

## **RECORD OF PROCEEDINGS**

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

**MARCH 14, 2023**

Hawke called the meeting to order at 3:05 p.m. at the Jackson Township Hall with Trustees Todd Hawke, Justin Hardesty, and John Pizzino present. Fiscal Officer Gonzalez, Administrator / Law Director Vaccaro, Police Chief Brink, Fire Chief Berczik, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

The first order of business was a work session to discuss the beverages sales drawing procedure and a radio sponsorship.

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

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

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

**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 Speaks**

Joseph Lynn, a freshmen at Jackson High School, presented his Eagle Scout project, which is 26 Bail-Out Bags. The Bail-Out Bags are designed for placement in the police cruisers and include things such as medical supplies, pens/pencils and some snacks and are meant to be grabbed in case of extended deployment by a police officer. In order to make these bags, Joseph raised approximately \$4,000 through private donations.

#### **Administration Department**

##### **ATTACHMENT 03/14/23 A**

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 319.110.5387, GF Capital – Discretionary, to account code 319.110.5765, GF Capital – Amphitheater, in the amount of \$40,000.00.

**3-0 yes**

**RESOLUTION 23-056 ATTACHED**

**PARKING HEARING EXAMINER – THOMAS A. FITZSIMMONS**

Hawke moved and Pizzino seconded a motion that whereas, on June 11, 1991, the Jackson Township Board of Trustees, pursuant to ORC Section 4521.04, established a parking violations bureau authorized to handle any and all parking infractions occurring within the territorial confines of the unincorporated area of Jackson Township as non-criminal violations which was approved by the Massillon Municipal Court on June 28, 1991.

Be it resolved that the Jackson Township Board of Trustees, pursuant to ORC Section 4521.05, hereby appoints Assistant Law Director Thomas A. FitzSimmons, an attorney admitted to the practice of law in Ohio, as the Hearing Examiner of said bureau effective March 8, 2023.

**3-0 yes**

**RESOLUTION 23-057 ATTACHED**

**DEPARTMENTAL DISCIPLINE**

Hawke moved and Hardesty seconded a motion that we hereby authorize Administrator/Law Director and Assistant Law Director, as the Board of Trustees’ representatives, to initiate and conclude all discipline matters in accordance with the Township’s General Conduct Policy and all collective bargaining agreements in all township departments and divisions, to include, but not limited to, suspensions (of any length with or without pay), pay reductions, demotions, execute last chance agreements, and execute separation agreements.

**3-0 yes**

**Police Department**

Hawke moved and Hardesty seconded a motion to accept a donation of \$50.00 from Lora M. Nicodemo.

**3-0 yes**

**RESOLUTION 23-058 ATTACHED**

**INDEPENDENT CONSULTANT AGREEMENT AMENDMENT**

Hawke moved and Hardesty seconded a motion that we hereby adopt and authorize the placement of the Boards’ signatures upon the attached Independent Consultant Agreement Amendment with Rayetta J. Kanters.

**3-0 yes**

**ATTACHMENT 03/14/23 B**

Hawke moved and Hardesty seconded a motion to approve an unpaid leave of absence, effective March 9, 2023, for full-time Police Patrol Officer, Nicholas F. Marich, with the exception that the unpaid leave of absence terminates if the employee returns to work full-time without restriction prior to exhausting his remaining FMLA balance, separates from Township employment, or separates from employment pursuant to an OPERS approved benefit. Employee shall be responsible for his employee share of extended health benefits from March 9, 2023, until he returns to active payroll status.

**3-0 yes**

## **Public Works Department**

### **Park Division**

Hawke moved and Hardesty seconded a motion to accept a donation of \$500.00 from Massillon Cable TV, Inc. for the Easter Egg Hunt.

**3-0 yes**

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

1. \$5,000.00 from Massillon Cable TV, Inc.
2. \$2,535.00 (in-kind) from Fairway Carts, Parts & More
3. \$1,000.00 from Krugliak, Wilkins, Griffiths & Dougherty Co., LPA
4. \$1,000.00 from Seifert Technologies, Inc.
5. \$1,000.00 from Standard Plumbing & Heating Company LLC
6. \$100.00 from Tom Jackson Commercial Realty

**3-0 yes**

### **ATTACHMENT 03/14/23 C**

Hawke moved and Hardesty seconded a motion to adopt and authorize the placement of the Board Chairman's signature upon the attached Community Celebration Contract.

