

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, MARCH 24, 2009**

The Canton Township Board of Trustees met in a Regular Session at 6:30pm
on Tuesday, March 24, 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: Fiscal Officer Ron Smith, Zoning Director Marshall Lewis, Road Superintendent Dave Robertson, and Fire Chief Scott McKibben.

MINUTES:

Mr. Smith made a motion to approve and waive the reading of the minutes from the March 5, 2009 Special Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith and Mr. Wilcox. Mr. Nichols was absent from this meeting so he abstained from voting.

Mr. Nichols made a motion to approve and waive the reading of the minutes from the March 10, 2009 Regular Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols and Mr. Wilcox. Mr. Smith was absent from the meeting so he abstained from voting.

GUEST SPEAKER:

Mr. Dave O'Donnell – Account Executive
Terry Asphalt Materials, Inc. - Columbus, Ohio

Mr. O'Donnell's gave a presentation concerning a full range of road paving products and services.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$16,929.51=Ambulance Billing, \$160.00=CPR, for a total of \$17,089.51. Mr. Wilcox 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 closing 1 BC and 1 PO:

BC
13 = Staffing Operations & Expense

PO
#46 = Dominion East Ohio

Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

\$15,000.00 = Staffing Operations & Expense

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

FYI: > Trustees given copies of the February Ohio Billing credit and billing report

EXECUTIVE SESSION:

Mr. Smith made a motion to move into Executive Session at 6:58pm with Trustees, Fiscal Officer, and Fire Chief to discuss collective bargaining. Motion seconded by Mr. Nichols.

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

Mr. Smith made a motion to move out of Executive Session at 7:13pm. Motion seconded by Mr. Nichols.

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

Mr. Smith made a motion to tentatively approve the three-year collective bargaining agreement with the Canton Township Fire Department. Motion seconded by Mr. Nichols. Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

A final draft of the agreement should be complete in two weeks and it will be officially approved by the Board.

ROAD:

Road Superintendent presented receipts for two weeks for a reimbursement from Canton Local School for road salt in the amount of \$1,535.62. Mr. Wilcox made a motion to accept the receipts as submitted, seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve closing 2 PO's:

- #38 = Municipal Sign Co
- 72 = Cargill Salt Co

Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

- \$10,000.00 = Park Materials, Etc.

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

Mr. Wilcox made a motion to approve No Parking Resolution No. 03-01-09, for unnamed alley between Ridge Rd SE and Zeiger Alley. Motion seconded by Mr. Nichols. After discussion, it was decided more information is needed before the Board approves this resolution.

ROLL CALL VOTE: Mr. Smith - NO
 Mr. Nichols - NO
 Mr. Wilcox - NO

- FYI:
- > 6 drywells have been installed on 16th St NW
 - > Cole Ave SE pipe project will start Friday, April 3rd
 - > Bids for road materials will be opened at the April 7th meeting

ROAD: (continued)

- FYI:
- > Denial of Request, by Stark County Commissioners, to vacate unnamed alley in Clearview Heights Allotment. Road Superintendent to report at next meeting why request was denied.
 - > Road weight limit information to be ready for next meeting
 - > Waterline on Carnwise needs more tar
 - > 23rd St SW project – Road Superintendent to contact Gary Conners at Stark County Engineers office as to status and report back to Board at next meeting
 - > Township street lights will be checked for burned-out bulbs

EXECUTIVE SESSION:

Mr. Nichols made a motion to move into Executive Session at 7:30pm with Trustees, Fiscal Officer, and Road Superintendent to discuss collective bargaining. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Mr. Nichols made a motion to approve moving out of Executive session at 7:42pm. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Mr. Nichols made a motion to tentatively approve the three-year collective bargaining agreement with the Road Department and Administrative staff. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

A final draft of the agreement should be complete in two weeks and it will be officially approved by the Board.

ZONING:

Zoning Director presented receipts in the amount of \$563.00. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Business in Residential

1810 Faircrest SE	<u>Woody's Tree Service, Montgomery, Michael</u> , - Legal action in progress Final Pre-trial - May 21, 2009 Trial – Jun 1, 2009
4134 Fairknoll SE	<u>Quality Turf / Quality Custom Embroidery, Edwards, Bill</u> - Legal action in progress. Awaiting Judge decision.
5141 Keiffer Ave SW	<u>Fisk Shane Roofing Co.</u> , Fisk, Shane & Roffanda, Submitted application for Home Occupancy – Scheduled for BZA April 09
824 Faircrest SW	<u>Acropolis Property Services, Fellouzis, Walter</u> , 19 March 2008, 3 rd notice Home Occupation – 5 Feb 09 – Application for Home Occupancy – Scheduled for BZA April 09

ZONING: (continued)

Business in Residential (continued)

- 5370 Ridge Ave SE **Harper Surveying, Harper, Bradley & Cynthia**, 17 April 08 – 1st notice, 2nd notice 17 June 08 - 5 Feb 09 – Letter sent once again by zoning office to contact us about Business Operations – Application for Home Occupancy – Scheduled for BZA April 09
- 1527 Lakeside Ave NW **Rish Music, Jacob D Rish**, 4 March 09 – 1st notice.—Business relocated, requires home owner to remove sign located along street side.
- 427 Vince Ave NW **Risaliti Beauty Shop, Giorgio & Deanna Risaliti**, 4 March 09 – 1st notice. – Requesting review by BZA for existing non-conforming use
- 3143 Prairie College SW **Daniels Welding & Fabricating, Rose, Daniel**, Submitted application for Home Occupancy – Reviewed by BZA – 19 Feb 09
- 4821 Dueber SW **Franks Excavating, Franks, James & Barbara**, Submitted request for non-conforming certificate – Reviewed by BZA – 19 Feb 09
- 5275 Sandy Ave SE **Broad Trucking, Broad, John & Theresa**, 17 April 08 – 1st notice, 2nd notice 17 June 08 - 5 Feb 09 – Letter sent once again by zoning office to contact us about Business Operations

New Violation Letters

Jacob D Rish	1527 Lakeside Ave NW	Remove business sign in residential
Donald & Arleen Warton	321 Ironwood SE	Trash & Debris
Maggiore's Drive Thru	3616 Cleveland Ave. SE	Trash

Closed Violations

Danny's Fast Cash Emporium	1506 Whipple Ave NW	Business closed
Timothy Floyd	1115 Oak Ave NW	Trash & Debris removed

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. – Building secured / boarded up.

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

Jan 2, 2009 – Awaiting decision by Judge Haas.

Canton Township Board of Trustees –vs. - Woody's Tree Service

Awaiting transcripts and filing from defendants.

Timothy Lynn - 3963 Richville Dr., SW Canton OH – Parcel #13-09804

Public Nuisance Hearing – July 8, 2008

Property has large amounts of solid waste – Over 25 Unlicensed and Inoperable vehicles – Abandon / wrecked recreational vehicles – Large accessory building collapsed – Tires on and off rims.

Building & Structures – 90 Days total removal of collapsed building – 9 Oct 08

Vegetation, Garbage Refuse, Debris – 60 Days removal – 9 Sept 08

Unlicensed vehicles are being removed – verified 10 have been relocated from the property

Mr. Lynn states all will be removed by the end of month – March 09

Rose Cox 3111 Central Ave SE

Trash/Unsecured Structure

Lawsuit filed 23 Mar 09 Stark County Health Dept -vs- Rose Cox

FYI: > Board of Zoning Appeals will be meeting March 26th with one hearing

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$44,237.90 and payroll in the amount of \$74,774.99 for total checks of \$119,012.89. Mr. Nichols made a motion to approve the checks as presented, seconded by Mr. Smith 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 new PO & BC lists to be given to Department Heads on Thursday, March 26.

- FYI:
- > Trustees to sign February 2009 Bank Reconciliation
 - > Canton Township Fire Levy – May 5, 2009 – Issue #6
 - > AEP Rate Increase: 8% in 2009 – 7% in 2010 – 8% in 2011
 - > Road Salt Expense: Jan-Feb-Mar 2009 = \$ 82,111.30
Jan-Feb-Mar 2008 = \$116,684.00
2008-09 Season-to-Date \$105,610.45
 - > Discuss Natural Gas Rates and Suppliers

Mr. Nichols made a motion to approve switching the Township's natural gas supplier to Ohio Natural Gas, with a variable monthly term, no early termination fee. Present supplier total rate is \$8.8857 MCF. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Fiscal Officer to make the switch before April 1, 2009.

PUBLIC SPEAKS:**Ms. Tena Hall – 2700 Lincoln St East – Canton Township**

Ms. Hall spoke at the last meeting concerning the sanitary sewer problems on Lincoln St. She was here this evening to follow-up with the Board to see if any new information was available concerning the sanitary sewer for the residents of Lincoln St. Trustee Smith has been in touch with several officials with the Stark County Commissioners Office and the Sanitary Sewer Department. He gave her information about the cost of the project for the 4 property owners involved. Right now, getting financial assistance does not look good; but he is not giving up. He will try to set-up a face-to-face meeting with Commissioner Harmon and Steve Bellamy with the Sewer Department to see what can be done. He will do whatever he can to get them some financial help.

Jim Simodi – 2706 and 2714/2716 Lincoln St East – Canton Township

He and Ms. Hall gave the Board several estimates and fees required for various stages of this project. *(detailed information on the audio tape)*

TRUSTEES:**MR. SMITH:**

Work Session: Mr. Smith made a motion to cancel the Work Session that was scheduled for Tuesday, March 31st. This is due to the Board attending a Public Hearing being held, at the same date and time, by the Stark County Commissioners concerning sanitary sewer projects in Canton Township. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

MR. SMITH: *(continued)*

Street Lights: The cost for 159 street lights that are in CEDA or annexed areas of Canton Township will be taken over by the City of Canton. This will amount to approximately 12%, or \$14,000.00 per year taken off the township's charges from AEP. At his point, we will now start giving AEP a list each month of other street lights in the township that can be turned off.

Faircrest/I-77 Development: Trustee Smith has been meeting with the developer. Since this is a CEDA area, the developer has been invited, by the City of Canton, to attend a major convention/show in Las Vegas in April which will be represented by cities all across the country. At this convention, Canton will showcase 5 different areas of the city they want to promote. The Faircrest/I-77 development is one these areas. This development area partnering with the Mills Park development area, has the potential to attract the restaurant and hotel/motel industry.

MR. NICHOLS:

Website: Lehman Website Design has begun the design and art work for our website. Within the next couple weeks, he will be forwarding to Department Heads documentation that needs to be completed to provide Lehman with the additional information they need to continue.

Support Township Businesses: In these difficult economic times, the Board is encouraging our residents to support our local business establishment as much as possible. The township administrative staff is also advised to do the same when making purchases for the township.

Faircrest Park: A portion of the paperwork necessary for Canton Township to take over Faircrest Park from Stark County should be complete within the next two or three weeks.

MR. WILCOX:

Community Park: Weather permitting, the Community Park on Oyer Street SE will open on Wednesday, April 1st.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 8:36pm, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Ronald L. Smith, Fiscal Officer

William C. Smith, President

Christopher B. Nichols, Vice President

James A. Wilcox, Trustee