

**RECORD OF PROCEEDINGS**

**MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING**

**JANUARY 10, 2023**

Hawke called the meeting to order at 1:04 p.m. at the Jackson Township Hall with Trustees Todd Hawke and John Pizzino present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Fire Chief Berczik, Police Chief Brink, and Public Works Director Rohn were also in attendance.

Hawke moved and Pizzino seconded a motion to go into Executive Session for Administration Department Personnel (Appointment / Employment / Compensation) – Trustee Applicant Interviews.

**Hawke – yes**  
**Pizzino – yes**

Hawke called the General Session to order at 5:04 p.m. He requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

**Administration Department**

**ATTACHMENT 01/10/23 A**

Hawke moved and Pizzino seconded a motion to approve the following appropriation transfers for a total transfer of \$2,980.86:

FROM CODE	DESCRIPTION	TO CODE	DESCRIPTION	AMOUNT
209.250.5387	Discretionary – Police	209.250.5462	Buildings Ins – Police	\$ 1,486.00
204.310.5387	Discretionary – Hwy	204.310.5460	Fleet Ins – Hwy	\$ 1,131.62
101.115.5387	Discretionary – CM	101.115.5460	Insurance – CM	\$ 198.24
210.210.5385	Fire – Other	210.210.5466	Bonding Ins – Fire	\$ 165.00
			<b>TOTAL</b>	<b>\$ 2,980.86</b>

**2-0 yes**

**ATTACHMENT 01/10/23 B**

Hawke moved and Pizzino seconded a motion that we do not request a hearing for the Liquor Permit for Reserve at Stone Creek LLC, 7840-A Wales Ave NW, Jackson Township, North Canton, OH 44720.

**2-0 yes**

**ATTACHMENT 01/10/23 C**

Hawke moved and Pizzino seconded a motion that we request a hearing in our county seat for the Liquor Permit for 6976 Pub LLC DBA The Basement in North Canton, 6976 Whipple Ave NW & Patio, Jackson Township, North Canton, OH 44720.

**2-0 yes**

**RESOLUTION 23-008 ATTACHED  
OBJECTION TO LIQUOR PERMIT**

Hawke moved and Pizzino seconded a motion that whereas, Jackson Township received a Notice to Legislative Authority regarding the transfer of ownership of permit #8199057, regarding the establishment doing business as The Basement in North Canton.

Be it resolved that in accordance with ORC Section 4303.292(A)(1)(b), (B)(2), and (E) we hereby object to the transfer of ownership of permit #8199057, and request a hearing on the advisability of issuing the permit and request that the hearing be held in our County seat.

**2-0 yes**

**ATTACHMENT 01/10/23 D**

Hawke moved and Pizzino seconded a motion to approve and authorize the placement of the Chairman’s signature upon the Anniversary Information Acknowledgement from OTARMA for the Township’s liability and property coverage for 2023.

**2-0 yes**

**Police Department**

**5:00 Public Hearing – Rehiring**

**RESOLUTION 23-009 ATTACHED  
POLICE MAJOR EMPLOYMENT AGREEMENT**

Hawke moved and Pizzino seconded a motion that whereas, Chief Mark Brink has requested that Officer James J. Monigold be assigned to the full-time position of Police Major.

Whereas, the re-employment of Officer James J. Monigold by Employer is in accordance with Ohio Revised Code sections 145.38 and 145.381.

Be it resolved that, pursuant to ORC Sections 145.38, 145.381, 505.49 and 509.01, we hereby appoint and affirm Officer James J. Monigold’s assignment to the full-time position of Police Major effective February 1, 2023 and in accordance with the terms of the attached Employment Agreement.

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

**Hawke - yes  
Pizzino - yes**

**RESOLUTION 23-010 ATTACHED  
RECEIPT OF LAW ENFORCEMENT TRUST FUND REPORT**

Hawke moved and Pizzino seconded a motion that pursuant to Ohio Revised Code Section 2981.13(C)(3), we hereby acknowledge receipt of the attached report filed January 10, 2023, by

the Jackson Police Department detailing the funds received and authorized expenditures pursuant to Ohio Revised Code Section 2981.13, for calendar year 2022.

**2-0 yes**

## **Public Works Department**

### **Highway Division**

#### **ATTACHMENT 01/10/23 E**

Hawke moved and Pizzino seconded a motion to accept the attached resignation from full-time Highway Labor Specialist, Anthony M. Davide, effective, January 13, 2023, at 1430 hours.

**2-0 yes**

#### **ATTACHMENT 01/10/23 F**

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 317.310.5387, Discretionary – Hwy, to account code 317.310.5652, Equipment Purchase - Hwy, in the amount of \$18,000.00.

**2-0 yes**

#### **RESOLUTION 23-011 ATTACHED**

##### **PUBLIC WORKS DEPARTMENT CAB & CHASSIS PURCHASE**

Hawke moved and Pizzino 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 Contract with Young Truck Sales for the purchase of two (2) 2024 Freightliner 108SD Cab and Chassis at \$101,553.00 per vehicle for a total amount of \$203,106.00 from Young Truck Sales, Inc. as the price is lower than the price listed in the State Purchasing Contract for the same equipment.

**2-0 yes**

#### **RESOLUTION 23-012 ATTACHED**

##### **PUBLIC WORKS DEPARTMENT SNOW & ICE REMOVAL EQUIPMENT PURCHASE**

Hawke moved and Pizzino 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 Contract with The Gledhill Road Machinery Company for the Purchase of two (2) 2023 Snow & Ice Removal Packages as described in the Contract in the total amount of \$193,899.80, which the prices are listed in the State Purchasing Contract.

**2-0 yes**

#### **RESOLUTION 23-013 ATTACHED**

##### **PUBLIC WORKS TRUCK GARAGE ROOF**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote with Skyline Roofing and Exteriors, Ltd. in the amount of \$19,940.00 for the roof work being performed on the east side of the Truck Garage.

**2-0 yes**

## **Park Division**

Hawke moved and Pizzino seconded a motion to accept the following sponsorship donations to the 2023 Community Celebration:

1. \$500.00 from Community One Credit Union Inc.

**2-0 yes**

## **ATTACHMENT 01/10/23 G**

Hawke moved and Pizzino seconded a motion to accept the attached resignation from full-time Park Crew Leader, Justis L. Garabrandt, effective, January 20, 2023, at 1430 hours.

**2-0 yes**

## **RESOLUTION 23-014 ATTACHED**

### **REPLACEMENT OF AN EXISTING TAX FOR PARKS AND RECREATIONAL PURPOSES**

Hawke moved and Pizzino seconded a motion whereas, upon due investigation and consideration, the Board of Trustees of Jackson Township has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for said Jackson Township, Stark County, Ohio, for the next five years will be insufficient to provide an adequate amount for the necessary requirements for said Jackson Township, Stark County, Ohio for the purpose of for parks and recreational purposes of Jackson Township, Stark County, Ohio; and

Whereas, by reason thereof, this board has determined that it will be necessary for the replacement of an existing tax of one (1.0) mill, which is in excess of such limitation, for the purpose of for parks and recreational purposes of Jackson Township, Stark County, Ohio for Jackson Township, Stark County, Ohio; and

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B)(1), this Board as taxing authority for Jackson Township, Stark County, Ohio, is required to certify to the Stark County Auditor a resolution stating the following: the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed tax; the purpose of the tax; whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or an extension of an existing tax to additional territory; the section of the Ohio Revised Code authorizing submission of the question of the tax, the term of years of the tax or if the tax is for a continuing period of time, that the tax is to be levied upon the entire territory of the subdivision or, if authorized by the Ohio Revised Code, a description of the portion of the territory of the subdivision in which the tax is to be levied; the date of the election at which the question of the tax shall appear on the ballot, that the ballot measure shall be submitted to the entire territory of the subdivision or, if authorized by the Ohio Revised Code, a description of the portion of the territory of the subdivision to which the ballot measure shall be submitted, the tax year in which the tax will first be levied and the calendar year in which the tax will first be collected and each such county in which the subdivision has territory.

