

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

MAY 23, 2023

Hawke called the meeting to order at 3:01 p.m. at the Jackson Township Hall with Trustees Todd Hawke, Justin Hardesty, and John Pizzino present. Fiscal Officer Gonzalez, Administrator / Law Director Vaccaro, Assistant Law Director FitzSimmons, Police Chief Brink, Deputy Fire Chief Crable, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

The first order of business was a work session to discuss Parcel #1605347, the Bear Hugs Event, and the AEP Aggregation.

Hawke moved and Hardesty seconded a motion to go into recess until 4:00 p.m.

3-0 yes

Upon return from recess, Hawke moved and Hardesty seconded a motion to go into Executive Session for Public Works Department (Highway Division) Personnel (Appointment / Employment / Compensation) – Interview Inspector Candidate.

**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 - None

Administration Department

ATTACHMENT 05/23/23 A

Hawke moved and Hardesty seconded a motion to amend the Board of Trustees' regular meeting schedule as follows:

1. The August 8, 2023 meeting shall be canceled and rescheduled to August 9, 2023 at 3:00 p.m. (Work Session), 4:00 p.m. (Executive Session) and 5:00 p.m. (General Session).

3-0 yes

ATTACHMENT 05/23/23 B

Hawke moved and Pizzino seconded a motion that we do not request a hearing for the Liquor Permit for Meijer Stores LP, DBA Meijer Express 325, 4848 Fulton Dr NW, Jackson Township, Canton, OH 44718.

3-0 yes

ATTACHMENT 05/23/23 C

Hawke moved and Pizzino seconded a motion that we do not request a hearing for the Liquor Permit for Meijer Stores LP, DBA Meijer 325 Excel GRDN, 4934 Fulton Dr NW, Jackson Township, Canton, OH 44718.

3-0 yes

Legal Department

ATTACHMENT 05/23/23 D

Hawke moved and Hardesty seconded a motion to approve the Memorandum of Understanding between the Jackson Township Board of Trustees and the Board of Education of the Jackson Local School District, effective June 21, 2023 through June 25, 2023, and to authorize the Board Chairman to sign said Memorandum of Understanding.

3-0 yes

Police Department

Hawke moved and Hardesty seconded a motion to accept a donation of \$250.00 from The Strip Delaware LLC.

3-0 yes

ATTACHMENT 05/23/23 E

Hawke moved and Hardesty seconded a motion to accept the attached resignation from full-time Police Officer and Police Constable, Nicholas F. Marich, effective, May 10, 2023, at 1200 hours.

3-0 yes

ATTACHMENT 05/23/23 F

Hawke moved and Hardesty seconded a motion to accept the attached resignation from full-time Police Officer and Police Constable, Jason D. Knauer, effective, May 30, 2023, at 2000 hours.

3-0 yes

ATTACHMENT 05/23/23 G

Hawke moved and Pizzino seconded a motion to authorize out-of-state travel for Police Chief, Mark Brink to attend a training in Washington D.C., on June 13, 2023 through June 15, 2023, in accordance with the Jackson Township Travel Policy.

3-0 yes

Public Works Department

Highway Division

5:00 Bid Opening

2023 Curbing Replacement Project:

- 1. T R Snyder \$215,200.80
- 2. Tri Mor \$371,790.00

The bids will be reviewed and a recommendation will be made at the next meeting.

ATTACHMENT 05/23/23 H

Hawke moved and Hardesty seconded a motion to approve unpaid leave of absence for full-time Highway Labor Specialist, Samuel Fuller, commencing July 14, 2023 through July 21, 2023.

3-0 yes

Park Division

Hawke moved and Pizzino seconded a motion to accept a donation of \$7,000.00 from MCTV for the Movies in the Park Series.

3-0 yes

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

1. \$2,500.00 from Aqua Ohio Inc.

3-0 yes

ATTACHMENT 05/23/23 I

Hawke moved and Pizzino seconded a motion to authorize the hiring of two (2) new leased Park Maintenance Workers, as attached, through a temporary service, subject to a negative drug screen, effective and at the rate and start date identified in the attached memorandum from Michael Danner.

3-0 yes

Central Maintenance Division

RESOLUTION 23-106 ATTACHED

BWC SAFETY INTERVENTION GRANT AWARD AND PURCHASE

Hawke moved and Hardesty seconded a motion that on March 20, 2023, we submitted to the BWC a Safety Intervention Grant application for the purchase of a vertical personnel lift that was approved in the amount of \$9,150.00 by the BWC Safety Grants and Programs on May 8, 2023.

Be it further resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote with Bobcat of Canton for the purchase of one (1) JLG 30 AM DC Personnel Lift in the amount of \$12,200.00. Grant monies received from Safety Intervention Grant will cover \$9,150.00, leaving the Township's financial responsibility for this purchase at \$3,050.00.

2-0 yes

Pizzino - abstain

Amphitheater Division

ATTACHMENT 05/23/23 J

Hawke moved and Hardesty seconded a motion to authorize the donation of two (2) season passes consistent with the attached memorandum from Chylece Head.

3-0 yes

ATTACHMENT 05/23/23 K

Hawke moved and Hardesty seconded a motion to authorize the hiring of four (4) returning and two (2) new leased Amphitheater Workers, as attached, through a temporary service, subject to a negative drug screen, effective and at the rate and start date identified in the attached memorandum from Chylece Head.

3-0 yes

ATTACHMENT 05/23/23 L

Hawke moved and Hardesty seconded a motion to adopt and authorize the Board Chairman's signature upon the attached Change Order No. 1 for the North Park Concessions Project Change Order No. 1.

3-0 yes

RESOLUTION 23-107 ATTACHED AMPHITHEATER SPONSORSHIP AGREEMENT

Hawke moved and Hardesty seconded a motion that whereas, the Board of Trustees owns the Jackson Amphitheater in Jackson Township, Stark County, Ohio; and,

Whereas, the Board of Trustees has sold sponsorships in its effort to offset programming costs for engaged performances for the 2023 season of the Jackson Amphitheater.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Sponsorship Agreement with the following:

1. Canton Regional Chamber of Commerce

3-0 yes

Zoning and Planning Department

RESOLUTION 23-108 ATTACHED NOXIOUS WEEDS – 6593 AMBLEWOOD ST NW, LOT 127 IN GREENBRIAR HILLS #2, 15SW, PARCEL NO. 1613979

Hawke moved and Hardesty seconded a motion that whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Timothy A. Fritz, deceased in Jackson Township and described as follows: 6593 Amblerwood Street NW, Lot 127 in Greenbriar Hills #2, 15SW, Parcel No. 16-13979, Jackson Township, Ohio.

Be it resolved that said Timothy A. Fritz, deceased, whose tax mailing address is Core Logic, 3001 Hackberry Road, Irving, TX 75063-0156, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on

such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2023. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

RESOLUTION 23-109 ATTACHED

NOXIOUS WEEDS – 6777 BURGUNDY AVE NW, LOT 78 IN BRANDYWINE ALLOTMENT #2, 11SE, PARCEL NO. 1609094

Hawke moved and Hardesty seconded a motion that whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of William & Janet Barnard, Trustees, Barnard Family Rev Living Trust in Jackson Township and described as follows: 6777 Burgundy Avenue NW, Lot 78 in Brandywine Allotment #2, 11SE, Parcel No. 1609094, Jackson Township, Ohio.

Be it resolved that said William & Janet Barnard, Trustees, Barnard Family Rev Living Trust, whose tax mailing address is 6777 Burgundy Avenue NW, North Canton, OH 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2023. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

RESOLUTION 23-110 ATTACHED

NOXIOUS WEEDS – 7210 HOVERLAND ST NW, LOT 34 IN CLOVER DALE 1, 33SE, PARCEL NO. 1603558

Hawke moved and Hardesty seconded a motion that whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Timothy Fritz, deceased, in Jackson Township and described as follows: 7210 Hoverland Street NW, Lot 34 in Clover Dale 1, 33SE, Parcel No. 1603558, Jackson Township, Ohio.

Be it resolved that said Timothy Fritz, deceased, whose tax mailing address is 6593 Amblerwood Street NW, Canton, OH 44718, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until October 31, 2023. If the owner fails to meet this obligation within the five-

day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate.

3-0 yes

5:00 p.m. - Public Hearing (Continuation)

Zoning Amendment 2023217 - Dwight Yoder, agent for Reserve at Jackson Meadows LLC property owner, PO Box 250, Uniontown, Ohio 44685 proposes to rezone R-R Rural Residential District to R-3 Residential Planned Unit Development District approx. 17.32 acres consisting of parcel #'s 1620887, 1623024, 1602287 & 1602286 located on the south side of Stuhldreher approx. 720 ft. east of Ocala NW, Sect. 33NE Jackson Twp.

The applicant was not present. Vaccaro explained that the applicant had requested the continuance and agreed to today's date and that they have not received any communication from the applicant. Vaccaro informed the Trustees that there were two options; they could vote or grant him professional courtesy of one more continuation.

ATTACHMENT 05/23/23 M

Hawke moved and Pizzino seconded a motion to continue the hearing on June 13, 2023 at 5:00 p.m.

3-0 yes

Hawke added that this would be the last continuation.

Fiscal Office

ATTACHMENT 05/23/23 N

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$939,719.48.

3-0 yes

ATTACHMENT 05/23/23 O

Hawke moved and Hardesty seconded a motion to approve the minutes of the May 9, 2023 Board of Trustees' Meeting.

3-0 yes

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, June 13, 2023, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **LOGIC**, June 1, 2023, 9:00 a.m., Jackson Safety Center – Chief's Conference Room.
- **Zoning Meetings:** (Jackson Township Hall)

- **Board of Zoning Appeals** – None Scheduled
- **Zoning Commission** – June 8, 2023, 5:00 p.m.
- **Free Concert**, Eric Brooke’s Tribute to Michael Stanley, Thursday, May 25, 2023, The Nash Family Jackson Amphitheater. Gates open at 5:30 p.m., Concert begins at 6:30 p.m.
- **Movie in the Park – Minions: The Rise of Gru**, Friday, May 26, 2023, The Nash Family Jackson Amphitheater, Gates open at 5:30 p.m. and movie starts at 6:30 p.m.
- **Summer Concert Series**, June 2, 2023 EAGLES Tribute Band HOTEL CALIFORNIA, The Nash Family Jackson Amphitheater, Gates open at 5:30 p.m. and show starts at 7:30 p.m. Tickets at www.jacksonamphitheater.com.
- **Jackson Community Celebration**, June 21 – 24, 2023, The Nash Family Jackson Amphitheater. Food, Rides, Games, Free Entertainment and Fireworks on Saturday Night.

Old Business - None

New Business

**RESOLUTION 23-111 ATTACHED
PROJECT INSPECTOR**

Hawke moved and Hardesty seconded a motion that pursuant to ORC Section 511.10, Richard S. Holla is hereby appointed full-time Project Inspector for the Jackson Township Public Works Department (Highway Division), effective June 3, 2023 who may receive an annual salary of \$59,904.00 (\$28.80 per hour) and the benefits of a Class C employee as described in the Benefit Package for Management Personnel (hired before July 1, 2012).

3-0 yes

**RESOLUTION 23-112 ATTACHED
AMENDMENTS TO THE MASTER AGREEMENTS TO PROVIDE SERVICES TO AN
AGGREGATED GROUP (AEP AND OHIO EDISON)**

Hawke moved and Pizzino seconded a motion that whereas, the Ohio Legislature has enacted electric deregulation legislation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

Whereas, on November 2, 2010, Jackson Township residents voted in favor of the Township having the authority to aggregate the retail electric loads located in the Township and to enter into service agreements to facilitate for those loads the sale and purchase of electricity pursuant to Section 4928.20 of the Ohio Revised Code; and

Whereas, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

Whereas, this Board finds and determines that it is in the best interest of the Township, its residents, businesses and other electric consumers located within the limits of the Township to continue its Electric Opt-Out Aggregation Program for Ohio Power customers beyond August 2023 and Ohio Edison customers beyond December 2023 when the current supplier contracts end; and

Whereas, Energy Harbor was selected as the lowest and best bidder in a competitive bid process held May 16, 2023.

Be it resolved that we hereby authorize the following:

1. The Administrator/Law Director is hereby authorized to perform all actions necessary to support the continuation of a Governmental Aggregation Program and to enter into an Amendments for electric supply, (attached hereto and incorporated herein by reference as Exhibit A), with Energy Harbor to facilitate the sale and purchase of electricity to consumers in the Township's Opt-Out Program. Such agreement when signed will be effective as of the date of this Resolution.
2. 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 and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

3-0 yes

ATTACHMENT 05/23/23 P

Hawke moved and Pizzino seconded a motion to authorize out-of-state travel for Firefighter/Paramedic, Ryan Sullivan to attend a training at National Fire Academy in Emmitsburg, Maryland, on June 2, 2023 through June 4, 2023, in accordance with the Jackson Township Travel Policy.

3-0 yes

Public Speaks - None

Hawke moved and Hardesty seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez