

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

NOVEMBER 24, 2020

Hawke called the meeting to order at 3:15 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Zoning Inspector Poindexter, Fire Chief Hogue, Police Chief Brink, and Public Works Director Rohn were also in attendance.

#### Departmental Budgets

##### Legal Department

Hawke moved and Pizzino seconded a motion to approve Budget Module 1 for Current Services in the amount of \$294,202.97.

**3-0 yes**

##### Zoning and Planning Department

Hawke moved and Thomas seconded a motion to approve Budget Module 2021-1 for Zoning Operations in the amount of \$328,554.00.

**3-0 yes**

##### Fiscal Department

Hawke moved and Pizzino seconded a motion to approve Budget Module 21-01 for Current Level of Operations in the amount of \$547,005.00.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Zoning Department Personnel (Appointment / Employment / Compensation) – Interview Zoning Commission Candidate.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Police Department Personnel (Appointment / Employment / Compensation) – Unpaid Leave of Absence.

**3-0 yes**

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

**3-0 yes**

Upon return from Executive Session at 5:02 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**

### **ATTACHMENT 11/24/20 A**

John Ney of 9604 Cliffview St., NW Clinton, OH 44216, President of Turnstone Homeowners Assoc. addressed the Trustees with concerns about a recent fire and explosion in his neighborhood. His neighborhood is located off High Mill, past Strausser, but before Mt. Pleasant. Mr. Ney explained that early this month, on November 8, 2020, there was a fire and explosion at 8490 High Mill Ave NW as a result of two individuals burning waste from tree trunks using old gas to light the fire. One of the individuals was seriously injured. His concern is amplified by the fact that Dominion has several storage tanks on nearby properties in this area and according to Mr. Ney, this particular homeowner has been burning on this property since the summertime. Mr. Ney is worried about what might happen if there were to be a leak in one of the gas pipelines or storage tanks in the neighborhood. He informed the Trustees that he has been in contact with several agencies, including the Fire Department, Zoning Department, Air Pollution Control, and Dominion and has discovered that the homeowner in question had received a burning warning on July 21, 2020, but continues to have fires.

The Trustees responded and indicated that they had spoken with Dominion and they are aware and on top of the situation. They also informed Mr. Ney and other residents to call the Fire Department if they see burning taking place. Pizzino said they researched this residence and there were only 2 calls concerning this property. However, if the neighbors call in when they see burning taking place and the Fire Department has that documentation, it gives more power to the EPA to take action against them. Mr. Ney said he informed the neighborhood if they see something to call.

## **Administration Department**

### **ATTACHMENT 11/24/20 B**

Hawke moved and Pizzino seconded a motion to accept the attached retirement notice from Fire Chief, Tracy Hogue, effective March 12, 2021 at 0800 hours.

**3-0 yes**

### **RESOLUTION 20-198 ATTACHED PUBLIC ENTITY RISK SERVICES OF OHIO, INC., CLAIM**

Hawke moved and Thomas seconded a motion that we hereby authorize the Township Administrator/Law Director, as the Board of Trustees' representative, to execute any and all agreements recommended by PERSO, its agents and representatives with respect to claim number OTR020976A1.

**3-0 yes**

## **Fire Department**

### **ATTACHMENT 11/24/20 C**

Hawke moved and Pizzino seconded a motion to accept the attached retirement notice from Battalion Chief, Samuel G. Mallette, effective December 4, 2020 at 0800 hours.

**3-0 yes**

**ATTACHMENT 11/24/20 D**

Hawke moved and Thomas seconded a motion to accept the attached retirement notice from Fire Inspector, Timothy N. Coppock, effective December 11, 2020 at 1630 hours.

**3-0 yes**

**RESOLUTION 20-199 ATTACHED  
DISPATCH SERVICES AGREEMENTS (FIRE AND POLICE)**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreements for Dispatch Services for the Fire and Police Departments with the Local Organized Governments in Cooperation (LOGIC).

**3-0 yes**

**RESOLUTION 20-200 ATTACHED  
EMERGENCY MANAGEMENT ASSISTANCE COMPACT – INTERGOVERNMENTAL AGREEMENT**

Hawke moved and Thomas seconded a motion that in accordance with Ohio Revised Code Sections 5502.22, 5502.29, 5502.291 and 5502.40 we hereby authorize the Administrator/Law Director, Michael B. Vaccaro, to sign the attached Intergovernmental Agreement between Jackson Township and the Ohio Emergency Management Agency.

**3-0 yes**

**Police Department**

**ATTACHMENT 11/24/20 E**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 315.250.5652 Capital Equipment, to account code 315.250.5669 Capital Improvements, in the amount of \$190,000.00.

**3-0 yes**

**RESOLUTION 20-201 ATTACHED  
POLYGRAPH EXAMINATION SERVICES**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreement for Polygraph Examination Services with the Stark County Sheriff's Office.

