

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, APRIL 08, 2008**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm
On Tuesday, April 08, 2008 with all three Trustees present.

Pledge of Allegiance

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

Also present: Fiscal Officer Ron Smith, Zoning Director Marshall Lewis, Road Superintendent Dave Robertson, and Fire Chief Scott McKibben.

MINUTES:

Mr. Nichols made a motion to approve and waive the reading of the March 25, 2008 Regular Meeting. Motion seconded by Mr. Wilcox and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$6,347.72=Ambulance Billing, and \$80.00=CPR, for a total of \$6,427.72. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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

#73 = Dominion East Ohio

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

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

BC

\$10,000.00 = Miscellaneous Expenses

3,000.00 = Training Expenses

PO

\$15,000.00 = McIntosh Oil Co

5,572.14 = Medtronic Physical Control

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

Mr. Nichols made a motion to table the decision to forgive the ambulance billing charges of Michael Karahuta III until the next regular meeting. Motion seconded by Mr. Wilcox and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Fire Chief presented the following three quotes for constructing the bedrooms at Fire Station No.2 according to the prints provided by the architect:

\$6,000.00 = City Home Improvements

5,980.00 = Dan Tozzi (Tozzi Construction)

7,800.00 = Precision Renovations

Mr. Wilcox made a motion to approve hiring Dan Tozzi, at a cost not to exceed \$5,980.00, to complete the remodeling at Fire Station No.2 according to the prints provided by the architect. Motion seconded by Mr. Nichols and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve opening a new PO;
\$5,980.00 = Dan Tozzi Construction
Motion seconded by Mr. Nichols. Fiscal Officer certified funds are available. Voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

7:15pm - PUBLIC HEARING

This Public Hearing is recorded, in its' entirety, by Premier Court Reporting

Amendment: CA-1-08

Applicant: John F. Williams

Present Zoning Classification: R-2 Single Family Residential

Proposed Zoning Classification: B-3 Commercial Business

Description of Proposed Re-Classification:

Lots 36-49, 63-66, part of lot 35 of a vacated alley and vacated street in Romine's Addition, totaling approximately 2.40 acres and located on the south side of 8th Street and west of Marietta in the NE Quarter Section 11, of Canton Township.

Mr. Smith made a motion to approve the re-zoning of this property from **R-2 to I-1**. This being a modification of the applicant's request to re-classify from R-2 to B-3. Motion seconded by Mr. Nichols.

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

Mr. Nichols made a motion to close the Public Hearing. Motion seconded by Mr. Smith.

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

ROAD:

Mr. Smith made a motion to approve closing 4 PO's:

- # 31 = Gledhill Road Machinery
- 128 = Cargill Salt Co
- 135 = Bank of Magnolia
- 136 = Cargill Salt Co

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

Mr. Nichols made a motion to approve opening 1 new BC and 2 new PO's:

- BC
- \$5,000.00 = Material
- PO
- \$3,000.00 = Marlboro Supply
- 750.00 = Rentwear

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

Mr. Wilcox made a motion to approve a Resolution requesting the Stark County Commissioners to reduce weight limits on Whipple Avenue SW within Canton Township from Shepler Church SW to the Canton Township line by not less than fifty per cent (50%) of the statutory weight limit. Motion seconded by Mr. Nichols.

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

Road Superintendent reported that since the last regular meeting, he has contacted the EC Levy Company requesting to set a meeting to discuss the road problems. The Levy Company has not responded to his calls, nor to the calls from Atty. Charles Hall.

Mr. Nichols made a motion to approve the Resolution requesting the Stark County Sheriff to obtain portable scales and enforce the statutory weight limits on Whipple Avenue SW within Canton Township, from Shepler Church SW to the Canton Township Line. Motion seconded by Mr. Smith.

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

Mr. Smith made a motion to approve the use a township vehicle for the Road Superintendent and Trustee Wilcox to attend the Ohio Utilities Protection Services Seminar in New Philadelphia on Wednesday, April 23 at 5pm. There is no cost for this seminar.

ZONING:

Zoning Director presented fees for two weeks in the amount of \$991.00. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve opening 1 new PO;
\$334.50 = Haines & Co (criss-cross directory)
Motion seconded by Mr. Wilcox. Fiscal Officer certified funds are available.
Voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

- FYI: > Zoning Commission – CA-2-08 – Wednesday, April 30 – 7pm
 Re-Zoning property off Gambrinus & 21st St SW from, RR to B-2
 > Zoning Commission – 2 Work Sessions – Tuesday, April 15 & 29 – 7pm
 >New Violations Letters Sent:
 2734 Cleveland Ave S (Martin) occupancy/signs
 806 – 39th SW (Cotyk) debris/trash/vehicles
 3503 Dueber SW (Walton) No permit-accessory building
 3439 Dueber SW (Parker) unlicensed vehicles
 190 Faircrest SW (Boyd) debris/trash/unlicensed vehicle
 903 Vince NW (First American) nuisance-cement in road

Business in Residential

- 2987 46th SW **Singlesource Roofing, Wearstler Mark G & Kimberly A**, - Contacted zoning inspector, Singlesource Roofing will not be operated from this residence, main office located in Pittsburg PA will not permit Mark Wearstler to use his residence for their business. – **CASE CLOSE**
- 3224 15th NW **Morse Communications, Reid, Levi & Melissa**, - Company relocated from resident home to a store front located at Lake Cable - **CASE CLOSED**
- 1847 Faircrest SE **A&D Volpe Construction, Volpe, Daniel**, Submitted application for Home Occupancy – **Hearing held 1 April 2008 – BZA Approved Home Occupation**
- 3712 Baum SE **Leader Landscaping Business, Kerestes**, Submitted request for non-conforming certificate – **Reviewed by BZA - NO Decision till next meeting**
- 4821 Dueber SW **Franks Excavating, Franks, James & Barbara**, Submitted request for non-conforming certificate – **Reviewed by BZA - NO Decision till next meeting**
- 2001 Prairie College SW **Steinbach Tree Trimming & Excavating, Steinbach, Donald & Bonnie**, Submitted request for non-conforming certificate – **Reviewed by BZA - NO Decision till next meeting**
- 2720 Baum SE **Buckeye Seed & Supply, Joyce Bowman**, 20 March 2008, business owner Scott Shaffer is filing for Home Occupation
- 4060 Dueber SW **Griffith Septic Services, Griffith, Terry E & Deborah L.**, Submitted application for Home Occupancy – **Hearing has not been scheduled**
- 3143 Prairie College SW **Daniels Welding & Fabricating, Rose, Daniel**, Submitted application for Home Occupancy – **Hearing has not been scheduled**
- 1124 Carnwise SW **Biltmore Enterprise, Kidd, Robert & Rhonda**, 17 Oct 07, 3rd notice sent by attorney – 7 April 08 – Application reviewed by zoning inspector, corrective actions required before submitting to BZA
- 824 Faircrest SW **Acropolis Property Services, Fellouzis, Walter**, 19 March 2008, 3rd notice sent by attorney, business owner has contacted office and received required papers to file for Home Occupation
- 1810 Faircrest SE **Woody's Tree Service, Montgomery, Michael**, - Attorney contacted Charlie Halls to discuss agricultural use, - 7 April 2008 – Attorney contacted zoning office about submitting zone changes, Michael Montgomery wants to attempt zone change before any attempts to move business, this company will not qualify for a Home Occupation.
- 4134 Fairknoll SE **Quality Turf / Quality Custom Embroidery, Edwards, Bill** Received notice from legal council for extension request from Mr. Edwards's attorney granted till 29 Feb 08 – 7 April 2008, Bill Edwards has discussed several options with Zoning Inspector, he has not filed for Home Occupation.
- 3224 15th NW **Morse Communications, Reid, Levi & Melissa**, - Company relocated from resident home to a store front located at Lake Cable - **CASE CLOSED**
- 361 Dietz NE **R& R Express, Leroy Jeter** – Home visit with Leroy Jeter, he operates residence as a dispatcher for R& R Express, he will be filling for home occupation. 7 April 2008.
- 5348 Briggles SW **Foraker Drywall, Foraker, Timothy**, Initial letter 1-Oct-07, -- Corrected address – resent letter certified 10 Nov 07, 3rd notice 7 March 08, no contact

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$120,129.92 and payroll in the amount of \$50,923.91, for total checks of \$171,053.83. Mr. Wilcox made a motion to approve the checks as submitted, seconded by Mr. Smith and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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 10.

- FYI:
- > 2004-2005 Audit in progress
 - > Dental Insurance – still waiting for Employee Waiver from Hollinger Agency which he claims is necessary for employees to sign giving him permission to check into errors made in paid claims for routine dental check-ups. Employees waiting for reimbursement from Companion Life.
 - > Pay Raises = 2nd pay in April (April 23) would included March 30 & 31
 - > Medical Insurance increase will take effect with pay increase
 - > Sandra Pfiffner to mow Niece Cemetery on Faircrest St SW – will send her agreement to sign – Board will sign when it is returned
 - > Estate Tax received \$59,000.00
 - > Lynn Farber no longer working for Canton Township

EXECUTIVE SESSION:

Mr. Nichols made a motion to move into Executive Session at 8:20pm with the Trustees, Fiscal Officer, and Fire Chief to discuss fire personnel matters.

Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to move out of Executive Session at 8:28pm. Motion seconded by Mr. Wilcox.

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

PUBLIC SPEAKS:

Tape not turned back on in time to here Mr. Gill's comments from the beginning

Roy Gill - 4612 Cleveland Ave SE - Canton Township

Mr. Gill informed the Board of the noise from 4-wheelers, barking dogs, and a garage where young adults gather (*did not hear location of garage*). He cannot get any cooperation from the Sheriff's Department. He is asking the Board for some help.

Raymond Wesley - 4326 - 12th St NE - Canton Township

Mr. Wesley has a new home on 12th NE, and he informed the Board of the owner of a semi-truck driving up and down the road and causing damage to the neighborhood. This road cannot handle the weight limit of this truck. He has contacted the Sheriff's Dept. and the Prosecutor's office without any success. He is asking the Board for assistance to get this stopped. Zoning and Road Departments have tried without success.

TRUSTEES:

MR. WILCOX:

Waco Parade = Mr. Wilcox made a motion to approve the Trustees participation in the annual Waco Parade to be held Wednesday - June 14 - 6:00pm (*new time this year*), sponsored by Canton Township Volunteer Fire Dept. #2. Motion seconded by Mr. Nichols and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Pay Increase - Part-Time/Seasonal Employees = Mr. Wilcox made a motion to approve increasing pay rate for part-time/seasonal employee to mow township-owned properties from \$8.50 per hour to \$10.00 per hour. Motion seconded by Mr. Smith and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Hire Part-Time/Seasonal Employee = Mr. Wilcox made a motion to table the hiring of Murdy Franks to mow township-owned properties until the next regular meeting, at which time the Board will ask the legal opinion of Atty. Charles Hall. Motion seconded by Mr. Nichols and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Noise Resolution = Waiting to receive written approval from Deb Dawson from the Stark County Prosecutor's office concerning the Township's Noise Resolution.

Trees on Viola & East Valentine Cir NW = With the township assistance, it would cost \$1,200.00 to remove the trees and grind the stumps; but it is the property owners responsibility to remove the sidewalk. These trees are in the road right-of-way. The Board will request opinion of Atty. Charles Hall of the township's responsibility to trim or remove trees.

MR. SMITH:

Moreland Allotment Sanitary Sewer Project = Todd Paulus of Stark County Health Dept and Mike Armogida will be attending the regular meeting on April 22nd, which will be held at Walker Elementary School on Sandy Ave SE. All residents of the Moreland Allotment were notified, by mail, of this meeting.

Park Pavilion = Mr. Smith would like a reservation board installed in the pavilion to display if the pavilion is reserved for specific dates.

Newsletter = Need news items from Department Heads to get the next newsletter in motion.

Mr. NICHOLS:

Grant Writer = To have a report, possibly by next regular meeting, from Vera Gatchell concerning possible grants available for various township projects.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 9:01pm, seconded by Mr. Smith and voting YES - Mr. Wilcox, Mr. Smith, and Mr. Nichols.

**SIGNATURE OF THE CANTON TOWNSHIP BOARD OF TRUSTEES
FROM THE MINUTES OF THE REGULAR MEETING
HELD ON TUESDAY, APRIL 8, 2008**

Ronald L. Smith, Fiscal Officer

James A. Wilcox, President

William C. Smith, Vice President

Christopher B. Nichols, Trustee