

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 11, 2022

Hawke called the meeting to order at 3:01 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, Fire Chief Berczik, Public Works Director Rohn, and Zoning Inspector Poindexter were also in attendance.

A work session was held to discuss the Tunnel Pedestrian Path and the Amphitheater Band Bookings.

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

3-0 yes

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

3-0 yes

Hawke moved and Thomas seconded a motion to go into Executive Session for Public Works Department Personnel (Public Works and Central Maintenance Divisions) (Appointment/Employment/Compensation) – Compensation.

3-0 yes

Hawke moved and Thomas seconded a motion to go into Executive Session for Administration Department Personnel (Appointment/Employment/Compensation) – Travel Policy and Benefit Package for Management Personnel.

3-0 yes

Hawke moved and Thomas seconded a motion to go into Executive Session to consider the sale of property for public purposes the premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.

3-0 yes

Hawke called the General Session to order at 5:00 p.m. He 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 swearing in of the new Fire Captain.

A brief recess was taken for pictures.

RESOLUTION 22-237 ATTACHED

ACCEPTANCE OF OATH FOR FIRE DEPARTMENT FULL-TIME CAPTAIN

Hawke moved and Pizzino seconded a motion that we hereby accept the attached oath of Office for Robert V. Cline, Full-Time Captain for the Jackson Township Fire Department, Stark County, Ohio, effective October 3, 2022 at 0800 hours.

3-0 yes

RESOLUTION 22-238 ATTACHED

STARK COUNTY HAZARD MITIGATION PLAN

Hawke moved and Pizzino seconded a motion that whereas, natural and technological hazards can affect Jackson Township; and

Whereas, significant structural, historical, and economic losses could result from an occurrence of a natural, or technological hazard event; and

Whereas, undertaking mitigation projects during pre-disaster periods could decrease the total losses Jackson incurs, as a result, of said hazard occurrences.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, have a strong interest in reducing losses from future hazard occurrences; and

Whereas, the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five years; and

Whereas, a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Stark County, Ohio.

Whereas, the Board of Trustees of Jackson Township, Stark County, Ohio, have partnered with Stark County to update the existing Stark County Multi-Jurisdictional Hazard Mitigation Plan in an effort to further identify, define, and characterize the hazards affecting the Jackson Township as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

Be it resolved that, the Board of Trustees of Jackson Township, Stark County, Ohio, hereby adopt the updated Stark County Multi-Jurisdictional Hazard Mitigation Plan.

3-0 yes

Legal Department

RESOLUTION 22-239 ATTACHED

AMPHITHEATER SPONSORSHIP AGREEMENT FOR NAMING RIGHTS

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Amphitheater Sponsorship Agreement for Naming Rights.

3-0 yes

Gonzalez presented the Nash Family with the design of the newly named “The Nash Family - Jackson Amphitheater” and genuinely thanked them. Gonzalez said that the Nash Family is very community oriented, living and running a business in Jackson, as well as several children that grew up and still live here. The Trustees promised to use their generous donation to continue to invest in Jackson and the amphitheater. Mr. Nash echoed Gonzalez’s words about their pride in Jackson and how happy they were to be a part of it.

RESOLUTION 22-240 ATTACHED

AMPHITHEATER SPONSORSHIP SIGN PURCHASE

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Board Chairman’s signature on the attached quote with Akers Signs for the purchase of signage at the Jackson Amphitheater.

3-0 yes

RESOLUTION 22-241 ATTACHED

DRAINAGE EASEMENT – 5095 BOB O’ LINK ST NW

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement.

3-0 yes

RESOLUTION 22-242 ATTACHED

DRAINAGE EASEMENT – 5111 BOB O’ LINK ST NW

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement.

3-0 yes

RESOLUTION 22-243 ATTACHED

EASEMENT – 7260 STRAUSSER ST NW

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement with John Lorenz.

3-0 yes

RESOLUTION 22-244 ATTACHED

EASEMENT – 7366 STRAUSSER ST NW

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement with Daniel J. Braucher Jr., and Maria Braucher.

