

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JUNE 8, 2021

Hawke called the meeting to order at 4:02 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 Berczik, 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 Public Works Department Personnel (Appointment / Employment / Compensation) – Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

3-0 yes

Upon return from Executive Session at 5:00 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

Administration Department

Per Vaccaro’s request, Hawke moved and Thomas seconded a motion to remove item 5C (Schedule Special Trustees’ Meeting) from the agenda.

3-0 yes

ATTACHMENT 06/08/21 A

Hawke moved and Thomas seconded a motion to rescind the maximum attendance of 1,250 guests set on April 27, 2021.

3-0 yes

ATTACHMENT 06/08/21 B

Hawke moved and Thomas seconded a motion that we do not request a hearing for the Liquor Permit for CEC Entertainment LLC dba Chuck E Cheeses, 6370 Strip Ave NW, Jackson Township, North Canton, OH 44720.

3-0 yes

Legal Department

RESOLUTION 21-109 ATTACHED CONCESSIONS CONTRACT

Hawke moved and Thomas seconded a motion that whereas, the Board of Trustees plans and operates the Community Celebration in Jackson Township, Stark County, Ohio.

Be it resolved that, we hereby adopt and authorize the placement of the Board Chairman's signature the attached Concessions Contract with the Belden Village Kiwanis.

3-0 yes

RESOLUTION 21-110 ATTACHED APPROVAL OF A PETITION FOR CREATION OF ENERGY SPECIAL IMPROVEMENT DISTRICT AND FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND AFFIDAVIT AND APPROVING THE NECESSITY OF ACQUIRING, CONSTRUCTING, EQUIPPING, IMPROVING, AND INSTALLING CERTAIN PUBLIC IMPROVEMENTS IN JACKSON TOWNSHIP, STARK COUNTY, OHIO IN COOPERATION WITH THE JACKSON TOWNSHIP (STARK COUNTY) ENERGY SPECIAL IMPROVEMENT DISTRICT

Hawke moved and Pizzino seconded a motion that whereas, Ohio Revised Code Section 1710.06(C) provides that a political subdivision which has approved a petition for special assessments for public improvements in an energy special improvement district and a plan pursuant to Ohio Revised Code Sections 1710.02(F) or 1710.06 shall levy the requested special assessments pursuant to Ohio Revised Code Chapter 727; and

Whereas, Pursuant to the *Petition for Creation of Energy Special Improvement District and for Special Assessments for Special Energy Improvement Projects and Affidavit* (the "Petition"), including an initial plan entitled *Stark County Energy Special Improvement District Program Plan* (the "Program Plan") and *Articles of Incorporation*, as validly amended from time to time (the "Articles"), ABC Gardens LLC, an Ohio limited liability company, (the "Owner"), as the owner of 100% of the real property subject to the Petition (as further described in Exhibit A to the Petition, the "Property") has requested the formation of the Jackson Township (Stark County) Energy Special Improvement District, Inc., an energy special improvement district and nonprofit corporation under the laws of the State of Ohio, to be authorized to do business as the Stark County Energy Special Improvement District (the "District"), and its Board of Directors (the "Board") in accordance with Ohio Revised Code Chapters 1702 and 1710; and

Whereas, Under the Petition the owner petitioned to add property owned by it to the District pursuant to Ohio Revised Code Chapter 1710 in part in order to finance the costs of a special energy improvement projects to be acquired, constructed, equipped, improved, and installed on the property, which special energy improvement project consists of acquiring, constructing, equipping, improving, and installing energy efficiency improvements on its real property, including, without limitation, wood truss roof assemblies with R-49 blown insulation, high-efficiency exterior walls, high-efficiency windows, high-efficiency natural gas furnaces, high-efficiency condensing units, high-efficiency gas water heaters, high-efficiency LED lighting, programmable smart thermostats, and other related improvements (the "Project"); and

Whereas, The Petition, which is on file with the Jackson Township Board of Trustees and the Jackson Township Fiscal Officer, has been signed by the Owner, as the owner of 100% of the Property, and proposes the necessity of acquiring, constructing, equipping, improving, and installing the Project and financing the Project through the cooperation of the District; and

Whereas, The Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and length of the special assessments to be imposed with respect to the Project; and

