

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD MONDAY, JANUARY 29, 2007**

The Canton Township Board of Trustees met in a Regular Session on
Monday, January 29, 2007 at 7:00pm with all three Trustees present.

Pledge of Allegiance

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

Also in attendance: 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 of the January 06, 2007 Special Meeting. Motion 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 of the January 13, 2007 Work Session. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols and Mr. Smith. Mr. Wilcox abstained from voting.

Mr. Wilcox made a motion to approve and waive the reading of the minutes of the January 17, 2007 Regular Meeting. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols and Mr. Wilcox. Mr. Smith abstained from voting.

ZONING:

Zoning Director presented zoning fees for two weeks in the amount of \$510.50. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Zoning Director provided the Board, for their review, copies of resumes from two applicants for the open position of alternate on the Zoning Commission Board. Decision possibly to be made by next meeting.

Zoning Director stated he had a meeting with Atty. Charlie Hall last Friday to review the properties that were visited in the Work Session with the Board on January 13th. They discussed which properties would be a priority issue. At this time, they are not prepared to go forward with the nuisances other than setting a date for the Nuisance Hearing.

At this time, Atty. Hall gives a summary of their meeting (*he is not speaking from the podium, so his conversation is not always audible*) There are 4 areas that need addressed. 1..General Nuisance which is junk/trash/debris 2..Vehicle Nuisance which is junk, abandoned motor vehicles 3..Junk yards/abandoned properties 4..Fire Property (4727 Martin SE)

There is another issue the Board has received correspondence from the Stark County Health Department – 523 Marietta SE, which is an abandoned property with old septic tanks left on the property. Atty. Hall has to do more research on this issue to see what the Board’s jurisdiction would be concerning this property.

Most important issue is the Canton Outreach Center/Kevin Miller. Atty. Hall has received a copy of the fire and safety inspection that was conducted recently stating the violations. He is also aware that the Stark County Building Department has made a preliminary inspection of this property, but has not received any information as of this date. This property does not fit into the traditional zoning definition of a nuisance because there are no apparent exterior violations such as junk vehicles or broken windows or visible trash/debris. However, due to the recent formal and informal complaints made over the past few months, and the fire and safety violations issued by the Fire Department, his opinion is the Zoning Inspector has probable cause to ask the Board of Zoning Appeals to reconvene, at its’ earliest convenience, to address the question of whether or not the conditions set under the Conditional Use Permit have been violated, and if the BZA would vote to continue, modify, or revoke the permit.

Zoning Director stated he has been in touch with the President of the Board of Zoning Appeals and they will be meeting on Tuesday, February 13th at 7:00pm.

Mr. Nichols made a motion to approve setting a Work Session on Saturday, February 10, 2007 at 8:00am with Department Heads to review their goals for 2007; and also to review potential nuisance properties with the Zoning Director. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Atty. Hall stated there should be an answer from Judge Lioi concerning the Gerald Michel properties on Whipple NW, by the middle of February.

He will also draft a letter for the Zoning Director to send to businesses operating in a residential area.

FYI: Violations Complied With:

4849 Sherman Church SW (Henderhan)	building permit
4822 Cleveland S (Pediatric Health Care)	sign
3127 Central SE (Federer)	building permit

New Violations Letters Sent:

4322 Millport SW (Gulia)	storage of boat & trailer
Georgetown NE (Saccani)	semi in residential area
500 Charlotte SE (Oliver)	RV being used in residential area

FIRE:

Receipts collected for two weeks for the following: \$4,792.52=Ambulance Billing, \$20.00=Permit Fee, \$40.00=Rebate, and \$50.00=CPR Fund for a total of \$4,902.52. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve opening the following 5 new BC's:

- \$ 5,000.00 = Office & Station Supplies
- 10,000.00 = Medical Supplies
- 20,000.00 = Training
- 25,000.00 = Misc Parts & Repairs
- 5,000.00 = Uniforms

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 Provident providing secondary insurance coverage benefits in excess of Workers Compensation coverage for the part-time/paid on-call fire personnel. This to be Plan 1, as recommended by the Fire Chief, at a annual premium cost of \$2,963.00, which will be paid out of funds set aside for volunteer points. 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 move into Executive Session at 7:42pm with the Trustees, Fiscal Officer and Fire Chief to discuss personnel matters. 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 7:56pm. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:

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

- FYI:
- >Fire Chief stated they will be staying with pager company they are currently with.
 - >Fire Dept issued citation to Canton Outreach Center (Kevin Miller) under Unsafe Building Conditions. They have 30 days to take corrective measures. No public gatherings are permitted until conditions have been corrected for fire and life safety issues.
 - >Trustee Smith requested each fire station to submit a plan to the Board stating how they will take care of the upkeep of their station.

ROAD:

- FYI:
- >Road Superintendent met with a hydraulics engineer from the Stark County Engineers Department concerning a complaint about adrainage problem in the Carnwise-Forestdale SW area. Engineers office will do a drainage profile and get back to him.
 - >Road Superintendent is working with Perry Township on the 2006 Storm Water Plan. Should be complete by April 1st.

Mr. Nichols made a motion to approve the Road Superintendent attending a supervision seminar “How to Supervise People” to be held Thursday, March 22, 2007 at the McKinley Grand Hotel, at a cost of \$99.00. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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

\$99.00 = Fred Pryor Seminars

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

Mr. Wilcox made a motion to open 3 new BC's:

\$20,000.00 = Materials

5,000.00 = Repairs

5,000.00 = Supplies

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

Mr. Nichols requested Road Superintendent to keep in mind as it gets closer to Halloween he research the possibility of closing Carnwise SW due to the many children walking up and down that street and the danger of accidents.

Trustee Smith requested Road Superintendent check into the street lighting on Allenford SE where the road repair project took place. He had a call from Dwight Parish of AEP asking the Board to check into replacement of two street lights in that area.

Trustee Smith requested the Road Superintendent contact Atty. Charlie Hall to draft a resolution for “No Parking” on Elmport NE.

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$39,952.06 and payroll in the amount of \$42,378.71 for a total of \$82,330.77. Mr. Nichols made a motion to approve the checks as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Pending Warrants 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, February 1, 2007.

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

\$2,408.92 = Stark County Treasurer (RE taxes)

1,340.20 = Stark County Regional Planning (2007 Dues)

300.00 = SBC Global Services (2007 maintenance)

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 opening a new PO:

\$40,091.65 – Tucson Inc. (Allenford Road Project)

Motion seconded by Mr. Wilcox. Discussion: Fiscal Officer explained to the Board he was told by Mr. Mel Gravely of The Ohio Public Works Commission that since the project came in under budget, Canton Township did not qualify for the no-interest loan that the Board was told they would receive at an earlier meeting with Mr. Gravely before the project began. The \$40,091.65 is the balance due to Tucson Inc. that Mr. Gravely subtracted from their final payment on this project. Trustee Smith will get in touch with Jeff Dutton at Stark County to check into this further. PO will be open; if not used, it will be closed at the next meeting. Voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to approve the Board President signing a Great Lakes Energy oil & gas well royalty agreement. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox and Mr. Smith. Mr. Nichols abstained from voting.

- FYI:
- >2006 W-2's and 1099's have been processed and mailed.
 - >2006 Financial report to the state will be mailed tomorrow.
 - >Community Park Walking Track Grant
 - \$30,000.00 = Asphalt Township match would be \$6,000.00
 - \$80,000.00 = Rubberized Township match would be \$16,000.00
 - >Fund Status as of March 31, 2004 provided to each Trustee. Referring back to what the Fund Status was according to records of the past Clerk and what the audit balance shows.
 - >Dental & Life Insurance – Coverage with new company will take effect March 1st. Premiums for February will be paid to present companies.
 - >Allenford FEMA Grant – waiting for local match funds check to come from Stark County Regional Planning in order to pay several vendors that are waiting for payment.

PUBLIC SPEAKS:

Jim Schwitgabel: 1015 Lakeview NW

Mr. Schwitgabel was here this evening with questions concerning the Gerald Michel properties on Whipple and Lakeview

Scott Kohring: 2510 Waynesburg Dr SE

Mr. Kohring was here this evening to voice a formal complaint against the Roadside Tavern, which is across the street from his home. The situation at the tavern is getting out of control. There have been shootings and the patrons are leaving after drinking too much.

TRUSTEES:

MR. NICHOLS:

Website = Mr. Nichols sent everyone an e-mail with log-in and password for website.

Departmental Goals = At the February 10th Work Session, Mr. Nichols is requesting each Department Head to present two departmental goals and one personal goal they would like to achieve in 2007.

Newsletter = Information to be assembled by beginning of March in order to mail next newsletter out by end of March.

Mr. Nichols Out of Town: Mr. Nichols will be out of town for the next two Regular Meetings of February 12 and February 27.

MR. WILCOX:

Filming of the Nimishillen Creek: We have received one response from the 8 letters that were sent out October 15, 2006 concerning the cleaning of the Nimishillen Creek. He would like to send a follow-up letter to the same eight people.

Shelving for Mechanic's Garage: Road Mechanic can free-up another bay in the garage by constructing a balcony over existing shelving. Mechanic will do the construction. Mr. Wilcox made a motion to approve opening a BC, in the amount of \$2,500.00 for shelving materials. Cost to be split 50/50 between Fire and Road. Motion seconded by Mr. Smith. Fiscal Officer certified funds are available. Voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Ball Fields/Community Park: Mr. Wilcox made a motion to approve assigning Abbott Field at the Community Park to the Canton South Girl's Softball Team (Joe Carrick, President) for the 2007 season. The other girl's team, which is a traveling team, will use Abbott Field for practice when Canton South Girl's are not using the field for games or practice. Mr. Wilcox to get schedules for both teams. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

MR. SMITH:

PPC Annexation Agreement: Mr. Smith requested the Trustees review the PPC Annexation Agreement he has provided to them. The City of Canton has been working on this for a couple years. This agreement will bring tax dollars back into the Township. As soon as he lets Stark County Prosecutor know if there are any changes to the agreement, he will turn it over to the Law Director.

Sign/Cleveland Ave: There is a sign on Cleveland Ave as you enter into Canton Township. Civic organizations in the township are going to erect a sign at the same location that will inform the community of special or upcoming events in the township. Trustee Smith suggested the township may want to contribute to the cost and be part of this community project.

Mechanic's Supervisor: At the Work Session on February 10th, they will discuss and redefine who will supervise the township mechanic.

Fire Advances: Trustee Smith will be meeting with Atty. Hall tomorrow morning on several matters. One of which is to see what can be done to put money back into the General Fund for advances made to the Fire Funds from years past. He will report back at the next Regular Meeting.

Employee Handbook: Reminder from Mr. Nichols for the Board and Fiscal Officer to please review the Employee Handbook and bring suggestions for changes to the February 10th Work Session.

**SIGNATURES OF THE BOARD OF TRUSTEES AND FISCAL OFFICER
FROM THE MEETING MINUTES OF
JANUARY 29, 2007 REGULAR MEETING**

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 9:02pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Ronald L. Smith, Fiscal Officer

Christopher B. Nichols, President

James A. Wilcox, Vice President

William C. Smith, Trustee

FUND STATUS REPORT
01-29-07

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>FUND BALANCE</u>	<u>% of TOTAL CASH BALANCE</u>
01	General	102,748.83	18.1
02	Motor Vehicle License Tax	2,735.65	0.5
03	Gasoline Tax	94,045.04	16.6
04	Road & Bridge	109,414.75	19.3
07	Lighting Assessment	22,901.74	4.0
10	Fire District	83,409.12	14.7
13	Zoning	19,242.43	3.4
14	Park Advisory	340.56	0.1
14A	Allenford Dr Road Project	0.00	0.0
14B	FEMA Grant – Flood Plane	1,869.77	0.3
14F	Fire Loss Claim Fund	0.00	0.0
20	Fire Levy	63,946.90	11.3
23	Permissive License Tax	41,093.35	7.2
28	Ambulance & Emergency Medical	23,676.47	4.2
30	Faircrest Project – Issue 2	0.00	0.0
30A	Cheyenne Bridge Project	<u>2,258.79</u>	0.4
	Cash Total	567,683.40	