3-0 yes

**RESOLUTION 22-245 ATTACHED
EASEMENT – 7344 STRAUSSER ST NW**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement with Christopher J. Bader and Kimberly Bader.

3-0 yes

**RESOLUTION 22-246 ATTACHED
EASEMENT – 7392 STRAUSSER ST NW**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures on the attached Easement Agreement with Tiffany J. Lorenz.

3-0 yes

Administration Department

ATTACHMENT 10/11/22 A

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.110.5387, Discretionary – Admin, to account code 101.111.5804, County Auditor/Treas Fees - Admin, in the amount of \$4,100.00.

3-0 yes

ATTACHMENT 10/11/22 B

Hawke moved and Thomas seconded a motion that we do not request a hearing for the Liquor Permit for Friends Star Group LLC, DBA BP Portage, 4625 Portage Rd, Jackson Township, North Canton, OH 44720.

3-0 yes

ATTACHMENT 10/11/22 C

Hawke moved and Thomas seconded a motion that we do not request a hearing for the Liquor Permit for Canton Count LLC, 5801 Fulton Dr NW, Eastside Only, Jackson Township, Canton, OH 44718.

3-0 yes

ATTACHMENT 10/11/22 D

Hawke moved and Thomas seconded a motion to approve an unpaid leave of absence for Full-Time Receptionist/Secretary, Shelby E. Curlutu, for November 1, 2022.

3-0 yes

Police Department

ATTACHMENT 10/11/22 E

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 209.255.5230, Workers Comp – Patrol, to account code 209.250.5230, Workers Comp – Operations, in the amount of \$1,600.00 and from account code 209.250.5432, Computer Service, to account code 209.250.5482, Cell Phones, in the amount of \$10,000.00 for a total transfer of \$11,600.00.

3-0 yes

Public Works Department

Highway Division

Hawke moved and Thomas seconded a motion to accept a donation of in-kind services valued at \$500.00 from Haymaker Tree and Lawn.

3-0 yes

RESOLUTION 22-247 ATTACHED HVAC PURCHASE

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature on the attached quote with Reliable Heating & Cooling in the amount of \$9,760.00 for the purchase of Split 1.5 ton cooling system installation.

3-0 yes

RESOLUTION 22-248 ATTACHED LIMITED ACCESS LICENSE AGREEMENT

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature on the attached Limited Access License Agreement with Swensons Drive-In Restaurants, LLC.

3-0 yes

Park Division

RESOLUTION 22-249 ATTACHED SOCCER COMPLEX AT SCHURING PARK

Hawke moved and Thomas seconded a motion that we hereby authorize the attached Advertisement for Bids for Soccer Complex at Schuring Park Project in accordance with the Specifications on file.

3-0 yes

Zoning and Planning Department

5:30 Public Hearing

Continuance of Public Hearing from September 13, 2022 – Proposed Zoning Amendment 2022325. Mark Memmer, 7266 Portage NW, Massillon, OH 44646 agent for Vail Capital Group LLC, 7266 Portage NW, Massillon, OH 44646 proposes to rezone 6990 Hills & Dales NW, Parcel No. 10000282, consisting of approx. 4.6 acres located on the south side of Hills & Dales, approx. 175 ft. west of Shelburne from R-R Rural Residential District to R-3 Residential Planned Unit Development District, Sect. 34 NW Jackson Twp.

The hearing was continued to allow Mr. Memmer time to rework his proposal in order to accommodate the residents and Trustees' requests concerning the distance of the roads from the adjacent properties. The public portion of this hearing was previously closed.

Mr. Memmer explained that they swapped the two and three unit buildings and shifted the entire project as far to the west as possible. They also extended the landscape mounds on the far south end of property all the way to property line. In addition, they are proposing a guardrail/fencing at the end of the roads to address privacy and safety. They would be anchored to the ground similar to a steel guard rail, but made from decorative timber.

Thomas thanked Mr. Memmer for making the changes and taking the public's feedback into account.

Pizzino asked about the drainage. Mr. Memmer explained that the water will be directed to the retaining pond and then to the storm sewer in a controlled manner, not pooling in the low point of the adjacent neighborhood. Pizzino thanked Mr. Memmer for his proposed changes and for addressing the drainage concern.

Hawke commended his efforts to add spacing between the proposed buildings and the current residents, the additional landscaping and drainage benefits. He also confirmed with Chief Berczik that the emergency access road is sufficient, to which Chief replied that it was actually better.

ATTACHMENT 10/11/22 F

Pizzino moved and Thomas seconded a motion to adopt the recommendation of the Zoning Commission along with the amended plan presented on October 11, 2022.

Hawke – yes
Thomas – yes
Pizzino – yes

5:30 Public Hearing

Zoning Amendment 2022511. Benjamin Hargest, 3755 Boettler Oaks Dr., Suite G, Uniontown, OH 44685, agent for ABC TGAB LLC, property owner, 1247 Medina Rd., Medina, OH 44256, proposed to rezone Parcel No. 10013035 Fulton Drive, consisting of approximately 1.36 acres located on the southeast corner of Fulton Drive and Belden Greens from B-3 Commercial Business District to I-1 Industrial District, Section 25 NW, Jackson Township.

Zoning Commission met on September 15, 2022 and recommended denial of rezone.

Mr. Yaz Ashrawi, 10 W Broad St., Columbus, OH, attorney with Frost Brown Todd, spoke on behalf of the applicant, the land owner and GetGo, who has a long-term lease on this property. "The ultimate goal here is to construct a car wash, a WetGo car wash, within the overall concept plan of the Greens at Belden." When this land was purchased, the zoning allowed for a car wash in a B-3 district. When the Zoning Resolution changed in May 2022, it no longer allowed a car wash in a B-3 district. Mr. Ashrawi explained that when the parties were designing the plan, the B-3 district allowed for this use. They would have gotten their development plan application in sooner, but for the fact that there were variances that needed to be obtained prior to getting approval of the site plan. They amended the plan to meet all of the requirements. One of reasons for denial of a rezone to I-1, is due to the concern that the use does not fit in with the surrounding area.

Lee May, 101 Kappa Dr., Pittsburgh, PA, Site Development Manager for WetGo, spoke about the concern that came up during the Zoning Commission Meeting. If the rezone were allowed to I-1 and something happened that a car wash was not built there, it would open that land up to many other options that were undesirable. Mr. May reviewed the code and said that there were many controls in place that would not allow those other less desirable uses to be permitted.

Hawke asked if there was anyone present to speak in favor of the rezone. No one came forward. Hawke asked if there was anyone present to speak in opposition of the rezone. No one came forward. He closed that part of the hearing.

Pizzino asked for clarification of who owned the land and what exactly their proposed use of the land is. Mr. Ashrawi responded that GetGo is not the owner, they are a long term tenant. The owner is ABC TGAB LLC. Mr. May said they are in the due diligence phase of the long term lease agreement. Both parties confirmed that the proposed business is a car wash.

Thomas asked if their application was submitted after the changes to the Zoning Resolution. Thomas also stated his opinion that this location was not ideal for a car wash. Poindexter confirmed for the record that their application was filed on August 17, 2022 and the Zoning Resolution was amended on May 12, 2022.

Hawke summarized the Zoning Commission minutes and agreed that the surrounding area does not fit with a change to I-1 Zoning. Hawke commented that there is no zoning classification that would allow a car wash to go on that land. Mr. Ashrawi presented some other options to which the Trustees and Poindexter clarified that they were not doable and this route was his best option.

ATTACHMENT 10/11/22 G

Thomas moved and Hawke seconded a motion to adopt the recommendation of the Zoning Commission.

**Thomas – yes
Pizzino - yes
Hawke – yes**

Fiscal Office

ATTACHMENT 10/11/22 H

Hawke moved and Thomas seconded a motion to pay the bills in the amount of \$1,517,329.81.

3-0 yes

ATTACHMENT 10/11/22 I

Hawke moved and Thomas seconded a motion to approve the monthly reports for September 2022.

3-0 yes

Hawke moved and Thomas seconded a motion to set a public hearing on October 25, 2022, at 5:00 p.m. – for the Carrington West Lighting Petition.

3-0 yes

Gonzalez commended the Trustees and staff on their work with the amphitheater and reiterated how significant it was for a donation of that magnitude simply for naming rights.

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, October 25, 2022, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, October 20, 2022, 9:00 a.m., Jackson Township Hall
- **LOGIC**, November 3, 2022, 9:00 a.m., Jackson Safety Center, Chief's Conference Room
- **Zoning Meetings** – None Scheduled
- **Haunted Hayride** – October 22, 2022, 7:00 p.m. to 10:00 p.m., Jackson South Park
- **Trick or Treat** – Sunday, October 30, 2022, 3:00 p.m. to 5:00 p.m.

Old Business – None

New Business

RESOLUTION 22-250 ATTACHED

PUBLIC WORKS – MAINTENANCE WORKER – RATE ADJUSTMENT

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 511.10 we hereby adopt and approve a rate adjustment for Brian Steenrod serving in the position of full-time Public Works Maintenance Worker for the Jackson Township Public Works Department (Central Maintenance Division) which he is assigned, with an annual salary of \$59,800.00 (\$28.75 per hour) effective October 8, 2022, and the benefits of a Class C employee as described in the Benefit Package for Management Personnel. The probationary period adopted in Resolution 21-023 shall remain in effect.

3-0 yes

RESOLUTION 22-251 ATTACHED

PUBLIC WORKS – MAINTENANCE WORKER – RATE ADJUSTMENT

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 511.10 we hereby adopt and approve a rate adjustment for Joseph S. Futrell serving in the position of full-time Public Works Maintenance Worker for the Jackson Township Public Works Department (Central Maintenance Division) which he is assigned, with an annual salary of \$47,008.00 (\$22.60 per hour) effective October 8, 2022, and the benefits of a Class C employee as described in the Benefit Package for Management Personnel. The probationary period adopted in Resolution 21-192 shall remain in effect.

3-0 yes

RESOLUTION 22-252 ATTACHED

PUBLIC WORKS – GENERAL LABORER – RATE ADJUSTMENT

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 511.10 we hereby adopt and approve a rate adjustment for Luke A. Jones serving in the position of full-time Public Works General Laborer for the Jackson Township Public Works Department which he is assigned, with an annual salary of \$47,008.00 (\$22.60 per hour) effective October 8, 2022, and the benefits of a Class C employee as described in the Benefit Package for Management Personnel. The probationary period adopted in Resolution 22-012 shall remain in effect.

3-0 yes

ATTACHMENT 10/22/22 J

Hawke moved and Thomas seconded a motion to approve an amendment to the Township’s Travel Policy effective immediately.

3-0 yes

ATTACHMENT 10/11/22 K

Hawke moved and Thomas seconded a motion to adopt the attached Amended Benefit Package for Management Personnel (Hired prior to July 1, 2012 and Hired after July 1, 2012), effective immediately, (Article 4), which shall supersede all previous Benefit Packages for Management Personnel.

3-0 yes

Public Speaks

Greg Wernet, 3405 Shellburne Ave NW, Canton, Ohio. While he is appreciative of the additional landscaping and fencing, Mr. Wernet is questioning whether Mr. Memmer’s new development is going to put drainage to collect water on both sides of the landscape mounds or just one. Hawke responded that would be up to Stark County Engineers when he requests their approval of his plan. Rohn added that he believes there will be a reduction of water from what he is used to seeing, however, Mr. Memmer is only responsible for the water on his plan. Rohn suggested that Mr. Wernet reach out to the Subdivision Engineer and Soil and Water.

Hawke moved and Thomas seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez