

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 25, 2022

Hawke called the meeting to order at 3:04 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Fire Chief Berczik, and Public Works Director Rohn were also in attendance.

A work session was held to discuss the Amphitheater Concession Building Project and the Mailbox Damage Policy.

Hawke moved and Pizzino seconded a motion to go into Executive Session for Public Works Department (Highway Division) Personnel (Appointment/Employment/Compensation) – Interview Highway Laborer Specialist Candidates.

**3-0 yes**

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

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Hiring Full-Time Firefighters / Paramedics.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session to consider confidential information related to negotiations with other political subdivisions respecting requests for economic development assistance the information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code

**Hawke – yes**

**Thomas – yes**

**Pizzino - yes**

Hawke called the General Session to order at 5:30 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 10/25/22 A**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 101.110.5299, Personal Serv Discretionary, to account code 101.110.5210 Pension Pick-Up, in the amount of \$3,000.00 and from account code 101.110.5114, Temp Service Payments, to account code 101.110.5210, Pension Pick-Up, in the amount of \$3,000.00 for a total transfer of \$6,000.00.

**3-0 yes**

### **RESOLUTION 22-253 ATTACHED**

#### **2023 COMMUNITY CELEBRATION - BATES BROTHERS AMUSEMENT COMPANY AGREEMENT**

Hawke moved and Thomas 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 10/25/22 B**

Hawke moved and Pizzino seconded a motion that we do not request a hearing for the Liquor Permit for Bravo Brio Restaurants LLC DBA Bravo & Loft, 4224 Everhard Rd NW & Patios, Jackson Township, Canton, OH 44718.

**3-0 yes**

### **RESOLUTION 22-254 ATTACHED**

#### **REMOVING SPECIAL ASSESSMENTS PREVIOUSLY LEVIED FOR CERTAIN PUBLIC IMPROVEMENTS IN JACKSON TOWNSHIP, STARK COUNTY, OHIO IN COOPERATION WITH THE STARK COUNTY ENERGY SPECIAL IMPROVEMENT DISTRICT (THE GREENS AT BELDEN PROJECT)**

Hawke moved and Thomas seconded a motion that whereas, this Board of Township Trustees ("Board of Trustees") of Jackson Township, Stark County, Ohio (the "Township") duly adopted Resolution No. 21-122 on June 8, 2021 (the "Resolution Levying Assessments") levying property assessed clean energy ("PACE") special assessments (as set forth in the Resolution Levying Assessments, the "Special Assessments") on certain property located within the Township to pay the costs of certain special energy improvement projects (as more fully described in the Cooperative Agreement, defined below, the Project); and

Whereas, the Township entered into a Cooperative Agreement dated as of July 1, 2021 by and among the Toledo-Lucas County Port Authority (the "Authority"), the Township, ABC Gardens LLC (the "Developer"), and the Jackson Township (Stark County) Energy Special Improvement District, Inc., d/b/a Stark County Energy Special Improvement District (the "District"); and

Whereas, as described in the Cooperative Agreement, the Authority made the amount of \$5,840,000 available to the Developer in order to pay and finance a portion of the costs of the Project; and

Whereas, the Authority, the District, and the Developer have notified the Township that the Developer has prepaid all amounts outstanding with respect to the financing made available to the Developer under the Cooperative Agreement, and the Authority has notified the Township that the remaining Special Assessments following the Developer's prepayment should be reduced to \$0.00; and

Whereas, the Township agreed in the Cooperative Agreement that upon such notification from the Authority it would take all necessary action to cause an appropriate reduction in the amount of Special Assessments to be collected;

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 Cooperative Agreement.

Section 2. Removal of Special Assessments. As provided in the Cooperative Agreement, in the event amounts owing to the Authority under the Cooperative Agreement are prepaid, in whole or in part, the Township shall take all necessary action to cause an appropriate reduction in the amount of Special Assessments to be collected. The Authority has notified the Township that the entire amount outstanding under the Cooperative Agreement has been prepaid by the Developer, and the total amount of the Special Assessments necessary to be collected following such prepayment is \$0.00.

The aggregate amount of Special Assessments previously levied by this Board of Trustees and certified by the Fiscal Officer to the County Auditor of Stark County, Ohio are hereby reduced to \$0.00. The Fiscal Officer is hereby authorized to take any actions as may be necessary in order to cause the County Auditor to reduce the amount of the Special Assessments to \$0.00.

Section 3. 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 20 days after its passage.

Section 4. Compliance with Open Meetings Requirements. 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.

**3-0 yes**

**RESOLUTION 22-255 ATTACHED  
SOLID WASTE MANAGEMENT PLAN FOR THE STARK-TUSCARAWAS-WAYNE  
JOINT SOLID WASTE MANAGEMENT DISTRICT**

Hawke moved and Pizzino seconded a motion that whereas, Jackson Township, Stark County, Ohio is located within the jurisdiction of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District (District).

Whereas, the District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53 3734.54 and 3734.55.

Whereas, the District has provided a copy of an amended draft plan to the Board of Trustees of Jackson Township

Be it resolved that the Board of Trustees of Jackson Township, Stark County, Ohio hereby approve the District Solid Waste Management Plan, effective immediately.

Be it further resolved that the Fiscal Officer is hereby directed to send the District a copy of this resolution to the attention of Ms. Rachel Rothacher, Administrative Director, Stark-Tuscarawas-Wayne Joint Solid Waste Management District, 9918 Wilkshire Blvd., Bolivar, Ohio 44612.

**3-0 yes**

**Public Works Department**

**Highway Division**

**ATTACHMENT 10/25/22 C**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary – Hwy, to account code 204.310.5522, Building Maint – Hwy, in the amount of \$12,946.12.

**3-0 yes**

**RESOLUTION 22-256 ATTACHED  
HVAC PURCHASE**

Hawke moved and Thomas seconded a motion that whereas, on October 11, 2022, the Board of Trustees approved and adopted Resolution 22-247, which approved the purchase of a Split 1.5 ton heating-cooling system in the amount of \$9,760.00; and,

Whereas, Resolution 22-247 included the wrong purchase price and attached quote.

Be it resolved that we hereby rescind Resolution 22-247.

Be it further resolved 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 \$10,390.00 for the purchase of Split 1.5 ton heating-cooling system installation.

**3-0 yes**

**ATTACHMENT 10/25/22 D**

Hawke moved and Thomas seconded a motion to extend the time of completion for the Keck Park Circle NW / SR 241 Project until December 31, 2023 with United Earthworks, LLC.

**3-0 yes**

**RESOLUTION 22-257 ATTACHED**

**OHIO DEPARTMENT OF DEVELOPMENT GRANT AGREEMENT SECOND ADDENDUM**

Hawke moved and Thomas seconded a motion that whereas, on December 3, 2018, the Grant Agreement with the State of Ohio, Department of Development, formerly known as the Ohio Development Services Agency was signed with the Department of Development.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Second Addendum to the Ohio Department of Development Grant Agreement.

**3-0 yes**

**ATTACHMENT 10/25/22 E**

Hawke moved and Thomas seconded a motion to approve a Then & Now Certificate for purchase order MV22557 in the amount of \$50,000.00 for Rush Truck Centers, Highway Truck #34.

**3-0 yes**

**Park Division**

**ATTACHMENT 10/25/22 F**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 214.510.5387, Discretionary – Parks, to account code 214.510.5526, Fuel – Parks, in the amount of \$7,000.00.

**3-0 yes**

**RESOLUTION 22-258 ATTACHED**

**SCHURING PARK – 208 PLAN AMENDMENT**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the Administrator/Law Director and/or Public Works Director to file a 208-plan amendment and supporting documentation with the Northeast Ohio Four County Regional Planning (NEFCO) with respect to the development of Schuring Park.

**3-0 yes**

Gonzalez thanked Senator Schuring for his help in this matter, being that it was tied up in bureaucracy.

**Fire Department**

**ATTACHMENT 10/25/22 G**

Hawke moved and Pizzino seconded a motion to accept the attached retirement notice from Full-Time Fire Captain, David M. Greemor, effective, December 2, 2022, at 0800 hours.

**3-0 yes**

**RESOLUTION 22-259 ATTACHED  
AMBULANCE PURCHASE**

Hawke moved and Thomas seconded a motion that pursuant to ORC Sections 125.04 and 505.37, we hereby adopt and authorize the placement of the Board Chairman’s signature upon the attached Contract with Pfund Superior Sales Co., Inc. for the purchase of one (1) 2024 Freightliner M2 Life Line “Custom Highliner” Type I Ambulances as described in the Contract in the amount of \$296,912.00.

**3-0 yes**

**ATTACHMENT 10/25/22 H**

Hawke moved and Pizzino seconded a motion to approve an unpaid leave of absence for Full-Time Secretary 2, Lindsey Johnston, for October 11, 2022 (8 hours), October 12, 2022 (5.6 hours) and October 19, 2022 (8 hours), for a total of 21.6 hours.

**3-0 yes**

**Fiscal Office**

**5:00 Public Hearing**

No one spoke in favor of or against the issue.

**RESOLUTION 22-260 ATTACHED  
CARRINGTON WEST LIGHTING DISTRICT**

Hawke moved and Pizzino seconded a motion that a hearing having been had upon the attached petition requesting that the Board of Jackson Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this Township, following notice and actual view taken, and the Board of Township Trustees finding:

(1) That the petition was filed with the Township Fiscal Officer on September 29, 2022 and that the Board of Township Trustees was duly notified by him of such filing and a copy of the petition was delivered to it on October 5, 2022.

(2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with the law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and

(3) That due notice of a hearing before the Board of Township Trustees on the petition for Carrington West was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published as against nonresidents pursuant to ORC 515.04, and return of due service and publication was made according to law.

Be it further resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that the proposed improvement to light artificially the streets and public ways in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the streets and public ways is 5, that the lights shall be standard street light lumens; that they shall be

located at the places described in the attached print; and that the kind of supports therefore shall be as described on the attached Information Agreement Form.

Be it further resolved that, pursuant to ORC Sections 9.30 and 515.08 and in accordance with the Information Agreement with Ohio Edison, we hereby contract with Ohio Edison for not less than one (1) year and shall continue thereafter until terminated sixty (60) days after either party has given written notice to the other of the intention to terminate, for the operating costs of the lights described in the attached plan in the amount of approximately \$3.37 per light per month for a total of \$202.08 per year. The Developer is responsible for payment of the installation cost and/or connection fee for this street lighting.

Be it further resolved that the costs and expenses of furnishing and maintaining such lights shall be paid from a fund made by special assessment against the lots and lands in the district semiannually equally per lot and the Fiscal Officer shall certify the assessment to the Stark County Auditor’s Office.

**3-0 yes**

**ATTACHMENT 10/25/22 I**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,528,635.96.

**3-0 yes**

**ATTACHMENT 10/25/22 J**

Hawke moved and Pizzino seconded a motion to approve the minutes of the September 27, 2022 (transcript attached) and the October 11, 2022 Board of Trustees’ Meetings.

**3-0 yes**

**ATTACHMENT 10/25/22 K**

Thomas moved and Pizzino seconded a motion to approve the following appropriation transfer for a total transfer of \$6,431.36.

FROM CODE	DESCRIPTION	TO CODE	DESCRIPTION	AMOUNT
150.110.5387	ARP Discretionary Fund	150.255.5110	Regular Salaries – Patrol	\$ 2,706.70
		150.255.5212	Pension ER – Patrol	\$ 489.92
		150.255.5214	Medicare Exp – Patrol	\$ 36.92
		150.210.5110	Regular Salaries – Fire	\$ 2,644.79
		150.210.5210	Pension P/U – Fire	\$ 146.24
		150.210.5212	Pension ER – Fire	\$ 370.27
		150.210.5214	Medicare Exp – Fire	\$ 36.52
			<b>TOTAL</b>	<b>\$ 6,431.36</b>

**3-0 yes**

Gonzalez explained that he would like to create a new Fire Department EMS Capital Projects Fund in order to track the money that comes in from ambulance services. Previously, it has always been rolled into the Fire levy, but he would like to establish this fund to show that the revenue is being used to purchase new vehicles or equipment for EMS services.

**RESOLUTION 22-261 ATTACHED**

**ESTABLISH FIRE DEPARTMENT CAPITAL PROJECTS FUND #320**

Hawke moved and Thomas seconded a motion that pursuant to attached ORC Section 5705.13(C) we hereby establish a Capital Projects Reserve Balance Account, Fund #320, for the purpose of accumulating resources for the acquisition, construction, or improvement of fixed assets, to include motor vehicles, for Emergency Medical Services (EMS).

**3-0 yes**

**ATTACHMENT 10/25/22 L**

Hawke moved and Thomas seconded a motion to accept the Amounts and Rates as determined by the Budget Commission and authorizing the necessary Tax Levies and certifying them to the County Auditor.

**3-0 yes**

**Routine Business**

**Announcements**

- Next regular **Board of Trustees'** meeting, November 3, 2022, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, November 17, 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**
  - **Board of Zoning Appeals** – November 17, 2022, 5:00 p.m., Jackson Township Hall
- **Trick or Treat** – Sunday, October 30, 2022, 3:00 p.m. to 5:00 p.m.

**Old Business** – None

**New Business**

**RESOLUTION 22-262 ATTACHED**

**FULL-TIME HIGHWAY LABOR SPECIALIST – CONDITIONAL APPOINTMENT**

Hawke moved and Pizzino seconded a motion that we hereby appoint Samuel D. Fuller to the full-time position of Highway Labor Specialist for the Jackson Township Public Works Department (Highway Division), Stark County, Ohio, conditioned upon successful completion of the background check, negative drug screen, and any other testing requirements.

**3-0 yes**



**RESOLUTION 22-263 ATTACHED**

**FULL-TIME HIGHWAY LABOR SPECIALIST – CONDITIONAL APPOINTMENT**

Hawke moved and Pizzino seconded a motion that we hereby appoint Michael W. Watson to the full-time position of Highway Labor Specialist for the Jackson Township Public Works Department (Highway Division), Stark County, Ohio, conditioned upon successful completion of the background check, negative drug screen, and any other testing requirements.

**3-0 yes**

**Public Speaks - None**

Hawke moved and Thomas seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**