**3-0 yes**

### **RESOLUTION 23-059 ATTACHED RESTROOM LOCK SYSTEM**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Chairman's signature upon the attached Quote with ProTech Security for the purchase of the attached listed equipment in the amount of \$24,863.33.

**3-0 yes**

## **Fire Department**

### **ATTACHMENT 03/14/23 D**

Hawke moved and Hardesty seconded a motion to accept the attached (corrected) resignation from part-time Firefighter / Paramedic, Shiloh N. Bailey, effective, February 21, 2023, at 0800 hours.

**3-0 yes**

### **ATTACHMENT 03/14/23 E**

Hawke moved and Pizzino seconded a motion to accept the attached resignation from part-time Firefighter / EMT, Jared E. Baer, effective, March 8, 2023, at 0800 hours.

**3-0 yes**

### **RESOLUTION 23-060 ATTACHED APPOINT SECRETARY 2**

Hawke moved and Hardesty seconded a motion that we hereby authorize the hiring of Rachel E. Gue to the full-time position of Secretary 2 for the Jackson Township Fire Department, effective February 27, 2023 at 0800 hours, at the Secretary 2 Start Rate (\$19.3232 per hour) as set forth in

the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc., Office and Clerical Employees.

Be it further resolved that Rachel E. Gue shall complete a probationary period of seven hundred thirty (730) days during which time she may be terminated without cause by the Board of Trustees.  
**3-0 yes**

**RESOLUTION 23-061 ATTACHED  
SKID PUMP PURCHASE**

Hawke moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of the Chairman's signature upon the attached Quote with C.E.T. Fire Pumps MFG for the purchase of the attached listed equipment in the amount of \$19,560.29.  
**3-0 yes**

**Fiscal Office**

**ATTACHMENT 03/14/23 F**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$923,291.01.  
**3-0 yes**

**ATTACHMENT 03/14/23 G**

Hawke moved and Hardesty seconded a motion to approve the minutes of the February 28, 2023 Board of Trustees' Meeting.  
**3-0 yes**

**ATTACHMENT 03/14/23 H**

Hawke moved and Hardesty seconded a motion to approve the monthly reports for February 2023.  
**3-0 yes**

**Routine Business**

**Announcements**

- Next regular **Board of Trustees'** meeting, March 28, 2023, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, March 16, 2023, 9:00 a.m., Jackson Township Hall.
- **Celebration Committee Meeting**, March 21, 2023, 2:00 p.m., Jackson Township Hall.
- **LOGIC**, April 6, 2023, 9:00 a.m., Jackson Safety Center – Chief's Conference Room.
- **Zoning Meetings:** (Jackson Township Hall)
  - **Zoning Commission** – March 16, 2023, 5:00 p.m.
  - **Board of Zoning Appeals** – April 13, 2023, 5:00 p.m.

- **Easter Egg Hunt**, Saturday, April 1, 2023, 11:00 a.m., sharp, Jackson North Park. Children age: crawlers through age 10. Free event – bring your basket to collect eggs.

**Old Business - None**

**New Business**

**ATTACHMENT 03/14/23 I**

Hawke moved and Hardesty seconded a motion to approve the attached Amphitheater Beverage Sales Lottery Procedure for Non-Profit Groups effective March 15, 2023.

**3-0 yes**

**RESOLUTION 23-062 ATTACHED**

**POLICE DEPARTMENT FULL-TIME POLICE OFFICER CONDITIONAL APPOINTMENT**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 505.49 and 509.01, we hereby appoint Kayla E. Young, as a Full-Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, conditioned upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the background check, negative drug screen, and any other testing requirements.

