

**MINUTES OF THE REGULAR MEETING OF THE  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, JANUARY 27, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, January 27, 2009 with all three Trustees present.

Pledge of Allegiance

ROLL CALL:	Mr. William C. Smith	-	Present
	Mr. Christopher B. Nichols	-	Present
	Mr. James A. Wilcox	-	Present

Also present: Atty. Charles Hall, Fiscal Officer Ron Smith, Zoning Director Marshall Lewis, Road Superintendent Dave Robertson, and Fire Chief Scott McKibben.

**MINUTES:**

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the January 13, 2009 Regular Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve and waive the reading of the minutes from the January 16, 2009 Special Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the January 21, 2009 Special Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**FIRE:**

Fire Chief presented receipts for two weeks for ambulance billing for a total of \$6,430.21. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve opening 1 new PO:

\$10,000.00 = McIntosh Oil Co

Motion seconded by Mr. Wilcox. Fiscal Officer certified funds are available. Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

FYI: > Ohio Billing account for 2008 given to Trustees for review

Mr. Wilcox made a motion to approve (4) four Fire Dept personnel attending Northern Ohio Arson Seminar in Ashland, Ohio on February 21 & 22. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve a Resolution requesting the Stark County Auditor to determine the amount upon a renewal and upon the replacement of an existing tax for benefit of the Canton Township Fire Dept. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:	Mr. Smith	-	YES
	Mr. Nichols	-	YES
	Mr. Wilcox	-	YES

**ROAD:**

Road Superintendent presented receipts for two weeks for the following: \$197.75=Scrap Metal, \$50.00=Road Opening Permit for total of \$247.75. Mr. Wilcox made a motion to accept the receipts as submitted, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve opening 2 new PO's:

\$25,000.00 = Cargill Salt Co.

1,000.00 = Stark Soil & Water

Motion seconded by Mr. Nichols. Fiscal Officer certified funds are available. Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve running an air line to the main truck garage, at a cost not to exceed \$400.00 and work being done by Road Dept personnel. Funds will be taken from an existing BC for repairs. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI:
- > County pipe project on Cole Ave SE postponed until warmer weather
  - > Will meet with Jeff Yohe of Stark County Sanitation Dept to look at streets to be paved after future sewer project on 14<sup>th</sup> St SE
  - > Road Department personnel and Zoning Director will attend an all-day training session for CPR and first aid to be held at Fire Administration Building on Friday, January 30<sup>th</sup>
  - > Road Salt Update:
    - ...paid \$36.33 per ton in 2008 - paying \$40.95 per ton in 2009
    - ...started plowing 2 weeks earlier this season than last season
    - ...to-date this season, have plowed/salted same amount of times as all of last season
    - ...to-date this winter season have used 1,825 tons of salt
    - ...many other townships have started using mixture of pea gravel & salt
    - ...pea gravel can be purchased for \$3.95 per ton

Mr. Smith made a motion to approve Road Dept. to use a mixture of pea gravel and road salt on the township roads for the remainder of this winter season. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, and Mr. Nichols, and Mr. Wilcox.

**ZONING:**

Zoning Director presented receipts in the amount of \$376.60. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve opening 1 new PO:

\$20,000.00 = Randy Cox (fire loss claim)

Motion seconded by Mr. Nichols. Fiscal Officer certified funds are available. Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

FYI: > Next Board of Zoning Appeals meeting to be Thursday, February 19 at 7:00pm

### New Violation Letters

Stephen D. Garrison	2350 Berdel St. SE	Structure Not Secured
Anthony Bissett	1312 Trump NE / 13th NE	Trailer
Danny's fast		
Cash Emporium	1506 Whipple Ave NW	Welcome Business
Rose Cox	3111 Central Ave SE	Trash/Unsecured

### Closed Violations

Roger A Larkins	2007 Weiss Ave SW	Trash / Vehicles
Peggy Morris	1920 Weiss Ave SW	Vehicles on Property
Calvin Edwards	2140 Calvin Ave SW	Vehicles on Property
Certified Oil	3826 Lincoln St. E.	Abandon Truck - Removed

### Business in Residential

1810 Faircrest SE	<b><u>Woody's Tree Service, Montgomery, Michael</u></b> , - Legal action in progress Final Pre-trial - May 21, 2009 Trial – Jun 1, 2009
4134 Fairknoll SE	<b><u>Quality Turf / Quality Custom Embroidery, Edwards, Bill</u></b> - Legal action in progress Meet with Judge – Legal Counsel, Zoning Inspector & President Board of Zoning Appeals - Jan 28, 2009
3143 Prairie College SW	<b><u>Daniels Welding &amp; Fabricating, Rose, Daniel</u></b> , Submitted application for Home Occupancy – Reviewed by BZA – 20 Jan 09
5141 Keiffer Ave SW	<b><u>Fisk Shane Roofing Co.</u></b> , Fisk, Shane & Roffanda, Submitted application for Home Occupancy – Reviewed by BZA – 20 Jan 09
3712 Baum SE	<b><u>Leader Landscaping Business, Kerestes</u></b> , Submitted request for non-conforming certificate – Reviewed by BZA – 20 Jan 09
4821 Dueber SW	<b><u>Franks Excavating, Franks, James &amp; Barbara</u></b> , Submitted request for non-conforming certificate – Reviewed by BZA – 20 Jan 09
824 Faircrest SW	<b><u>Acropolis Property Services, Fellouzis, Walter</u></b> , 19 March 2008, 3 <sup>rd</sup> notice sent by attorney, business owner has contacted office and received required papers to file for Home Occupation
5370 Ridge Ave SE	<b><u>Harper Surveying, Harper, Bradley &amp; Cynthia</u></b> , 17 April 08 – 1 <sup>st</sup> notice, 2 <sup>nd</sup> notice 17 June 08
5275 Sandy Ave SE	<b><u>Broad Trucking, Broad, John &amp; Theresa</u></b> , 17 April 08 – 1 <sup>st</sup> notice, 2 <sup>nd</sup> notice 17 June 08

### Legal Action

Stark County Board of Health –vs- Charles Minard Jr.

Jan 2, 2009 – Judge Brown issued 30 day notice to defendants; (1) secure garage, (2) remove all tires in garage, (3) remove auto parts from garage, and has authorized Canton Township to abate the public nuisance if not completed.

Canton Township Board of Trustees –vs- William E. Edwards Jr.

Jan 2, 2009 – Judge Haas will meet with all parties 10am 28 Jan 2009.

### **FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$67,267.53 and payroll in the amount of \$57,061.56 for total checks of \$124,329.09. Mr. Wilcox made a motion to approve the checks as presented, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Payment Register and Fund Status reports handed out to all three Trustees and Department Heads. New Appropriation Status report and PO & BC lists to be given to Department Heads on Thursday, January 29.

Mr. Nichols made a motion to approve opening 3 new PO's:

- \$ 449.89 = Stark County Treasurer (real estate taxes)
- 654.00 = Stark County Treasurer (special assessment MWCD)
- 1,340.20 = Stark Regional Planning (2009 RPC dues)

Motion seconded by Mr. Smith. Fiscal Officer certified funds are available.

Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI:
- > Local Government Funds decreased \$19,007.96
  - > Time Clock: Paychex and ID Card Services and Staley Technologies
  - > Trustees to sign December 2008 Bank Reconciliation
  - > 2008 Aultcomp Summary
  - > Administration/Zoning/Road: Sick & Vacation Time Documentation

### **PUBLIC SPEAKS:**

#### **Jim Schwitzgabel – 1015 Lakeview NW, Canton Township**

Mr. Schwitzgabel thanked the township for all the clean-up done so far at the Michel properties on Whipple and Lakeview NW. He would like to know what is being done to fill-in what is known as the “moat” on Lakeview. Atty. Hall stated that the motion to proceed with filling the moat was in Judge Heath’s office for 2 months. Once the weather breaks, Zoning Director will get estimates to fill the moat, regrade the property and assess these charges to Mr. Michel’s tax bill.

### **TRUSTEES:**

#### Mr. Wilcox:

Walking Track Grant: Mr. Wilcox made a motion to approve the Board President signing the Nature Works Grant Project Agreement for the Canton Township Community Walking Track. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Crime Watch Meeting: Mr. Wilcox made a motion to approve the Administration Office meeting room being used for a Crime Watch meeting on Monday, February 16, 2009 at 7:00pm. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

#### Mr. Smith:

Park Trustee: Mr. Smith made a motion to approve Jim Wilcox to serve as Park Trustee. He will oversee all activities, development, maintenance, problems, questions, and scheduling concerning Canton Township Parks. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Phone System: Trustees will review procedures to retrieve messages from voice mail.

- FYI:
- > Faircrest Middle School has been secured to hold a Public Hearing on Wednesday, February 18<sup>th</sup> at 7:00pm to discuss township street lighting and the possibility of a new fire station.

MR. NICHOLS:

Website: He just received 2 proposals for website development. He will review and send Trustees and Fiscal Officer an e-mail.

Newsletter: Goal is to have it ready to mail no later than February 11, so it will be out one week before the Public Hearing in order to notify residents of the date of the hearing.

Street Lighting: He should have street lighting maps done next week.

Change Start Time of February 9<sup>th</sup> Meeting: Mr. Nichols made a motion to approve changing the start time of the February 9<sup>th</sup> Regular Meeting from 7:00pm to 6:00pm. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 8:20pm, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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Ronald L. Smith, Fiscal Officer

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William C. Smith, President

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Christopher B. Nichols, Vice President

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James A. Wilcox, Trustee