Whereas, In the Petition, the Owner requests that the Project be paid for by special assessments assessed upon the Property (the “Special Assessments”) in an amount sufficient to pay the costs of the Project, which is estimated to be in the maximum amount of \$16,432,572.80, including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and District administrative fees and expenses, and requests that the Project be undertaken cooperatively by the Township, the District, and such other parties as the Township may deem necessary or appropriate; and

Whereas, In furtherance of the future addition of any real property in any municipal corporation or township contiguous to the municipal corporations or townships in which a portion of the territory of the District is located, it is necessary, and this Board of Trustees has determined, to approve the addition of such real property to the territory of the District, all in accordance with Ohio Revised Code Chapter 1710; and

Whereas, the Jackson Township Board of Trustees, as mandated by Ohio Revised Code Chapter 1710, must approve or disapprove the Petition within 60 days of the submission of the Petition;

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

Section 1. Definitions. Each capitalized term not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

Section 2. Approval of Petition, Program Plan, Articles of Incorporation. The Jackson Township Board of Trustees hereby approves the Petition, the Program Plan, and the Articles of Incorporation now on file with the Jackson Township Board of Trustees and the Jackson Township Fiscal Officer. The Jackson Township Board of Trustees hereby appoints Randy Gonzalez to serve on the Board of Directors of the District as provided in Ohio Revised Code Section 1710.04(A). The Jackson Township Board of Trustees hereby approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township within Stark County, Ohio or within any county that is contiguous to Stark County, Ohio, and any other municipal corporation or township as may be authorized from time by time by law to become a “participating political subdivision,” as defined in Ohio Revised Code Section 1710.01(E), of the District, (ii) the addition of any such municipal corporation or township in

which such real property is located as a participating political subdivision of the District, and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.

Section 3. Public Necessity of Special Assessments. The Jackson Township Board of Trustees declares necessary, and a vital and essential public purpose of the Township, to improve the Property, which is located within the Township with Stark County Auditor parcel identification number 10013034, by providing for the acquisition, construction, and improvement of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Authorized Improvements and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Authorized Improvements in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses; together with all other necessary expenditures, all as more fully described in the Petition and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Board of Trustees and the Fiscal Officer and open to the inspection of all persons interested.

Section 4. One Project. The Jackson Township Board of Trustees Board of Trustees determines that the Project's elements are so situated in relation to each other that in order to complete the acquisition and improvement of the Project's elements in the most practical and economical manner, they should be acquired and improved at the same time, with the same kind of materials, and in the same manner; and that the Project's elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project's elements shall be treated as a joint improvement to be undertaken cooperatively by the Township and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710.

Section 5. Approval of Plans. The plans and specifications and total cost of the Project now on file with the Jackson Township Board of Trustees and the Jackson Township Fiscal Officer as part of the Petition and the Program Plan are approved, subject to changes as permitted by Ohio Revised Code Chapter 727. The Project shall be made in accordance with the plans, specifications, profiles, and estimates for the Project.

Section 6. Public Necessity of Project. The Jackson Township Board of Trustees hereby determines that the Project is a necessary and essential and vital public, governmental purpose of the Township, to improve the Property through the acquisition, construction, equipping, improvement, and installation of the Project as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the Township, it is necessary and proper to provide, in cooperation with the District, for the acquisition, construction, and improvement of the Project in the manner contemplated by the Petition. The Jackson Township Board of Trustees determines and declares that the Project is

conducive to the public peace, health, safety and welfare of the Township and the inhabitants of the Township.

Section 7. Allocation of Costs of Project. Pursuant to and subject to the provisions of the valid Petition signed by the owners of 100% of the Property, the entire cost of the Project shall be paid by the Special Assessments levied against the Property, which is the benefited property. The Township does not intend to issue securities in anticipation of the either levy of the Special Assessments or the collection of the Special Assessments.

Section 8. Assessment Method. The method of levying the Special Assessments shall be in proportion to the benefits received, allocated among the parcels constituting the Property as set forth in the Petition.

Section 9. Property. The lots or parcels of land to be assessed for the Project shall be the Property, described in Exhibit A to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

Section 10. Assessment Schedule. The Special Assessments shall be levied and paid in forty semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition, and the Owner has waived its option to pay the Special Assessment in cash within 30 days after the first publication of the notice of the assessing Resolution.

