOLUTION 21-058 ATTACHED  
2021 CURBING REPLACEMENT PROJECT**

Hawke moved and Thomas seconded a motion that we hereby authorize the attached Advertisement for Bids for 2021 Curbing Replacement Project in accordance with the Specifications on file.

**3-0 yes**

**RESOLUTION 21-059 ATTACHED  
2021 RESURFACING PROJECT**

Hawke moved and Thomas seconded a motion that we hereby authorize the attached Advertisement for Bids for 2021 Resurfacing Project in accordance with the Specifications on file.

**3-0 yes**

**ATTACHMENT 03/09/21 F**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 202.310.5387 Discretionary - Hwy, to account code 202.310.5392 Equip/Tool Repair, in the amount of \$5,000.00.

**3-0 yes**

**Fiscal Office**

**ATTACHMENT 03/09/21 G**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,410,420.83.

**3-0 yes**

**ATTACHMENT 03/09/21 H**

Hawke moved and Pizzino seconded a motion to approve the minutes of the February 23, 2021 Board of Trustees’ meeting.

**3-0 yes**

**ATTACHMENT 03/09/21 I**

Hawke moved and Pizzino seconded a motion to approve the monthly reports for February 2021.

**3-0 yes**

**Routine Business**

**Announcements**

- Next regular **Board of Trustees’** meeting, March 23, 2021, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, March 18, 2021, 8:00 a.m., via video conference.
- **Celebration Meeting** – March 23, 2021, 3:00 p.m., Jackson Township Hall.
- **LOGIC**, April 1, 2021, 9:00 a.m., via video conference. Those interested in participating should call (330) 830-4285.
- **Zoning Meetings:**
  - Board of Zoning Appeals – None Scheduled.
  - Zoning Commission – March 18, 2021, 5:00 p.m., Jackson Township Hall.

**Old Business – None**

**New Business - None**

**Zoning and Planning Department**

Hawke moved and Pizzino seconded a motion to set a public hearing for Zoning Amendment 647-21 on March 23, 2021, at 5:00 p.m. Matt Scheetz, 8060 Frank NW, N. Canton, OH and Dominic Ferrante, 6677 Frank NW, N. Canton, OH agent for Scheetz Building Corp., 8060 Frank NW, N. Canton, OH and Sol Partners, LLC, 6677 Frank NW, N. Canton, OH proposes to rezone B-1 Suburban Office and Limited Business District to B-2 Neighborhood Business District 6665 & 6677 Frank & Parcel #10005889 Frank located on the west side of Frank approx. 385 ft. south of the southwest corner of Frank and Portage, Sect. 11SE/14NE Jackson Twp.

**3-0 yes**

Hawke moved and Thomas seconded a motion to set a public hearing for Zoning Amendment 648-21 on March 23, 2021, at 5:15 p.m. The Jackson Township Trustees propose misc. text

amendments to the zoning resolution, including but not limited to, modifications to definitions, locations of Bed and Breakfast, skill-game use with over 5 machines as a conditional use and adding or modifying regulations for clarification purposes.

**3-0 yes**

Hawke moved and Thomas seconded a motion to set a public hearing for Zoning Amendment 643-20 on April 27, 2021, at 5:30 p.m. David M. Kolar, 130 West Streetsboro St., Hudson, Ohio 44236 agent for Eugenia L. Frank, Trustee, property owner, 6404 Lake Cable NW, Canton, Ohio 44718 proposes to rezone R-R Rural Residential District to R-3 PUD Residential Planned Unit Development District approx. 53.39 acres, more or less, consisting of portions of parcel #1630351 and #1600632 located on the south side of Portage approx. 445 ft. east of Blendon NW, Sect. 11SE/14NE Jackson Twp. Hearing will be held at Jackson High School located at 7600 Fulton Drive NW, Massillon, OH 44646.

**3-0 yes**

Hawke moved and Thomas seconded a motion to set a public hearing for Zoning Amendment 644-20 on April 27, 2021, at 5:30 p.m. David M. Kolar, 130 West Streetsboro St., Hudson, Ohio 44236 agent for Eugenia L. Frank, Trustee, property owner, 6404 Lake Cable NW, Canton, Ohio 44718 proposes to rezone R-R Rural Residential District to R-1A Single Family Residential District approx. 25.50 acres, more or less, of a 77.86 acre tract, Parcel #1630351, located on the south side of Portage approx. 1,280 ft. west of Frank Ave. NW, Sect. 14NE Jackson Twp. Hearing will be held at Jackson High School located at 7600 Fulton Drive NW, Massillon, OH 44646.

**3-0 yes**

#### **ATTACHMENT 03/09/21 J**

5:00 p.m. Public Hearing – Proposed revision of Zoning Amendment 560-07. A-List Land Development LLC, property owner, 1425 Whipple Ave. NW, Canton, Ohio 44708 requests revision to the layout of a previous R-3 PUD Development plan, approved on June 11, 2007 by the Jackson Township Trustees. Property located at the northeast corner of Portage and Lutz, Parcel #1630190, Sect. 8SW Jackson Twp.

Mr. Bob Warner of Environmental Design Group, 450 Grant St., Akron, OH, presented the revision to the Trustees. The original plan was approved in 2007 with 51 lots proposed. Since that time, a development has been built to the north, making the original street configuration unsuitable. A new plan was developed. Mr. Warner presented the new plan that includes 57 lots (although he believes he sent Poindexter the wrong plan depicting 56 lots), all with the minimum 7,500 sq. ft., most lots being 60 ft. or larger, but five lots that are only 55 ft. The revision also includes landscape mounds with pine trees along adjoining property, two detention ponds, and a 12” gas line which would allow some additional open space.

There was no one to speak in favor of the revision and Hawke reminded the attendees that this public hearing was not a zoning change, just a change in design of the site.

Vaccaro asked if anyone has seen the revised plan and it was determined that they had not. When Mr. Warner showed the new plans on the projection screen, Poindexter also realized that the Township did not have the current plan with the 57 lots. Therefore, Hawke decided that he was

not in a position to make a decision after seeing the new plans for only a few minutes. Pizzino stated that they could not make a decision since the numbers they had calculated were based off of the plan showing 56 lots. Pizzino requested a continuance and Thomas agreed. Hawke stated that the Trustees would not hear any arguments against the revision since neither the Trustees nor the public have had time to review the current plans.

Hawke moved and Thomas seconded a motion to continue the hearing on March 23, 2021 at 5:30 p.m.

**3-0 yes**

**Public Speaks - None**

Hawke moved and Pizzino seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**