

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 9, 2022

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, Police Chief Brink, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

A work session was held to discuss two Amphitheater events; Employee Appreciation Night and the Haunted Hayride.

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

3-0 yes

Hawke moved and Pizzino seconded a motion to go into Executive Session for Public Works Department Personnel (Park Division) (Appointment/Employment/Compensation) – Job Descriptions.

3-0 yes

Hawke called the General Session to order at 5:25 p.m. He requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

Public Speaks - None

Administration Department

ATTACHMENT 08/09/22 A

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 101.110.5387, Discretionary - Admin, to account code 101.110.5442, Newsletter, in the amount of \$4,000.00.

3-0 yes

RESOLUTION 22-193 ATTACHED

2023 COMMUNITY CELEBRATION – BATES BROTHERS AMUSEMENT COMPANY AGREEMENT

Hawke moved and Pizzino seconded a motion that whereas, the Board of Trustees has scheduled the 2023 Community Celebration for June 21, 2023 through June 24, 2023.

Be it resolved that, we hereby adopt and authorize the placement of the Board members' signatures on the attached Agreement with the Bates Brothers Amusement Company.

3-0 yes

ATTACHMENT 08/09/22 B

Hawke moved and Thomas seconded a motion to authorize and place the Board Members' signatures on a letter of support for the Nobles Pond Drainage District.

3-0 yes

Police Department

RESOLUTION 22-194 ATTACHED

SCHOOL RESOURCE OFFICER MEMORANDUM OF UNDERSTANDING WITH THE JACKSON LOCAL SCHOOL DISTRICT

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Memorandum of Understanding for the provision of School Resource Officers to the Jackson Local School District with the Board of Education of the Jackson Local School District.

3-0 yes

Public Works Department

Highway Division

RESOLUTION 22-195 ATTACHED

CUES SEWER INSPECTION SYSTEM PURCHASE

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 125.04, we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote with MTECH for the purchase of one (1) Cues Sewer Inspection System (base system) in the amount of \$61,013.04, as the price is the State Purchasing Contract price.

3-0 yes

Park Division

ATTACHMENT 08/09/22 C

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 214.510.5762, Capital Improv - Parks, to account code 214.510.5767, Tam O'Shanter - Parks, in the amount of \$50,000.00.

3-0 yes

ATTACHMENT 08/09/22 D

Hawke moved and Pizzino seconded a motion to approve a Then & Now Certificate for purchase order RG22484 in the amount of \$50,000.00 for Schuring Park Soccer Site Development.

3-0 yes

Central Maintenance Division

ATTACHMENT 08/09/22 E

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 101.115.5114, Temp Service Pmts – CM, to account code 101.115.5522, Facility Maint/Parts – CM in the amount of \$4,000.00, to account code 101.115.5526, Fuel – CM, in the amount of \$5,000.00, and to account code 101.115.5387, Discretionary – CM, in the amount of \$43,993.17, for a total transfer of \$52,993.17.

3-0 yes

Jackson Amphitheater Division

**RESOLUTION 22-196 ATTACHED
AMPHITHEATER SPONSORSHIP AGREEMENT**

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

Whereas, the Board of Trustees has sold sponsorships in its effort to offset programming costs for engaged performances for the 2022 season of the Jackson Amphitheater.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman’s signature upon the attached Jackson Township Sponsorship Agreement with the following:

1. Krugliak, Wilkins, Griffiths & Dougherty Co., LPA \$4,800.00

3-0 yes

**RESOLUTION 22-197 ATTACHED
ARCHITECTURAL AND ENGINEERING SERVICES – AMPHITHEATER
CONCESSIONS PROJECT**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Architectural and Engineering Services Agreement with Sol Harris/Day Architecture, not to exceed \$27,285.00.

3-0 yes

Zoning and Planning Department

Poindexter explained the situation about the recurrence of issues at 7811 Parkford St NW over the past 13 years. She also confirmed receipt of letters received from the Fire Department and the Stark County Health Department condemning the house as unfit for human habitation. Poindexter is requesting that the Trustees issue a legal notice for removal of the structure at said location. Vaccaro emphasized the habitual nature of the weed and nuisance complaints over the years and informed the Board of the process of issuing the legal notice and what could happen next.

