

**MINUTES OF THE REGULAR MEETING OF THE  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, APRIL 07, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, April 07, 2009 with all three Trustees present.

Pledge of Allegiance

ROLL CALL:            Mr. William C. Smith            -            Present  
                              Mr. Christopher B. Nichols       -            Present (arrived at 7:45pm)  
                              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 24, 2009 Regular Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith and Mr. Wilcox.

**FIRE:**

Fire Chief presented receipts for two weeks for the following: \$11,948.76=Ambulance Billing, \$120.00=CPR, \$2.00=Records Request, \$1,650.00=Fire Training Grant, \$100.00=Fire Donation, \$270.00=Employee Uniform Repayment, for a total of \$14,090.76. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Smith and Mr. Wilcox.

Mr. Smith made a motion to approve closing 1 BC:

#15 = Training Supplies/Expenses

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

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

\$5,000.00 = Training & Misc Training Supplies

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

Mr. Smith made a motion to approve hiring Fire Fighter Cadet Steven Scarpino, to work at Station #3. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith and Mr. Wilcox.

Trustee Smith issued the Oath of Office to Steven Scarpino

Mr. Wilcox made a motion to approve Captains Chris Neisel and Karla Nevel attending the Ohio Chapter IAAO Training in Zanesville on May 13-14-15, at a cost not to exceed \$740.00. Motion seconded by Mr. Smith and voting YES – Mr. Smith and Mr. Wilcox.

**7:10pm OPEN 2009 ASPHALT MATERIAL BIDS**

<u>Company Name</u>	<u>Hot Mix</u>	<u>Cold Mix</u>
Massillon Asphalt Co – North Canton	\$48.00/ton	none
Central Allied Ent – Canton	\$50.00/ton	\$100.00/ton
J.D. Mining - Magnolia	\$51.00/ton	none
Northstar Asphalt Co – North Canton	\$49.00/ton	none

Mr. Wilcox made a motion to accept all 4 asphalt material bids, and to use the company nearest to the work location. Motion seconded by Mr. Smith and voting YES – Mr. Smith and Mr. Wilcox.

**ROAD :**

Road Superintendent presented receipts for two weeks for scrap metal in the amount of \$197.25. Mr. Smith made a motion to accept the receipts as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith and Mr. Wilcox.

Mr. Smith made a motion to approve a Work Session starting at 6:30pm prior to the next Board of Trustees Regular Meeting on Tuesday, April 21<sup>st</sup> for a presentation by Lytle Construction and Kimble Stone Co concerning chip & seal needs. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith and Mr. Wilcox.

- FYI:
- > Wenger Excavating will re-seal cracks in waterline on Carnwise SW
  - > Wenger Excavating will re-landscape along Carnwise SW, where waterline was installed
  - > OOPS flags were pulled out along Carnwise SW
  - > Talked to Gary Conners of Stark County Engineers concerning drainage on 23<sup>rd</sup> St SW

**ZONING:**

Zoning Director presented receipts in the amount of \$490.60. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Smith and Mr. Wilcox.

- FYI: > Board of Zoning Appeals meeting will be Thursday, April 23<sup>rd</sup> at 7:00pm

**New Violation Letters**

Wayne Ranson	326 Marietta Ave SE	Trash & Debris
Carl Layman	3003 Joseph St NW	Trash & Debris
Ricky Desser Jr.	3950 Faircrest St SW	Open Burning/Trash & Debris/Business in Residential
Schluneker Enterprises	3112 Lincoln St E	Trash & Debris

**Closed Violations**

Jacob D Rish	1527 Lakeside Ave NW	Remove Business Sign in Residential
Maggiore's Drive Thru	3616 Cleveland Ave. SE	Removed Trash & Debris

**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 –

Abandoned / 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 Court date 3 April 09

Grandson David Cox has taken responsibility for the property

Judge issued 60 day clean up and 120 for removal of house

**Business in Residential**

1810 Faircrest SE

**Woody's Tree Service, Montgomery, Michael**, - Legal action in progress

Final Pre-trial - May 21, 2009 Trial – Jun 1, 2009

4134 Fairknoll SE

**Quality Turf / Quality Custom Embroidery, Edwards, Bill** - Legal action in progress. Awaiting Judge decision.

5141 Keiffer Ave SW

**Fisk Shane Roofing Co.**, Fisk, Shane & Roffanda, Submitted application for Home Occupancy – Scheduled for BZA 23 April 09

824 Faircrest SW

**Acropolis Property Services, Fellouzis, Walter**, 19 March 2008, 3<sup>rd</sup> notice Home Occupation – 5 Feb 09 – Application for Home Occupancy – Scheduled for BZA 23 April 09

5370 Ridge Ave SE

**Harper Surveying, Harper, Bradley & Cynthia**, 17 April 08 – 1<sup>st</sup> notice, 2<sup>nd</sup> 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 23 April 09

427 Vince Ave NW

**Risaliti Beauty Shop, Giorgio & Deanna Risaliti**, 4 March 09 – 1<sup>st</sup> notice. – Requesting review by BZA for existing non-conforming use

3143 Prairie College SW

**Daniels Welding & Fabricating, Rose, Daniel**, Submitted application for Home Occupancy –

4821 Dueber SW

**Franks Excavating, Franks, James & Barbara**, Submitted request for non-conforming certificate –

**FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$20,272.26 and payroll in the amount of \$54,475.69 for total checks of \$74,747.95. Mr. Smith made a motion to approve the checks as presented, seconded by Mr. Wilcox and voting YES – Mr. Smith 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, April 9.

- FYI:
- > Part-Time Fire personnel will not have their hourly rate and hours worked listed on their paychecks
  - > Stark County Schools Council of Government – Health Care Consortium Should here from Superintendent Larry Morgan within the next few weeks to let us know if and when Canton Township can join their co-op program.
  - > Have received final settlement on first half 2009 real estate taxes, which included approximately \$6,200 for mowing township nuisance properties.

**PUBLIC SPEAKS:**

**Allen Reynolds: 4303 Cheryl Ave SW – Canton Township**

Mr. Reynolds voiced his concerns about a neighbor’s dangerous dogs. He has called the Stark County Sheriff over the past several years concerning the non-stop barking during the middle of the night, and was told Canton Township did not have a Barking Dog Ordinance. He is glad to know that there is now such an ordinance in place. The situation has escalated to the dogs chasing and threatening him and his family, as well as other neighbors. This person has been in trouble with the law before concerning her dogs. The sheriff and dog warden have been involved, but nothing has been resolved. Mr. Reynolds is asking for the Trustees help. Trustee Smith advised him the only thing they can assist with is to have him call the Trustees the next time the Sheriff is called and they respond, to document the deputy’s name and date & time of the response so they can follow up with the sheriff’s office.

**Tim Lynn: 3963 Richville Dr – Canton Township**

Mr. Lynn is here concerning his ongoing public nuisance issues. Zoning Director sated Mr. Lynn has removed the collapsed structure and most of the debris, but he still has approximately 15 unlicensed vehicles on the Canton Township property. Mr. Lynn asked the Board for a deadline to comply with the removal of these vehicles.

Mr. Smith made a motion to approve extending the deadline to May 30, 2009 for Timothy Lynn to remove the remaining vehicles from his Canton Township property. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**Jim Simodi: 2004 Ravenna Ave SE – East Canton**

Mr. Simodi is here concerning the sewer problems on Lincoln St East. His property on Lincoln is 2716. 2 weeks ago he voiced his concerns and questions concerning this issue, and was told that the Zoning Director was going to contact Brian Oliver to see if he was going to tie-in to the sewer lines of if he had other options. Trustee Smith stated he had stopped and talked with Mr. Oliver a few days ago, but there was no commitment made one way or the other. Mike Rehfus will become the Sanitary Engineer on May 1<sup>st</sup>, and Trustee Smith has a meeting with him on May 5<sup>th</sup>. He will have more information after this meeting.

**FIRE:**

Mr. Nichols made a motion to approve Resolution No. 04-01-09 to authorize transfer and collection of certain unpaid accounts for ambulance and emergency medical services, and authorizing the billing company to forgive certain delinquent account. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to approve the 3-year labor agreement between Canton Township Board of Trustees and Canton Township Professional Fire Fighters IAFF Local 3676, as presented to the Board, effective 04/01/2009 – 03/31/2012. Motion seconded by Mr. Smith.

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

**ROAD:**

Mr. Wilcox made a motion to approve Resolution No. 04-02-09 for 20% Weight Limit Reduction for 12<sup>th</sup> Street NE from Trump Ave NE to Coolridge Ave NE; and Coolridge Ave NE between 11<sup>th</sup> St NE and 12<sup>th</sup> St NE. Motion seconded by Mr. Smith.

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

EXECUTIVE SESSION:

Mr. Smith made a motion to move into Executive Session at 8:17pm with Trustees, Fiscal Officer and Road Superintendent to discuss personnel matters. Motion seconded by Mr. Wilcox.

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

Mr. Smith made a motion to move out of Executive Session at 8:27pm. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to accept Dave Robertson’s request to step down from the position of Canton Township Road Superintendent and be placed back on the road crew as soon as a replacement is hired. Motion seconded by Mr. Wilcox. The Board thanked Mr. Robertson for his dedication to the residents of Canton Township and for his cooperation, hard work and willingness to always help when needed. Voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to revise and update the job description of the Canton Township Road Superintendent; and to post the opening for this position, internally, by April 13<sup>th</sup>, with letters of interest and resumes to be submitted by April 20<sup>th</sup>. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**TRUSTEES:**

MR. SMITH:

Canton Local USDA Grant = Mr. Smith made a motion to approve the Board sending a letter to the USDA in support of Canton Local School District’s need to apply for a Rural Development Grant for roof repairs and upgrade to water sewage treatment plant. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

MR. NICHOLS:

Road/Admin 3-Year Agreement = Mr. Nichols made a motion to approve the 3-year Employee Agreement between Canton Township Board of Trustees and Canton Township Road Department and Administrative Department personnel, effective 04/01/2009 – 03/31/2012. Motion seconded by Mr. Smith. Mr. Nichols thanked the employees for stepping-up to the plate and agreeing to a wage-freeze for the first year of

the agreement. In these difficult economic times, this gesture shows their commitment to the Canton Township community.

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

MR. WILCOX:

Community Park =

Shrubbery: Mr. Wilcox made a motion to approve the purchase of landscape shrubbery for the Community Park, at a cost not to exceed \$2,000.00, to be paid from an existing BC. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Trees: Mr. Wilcox made a motion to approve spraying the trees at the Community Park, at a cost not to exceed \$600.00, to be paid from an existing BC. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Paving Bids: Mr. Wilcox made a motion to approve advertising for paving bids for the walking track at the Community Park. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Purchase Drainage Pipe: Mr. Wilcox made a motion to approve purchasing drainage pipe and electrical conduit material for the Community Park from Marlboro Supply, at a cost not to exceed \$585.15, to be paid from an existing BC. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 8:41pm, seconded by Mr. Wilcox 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