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B)(2), this Board as taxing authority for Jackson Township, Stark County, Ohio, is required to certify to the Stark

County Auditor a resolution requesting that the Stark County Auditor certify to this Board as taxing authority for Jackson Township, Stark County, Ohio, each of the following as applicable to the levy: the total current tax valuation of Jackson Township as a subdivision; the number of mills for each one dollar of taxable value that is required to generate a specified amount of revenue; the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a specified number of mills for each one dollar of taxable value, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the county auditor's appraised value; an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the Stark County Auditor to the Star County Budget Commission.

Be it resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, as taxing authority for Jackson Township, Stark County, Ohio, does hereby determine that it is necessary for the replacement of an existing tax of one (1.0) mill, outside the ten (10) mill limitation for the purpose of for parks and recreational purposes of Jackson Township, Stark County, Ohio, for five (5) years, tax years 2023, 2024, 2025, 2026, and 2027, commencing in 2023, first due in calendar year 2024.

Be it further resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, as taxing authority for Jackson Township, Stark County, Ohio, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), does hereby certify to the Stark County Auditor this resolution requesting that the Stark County Auditor certify to this taxing authority, (i) the total current tax valuation of Jackson Township as a subdivision; (ii) the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a one (1.0) mill for each one dollar of taxable value, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand (\$100,000.00) dollars of the Stark County Auditor's appraised value; (iii) an estimate of the levy's annual collections, rounded to the nearest one thousand (\$100,000.00) dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the Stark County Auditor to the Star County Budget Commission, for the purpose of for parks and recreational purposes of Jackson Township, Stark County, Ohio, for five (5) years, tax years 2023, 2024, 2025, 2026, and 2027, commencing in 2023, first due in calendar year 2024. Ohio Revised Code Sections 5705.19(H), 5705.191 and 5705.25 authorizes submission of the question of the tax to the entire territory of Jackson Township, Stark County, at the November 7, 2023 general election.

Be it further resolved that the Fiscal Officer of this board be, and hereby is, directed and authorized to certify this resolution to the Stark County Auditor pursuant to the provisions of Sections 5705.03(B) of the Ohio Revised Code, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution and the requirements of Section 5705.03(B) of the Ohio Revised Code.

Be it further resolved that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meetings

open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Hawke – yes**  
**Pizzino - yes**

**Amphitheater Division**

**RESOLUTION 23-015 ATTACHED**  
**JACKSON AMPHITHEATER CONCESSIONS PROJECT AWARD**

Hawke moved and Pizzino seconded a motion that we hereby determine that Seitz Builders, Inc. is the lowest and best bidder for the Jackson Amphitheater Concessions Project and hereby award a Contract to them in the base bid amount of \$528,700.00 in accordance with the Company’s proposal and the Specifications and authorize the placement of the Board’s signatures on the Contract.

**Hawke – yes**  
**Pizzino - yes**

Gonzalez thanked Mr. Rohn and his department for their hard work in getting this bid moving and accepted and he thinks it is going to help make the amphitheater look great.

**Fire Department**

**ATTACHMENT 01/10/23 H**

Hawke moved and Pizzino seconded a motion to accept the attached resignation from full-time Fire Secretary 2, Lindsey A. Johnston, effective, January 13, 2023, at 1630 hours.

**2-0 yes**

**Fiscal Office**

**ATTACHMENT 01/10/23 I**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$598,357.36.

**2-0 yes**

**ATTACHMENT 01/10/23 J**

Hawke moved and Pizzino seconded a motion to approve the minutes of the January 4, 2023 Board of Trustees’ Meeting.

**2-0 yes**

**ATTACHMENT 01/10/23 K**

Hawke moved and Pizzino seconded a motion to approve the following appropriation transfers for a total transfer of \$3,417,671.42:

FROM CODE	DESCRIPTION	TO CODE	DESCRIPTION	AMOUNT
150.110.5387	ARP Discretionary Fund	150.110.5713	Phase I Schuring Park	\$ 3,117,671.42
		150.110.5723	Phase II Schuring Park	\$ 300,000.00
			<b>TOTAL</b>	<b>\$ 3,417,671.42</b>

**2-0 yes**

**ATTACHMENT 01/10/23 L**

Hawke moved and Pizzino seconded a motion to request the advance of Property Taxes Collected from Stark County Auditor’s Office.

**2-0 yes**

**Routine Business**

**Announcements**

- Next regular **Board of Trustees’** meeting, January 24, 2023, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, January 19, 2023, 9:00 a.m., Jackson Township Hall.
- **LOGIC**, February 2, 2023, 9:00 a.m., Jackson Safety Center – Chief’s Conference Room.
- **Zoning Meetings:** (Jackson Township Hall)
  - **Zoning Commission** – January 19, 2023, 5:00 p.m.
  - **Board of Zoning Appeals** – None Scheduled
- **Yard Debris/Waste Site**, closing for the 2022 season on Monday, January 16, 2023 at 6:00 p.m.

**Old Business - None**

**New Business**

Pizzino informed the public that they recently met with the Ohio Department of Transportation concerning several intersections. The Township promised when we passed the zoning on Meijer’s property we would work on 6 intersections. Three have already been completed, three are left to be done. ODOT has to wait until 2025 to do their portion, but gave us permission to start now. Gonzalez clarified that we will be adding a right drop at Speedway, right drop at Circle K, left and drop right at Frank Rd/Fulton. This project is all through TIF money from Meijer. As part of the TIF agreement, the developer is responsible for this project. We have no levy funds tied up in this project.

**Public Speaks – None**

Hawke moved and Pizzino seconded a motion to go into Executive Session for Administration Department Personnel (Appointment / Employment / Compensation) – Trustee Applicant Interviews Review.

**Hawke – yes**  
**Pizzino – yes**

Upon return from Executive Session at 6:06 p.m., General Session resumed.

**New Business**

**RESOLUTION 23-016 ATTACHED  
TRUSTEE APPOINTMENT**

Hawke moved and Pizzino seconded a motion that whereas, at their November 22, 2022 public meeting in attached Resolution Number 22-281 which is incorporated herein, the Board of Trustees of Jackson Township, Stark County, Ohio accepted the resignation of Jim Thomas as Trustee, Jackson Township, Stark County, Ohio effective January 2, 2023 at 11:59 p.m., and

Whereas, pursuant to ORC Section 503.24, the members of the Board of Trustees, within 30 days of the occurrence of said vacancy, have the authority to appoint a person having the qualifications of an elector to fill such vacancy until a successor is elected and qualified in accordance with law.

Whereas, the Board of Trustees has sought and received applications to fill said vacancy and interviewed twenty-eight (28) applicants at their January 4, 2023 regular public meeting and six of these applicants at their January 10, 2023 public meeting.

Be it resolved that, pursuant to ORC Section 503.24, the Board of Trustees of Jackson Township, Stark County, Ohio hereby appoints Justin B. Hardesty, who has the qualifications of an elector, to the Office of Trustee of Jackson Township, Stark County, Ohio effective immediately and is to hold the same for the remainder of the unexpired term of Jim Thomas in accordance with law.

Be it further resolved that, Justin B. Hardesty is hereby presented with the attached certificate of appointment as Trustee of Jackson Township, Stark County, Ohio and the Township Fiscal officer is hereby directed to serve upon Justin B. Hardesty the attached Notice To Appointed Official to Give Bond And Take Oath.

Be it further resolved that, in accordance with ORC Section 3.061, we hereby acknowledge the attached endorsement of Faithful Performance of Duty, effective January 10, 2023, has been added to the Township's OTARMA Insurance Policy, and further accept the attached Certificate of Election, Fiscal Officer's Notice to Take Oath, Oath of Office, and Certificate of Oath for Justin B. Hardesty.

**Hawke – yes  
Pizzino – yes**

Vaccaro noted that Hardesty was appointed at 6:10 p.m. and promptly took the oath.

Pizzino moved and Hawke seconded a motion to adjourn.

**2-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**