

**MINUTES OF THE REGULAR MEETING OF THE  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, JUNE 02, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, June 02, 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 Tom Hewitt, and Fire Chief Scott McKibben.

**MINUTES:**

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the May 19, 2009 Regular Meeting, seconded by Mr. Nichols 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 May 26, 2009 Special Meeting, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**FIRE:**

Fire Chief presented receipts for two weeks for the following: \$14,919.00=Ambulance Billing, and \$220.00=CPR for a total of \$15,139.00. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

#14 = Misc Equipment/Supplies

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

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

\$25,000.00 = Misc Supplies & Expenses

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 hiring Fire Fighter Cadet Brandon Hanlin, for the paid-per-call staff, working out of Station #3. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Trustee Nichols issued Oath of Office to Cadet Hanlin.

**Gatchell Grant Resources, LLC** (Vera Gatchell and Diell Juncaj “DD”)

Vera and DD were here to discuss, explain, and answer questions concerning writing a Stimulus Grant, which is being funneled through the Assistance to Fire Fighters Grant.

**Gatchell Grant Resources, LLC** (continued)

\$210 million is being allowed for the entire United States for building new stations or refurbishing existing fire stations. This is a Federal Construction Grant which is very detailed and highly competitive. Those who are “shovel ready” will have the highest priority. Grant application can be for a maximum of \$5 million. There is no match to this grant, is it 100%. If this grant is awarded, there will be a one-time audit of the Township. Deadline to apply is July 10<sup>th</sup>.

Mr. Nichols made a motion to authorize Gatchell Grant Resources to write a Fire Stimulus Grant, fee not to exceed \$3,000.00. Grant application to be submitted upon final approval of the Board President and Fire Chief. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

\$3,000.00 = Gatchell Grant Resources, LLC

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

**ROAD:**

Road Superintendent presented receipts for a road opening permit in the amount of \$50.00. Mr. Smith made a motion to accept the fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve closing 2 BC’s and 3 PO’s:

BC

#21 = Repairs  
28 = Material

PO

#76 = Akron Tractor & Equipment  
82 = Central Allied Ent  
89 = Rentwear

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

Mr. Wilcox made a motion to approve opening 2 new BC’s and 2 new PO’s:

BC

\$10,000.00 = Repairs  
5,000.00 = Materials

PO

\$ 5,000.00 = Central Allied Ent  
200.00 = Rentwear

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

Mr. Smith made a motion to approve sending the proposal received from Fellowship Baptist Church requesting a 50-foot easement at 5505 Keiffer Ave SE to Atty. Charlie Hall for him to research for liability and a lawful way to grant an easement in a right-of-way, and the proper procedures to follow if the Board chooses to go through this process. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**ROAD:** (continued)

- FYI: > Whipple Ave SW - staking is complete
- > Charlotte Ave SE – pipe is in
- > Street sweeping estimates are in:

<u>Per Hour for 1 Man &amp; Truck</u>	<u>Company</u>
\$89.00	Buckeye Sweeping
\$90.00	Reilly Sweeping
\$60.00	Plain Township

- > Price for wood chipper to loan to Plain Township
- > HOF Resolution - 17<sup>th</sup> NW temporary “No Parking” signs during Hall of Fame festivities – Road Superintendent to request Resolution from Atty. Hall

Mr. Wilcox made a motion to hire Benjamin White to work for the Road Dept as a seasonal, on-call employee to work at both township parks, hire date of 06-02-09, at a pay rate of \$10.00 per hour, no benefits. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve Atty. Charlie Hall sending a letter to Rentwear, to the attention of Dan Clay, canceling our current contract. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**ZONING:**

Zoning Director presented receipts for 2 weeks in the amount of \$301.00. 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.

Mr. Smith made a motion to approve the Fiscal Officer signing a letter to the Stark County Auditor requesting a total of \$1,850.00 for 21 parcels to be added to the tax duplicates for properties mowed under the township nuisance code. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve hiring Cheryl Lynn Farber as an on-call secretary, effective date 06-08-09, at a pay rate of \$10.00 per hour, no benefits. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI: > There are now 2 vacancies on the Zoning Board of Appeals. Notice will be placed in the next township newsletter and also be advertised in the newspaper.

**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. Awaiting Judge Decision.
824 Faircrest SW	<b><u>Acropolis Property Services, Fellouzis, Walter</u></b> , 19 March 2008, 3 <sup>rd</sup> notice Home Occupation – 5 Feb 09 – Application for Home Occupancy – 30 April 09 - Withdrew application

**Business in Residential** (continued)

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 21 May 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 – Scheduled **BZA 21 May 09**

**New Violation Letters**

Sylvia Dennis	223 53rd St SW	High Grass
Gary Ranalli	1113 Roslyn Ave NW	High Grass
First Merit Bank	2804 Allenford Dr SE	High Grass
Dorothy Rebstock	4652 Central Ave SE	High Grass
Peter Chickering	3362 Allenford Dr SE	High Grass
Rebecca Thompson	3215 3rd St SE	High Grass
Lisa Lara	223 Carrolldale Ave SE	High Grass
Wayne Ransom	326 Marietta Ave SE	High Grass
Edward Conrad	4836 Ridge Ave SE	High Grass
Jeremy Baisden	135 43rd St SW	High Grass
David Hite	1491 Valentine Circle NW	High Grass
Dale & Rose Miller	1320 Davis SW	High Grass
Digitecs Inc	2727 Cleveland Ave SE	New Business
Allen Morris	4828 Wiseland Ave SE	High Grass
Samuel A Frisone Jr	4834 Wiseland Ave SE	High Grass
D A Short & Associates	1107 Oak Ave NW	High Grass
Tracy Rippel	1549 Edmeyer NW	High Grass
Deutsche Bank	1009 Terrace NW	High Grass
Brandy Shepard	1533 Sally Ann NW	High Grass
Doy King	3106 25th St SE	High Grass
Todd Kopp	2724 Waynesburg Dr. SE	No Permit/Pool
Shawn Whitcomb	4421 Waynesburg Dr. SE	High Grass
Doris Ferguson	3718 Whipple Ave SW	Trash & Debris
Edward Conrad	4836 Ridge Ave SE	High Grass
Carol's Auction House	2906 Waynesburg Dr. SE	Vehicles/Trash/Grass
George Konheim	3rd St SE	High Grass
Amanda Blile	3502 Shepler Ch SW	High Grass
Jack Doney	3rd St SE	High Grass
R. Lowe/J. Hoopingarner	1904 Sherrick Rd. SE	High Grass
Michael Rukavina	1926 Sherrick Rd. SE	High Grass
Charles Oliver Sr. ETAL	2631 6th St SE	High Grass
Kim Mayle	310 Charlotte Ave SE	High Grass June 1-09
Rev. Stephen Stewart II	2460 Waynesburg Dr. SE	No Occupancy & Sign Permits
William Hysong	4266 14th St NE	Grass & Abandon Bldg.

**Closed Violations**

Premium Petroleum Inc.	1652 Whipple Ave NW	High Grass - Mowed - 15 May 09
Thompson's Entertainment	3606 Cleveland Ave S.	Corrected Sign Operation
Warr Winfred	366 Trum NE	High Grass - Mowed - 27 May 09
Jen Collins	3333 Cleveland Ave SW	Illegal Sign Removed
Jessie Bing	4541 Sherer Ave SW	High Grass Mowed - 27 May 09
Plaza South / Schoepner	2716 Cleveland Ave SE	High Grass Mowed - 27 May 09
P H T Associates	2909 Cleveland Ave SW	High Grass Mowed - 27 May 09
Kingsville Co	2929 Cleveland Ave SW	High Grass Mowed - 27 May 09
Peter Chickering	3362 Allenford Dr SE	High Grass Mowed - 27 May 09

**ZONING:** *(continued)*

**Canton Township Board of Trustees –vs.- William E. Edwards Jr. -**  
**CASE NO. 2008 CV 02289 Judge John G. Haas – Approved and filed May 21, 2009**

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

Judgment Entry filed Friday 24 April 09 – Attorney Robert Rubin filed with the BZA for a hearing to be held this Thursday night - May 21, 2009, asking for the board to review and recognize a continuing lawful Non-Conforming Use. – BZA has held over the decision until the next meeting to be held June 25, 2009 7 PM

**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 - Completed

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

May 30, 2009 – Trustees approved new date for vehicles to be removed

Inspected property Friday – May 30, 2009 - 3:30 PM --- All unlicensed vehicles removed from property, Mr. Lynn has licensed 7 vehicles and has kept those on the property, several high value vehicles have been stored in an accessory building located on the property. Three vehicles have been moved to the Perry Township part of the property and covered. This completes the Township nuisance against Mr. Lynn.

**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

(4 June 2009) clean up and 120 (4 August 2009) for removal of house.

--- As of 1 June clean up is not completed, notified County Health Dept and scheduled site inspection set for Friday 5 Jun 09.

FYI: > Received 2 quotes for the Michel property at 1003 Lakeview Terrace NW to evaluate moving and filling in dirt between the 2 properties and re-grading the dug-out area.  
\$2,500.00 = DeSantis Enterprises  
\$9,900.00 = Malavite Excavating

Mr. Smith made a motion to approve hiring DeSantis Enterprises to re-grade the property at 1003 Lakeview Terrace NW, at a cost not to exceed \$2,500.00, and to conform and fill as needed so the property may be maintained properly, remove the embankment and use the fill from the adjacent property Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**ZONING:** *(continued)*

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

\$2,500.00 = DeSantis Enterprises

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

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

**FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$58,321.04 and payroll in the amount of \$56,914.74, for total checks of \$115,235.78. 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 new PO & BC lists to be given to Department Heads on Thursday, June 5<sup>th</sup>.

Mr. Nichols made a motion to approve publishing a half-page ad in the Canton City Schools 2009-2010 football and basketball programs, at a cost not to exceed \$280.00  
Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

\$280.00 = Canton City Schools

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

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

Mr. Nichols made a motion to make the effective hire date for John Philippi to be 06-01-09. (all other hiring info was approved in a motion from May 26<sup>th</sup> Special Meeting) Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve paying Nimishillen Township Fire Dept for dispatch services for the months of March, April and May 2009, for a total of \$19,800.00.  
Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**PUBLIC SPEAKS:**

**Jim Schwitzgabel = 1015 Lakeview NW – Canton Twp**

Mr. Schwitzgabel was questioning if the Michel property at 1003 Lakeview Terrace NW will be re-seeded after it is re-graded. Trustees will check into this.

**TRUSTEES:**

**MR. SMITH:**

911 System = Trustee Smith would like to extend an invitation to Randy Gonzales and Joe Conatto to attend one of the Trustee regular meetings to give a presentation on the new 911 system consolidation. He will contact Randy tomorrow.

MR. NICHOLS:

Time Warner Cable = He talked to Chris Thomas of Time Warner Cable. We still have the option of charging approximately 4,000 cable customers a fee at a later time.

Website Update = Will be ready to flip our e-mail in about a week.

MR. WILCOX:

Walking Track Contract = Mr. Wilcox made a motion to enter into contract with Joseph A. Jeffries Inc. to install the walking track at the Canton Township Community Park on Oyer St SE, at a cost not to exceed \$44,500.00, per recommendation by Atty. Charlie Hall. \$32,000.00 of this contract is covered by a grant. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

\$44,500.00 = Joseph A. Jeffries Inc.

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

Handicap Area = Mr. Wilcox made a motion to hire Joseph A. Jeffries Inc. to blacktop a handicap area at the Community Park on Oyer St SE, at a cost not to exceed \$4,900.00. 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 PO:

\$4,900.00 = Joseph A. Jeffries Inc.

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

Charcoal Grills = Mr. Wilcox made a motion to approve purchasing 2 double family-size charcoal grills (#49) from Game Time for Faircrest Park at a cost of \$349.00 each, for a total cost not to exceed \$900.00 including shipping. 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 9:04pm, 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