The aggregate maximum amount of Special Assessments estimated to be necessary to pay the costs of the Project is \$16,432,572.80. Each semi-annual Special Assessment payment represents payment of a portion of any principal repayment, an assumed maximum rate of interest, and administrative fees payable with respect to the Project. As requested in the Petition, the final aggregate amount of the Special Assessments may be in an amount less than the aggregate amount of \$16,432,572.80 if the final rate of interest for the financing for the Project is less than the assumed maximum rate of interest. If the rate of interest is less than the assumed maximum rate of interest such that the aggregate amount of Special Assessments necessary to repay the financing for the Project is less than the aggregate amount of \$16,432,572.80, the Property Owner and the provider of the financing shall certify a final schedule of Special Assessments to the Township, which final schedule shall be certified to the County Auditor of Stark County, Ohio for collection. The maximum interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township. In addition to the Special Assessments, the County Auditor of Stark County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount will be added to the Special Assessments by the County Auditor of Stark County, Ohio.

Section 11. Board of Trustees and Fiscal Officer to File Estimate of Special Assessments. The Board of Trustees and the Fiscal Officer, or their designee, are authorized and directed to prepare and file in the office of the Board of Trustees and the Fiscal Officer the estimated Special Assessments for the costs of the Project in accordance with the method of assessment set forth in

the Petition and this Resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

Section 12. Notice to Property Owner. Upon the filing of the estimated Special Assessments with the Jackson Township Board of Trustees and the Jackson Township Fiscal Officer, notice of the adoption of this Resolution and the filing of the estimated Special Assessments shall be served upon the Owner of the Property, as provided in Ohio Revised Code Section 727.13. The appropriate officials of the Township shall also comply with the applicable procedural requirements of Ohio Revised Code Chapter 727.

Section 13. Collection of Special Assessments. The Jackson Township Board of Trustees and the Jackson Township Fiscal Officer, or their designee, is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition and construction of the Project.

Section 14. Appropriation of Special Assessments. The Special Assessments will be used by the Township to provide the Authorized Improvements in cooperation with the District in any manner, including assigning the Special Assessments actually received by the Township to the District or to another party the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

Section 15. Acceptance of Waiver of Process. The Jackson Township Board of Trustees accepts and approves the waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727, Ohio Revised Code Chapter 1710, and consents to the immediate imposition of the Special Assessments upon the Property. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of the Resolution of Necessity under Ohio Revised Code Sections 727.13 and 727.14;
- (ii) The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06, including the right to consider the Special Assessments authorized by the Petition within the limitations contained in Ohio Revised Code Section;
- (iii) The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
- (v) The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;
- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;
- (viii) The right to notice of the passage of the assessing Resolution under Ohio Revised Code Section 727.26; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

Section 16. No Ownership by Township. Pursuant to Ohio Revised Code Section 1710.02(G)(4), the Jackson Township Board of Trustees determines that the Project is not required to be owned exclusively by the Township for its purposes, for uses determined by the Jackson Township Board of Trustees, as the legislative authority of the Township, as those that will promote the welfare of the people of such participating political subdivision to: improve the quality of life and the general and economic well-being of the people of Township; better ensure the public health, safety, and welfare; to conserve energy resources and reduce energy waste; provide for the conservation and preservation of water and other natural resources; make urban areas more desirable or suitable for development and revitalization; control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources. The Jackson Township Board of Trustees accordingly authorizes the Board of Directors of the District (the “Board”) to act as its agent to sell, transfer, lease, or convey the Project. The consideration the Board must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project on the Property is any consideration greater than or equal to One Dollar and Zero Cents (\$1.00).

Section 17. Compliance with Open Meetings Requirements. That the Jackson Township Board of Trustees finds and determines that all formal actions of this Board of Trustees concerning and relating to the passage of this legislative Resolution were adopted in an open meeting of the Jackson Township Board of Trustees, Stark County, Ohio, and that all deliberations of this Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22, [and utilizing electronic means, as permitted under Amended Substitute House Bill 197 of the 133rd General Assembly of the State of Ohio, Effective March 27, 2020].