**RESOLUTION 22-198 ATTACHED
REMOVAL OF STRUCTURES PURSUANT TO OHIO REVISED CODE SECTION
505.86 – ISSUE LEGAL NOTICE**

Hawke moved and Thomas seconded a motion that whereas, Section 505.86 of the Ohio Revised Code (the "Statute") provides that a board of township trustees may provide for the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which the township is a part; and

Whereas, the real property located at 7811 Parkford St., NW, (Jackson Township) Massillon, OH 44646-1558, and further identified as Auditor's Tax ID Parcel No. 1602131 (the "Property") (Exhibit A), is owned of record by Jeffery S. Diamond (AKA Jeffrey S. Diamond) and Geraldine A. Diamond, (collectively, the "Owner"), who reside at 6560 Youngdale Ave., N.W., Canton OH 44718. Geraldine A. Diamond also is reported to live at 4216 Msderia Ave., Sebring Florida, 33872; and,

Whereas, the real property located at 7811 Parkford St., NW, (Jackson Township) Massillon, OH 44646-1558, and further identified as Auditor's Tax ID Parcel No. 1602131 (the "Property"), is mortgaged (Instrument No. 2002032500023700, Stark County Records) by Sovereign Bank whose corporate headquarters is located at 1130 Berkshire Blvd., Reading, PA, 19610; and,

Whereas, the Jackson Township Fire Department (the "fire Department") conducted a Life Safety Division Inspection of the Property on July 22, 2022 and rendered an Inspection Report that detailed numerous unsafe conditions existing on the Property, including without limitation, the main house and the separate garage-storage structure to the rear of the main home has cracks in the outer walls, unsecured doors and windows, unstable foundation. The inspection also found miscellaneous items outside the structure to be of nuisance, including without limitation, broken cement blocks, bags of items, and unlicensed trailers; and,

Whereas, the Fire Department is responsible fire and fire prevention operations in Jackson Township, including the performance of inspections and enforcement of fire and safety regulations in Jackson Township.

Whereas, the Stark County Health Department (the "Health Department") conducted an inspection of the Property on August 5, 2022, and found the home to be insured and the structure unfit for human habitation. As a result, the Health Department, pursuant to O.R.C. 3707.01, declared the structure a public nuisance; and,

Whereas, the Stark County Health Department is responsible for all public health inspections and enforcement in the unincorporated area of Jackson Township, Stark County.

Now, therefore, be it resolved by the Board of Township Trustees (the "Board") of Jackson Township, Stark County, Ohio (the "Township"), as follows:

1. The Fiscal Officer, on behalf of this Board, shall give notice by certified mail, return receipt requested, to the holders of legal or equitable liens of record upon the Property and to the Owner (each, a "Party" and collectively, the "Parties"), of the Board's intention to provide for removal of the Structures on the Property, which have been condemned by the Jackson Fire Department and deemed to be in a condition dangerous to life or health and unfit for human habitation, through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator. The notice shall include notice to the Parties that each Party in interest is entitled to a hearing on the matter of removal of the Structures if such Party shall request a hearing with the Board. Any such request for a hearing must be made in writing to the Fiscal Officer of the Township within twenty (20) days of the date of the mailing of the aforesaid notice. If the address of the Owner is unknown and cannot reasonably be obtained, the Fiscal Officer shall publish the aforesaid notice as provided in Section 505.86(B) of the Ohio Revised Code. If a Party in interest timely requests a hearing, the Board shall set the date, time and place for the hearing and notify the requesting Party by certified mail, return receipt requested; and the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the Party in interest has requested a hearing, unless otherwise agreed to by the Board and said Party in interest. The hearing shall be recorded by stenographic or electronic means.

2. The Board shall make an order deciding the matter not later than thirty (30) days after the hearing, if a hearing is requested in writing and in a timely manner as previously mentioned, or not later than thirty (30) days after mailing notice to the parties in interest if no party in interest requested a hearing. At any time, a Party in interest may consent to an order. If the Board issues an order directing the removal of the Structure which is not further appealed as provided in the Statute, then unless the Structures have been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform the removal of the Structures, the Township Administrator shall proceed to provide for the removal of the Structure in accordance with paragraph 1 hereof, and the "total cost" of such removal, as defined in Section 50S.86(A) of the Ohio Revised Code, shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Ohio Revised Code.

3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

3-0 yes

RESOLUTION 22-199 ATTACHED

NOXIOUS WEEDS – 420 STUART ST NW, LOT 60 IN BLAUMEISER ALLOTMENT, PARCEL NO. 1603459, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion that 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, Jordan & Katelyn Weaver, in Jackson Township and described as follows: 420 Stuart Street NW, Lot 60 in Blaumeiser Allotment, Parcel No. 16-03459, Jackson Township, Ohio.

Be it resolved that said Jordan & Katelyn Weaver, whose tax mailing address is Core Logic, 3001 Hackberry Road, Irving, TX 75063-0156, 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, 2022. 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 22-200 ATTACHED

NOXIOUS WEEDS – 5404 VERMOUTH ST NW, LOT 20 IN BRANDYWINE ALLOTMENT #2, PARCEL NO. 1609036, JACKSON TOWNSHIP, OHIO

Hawke moved and Thomas seconded a motion that 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 Richard Rose, in Jackson Township and described as follows: 5404 Vermouth Street NW, Lot 20 in Brandywine Allotment #2, Parcel No. 16-09036, Jackson Township, Ohio.

Be it resolved that said Richard Rose, whose tax mailing address is 5740 Carlew 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, 2022. 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 08/09/22 F

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,776,600.08.

3-0 yes

ATTACHMENT 08/09/22 G

Hawke moved and Pizzino seconded a motion to approve the minutes of the July 26, 2022 Board of Trustees' Meeting.

3-0 yes

ATTACHMENT 08/09/22 H

Hawke moved and Pizzino seconded a motion to approve the monthly reports for July 2022.

3-0 yes

RESOLUTION 22-201 ATTACHED 2023 ALTERNATE TAX BUDGET DOCUMENT

Hawke moved and Thomas seconded a motion that we hereby adopt the attached Alternate Tax Budget Document for Fiscal Year 2023 as required by the Stark County Budget Commission in their attached July 13, 2022 directive and pursuant to the July 13, 2006 action of the Stark County Budget Commission, authorize the Township Fiscal Officer to sign the Alternate Tax Budget Document and authorize the Township Fiscal Officer to file said Alternate Tax Budget Document with the Stark County Auditor's Office.

3-0 yes

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, August 23, 2022, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **LOGIC**, September 1, 2022 9:00 a.m., Jackson Safety Center, Chief's Conference Room
- **Zoning Commission**, August 18, 2022, 5:00 p.m., Jackson Township Hall
- **Amphitheater Events** (www.jacksonamphitheater.com)
 - **Food Truck Wednesdays**, through September 28, 11:30 a.m. to 8:30 p.m.
 - **Farmers Market**, Wednesdays, July 6 through September 28, 3:00 p.m. to 7:00 p.m.
 - **Wednesday Night Free Concerts**, Jackson Amphitheater, 6:30 p.m. to 8:30 p.m.
 - **Summer Concert Series**, Tickets at www.jacksonamphitheater.com
 - **August 13 – Elton Rohn**
 - **August 20 – Chris Higbee**
 - **Movie in the Park – Encanto**, August 12, 2022, 6:00 p.m., Jackson Amphitheater

Old Business – None

New Business

ATTACHMENT 08/09/22 I

Hawke moved and Thomas seconded a motion to set the 2022 Haunted Hayride event for Saturday October 22, 2022, from 7:00 p.m. to 10:00 p.m.

3-0 yes

**RESOLUTION 22-202 ATTACHED
SCHOOL RESOURCE OFFICER EMPLOYMENT AGREEMENT**

Hawke moved and Thomas seconded a motion that whereas, Chief Mark Brink has assigned Officer William L. Adams, Jr. to the School Safety Division.

Be it resolved that, pursuant to ORC Sections 505.49 and 509.01, we hereby appoint and affirm Officer William L. Adams's assignment to the School Safety Division effective August 10, 2022 at the rate of \$25.24 per hour and the benefits of a Class D employee as described in the Benefit Package for Management Personnel.

Be it further resolved that we hereby adopt and authorize the placement of the Boards' signatures upon the attached Employment Agreement.

3-0 yes

ATTACHMENT 08/09/22 J

Hawke moved and Pizzino seconded a motion to approve the attached Organizational Chart for the Public Works Department, Park Division, effective August 12, 2022.

3-0 yes

ATTACHMENT 08/09/22 K

Hawke moved and Pizzino seconded a motion to approve the attached job descriptions for the Park Superintendent, Recreation Superintendent and Amphitheater Coordinator.

3-0 yes

**RESOLUTION 22-203 ATTACHED
RECREATION SUPERINTENDENT**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 511.10, Michael E. Ryan is hereby appointed full-time Recreation Superintendent for the Jackson Township Public Works Department (Park Division), effective August 13, 2022 who may receive an annual salary of \$70,000.11 (\$33.6539 per hour) and the benefits of a Class B employee as described in the Benefit Package for Management Personnel (hired after July 1, 2012).

Be it further resolved that Michael E. Ryan shall serve a two-year probationary period and shall continue to maintain all required certifications.

3-0 yes

**RESOLUTION 22-204 ATTACHED
PARK SUPERINTENDENT**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 511.10, Michael W. Danner is hereby appointed full-time Park Superintendent for the Jackson Township Public Works Department (Park Division), effective June 1, 2022 who may receive an annual salary of \$70,000.11 (\$33.6539 per hour) and the benefits of a Class B employee as described in the Benefit Package for Management Personnel (hired before July 1, 2012).

Be it further resolved that Michael W. Danner shall serve a two-year probationary period and shall continue to maintain all required certifications.

3-0 yes

Public Speaks – None

Hawke moved and Thomas seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez