

## **RECORD OF PROCEEDINGS**

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

**JANUARY 24, 2023**

Hawke called the meeting to order at 3:03 p.m. at the Jackson Township Hall with Trustees Todd Hawke, Justin Hardesty, and John Pizzino present. Fiscal Officer Gonzalez, Administrative Assistant Reno, Police Chief Brink, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

The first order of business was a work session to discuss Zoning Text Amendments and Fee Schedule; Park Rules and Regulations; and the Wales Ave & Community Parkway Sign Project.

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

**Hawke – yes**  
**Hardesty - yes**  
**Pizzino – yes**

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

**Hawke – yes**  
**Hardesty - yes**  
**Pizzino – 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 Works - None**

**Administration Department**

#### **RESOLUTION 23-017 ATTACHED APPOINTMENTS TO CIC**

Hawke moved and Hardesty seconded a motion that we hereby appoint Randy Gonzalez to serve as a governmental member of the Community Improvement Corporation (CIC) for a two-year term from 2/1/23 to 2/1/25.

Be it further resolved that we hereby appoint Steven M. Meeks to serve as a governmental member of the Community Improvement Corporation (CIC) for a two-year term from 2/1/23 to 2/1/25.

**3-0 yes**

**Police Department**

**RESOLUTION 23-018 ATTACHED  
JAIL TRANSPORTATION AGREEMENT**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Jail Transportation Agreement with the City of Massillon.

**3-0 yes**

Brink thanked Gonzalez for helping them get the agreement handled and finalized.

**RESOLUTION 23-019 ATTACHED  
POLICE DEPARTMENT EQUIPMENT PURCHASE**

Hawke moved and Pizzino seconded a motion that we hereby approve and authorize Chief Mark Brink to purchase the equipment listed in the attached Sales Order from Precision Laser & Instrument, Inc. in the amount of \$11,927.10.

**3-0 yes**

**RESOLUTION 23-020 ATTACHED  
POLICE DEPARTMENT DATA ARCHIVE PURCHASE**

Hawke moved and Pizzino seconded a motion that we hereby approve and authorize Chief Mark Brink to purchase the equipment listed in the attached Sales Quote from Tyler Technologies in the amount of \$26,000.00.

**3-0 yes**

**ATTACHMENT 01/24/23 A**

Hawke moved and Pizzino seconded a motion to authorize out-of-state travel for Patrolmen William L. Adams and Jason C. Greenfield to attend training in Erie, Pennsylvania on June 19, 2023 through June 23, 2023, in accordance with the Jackson Township Travel Policy.

**3-0 yes**

**Public Works Department**

**Highway Division**

**ATTACHMENT 01/24/23 B**

Hawke moved and Hardesty seconded a motion to adopt and authorize the placement of the Board Members' signatures on the ODOT Township Highway System Mileage Certification for a total of 209.694 Township miles.

**3-0 yes**

**RESOLUTION 23-021 ATTACHED  
THE GLENS OF JACKSON TOWNSHIP NO. 1 & 2 – SIDEWALK VARIANCE**

Hawke moved and Pizzino seconded a motion that whereas, on January 18, 2023, Stark County Regional Planning received a request for a construction variance from Hillsdale Farms Development, Inc., seeking to install sidewalks despite not being required by the Stark County Subdivision Regulations.

Whereas, Hillsdale Farms Development, Inc., has represented the homeowners association bylaws will include language assigning maintenance and repair to the homeowners for sidewalk in front of lots and to the homeowner association for sidewalks in the open space areas.

Be it resolved that we hereby approve and consent to the granting of a construction variance for the installation of sidewalks in connection with Hillsdale Farms Development, Inc.'s submission of plans and letter dated January 18, 2023, to Stark County Regional Planning for the development of The Glens of Jackson Township numbers 1 and 2.

Be it further resolved that pursuant to O.R.C. 5543.10, and consistent with Hillsdale Farms Development, Inc.'s letter dated January 18, 2023, attached hereto, the cost of future maintenance repair and/or replacement of the sidewalks shall be assessed against the abutting property owners and/or homeowners' association.

**3-0 yes**

### **Park Division**

#### **RESOLUTION 23-022 ATTACHED**

#### **JACKSON TOWNSHIP REPLACEMENT TAX FOR PARKS AND RECREATIONAL PURPOSES**

Hawke moved and Hardesty seconded a motion that 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 (5) 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 to replace 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; and

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), this Board as taxing authority for the Jackson Township, Stark County, Ohio, certified to the Stark County Auditor, on the 10th day of January, 2023, a resolution requesting that the Stark County Auditor certify to this Board as taxing authority for the Jackson Township, Stark County, Ohio, (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 Stark County Budget Commission, which resolution stated that the purpose of said tax was 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.

Whereas, the Stark County Auditor, based upon said certification request advised this Board, pursuant to the provisions of Ohio Revised Code Section 5705.03(B), on or about the 11th day of January, 2023, as provided for in said section, that the total taxable value of the subdivision used in calculating the estimated property tax revenue is \$1,968,515,120.00, and the property tax revenue that will be produced by the one (1.0) mill, assuming the taxable value of the subdivision remains constant throughout the life of the levy is calculated to be \$1,968,515.00, and the requested levy is one (1.0) mill per one (\$1.00) dollar of taxable value, which amounts to \$35.00 for each one hundred thousand (\$100,000.00) of the Stark County Auditor’s appraised value, for the proposed replacement of the tax for the above stated purposes; and

Whereas, by reason of facts above set forth, this Board has determined that it should, and hereby does, declare itself to submit to the electors in the entire territory of Jackson Township, Stark County, Ohio, at the primary election to be held on May 2, 2023, the question of the replacement 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 resolved that there shall be submitted to the electors of Jackson Township, Stark County, Ohio, at the primary election to be held on May 2, 2023, the question of the replacement of an existing tax of one (1.0) mill outside the ten (10) mill limitation in and for said entire subdivision 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 submission of said proposal, the notice of election, the form of ballot, the certification of the levy as voted outside the ten (10) mill limitation, and the levying of such millage shall be in accordance with the provisions of Sections 5705.19, 5705.191, 5705.192 and 5705.25 and other related sections of the Ohio Revised Code and in accordance with the statutes in such cases made and provided; and that the levy is to be placed on the tax lists of tax years 2023, 2024, 2025, 2026, and 2027, commencing in 2023, first due in calendar year 2024.

Be it further resolved that the form of ballot cast at such election shall be:

|   |                      |
|---|----------------------|
| <p>PROPOSED TAX LEVY (REPLACEMENT)<br/>                 JACKSON TOWNSHIP</p> <p>A Majority Affirmative Vote is Necessary for Passage</p> <p>“A replacement of a tax for the benefit of Jackson Township, Stark County, Ohio, for the purpose of for parks and recreational purposes that the county auditor estimates will collect \$1,968,515.00 annually, at a rate not exceeding one mills for each \$1 of taxable value, which amounts to \$35.00 for \$100,000 of the county auditor’s appraised value, for 5 years, commencing in 2023, first due in calendar year 2024.”</p> |                      |
|   | FOR THE TAX LEVY     |
|   | AGAINST THE TAX LEVY |

Be it further resolved that the Fiscal Officer of this Board be, and hereby is, directed and authorized to proceed forth with the certification hereof to the Board of Elections of Stark County, Ohio pursuant to the provisions of Sections 5705.19, 5705.191, 5705.192 and 5705.25 and other related statutes, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution.

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.

Be it further resolved that it is found and determined that all formal actions of this Board complied with Ohio Revised Code Section 5705.03(B) and that the attached certification was provided by the Stark County Auditor as required by law, which is hereby acknowledged and accepted by this Board.

**3-0 yes**

**ATTACHMENT 01/24/23 C**

Hawke moved and Hardesty seconded a motion to approve a Then & Now Purchase Order for RG22639 in the amount of \$10,000.00 for Vasco Sports.

**3-0 yes**

**ATTACHMENT 01/24/23 D**

Hawke moved and Hardesty seconded a motion to accept a donation in the amount of \$2,000.00 from the Northwest Jackson Soccer League.

**3-0 yes**

**Central Maintenance Division**

**RESOLUTION 23-023 ATTACHED  
SAFETY CENTER HVAC DESIGN**

Hawke moved and Hardesty seconded a motion that we hereby approve and authorize the placement of the Board Chairman's signature on the attached agreement with RKS Consulting & Commissioning, Inc. for the Safety Center HVAC Design in the amount of \$12,200.00.

**3-0 yes**

**Amphitheater Division**

**RESOLUTION 23-024 ATTACHED  
AMPHITHEATER SOUND EQUIPMENT PURCHASE**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the Public Works Director, Rich Rohn, to purchase the sound equipment detailed in the attached quote from NEO Digital not to exceed \$36,900.00.

**3-0 yes**

Rohn gave an update about the Chilmark residents wanting to vacate a section of road. The Board of Trustees approved it on November 22, 2022 and Rohn just heard back that the Regional Planning Board also approved vacation of Chilmark St NW.

### **Zoning and Planning Department**

Hawke moved and Hardesty seconded a motion to set a public hearing for Zoning Amendment 2022834 on February 14, 2023, at 5:00 p.m. – Mark Haymaker, Haymaker Tree & Lawn, property owner, proposes to rezone the rear portion of Parcel # 10016305, also known as 7192 Wales approx. 2.33 acres of a 6.165 acre tract from R-R Rural Residential District to B-3 Commercial Business District.

**3-0 yes**

Hawke moved and Hardesty seconded a motion to set a public hearing for Zoning Amendment 2022861 on February 14, 2023 at 5:15 p.m. – Mark Smith agent for Michael Houska, property owner, proposes to rezone Parcel # 1700223 Whipple, also known as 3445 Whipple approx. 0.54 acres from B-1 Suburban Office and Limited Business District to B-2 Neighborhood Business District.

**3-0 yes**

### **Fiscal Office**

#### **ATTACHMENT 01/24/23 E**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,646,312.57.

**3-0 yes**

#### **ATTACHMENT 01/24/23 F**

Hawke moved and Pizzino seconded a motion to approve the minutes of the January 10, 2023 Board of Trustees' Meeting.

**2-0 yes**

**Hardesty - Abstain**

### **RESOLUTION 23-025 ATTACHED**

#### **ANNUAL INVENTORY VALUE**

Hawke moved and Pizzino seconded a motion that whereas, on December 3, 1987, the Board of Trustees or Jackson Township, Stark County, Ohio passed a motion requiring only items having a value over \$250.00 shall be included on the Township's annual inventory list, and;

Whereas, Ohio Revised Code 505.04 requires Township Board of Trustees to make an inventory on the second Monday of January, each year, of all the materials, machinery, tools, and other township supplies in its possession, and;

Whereas, Ohio Revised Code 505.04 does not set a specific dollar value to be inventoried.

Be it resolved that the motion passed on December 3, 1987 is hereby rescinded.

Be it further resolved that pursuant to Ohio Revised Code 505.04 we hereby shall require only materials, machinery, tools, and other township supplies in its possession having a value over \$1,000.00, shall be included on the Township's annual inventory list.

**3-0 yes**

### **RESOLUTION 23-026 ATTACHED INCURRENCE OF OBLIGATIONS**

Hawke moved and Pizzino seconded a motion that whereas, Ohio Revised Code 507.11(A) permits a Township Board of Trustees to allow township officers and employees to authorize spending and obligate the township up to ten thousand (\$10,000.00) dollars; and,

Whereas, pursuant to Resolution 22-081, adopted March 8, 2022, the Board of Trustees for Jackson Township approved township officers and employees to incur obligations of eight thousand (\$8,000.00) dollars or less on behalf of Jackson Township.

Be it resolved that Resolution 22-081, adopted March 8, 2022, is hereby rescinded.

Be it further resolved that pursuant to Ohio Revised Code 507.11(A) we hereby authorize township officers and employees to incur obligations of ten thousand (\$10,000.00) dollars or less on behalf of Jackson Township.

**3-0 yes**

Hawke moved and Pizzino seconded a motion to set a public hearing on February 14, 2023, at 5:00 p.m. for the Berkshire Farms 2 & 3 Lighting Petition.

**3-0 yes**

### **Routine Business**

#### **Announcements**

- Next regular **Board of Trustees'** meeting, February 14, 2023, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, February 16, 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** – None Scheduled
  - **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**

**RESOLUTION 23-027 ATTACHED**

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

Hawke moved and Pizzino seconded a motion that we hereby appoint Richard T. Dustman 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 23-028 ATTACHED**

**INITIATION OF ZONING TEXT AMENDMENTS**

Hawke moved and Pizzino seconded a motion that whereas, the Jackson Township Board of Trustees from time-to-time receive recommendations for text amendments to the Jackson Township Zoning Resolution.

Whereas, the Jackson Township Board of Trustees having reviewed the attached text changes and believe the recommendations deserve consideration by the Jackson Township Zoning Commission.

Be it resolved that, pursuant to ORC 519.12(A)(1), we authorize the Zoning Inspector, as the Board of Trustees' designee, to file an application with the Jackson Township Zoning Commission initiating a text amendment to the Jackson Township Zoning Resolution. Associated fees are hereby waived.

**3-0 yes**

**Public Speaks**

Steven Tharp, 274 W 2<sup>nd</sup> St., Brewster, OH. He wanted to introduce himself because he is running for the Republican nomination for the Massillon Municipal Clerk of Court.

Hawke moved and Hardesty seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**