3-0 yes

RESOLUTION 21-111 ATTACHED

DETERMINATION TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, EQUIPPING, IMPROVEMENT, AND INSTALLATION OF CERTAIN PUBLIC IMPROVEMENTS IN JACKSON TOWNSHIP, STARK COUNTY, OHIO IN COOPERATION WITH THE JACKSON TOWNSHIP (STARK COUNTY) ENERGY SPECIAL IMPROVEMENT DISTRICT.

Hawke moved and Thomas seconded a motion that whereas, the Board of Township Trustees (“Board of Trustees”) of Jackson Township, Stark County, Ohio (the “Township”) duly adopted Resolution No. 21-110 on June 8, 2021 (the “Resolution of Necessity”), (i) declaring the necessity of acquiring, constructing, equipping, improving, and installing energy efficiency improvements, including, without limitation, wood truss roof assemblies with R-49 blown insulation, high-efficiency exterior walls, high-efficiency windows, high-efficiency natural gas furnaces, high-efficiency condensing units, high-efficiency gas water heaters, high-efficiency LED lighting, programmable smart thermostats, and related improvements (the “Project”, as more fully described in the Petition referenced in this Resolution) located on real property owned by ABC Gardens LLC, an Ohio limited liability company (the “Owner”) within the Township and having Stark County Auditor parcel identification number 10013034 (the “Property”, as more fully described in Exhibit A to the Petition); (ii) providing for the acquisition, construction, equipping, improvement, and installation of the Project by the Owner, as set forth in the Owner’s *Petition for Creation of Energy Special Improvement District and for Special Assessments for Special Energy*

Improvement Projects and Affidavit (the “Petition”), including by levying and collecting special assessments to be assessed upon the Property (the “Special Assessments”) in an amount sufficient to pay the costs of the Project, which is estimated to be a maximum of \$16,432,572.80, including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and administrative fees and expenses of the Jackson Township (Stark County) Energy Special Improvement District, Inc., an energy special improvement district and nonprofit corporation under the laws of the State of Ohio, to be authorized to do business as the Stark County Energy Special Improvement District (the “District”); and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the Township and the District; and

Whereas, the claims for damages alleged to result from and objections to the Project have been waived by 100% of the affected property owners and no claims for damages or objections have been filed;

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

Section 1. Definitions. Each capitalized term not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

Section 2. Determination to Proceed. This Board of Trustees declares that its intention is to proceed with the acquisition, construction, and improvement of the Project described in the Petition and the Resolution of Necessity. The Project shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with the Board of Trustees and the Fiscal Officer.

Section 3. Special Assessments. The Special Assessments to pay costs of the Project, which are estimated to be a maximum of \$16,432,572.80, including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Authorized Improvements in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, shall be assessed against the Property in the manner and in the number of semi-annual installments provided in the Petition and the Resolution of Necessity. Each semi-annual Special Assessment payment represents the payment of a portion of any principal repayment and interest and administrative fees payable with respect to the Project. The Special Assessments shall be assessed against the Property commencing in tax year 2022 for collection in 2023 and shall continue through tax year 2041 for collection in 2042. In addition to the Special Assessments, the County Auditor of Stark County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount, if imposed, will be added to the Special Assessments by the County Auditor of Stark County, Ohio.

Section 4. Amount of Assessments. That the estimated maximum amount of Special Assessments for costs of the Project prepared and filed in the offices of the Board of Trustees and the Fiscal Officer, in accordance with the Resolution of Necessity, are adopted.

Section 5. Certification to County Auditor. That in compliance with Ohio Revised Code Section 319.61, the Board of Trustees and the Fiscal Officer are directed to deliver a certified copy of this Resolution to the County Auditor of Stark County, Ohio within 15 days after the date of its passage.

Section 6. Contracts. That all contracts for the construction of the Project will be let solely by the Owner or its designees in its or their individual capacities in the manner provided by law, subject to the provisions of the Ohio Revised Code and the Petition, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

Section 7. Compliance with Open Meetings Requirements. That this Board of Trustees finds and determines that all formal actions of this Board of Trustees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22[, and utilizing electronic means, as permitted under Amended Substitute House Bill 197 of the 133rd General Assembly of the State of Ohio, Effective March 27, 2020].

3-0 yes

Police Department

RESOLUTION 21-112 ATTACHED

POLICE DEPARTMENT PART-TIME POLICE OFFICER APPOINTMENT

Hawke moved and Thomas seconded a motion that pursuant to ORC Sections 505.49 and 509.01, Tyler P. Roberts is hereby employed and appointed as a Part-time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, effective June 12, 2021 at 0001 hours at the Part-time Patrol Officer rate of \$23.00 per hour.

3-0 yes

ATTACHMENT 06/08/21 C

Hawke moved and Thomas seconded a motion to accept the attached resignation from part-time Police Patrol Officer and Constable, John Angelo, effective May 27, 2021, at 0800 hours.

3-0 yes

ATTACHMENT 06/08/21 D

Hawke moved and Thomas seconded a motion to accept the attached resignation from full-time Police Patrol Officer and Constable, Robert T. Moderwell, effective June 18, 2021, at 2200 hours.

3-0 yes

Public Works Department

Highway Division

ATTACHMENT 06/08/21 E

Hawke moved and Thomas seconded a motion to adopt and authorize the Board Chairman's signature upon the attached Change Order No. 1 for the Resurfacing Project 2021.

3-0 yes

Park Division

Hake moved and Pizzino seconded a motion to accept a sponsorship donation to the 2021 Community Celebration in the amount of \$250.00 from C. Massouh Printing Co., Inc.

3-0 yes

ATTACHMENT 06/08/21 F

Hawke moved and Thomas seconded a motion to adopt and authorize the placement of the Board Chairman's signature upon the attached Community Celebration Contract.

3-0 yes

Central Maintenance Division

ATTACHMENT 06/08/21 G

Hawke moved and Thomas seconded a motion to accept the attached retirement notice from full-time Building Maintenance Worker, Fred C. Edgar, effective July 31, 2021 at 1500 hours.

3-0 yes

Fire Department

Hawke moved and Pizzino seconded a motion to accept a donation in the amount of \$100.00 from the Fraternal Order of Eagles.

3-0 yes

Zoning and Planning Department

RESOLUTION 21-113 ATTACHED

NOXIOUS WEEDS – 4807 BRUNNERDALE AVE NW, LOT 32 IN LAKE CABLE FARMLETS, PARCEL NO. 1602622, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Roger D. Meadows in Jackson Township and described as follows: 4807 Brunnerdale Avenue NW, Lot 32 in Lake Cable Farmlets, Parcel No. 1602622, Jackson Township, Ohio.

Be it resolved that said Roger D. Meadows, whose tax mailing address is, Core Logic, 2500 Westfield Dr., Elgin, IL 60124, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and

that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2021. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

RESOLUTION 21-114 ATTACHED

NOXIOUS WEEDS – 6525 & 6487 HILLS AND DALES RD NW, PARCEL NOS. 1630431 AND 1630433, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Hannan Cleaner Properties, LLC c/o Kimm Hannan in Jackson Township and described as follows: 6525 & 6487 Hills and Dales Road NW, Parcel Nos. 1630431 and 1630433, Jackson Township, Ohio.

Be it resolved that said Hannan Cleaner Properties, LLC c/o Kimm Hannan, whose tax mailing address is, Richland Correctional Institution, Kimm Hannan A760401, 1001 S. Olivesburg Road, Mansfield, OH 44905, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2021. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

RESOLUTION 21-115 ATTACHED

NOXIOUS WEEDS – 6847 FRANK AVE NW, PARCEL NO. 10001841, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Rafael M. Madrigal in Jackson Township and described as follows: 6847 Frank Avenue NW, Parcel No. 10001841, Jackson Township, Ohio.

Be it resolved that said Rafael M. Madrigal, whose tax mailing address is, Rafael M. Madrigal 6362 Hollyridge Street NW, North Canton, OH 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need

for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2021. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

RESOLUTION 21-116 ATTACHED

NOXIOUS WEEDS – 9320 SUMMIT ST NW, LOT 25 IN SCENIC WONDERLAND HILLS ALLOTMENT 7, PARCEL NO. 1605791, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Sara Cope in Jackson Township and described as follows: 9320 Summit Street NW, Lot 25 in Scenic Wonderland Hills Allotment 7, Parcel No. 1605791, Jackson Township, Ohio.