**3-0 yes**

**ATTACHMENT 11/24/20 F**

Hawke moved and Pizzino seconded a motion to approve an unpaid medical leave of absence for Walter L. Peters and to extend health benefits from December 1, 2020 through December 31, 2020, with the exception that the unpaid leave of absence and health benefit terminates if the employee separates from Township employment, or separates pursuant to an OPERS approved benefit.

**3-0 yes**

## **Public Works Department**

### **Park Division**

Hawke moved and Pizzino seconded a motion to accept a sponsorship donation for the 2021 Community Celebration in the amount of \$500.00 from Kaval Levine Management Co., Inc. (Shakertown Apartments).

**3-0 yes**

Hawke moved and Pizzino seconded a motion to accept a sponsorship donation for the 2021 Community Celebration in the amount of \$500.00 from Gruber, Thomas & Co., LPA.

**3-0 yes**

## **Zoning and Planning Department**

### **ATTACHMENT 11/24/20 G**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 3410 Brunnerdale Ave NW, Parcel No. 1620398, NW Qtr Section 35, Jackson Township.

**3-0 yes**

### **ATTACHMENT 11/24/20 H**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 4896 Everhard Rd NW, Parcel Nos. 1616229 & 1613902, SW Qtr Section 24, Jackson Township.

**3-0 yes**

### **ATTACHMENT 11/24/20 I**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 5562 Foxchase Ave NW, Lot 22, Fox Chase Hills #1, Parcel No. 1612591, NW Qtr Section 22, Jackson Township.

**3-0 yes**

### **ATTACHMENT 11/24/20 J**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 8471 Kellydale St NW, Lot 75, Marlen Estates 2, Parcel No. 1607817, SE Qtr Section 29, Jackson Township.

**3-0 yes**

### **ATTACHMENT 11/24/20 K**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 1.27 acre lot, Perry Dr NW, Parcel No. 10010477, NE Qtr Section 34, Jackson Township.

**3-0 yes**

**ATTACHMENT 11/24/20 L**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 0.551 acre lot, Strouble Dr NW, Parcel No. 1615192, SE Qtr Section 23, Jackson Township.

**3-0 yes**

**ATTACHMENT 11/24/20 M**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at 1256 Taggart St NW, Lots 279, 280, and 281, Kendall Heights, Parcel No. 1614944, SE Qtr Section 32, Jackson Township.

**3-0 yes**

**ATTACHMENT 11/24/20 N**

Hawke moved and Thomas seconded a motion to submit a notice to the County Auditor for Administrative Fees for noxious weeds at Lot 21, Wooded Point Cir NW, Scenic Ridge, Parcel No. 1627765, NE Qtr Section 29, Jackson Township.

**3-0 yes**

**5:00 P.M. PUBLIC HEARING**

**Nuisance violation at 7811 Parkford St NW., Massillon, OH 44646.**

Poindexter presented to the Trustees that this nuisance has been ongoing for 8 years. There have been broken windows, inoperable and non-licensed vehicles, and this house has not been lived in for at least 11 years. There are numerous pictures in which you can see the violations and Poindexter does not see Mr. or Mrs. Diamond present.

Hawke asked if anyone was here to speak for or against the property. No one came forward.

Hawke then opened the hearing to Board comments and Pizzino, Thomas and Hawke all agreed that this nuisance has been ongoing and they have tried to work with the owner to no avail. The owner has been given more than enough time and that it is unfair to property owners nearby. They decided to continue with the nuisance.

**RESOLUTION 20-202 ATTACHED**

**NUISANCE HEARING FOR 7811 PARKFORD ST NW, MASSILLON, OH 44646**

Hawke moved and Pizzino seconded a motion that whereas, on August 26, 2020, the attached nuisance report was filed by the Zoning Inspector for property located at 7811 Parkford Street NW, Massillon, OH 44646, (Parcel #1602131) which is owned by Jeffery S. Diamond and Geraldine A. Diamond, and which said property is a single family residence. Santander Bank N.A. holds a mortgage on the real estate. Likewise, tax delinquencies exists in favor of Stark County Treasurer.

Whereas, Jeffery S. Diamond and Geraldine A. Diamond were provided notice on October 6, 2020 of the October 27, 2020, hearing to include a copy of the August 26, 2020 nuisance report. Said service was attempted by U.S. Certified Mail green card receipt. All mortgage and lien holders,

as identified and referenced above were provided notice on October 6, 2020 of the October 27, 2020 hearing to include a copy of the August 26, 2020 nuisance report.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, canceled the October 27, 2020 hearing, as we were unable to obtain service on the property owner(s).

Whereas, Jeffery S. Diamond and Geraldine A. Diamond were provided notice on November 19, 2020 of the November 24, 2020, hearing to include a copy of the August 26, 2020 nuisance report. Said service was perfected by personal service.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, held a hearing on November 24, 2020. Jeffery S. Diamond and Geraldine A. Diamond appeared and participated in the hearing.

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

Be it resolved that we hereby find that there is a white enclosed trailer with tires sunken in the ground, inoperable, with no current license plate, a commercial trailer with no current license plate, miscellaneous discarded wood items, a torn tarp, bags of items, blocks 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 7811 Parkford Street NW, Massillon, OH 44646 (Stark County Parcel No. 1602131, which is owned by Jeffery S. Diamond and Geraldine A. Diamond).
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 Santander Bank N.A. holds a mortgage on the real estate. Likewise, tax delinquencies exists in favor of Stark County Treasurer.

**3-0 yes**

**Fiscal Department**

**ATTACHMENT 11/24/20 O**

Hawke moved and Thomas seconded a motion to pay the bills in the amount of \$1,001,595.84.

**3-0 yes**

**ATTACHMENT 11/24/20 P**

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

**3-0 yes**

**ATTACHMENT 11/24/20 Q**

Hawke moved and Thomas seconded a motion to approve the following appropriation transfer request for a total of \$8,500.00.

<u>From Code</u>	<u>Description</u>	<u>To Code</u>	<u>Description</u>	<u>Amount</u>
101.150.5322	Travel	101.150.5432	Computer Services	\$ 100.00
101.150.5344	Printing	101.150.5432	Computer Services	\$ 1,000.00
101.150.5656	Inventoried Equip	101.150.5432	Computer Services	\$ 3,124.70
101.150.5458	Professional Svcs	101.150.5432	Computer Services	\$ 4,275.30

**3-0 yes**

**ATTACHMENT 11/24/20 R**

Gonzalez presented to the Board a summary of all CARES Act funds received and spent or distributed. He then asked for approval of the final expenditures to zero out the balance.

**RESOLUTION 20-203 ATTACHED**

**JACKSON TOWNSHIP CARES ACT GRANT APPLICATION (BUSINESS RELIEF 4)**

Hawke moved and Pizzino seconded a motion that whereas, on March 9, 2020, Ohio Governor Mike DeWine issued an Executive Order declaring a State of Emergency relating to the COVID-19 outbreak in the state of Ohio; and,

Whereas, on March 11, 2020, the head of the World Health Organization declared COVID-19 a global pandemic; and,

Whereas, on March 13, 2020, the President of the United States, Donald Trump, declared a National Emergency concerning the COVID-19 outbreak, stemming from the SARS-CoV-2 virus; and,

Whereas, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and,

Whereas, on October 1, 2020, the Ohio General Assembly passed H.B. No. 614 establishing the final round and a formula for the distribution of funds (“Funding”) under the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) enacted by the federal government; and,

Whereas, on October 9, 2020, Jackson Township received its final disbursement pursuant H.B. No. 614; and,

Whereas, consistent H.B. No. 614, the Jackson Township Board of Trustees on October 16, 2020, at a special meeting, passed a motion (attached) creating the Jackson Township CARES Act Grant Application program. The program was created for Jackson Township businesses to apply for reimbursement related to COVID-19 expenses (personal protection equipment) and/or revenue replacement funded by Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) received pursuant to H.B. No. 614.

Be it resolved that, the Board of Trustees of Jackson Township hereby awards grants in the amount of \$15,584.83 for reimbursement related to COVID-19 expenses for personal protection equipment and revenue loss replacement as hereto attached (Round 4).

**3-0 yes**

Hawke addressed the students in attendance at today’s meeting and spoke about the CARES Act funding and how important it was to the Township that that money go to the local businesses – back into our community and that we not send any back to the County.

The Trustees all thanked those involved in making this so successful and reiterated how thankful the business owners have been for the Township’s assistance.

## **Routine Business**

### **Announcements**

- Next regular **Board of Trustees’** meeting, December 8, 2020, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- **LOGIC**, December 3, 2020, 9:00 a.m., via video conference. Those interested in participating should call (330) 830-4285.
- **Zoning Meetings:**
  - Board of Zoning Appeals – December 10, 2020, 5:00 p.m., Township Hall.
- **Yard Debris / Waste Site**
  - Secure load before leaving for site
  - No plastic bags

- **Santa's Mailbox**, December 1 – December 15, 2020, located at front entrance of Township Administrative Building

### **Old Business**

Rohn addressed the Board about adding a fence at the main entrance of the Yard Waste Site in order to shut down the site for approximately 15 minutes in order to safely push back the debris. He also informed the public that dusk is coming earlier and the closing hours will be changing.

### **New Business**

#### **ATTACHMENT 11/24/20 S**

Hawke moved and Pizzino seconded a motion to accept a donation of two \$100.00 Buehler's gift cards to be used for Thanksgiving for both the Fire and Police Departments from Scott and Beth Wyant, Jeff LeBeau and Lauren Zink, Christopher Smith and Anna Meeks, and Josh and Jenna Allison.

### **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**