**3-0 yes**

**RESOLUTION 23-063 ATTACHED**

**FIRE DEPARTMENT CAPTAIN APPOINTMENT**

Hawke moved and Pizzino seconded a motion that pursuant to Step 6 of the Notice of Examination, ORC Section 505.38, and the Township’s Personnel Hiring Policy, we hereby appoint Luke A. Ediger to the position of Full Time Fire Department Captain, effective April 8, 2023 at 0800 hours, at the base Captain annual rate of \$79,057.42 (\$29.2372 per hour) as set forth in the Negotiated Agreement with Jackson Township and the Jackson Township Professional Firefighters Local 2280, IAFF.

Be it further resolved that Luke A. Ediger shall serve a 12 month probationary period.

**3-0 yes**

**Zoning and Planning Department**

**5:00 p.m. - Public Hearing**

**ATTACHMENT 03/14/23 J**

Zoning Amendment 2023025 - Leecrest Holdings LLC, property owner, PO Box 604, Massillon, OH 44648 proposes to rezone R-R Rural Residential District to R-1 Single Family Low Density Residential District, 23.2584 acres of a 32.49 acre tract-Parcel No. 1612954, 7291 Stuhldreher NW, Massillon, OH 44646, Sect. 33 NE Jackson Twp.

The Zoning Commission met on February 16, 2023 and recommended of approval of re-zone.

John Walsh, GBC Design, 565 White Pond Dr., Akron, OH 44320. He represents Leecrest Holdings LLC as surveyor and engineer of the project and presented their proposed layouts. Mr. Walsh believes that the R-1 fits with the surrounding areas and thinks that the buffer provides a nice step down to the R-R currently in place.

Diane Julian, 3110 Kennesaw Cir NW, Canton, OH 44708. She stated that this rezone was turned down once when her family owned it. It was denied last time because it was surrounded by R-R and only had three accesses. Now it only has two accesses and although they have reduced the amount of acres they want to rezone, she thinks it seems odd that this was approved by the Zoning Commission when the only change has been for the worse.

Scott Eckstein, 7400 Stuhldreher St. NW, Massillon, OH 44646. Mr. Eckstein commented that he is not completely against the development, but thought that they were only allowed a certain number of homes due to only having one exit. He is concerned if the number of homes being proposed meets the guidelines. Hawke explained that the Fire Chief could be asked directly and also informed Mr. Eckstein that the layout presented was not binding. Chief Berczik responded that he has not looked at the drawings yet.

Pizzino added that this rezone was brought up a few years ago and his main concern is protecting property values. He also agrees that there could be an access issue, but that is determined by Stark County.

There was discussion among the Trustees and applicant about splitting the parcels as well as other rezoning and access options.

Hawke moved and Pizzino seconded a motion to accept the recommendation of the Zoning Commission.

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

### **5:15 p.m. - Public Hearing**

#### **ATTACHMENT 03/14/23 K**

Zoning Amendment 2023042 - Bruno Ferrante, property owner, 922 Ashton Ct. Aurora, OH 44202 proposes to rezone approx. 2.42 acres of the rear portion of Parcel No. 10016306 Wales Ave. NW, North Canton, OH, from R-R Rural Residential District to B-3 Commercial Business District, Sect. 10SW, Jackson Twp.

The Zoning Commission met on February 16, 2023 and recommended approval of the rezone.

Bruno Ferrante, 922 Ashton Ct. Aurora, OH 44202. He is requesting a zoning change from R-R to B-3, similar to the property adjacent to him.

No one spoke against the issue.

Some discussion amongst the Trustees was held to discuss the rezone.

Hawke moved and Hardesty seconded a motion to accept the recommendation of the Zoning Commission.

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

**5:30 p.m. - Public Hearing**

**ATTACHMENT 03/14/23 L**

Zoning Amendment 2023049 - The Jackson Township Zoning Inspector, agent for the Jackson Township Trustees, 5735 Wales Ave. NW, Massillon, OH proposes misc. text amendments, including, but not limited to, permitted and conditionally permitted uses, mini storage, automobile, landscaping and construction vehicle storage, outdoor retail sales, vendors and definitions.

The Zoning Commission met on February 16, 2023 and recommended approval of the text amendments with a few modifications as marked.

No one spoke in favor of the issue.

No one spoke against the issue.

The Trustees and Poindexter discussed the recommendations of the Zoning Commission and further modified the text amendments.

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

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

**Public Speaks - None**

Hawke moved and Hardesty seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**