Be it resolved that said Sara Cope, whose tax mailing address is 9320 Summit Street NW Clinton, OH 44218, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2021. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

Fiscal Office

ATTACHMENT 06/08/21 H

Hawke moved and Thomas seconded a motion to pay the bills in the amount of \$1,156,467.60.

3-0 yes

ATTACHMENT 06/08/21 I

Hawke moved and Thomas seconded a motion to approve the minutes of the May 24, 2021 Board of Trustees' meetings.

3-0 yes

ATTACHMENT 06/08/21 J

Hawke moved and Thomas seconded a motion to approve the monthly reports for May 2021.

3-0 yes

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, June 22, 2021, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **LOGIC**, June 9, 2021, 9:00 a.m., Jackson Township Hall, via video conference. Those interested in participating should call (330) 830-4285.
- **Zoning Meetings**
 - Board of Zoning Appeals – June 24, 2021, 5:00 p.m., Jackson Township Hall
 - Zoning Commission – None Scheduled
- **Amphitheater Events** (www.jacksonamphitheater.com)
 - **Food Truck Thursdays** through September 30, 11:00 a.m. to 7:00 p.m.
 - **Summer Concert Series** – June 12 – Hard Day's Night (Beatles Tribute)
 - Tickets at www.jacksonamphitheater.com
 - **Thursday Night Concerts**, Jackson Amphitheater, July 8 & July 22, 6:00 p.m. to 8:00 p.m.
- **Farmers Market**, Thursdays beginning July 1 through September 30, 3:00 p.m. to 6:00 p.m., Jackson Amphitheater Parking Lot
- **Jackson Community Celebration**, June 23 – June 26, Jackson Amphitheater – Food, Rides, Games, Free Entertainment, and Fireworks on Saturday night

Old Business – None

New Business – None

A recess took place until it was time for the Public Hearing to begin at 5:15 p.m.

Zoning and Planning Department (continued)

5:15 p.m. – Public Hearing

Nuisance violation at 3049 Perry Dr NW, Jackson Township.

Poindexter presented the information stating that this nuisance has been going on since January. According to the Auditor's website, the property owners are Edward and Mary Reynolds, who

reside at 3065 Perry Dr. The zoning department has visited the property in question several times, most recently, June 7th. Mr. Reynolds was at the property doing some work, but there is much that needs done. Mary Beth is here and would like to address the Board. She is listed as one of the property owners.

Mary Beth Green of 3353 Trillium Ave NW, Canton, OH 44708. Ms. Green states that her name is on the property, however according to her divorce decree, her ex was given sole possession of the property located at 3049 Perry Dr. NW. She has no right to be on the property and has not stepped foot on it for about 5.5-6 years. She has no control over what is on the property, she has seen the pictures and is quite disturbed about the amount of garbage and other items on the land. She agrees that it needs to be cleaned up since it de-values the adjoining property (3065 Perry Dr.), to which her name is also still listed as an owner. Ms. Green said she has had discussions with George Kiko about selling or auctioning the property at 3065 Perry Dr., however he is concerned about doing that because no one wants to live next to and overlook the “junkyard” as she called it.

Vaccaro asked Ms. Green whether it was accurate that Family Court placed a receiver on the property at 3065 Perry Dr. Ms. Green confirmed that was correct. She indicated that the receiver was supposed to be responsible for selling 3065 Perry Dr. almost four years ago and that has not been done. She also said that the receiver has attempted to cajole her ex to clean up both properties to no such avail. Vaccaro wanted the record to reflect that Attorney John Frank has been in contact with him, also concerned that the property at 3049 Perry Dr. will decrease the value of the property at 3065 Perry Dr. Vaccaro also cautioned Ms. Green that if the Board were to abate the property located at 3049 Perry Dr. it may not be cleaned up to the standards that a realtor or auctioneer may want to see. Ms. Green understands that, as well as the fees that may be placed on the real estate taxes, but something needs to be done in order to clean it up and to even have a chance to sell the property located at 3065 Perry Dr.

