

**MINUTES OF THE REGULAR MEETING OF  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, JUNE 1, 2010**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, June 1, 2010 with all three Trustees present.

Also in attendance: Fiscal Officer Ron Smith, and Fire Chief Scott McKibben.

Absent: Road Superintendent Tom Hewitt

**MINUTES:**

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the May 18, 2010 Regular Meeting, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Smith made a motion to approve and waive the reading of the minutes from the May 25, 2010 Special Meeting, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the May 27, 2010 Special Meeting, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

**FIRE:**

Fire Chief presented receipts for two weeks for the following: \$11,340.13=Ambulance Billing, \$630.00=CPR for total receipts of \$11,970.13. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve closing 1 PO:

#84 = Physio Control

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

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

\$25,000.00 = Misc Supplies & Expenses

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

Mr. Nichols made a motion to approve the purchase of a new SCBA fill station from Breathing Air Systems, at a cost not to exceed \$8,307.00. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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

\$8,307.00 = Breathing Air Systems

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

Mr. Smith made a motion to approve Young Truck Sales to repair unit #338 (air support command vehicle), at a cost not to exceed \$5,000.00. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr., Wilcox, and Mr. Smith.

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

\$5,000.00 = Young Truck Sales

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

Mr. Nichols made a motion to approve sending to collections for non-payment of ambulance services Ronald Cindia, in the amount of \$274.61 (certified letter returned unclaimed). Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

### **EXECUTIVE SESSION:**

Mr. Nichols made a motion to move into Executive Session at 7:14pm with the Trustees, Fiscal Officer, Fire Chief, and Fire Admin Assistant Susan Schnegg to discuss a BWC claim. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to move out of Executive Session at 7:29pm.

Motion seconded by Mr. Wilcox.

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

NOTE: At this time, Mr. Nichols briefly explained, to those in attendance, what an Executive Session is and why it is necessary.

### **BID OPENINGS – FIRE TRAINING TOWER:**

*(only one bid received)*

<b><u>Company Name</u></b>	<b><u>Location</u></b>	<b><u>Bid Amount</u></b>
Riverside Metal Craft Inc.	Hawkinsville, Georgia	\$208,000.00

Mr. Nichols made a motion to approve forwarding the training tower bid to Atty. Charles Hall for his review and opinion. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

### **ROAD:**

*(in the absence of the Road Superintendent, Mr. Nichols reported the Road Dept agenda items)*

Mr. Nichols made a motion to approve receipts for two weeks for the following: \$230.60=Culvert Pipe, \$604.25=Scrap Metal, for a total of \$834.85. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

**FYI:** > Storm Water Mapping Services

At this time, after further research, Mr. Nichols reported to the Board his findings for the pros and cons of the services that can be provided by both Accurate Technologies and Stark County Regional Planning. After further discussion, it was decided to continue with the services being provided by Stark County Regional Planning, which was approved at a previous meeting.

Mr. Wilcox made a motion to approve payment to Stark County Regional Planning for the NPDES Storm Water Mapping services, in the amount of \$3,889.62. Motion seconded by Mr. Smith. Fiscal Officer certified funds and an open PO are available. Voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

> Release Bond – Waterline Installation on Faircrest St SW

Township has received a request from Leonard Insurances Services/Westfield Insurance Co. to release the road opening bond for the waterline installation on Faircrest St SW. It is the decision of the Board, not to release the bond.

Mr. Nichols made a motion not to release the road opening bond for the waterline installation on Faircrest St SW; and to forward the request to Atty. Charles Hall for review and opinion to find our options to get the corrections and repairs made to that poorly done paving job on Faircrest St SW. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

> Street Sweeper Truck – Plain Township

At a previous meeting, the Board approved the Road Superintendent to make a bid of \$7,500 to Plain Township to purchase a street sweeper truck. The bid was rejected, due to the fact Plain Township has made additional repairs to the truck. Currently, the truck is listed “For Sale” on a governmental website, entertaining bids from \$8,500 to \$10,000.

Mr. Nichols made a motion to authorize Road Superintendent Tom Hewitt to bid up to and not to exceed \$9,000.00 for the Plain Township street sweeper. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

> Resurfacing North Park Ave/Meyers Lake

Mr. Nichols and Road Superintendent have met with the Mayor of Meyers Lake Diana Stadelman and also Cooper & Associates (surveyors/engineers) to discuss the options available to correct the drainage that runs off the east side of the road into residents’ front yards, and also the quality and stability of the road in general. The engineering quote from Cooper & Associates is \$11,750.00. Mayor Stadelman wanted to know, since the half the road belongs to Canton Township, if the township would be willing to pay half the cost. Trustee Smith suggested phone calls to the Stark County Engineer and also to Stark County Regional Planning for grant funding options available. Mr. Nichols to follow-up and report back to the Board at the next meeting.

## **ZONING:**

In the absence of a Zoning Director, Fiscal Officer presented zoning fees for two weeks in the amount of \$852.80. Mr. Smith made a motion to accept the zoning report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

- FYI:
- > Trustees received copy of updated zoning violations letters mailed out.
  - > Resident on 14<sup>th</sup> SE – Has 3 campers and 1 boat on his property – Zoning permits 2 recreational vehicles. He is tearing one down. Mr. Wilcox to follow-up.
  - > “No Parking on Pavement” signs needed on Cloverhill SW. Resident reported to Mr. Wilcox that people are driving on his property and camping and partying up in the woods. Sheriff and owner walked to the sight and everyone scattered.
  - > Mr. Wilcox also checked some properties for high grass
  - > Parker on Dueber Ave SW – high grass & vehicle Mr. Nichols asked what the time frame was put in the letter for the bus. Mr. Wilcox to check with Dorene.
  - > Trustee Smith and Atty. Hall met at Minard’s car lot today. All the cars across the street were gone today (they were there over the weekend). Lot on corner of Trump and Lincolnway, he has hauled away over 20 vehicles. He has about another 20 to 30 still there. After discussion, he has until the 10<sup>th</sup> to put a plan together and send it to the judge. Trustee Smith and Atty. Hall were going to recommend that Mr. Minard be given 30 more days for that lot; and be given a total of 60 days to clean-up the lot behind the fire station on Lincoln St East.
  - > Trustee Smith and Atty. Hall to meet with Tani Taylor on Thursday at 10am

## **FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$20,795.49 and payroll in the amount of \$59,193.11 for a total of \$79,988.60. Mr. Wilcox made a motion to approve the checks as submitted, seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox and Mr. Smith, with Mr. Smith abstaining from the vote on warrant # 9152, in the amount of \$309.42.

Payment Register and Fund Status reports handed out to all three Trustees and Department Heads. New Appropriation Status report, new Fund Status report, and new PO & BC Status reports to be given to Department Heads on Thursday, June 3<sup>rd</sup>.

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

\$83.56 = Community Park Expenses (to close out Fund 2171=Park Advisory Fund)

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

- FYI:**
- > Sheri Griffith: Payment for May not received.  
She has only made the first payment (April).  
Stark County Prosecutor’s office will file with Small Claims Court.

## **PUBLIC SPEAKS:**

### **Elaine Irwin: 4020 Faircrest St SW, Canton Twp**

Ms. Irwin was in attendance concerning the Mills Industrial Park on Faircrest SW. Shortly after the annexation of this 143-acre property to the City of Canton in 2003, Bob DeHoff approached the City about putting a trucking company in the Industrial Park (trucking companies were

Zoned I-2 in the City of Canton). To accommodate Mr. DeHoff, the City changed the zoning for trucking companies from I-2 (Heavy Industrial) to I-1 (Light Industrial). In her opinion, the City of Canton violated the original agreement of the annexation, which permitted uses of I-1 Light Industrial, but now all that has changed. No one from the City of Canton has to live next door to this, but she does as do other residents of Canton Township; and they are stuck with whatever Bob DeHoff decides he wants to do in the Industrial Park. She printed out the conditional uses for I-2 zoning for the City. If they want to put in a rendering facility (stink plant), they can do it ... an ammonia/chlorine/bleaching powder manufacturer, they can do it... an explosive manufacturer, they can do it. Her concern and the reason she is here tonight is to ask the Board, to beg the Board, to stop the cancer before it gets started. Ms. Irwin knows that Canton Township cannot do anything to regulate the zoning laws of the City of Canton; however, she feels the Board has some influence and definitely a responsibility to the Canton Township residents to hold the City of Canton responsible for what they do to the township residents. Her fear is that whenever Mr. DeHoff can “make a buck” and says he will create jobs for the City, the City of Canton will give him whatever he wants. They set a precedent with the trucking terminal by allowing the change from I-2 to I-1. They did it once, they will do it again. Trustee Smith stated the Township was not consulted when the City allowed the trucking terminal in the Industrial Park, and according to the original agreement, they should have been; therefore, the City of Canton has violated the original annexation agreement. She thanked the Board for recording this in their public meeting minutes.

**TRUSTEES:**

**MR. NICHOLS:**

DeLong Annexation: Mr. Smith made a motion to approve Resolution No. 06-01-10 The CEDA and Annexation Agreement for the DeLong Annexation. Motion seconded by Mr. Nichols.

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

Stark County – NSP: Mr. Nichols made a motion for the Board to approve and sign the agreement with the Stark County Commissioners for the NSP (Neighborhood Stabilization Program) demolition of 3217 – Gonder Ave SE & 3215 – 3<sup>rd</sup> St SE & 4266 – 14<sup>th</sup> St NE. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

**EXECUTIVE SESSION:**

Mr. Nichols made a motion to move into Executive Session at 8:15pm with the Trustees and Fiscal Officer to discuss Zoning personnel. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to move out of Executive Session at 8:46pm. Motion seconded by Mr. Wilcox.

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

MR. WILCOX:

Cloverhill SW: Mr. Wilcox made a motion to approve putting up “No Parking on Pavement” signs on both sides of Cloverhill SW. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

5200 Ridge Ave SE: (corner of Ridge & Baum SE) Mr. Wilcox talked to Debbie Dawson of the Stark County Prosecutor’s office today about this property. She has not heard from the mortgage company in California. If there is no response by the 14<sup>th</sup>, she will give the Township the OK to have it raised.

MR. SMITH:

MWCD/Nimishillen Creek: He received an e-mail from Boris Slogar (*spelling ?*), Chief Engineer with Muskingum Watershed Conservancy District concerning a letter from Canton Township dated October 15, 2006 and an accompanying DVD of the Nimishillen Creek that was sent to their office. This DVD shows and describes fallen trees and other debris located throughout the creek; and requested MWCD to assist Canton Township with debris removal and dredging of the creek. He informed Mr. Smith that the MWCD Maintenance Assessment Fund is available to assist with a debris removal project. If it remains the Township’s intent to proceed with this project, he would be happy to meet with the Board to discuss the project needs and how to apply for the project funding. Mr. Smith will invite him to attend our next meeting, along with the township grant writer and the Stark County Commissioners.

MR. NICHOLS:

Special Meeting: Mr. Nichols made a motion to approve a Special Meeting for Friday, June 4, 2010 at 8:00am at the Township Administration Building to discuss Zoning matters and any other township matters that may come before the Board. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 8:51pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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Ronald L. Smith, Fiscal Officer

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Christopher B. Nichols, President

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James A. Wilcox, Vice President

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William C. Smith, Trustee