Pizzino commented that after looking at the pictures from June 7th, they have no choice but to force a clean-up. Hawke agreed that very little effort has been made, even given the significant amount of time this has been ongoing. Thomas questioned if the first letter was sent in January, which Poindexter confirmed. She also said that the owner had several items stored on the adjacent farm, which the farm owners wanted off of their property, so she believes that he moved those items from the farm back to his property. There was no further discussion.

**RESOLUTION 21-117 ATTACHED
NUISANCE HEARING FOR 3049 PERRY DR, CANTON, OH 44708**

Hawke moved and Thomas seconded a motion that whereas, on January 28, 2021, the attached nuisance report was filed by the Zoning Inspector for property located at 3049 Perry Drive NW, Canton, OH 44708, (Parcel #1629822) which is owned by Edward B. & Mary E. Reynolds, and which said property is a single family residence. Freedom Mortgage (formerly Ohio Savings Bank) holds a mortgage on the real estate. Lien holders are Tammy Diener and the Ohio Department of Taxation. Likewise, tax delinquencies exists in favor of Stark County Treasurer.

Whereas, Edward B. & Mary E. Reynolds were provided notice on May 11, 2021 of the June 8, 2021, hearing to include a copy of the January 28, 2021 nuisance report. Said service was perfected by U.S. Certified Mail green card receipt. All mortgage and lien holders, as identified and

referenced above were provided notice on May 11, 2021 of the June 8, 2021 hearing to include a copy of the January 28, 2021 nuisance report. Said service was perfected by U.S. Certified Mail green card receipt.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, held a hearing on June 8, 2021. Mary E. Reynolds 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 you have accumulated, stored, or have existing on your property, relating to the enclosed legislation, including but not limited to, several vehicles with unlicensed or expired license plates in a wrecked inoperable or dismantled condition, one commercial bucket truck with expired plates that may be inoperable, a top of a bob cat, one utility trailer with expired license plates, two RV's that may be inoperable without current license plates, one camping trailer that is inoperable without current license plates, three pontoon boats that may be inoperable and several miscellaneous discarded items, including but not limited to, metal, plastic, tarps, furniture, hot tubs, seats, grills, signs, carpet, plastic landscaping trim, pipes, fencing, wood, truck caps, inoperable golf cart, hose reels, storage containers, car batteries, cabinets, car mats, wash tub, buckets, barrels, bricks, blocks, fish tanks, TV, windows, miscellaneous vehicle parts and tires being stored on the property 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 3049 Perry Drive NW, Canton, OH 44708 (Stark County Parcel No. 1629822, which is owned by Edward B. & Mary E. Reynolds.
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 Freedom Mortgage (formerly Ohio Savings Bank) who holds a mortgage on the real estate. Lien holders are Tammy Diener and the Ohio Department of Taxation. Likewise, tax delinquencies exists in favor of Stark County Treasurer.

3-0 yes

ATTACHMENT 06/08/21 K

5:15 p.m. Public Hearing

Proposed Zoning Amendments 650-21 and 651-21. The Jackson Township Zoning Commission and Jackson Township Trustees, via designee, propose misc. text amendments to the zoning resolution, including but not limited to, modifications to definitions, vehicle sales, general development plans, solar energy, mobile, stationary & special event vending and signs.

Poindexter indicated that proposed zoning amendment 650-21 were amendments that were initiated by and recommended for approval by the zoning commission on May 20, 2021. Poindexter gave a brief overview of the recommended changes and no one spoke in favor nor against the proposed changes.

Hawke moved and Pizzino seconded a motion to approve the proposed zoning amendments specified in Amendment 650-21.

3-0 yes

Amendment 651-21 was also recommended for approval by the Zoning Commission on May 20, 2021 with modifications as listed. The original changes were proposed by the Board. Poindexter provided a brief summary of the proposed changes and there was no discussion.

Hawke moved and Pizzino seconded a motion to approve the proposed zoning amendments specified in Amendment 651-21.

3-0 yes

Public Speaks

Mike Block, Vice President of the newly formed Jackson Softball Association, of 8624 Candlewood Ave NW, North Canton, OH 44720. Mr. Block was disappointed in the manner in which the girls' softball teams were notified of the change of their field locations. He feels as though the girls are being taken advantage of within the community and many parents are tired of the constant slighting. He looks forward to the conversation that he is going to have with several board members, however he wanted to go on record stating his displeasure with how it was handled.

The other members of the Softball Association were introduced and Vaccaro confirmed that there would be no changes through the fall.

Hawke addressed the public stating that the email they received was premature and he apologized for that. It was more a discussion about seeing if the move made sense. He said there were many things happening at Fisher Park, including new playground equipment and there is a lot to be worked out. He stated that baseball is different from softball in terms of using a pitching mound versus a flat field. He also talked about the needs of soccer and lacrosse and what's going to come of the new Tam O'Shanter Park. A meeting has been scheduled and he looks forward to continuing the discussion.

Gonzalez added that Covid has put a kink in the informational meetings that they normally would have had. In this case, David Ruwadi thought he had spoken to everyone and sent the email prematurely. Gonzalez added that there are many other factors involved and as a Township, we try to have a little something for everyone – softball, baseball, lacrosse, soccer, etc. – and make everyone happy. Unfortunately, we jumped the gun on this and he also apologized.

Hawke spoke about the ice rink plans and how they are looking at it from different angles from safety to versatility. The plans are still up in the air. Their main concern when adding things like the amphitheater, is that in the process, they don't lose current services.

Stephanie Smith, 8236 Oxford Chase Cir NW, Massillon, OH 44646. She has 3 girls in the program and likes that the girls are in the middle of North Park where they can be seen. She is worried about the girls being hidden at Fisher Park and not having the same amenities. Ms. Smith said that the Jackson Softball Association is trying to grow their program and add more age groups and divisions and that cannot be done at Fisher. They need to be seen. She suggests to let the girls have South Park near the Varsity and JV softball fields where they can still be seen and together.

Hawke responded by saying they would talk it all out at the meeting and that it has nothing to do with hiding the girls around the corner. The discussion went back and forth about the boys and girls field locations, including the Varsity and JV fields. Hawke commended the combining of their 2 organizations and the high school program and how great that is to help grow the program. He also discussed some of their other concerns about outside organizations using the fields and the parks department not being able to keep up on it all. Hawke feels that township organizations should have first choice, but also needing outside income to help balance it all out and make the needed improvements.

Gonzalez emphasized that the main thing both boys and girls have in common is that there are not enough fields. He said that the Township had tried to get the fields at Stark State, but the deal fell through. He said that when Tam O'Shanter Park is built it will primarily be soccer and lacrosse fields, but that could drastically change what happens with the baseball fields at South Park. Even at Fisher, they are trying to figure out how to get more parking availability. The purpose of the email was to start the discussions to see what was needed and where it would work best.

Mike Vitale, Co-President of the JSA. 6694 Salerno St NW, Canton, OH 44718, addressed the Board. He sees growth for the JSA and is excited for the direction it is going. He said they are working closely with the new Varsity Coach, Laura Cheyney and she wants to be involved. Mr. Vitale envisions the girls at South Park being able to walk over to a Varsity game. He hopes for alignment for the program from the Varsity level down to Kindergarten and with the coaches and

the high school players involved, he thinks there will be a lot of passion throughout the program. His goal is that once a girl joins the softball family, they don't want to lose them to other sports and appreciates anything the Board can provide to help make that happen.

Mr. Vitale also asked about renting the amphitheater. Hawke explained that the Township is not renting the amphitheater for 2021.

Mr. Vitale then asked Gonzalez how they prioritize the needs of the Township. He referred to Gonzalez mentioning the additional parking and a new playground. He asked how do the Board choose which happens first. Gonzalez responded that the Board and Rich Rohn decide that each year when they set their budget. He added that the residents of the Township are the ones who actually decide how much budget the Township has though by their vote. Hawke said that one of his deciding factors in this case was the safety of the playground. While parking may be an important issue when looking at hosting a tournament, the everyday safety of children playing on the playground takes precedence. Gonzalez also told Mr. Vitale that the Township is hoping to receive grant money to be used toward the new playground, which would be in addition to the Township's budget.

Hawke thanked everyone for being there. He said he would much rather have this discussion about how to make the Township better than have no discussion at all because residents don't care. They also discussed when the meeting may take place, but no date was set.

Hawke moved and Pizzino seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez