

**MINUTES OF THE REGULAR MEETING OF THE  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, APRIL 22, 2008**

Meeting held at Harold R. Walker Elementary School  
3525 Sandy Avenue SE, Canton, Ohio

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, April 22, 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, Fire Chief Scott McKibben, and Township Additional Legal Counsel Charles Hall.

*Please Note ...Audio system poor quality, very difficult to hear anything on tape.  
Minutes are recorded from hand-written notes.*

**PUBLIC HEARING:**

**SANITARY SEWER PROJECT – MORELAND ALLOTMENT**

Mr. William C. Smith – Canton Township Trustee  
Mr. Todd Paulus, Environmental Unit Manager – Stark County Health Department  
Mr. Michael Armogida, Director – Stark County Metropolitan Sewer District  
Ms. Debbie Moore, Sanitarian – Stark County Health Department

**MINUTES:**

Mr. Nichols made a motion to approve and waive the reading of the April 08, 2008 Regular Meeting minutes with corrections. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Wilcox.

**FIRE:**

Fire Chief presented receipts for two weeks for the following: \$3,115.24=Ambulance Billing, \$180.00=CPR, for a total of \$3,295.24. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Smith made a motion to approve closing 2 BC's and 3 PO's:

BC

#15 = Other – Misc Expenses

18 = Training Expenses

PO

#60 = Pfund Superior

62 = Staley Technologies

66 = Work Health & Safety Services

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

Mr. Nichols made a motion to approve opening 1 new BC and 5 new PO's:

BC

\$3,000.00 = Training Expenses

PO

\$2,000.00 = AW Direct

1,500.00 = EmbroidMe

1,000.00 = Interstate Fire & Security

2,500.00 = Staley Technologies

1,500.00 = Work Health & Safety

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

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

Mr. Wilcox made a motion to approve writing-off ambulance billing charges for Michael Karahuta III, in the amount of \$479.00. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Fire Chief gave a summary of what happened with the 911 call concerning the vehicle accident scene on Shepler Church SW a few weeks ago. Chief requests the Board to send a letter to Stark County Commissioners asking to re-instate 911 Commission to study the 911 system. This request tabled until Board can review copy of reports.

Mr. Nichols made a motion to approve proceeding with the advertisement for an Administrative Secretary for the Fire Department. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

**ROAD:**

Road Superintendent presented receipts for \$1,634.85 for reimbursement from Canton Local Schools for road salt. Mr. Smith made a motion to accept the fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve closing 1 BC and 5 PO's:

BC

# 9 = Repairs

PO

# 32 = Goodyear Street & Road

38 = Staley Technologies

116 = Central Allied

123 = McIntosh Oil Co

124 = Goodyear Street & Road

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

Mr. Wilcox made a motion to approve opening 1 new BC and 3 new PO's:

BC

\$10,000.00 = Material

PO

\$10,000.00 = McIntosh Oil Co

2,000.00 = Akron Tractor

1,000.00 = Staley Technologies

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

Open Asphalt Material Bids:

<u>Company Name</u>	<u>Hot Mix</u>	<u>Cold Mix</u>
Three County Asphalt	\$44.00/ton	\$80.00/ton
North Star Asphalt	42.00/ton	-----
JD Mining	42.00/ton	-----
Central Allied	44.00/ton	85.00/ton
Allied Corp (Shelley Co-Massillon plant)	41.45/ton	88.00/ton

Mr. Nichols made a motion to approve all five (5) asphalt bids; and to use the company that is nearest to work location. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FYI: Canton South Wildcat Run is Saturday, April 26. Portions of Baum, Faircrest, and Central Ave SE will be blocked-off (with emergency access) from 9am to 10am.

**ZONING:**

Zoning Director presented fees for two weeks in the amount of \$604.10. 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 setting a new rate for nuisance clean-up to be \$70.00 per hour. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Smith made a motion to approve the Fiscal Officer signing a letter to Stark County Auditor to place a tax assessment of \$455.00 on parcel #13-13974 (656 – 49<sup>th</sup> St SW). Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

**Violation Letters Sent - 2008**

2149 Moore Ave SE	DANSCO - Welcome Business	Jan 9-08	CLOSED
4017 Paradise SW	Jean Cutlip - Abate Nuisance	Jan-9-08	CLOSED
1017 Village St SE	John Lewis - No Zoning / Building Permit	Jan 9-08	
2714 Lincoln St E	Classic Kuts - Welcome Business	Jan 17-08	CLOSED
2741 Lincoln St E	Canton Community Clinic/Welcome Business	Jan 17-08	CLOSED
3143 Prairie College SW	Daniel Rose - BZA Info. Etc.	Jan 25-08	
2720 Baum St SE	Joyce Bowman - Zoning Status	Jan 28-08	
2500 Baum St SE	John III & Mary Blend - Zoning Status	Jan 28-08	CLOSED
361 Dietz Ave NE	Leroy C. Jeter - Zoning Status	Jan 28-08	
656 49th St SW	Angelo Scalia - Abate Nuisance	Feb 5-08	CLOSED
4720 Cleveland Ave. S.	American Home Bank - Welcome Business	Feb 7-08	CLOSED
4320 Cleveland Ave. S.	Canton South Medical Center/Welcome Business	Feb 7-08	CLOSED
PO Box 9782- Baymore	Andrea Carr - Vehicles on Property	Feb 11-08	<b>CLOSED</b>
2905 Central Ave SE	Dennis G Fitzgerald - Vehicles on Property	Feb 26-08	
935 46th SW	Ronald Pribula - Final Notice/Vehicles	Mar 12-08	
3223 2nd St SE	David S & Nancy Salyers - No Permit	Mar 27-08	
190 Faircrest St SW	Steven A Boyd - Abate Nuisance	Mar 31-08	

**Violation Letters Sent - 2008 (continued)**

806 39th St SE	Nora P. Cotyk - Abate Nuisance	April 1-08	
3503 Dueber Ave. SW	Helen M. Walton - No Permit	April 1-08	
3439 Dueber Ave. SW	Deborah A. Parker - Vehicles on Property	April 1-08	
2720 Cleveland Ave	Pizza Pan - Sign Violation	April 7-08	
903 Vince NW	Taurus Properties, LLC - Abate Nuisance	April 7-08	<b>CLOSED</b>
2734 Cleveland Ave. S	Vincent Martin / Maxwell's/Welcome Business	April 1-08	
<b>2734 Cleveland Ave S</b>	<b>Vincent Martin / Maxwell's - No Permits</b>	<b>April 14-08</b>	
<b>1127 Lilly NE</b>	<b>Eugene Burson - No Permits</b>	<b>April 18-08</b>	

**Business in Residential – as of April 21, 2008**

4060 Dueber SW	<b><u>Griffith Septic Services, Griffith, Terry E &amp; Deborah L.</u></b> , Submitted application for Home Occupancy – <b>Hearing has not been scheduled</b>
361 Dietz NE	<b><u>R &amp; R Express, Leroy Jeter</u></b> – Submitted application for Home Occupancy – <b>Hearing has not been scheduled</b>
3712 Baum SE	<b><u>Leader Landscaping Business, Kerestes</u></b> , Submitted request for non-conforming certificate – <b>Reviewed by BZA - NO Decision till next meeting</b>
4821 Dueber SW	<b><u>Franks Excavating, Franks, James &amp; Barbara</u></b> , Submitted request for non-conforming certificate – <b>Reviewed by BZA - NO Decision till next meeting</b>
2001 Prairie College SW	<b><u>Steinbach Tree Trimming &amp; Excavating, Steinbach, Donald &amp; Bonnie</u></b> , Submitted request for non-conforming certificate – <b>Reviewed by BZA - NO Decision till next meeting</b>
2720 Baum SE	<b><u>Buckeye Seed &amp; Supply, Joyce Bowman</u></b> , 20 March 2008, business owner Scott Shaffer is filing for Home Occupation
3143 Prairie College SW	<b><u>Daniels Welding &amp; Fabricating, Rose, Daniel</u></b> , Submitted application for Home Occupancy – <b>Hearing has not been scheduled</b>
1124 Carnwise SW	<b><u>Biltmore Enterprise, Kidd, Robert &amp; Rhonda</u></b> , 17 Oct 07, 3 <sup>rd</sup> notice sent by attorney – 7 April 08 – Application reviewed by zoning inspector, corrective actions required before submitting to BZA
824 Faircrest SW	<b><u>Acropolis Property Services, Fellouzis, Walter</u></b> , 19 March 2008, 3 <sup>rd</sup> notice sent by attorney, business owner has contacted office and received required papers to file for Home Occupation
5348 Briggles SW	<b><u>Foraker Drywall, Foraker, Timothy</u></b> , Initial letter 1-Oct-07, -- Corrected address – resent letter certified 10 Nov 07, 3 <sup>rd</sup> notice 7 March 08, no contact
1810 Faircrest SE	<b><u>Woody's Tree Service, Montgomery, Michael</u></b> , - 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	<b><u>Quality Turf / Quality Custom Embroidery, Edwards, Bill</u></b> 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
4824 Ridge Ave SE	Angle Touch Photography, Baisden, Jeremy, 17 April 2008 – 1 <sup>st</sup> notice
5370 Ridge Ave SE	Harper Surveying, Harper, Bradley & Cynthia, 17 April 2008 – 1 <sup>st</sup> notice

**Business in Residential – as of April 21, 2008** *(continued)*

3604 Sandy Ave SE R& S Builders, Kintz, Richard & Sharon, 17 April 2008 – 1<sup>st</sup> notice  
5275 Sandy Ave SE Broad Trucking, Broad, John & Theresa, 17 April 2008 – 1<sup>st</sup> notice  
5141 Keiffer Ave SW Fisk Shane Roofing Co., Fisk, Shane & Roffanda, 17 April 2008 – 1<sup>st</sup> notice  
4812 Harvest Cir SE Creative Vinyl Products, Diss, Derek, 17 April 2008 – 1<sup>st</sup> notice

**FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$65,768.18, and payroll in the amount of \$82,674.77, for total checks of \$148,442.95. 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 Funds 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 24.

Mr. Nichols made a motion to approve hiring Sandra Pffner to mow the Niece Cemetery for the 2008 mowing season, and also approve the Board signing the 2008 contract. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve opening a new PO:  
\$250.00 = Sandra Pffner

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

FYI: > Will check with Atty. Hall concerning advertising for part-time/on-call administrative secretary.  
> Board to review cell phone usage policy within next few weeks.

**PUBLIC SPEAKS:**

Mike Howard = 2821 – 214<sup>th</sup> St SE, Canton Township  
*(audio tape not clear)* Mr. Howard has water drainage problems. Road Superintendent to look into the problem.

**TRUSTEES:**

MR. WILCOX:

Part-Time Road Crew = Mr. Wilcox made a motion to approve hiring Murdy Franks to mow township-owned properties, at a pay rate of \$10.00 per hour, no benefits. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

**EXECUTIVE SESSION:**

Mr. Wilcox made a motion to move into Executive Session at 9:06pm with Trustees, Fiscal Officer, Zoning Director, and Atty. Charles Hall to discuss pending litigation with Gerald Michel and Sophie Michel. Motion seconded by Mr. Nichols.

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

Mr. Wilcox made a motion to approve moving out of Executive Session at 9:29pm.  
Motion seconded by Mr. Nichols.

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

A/C – Admin Bldg = Mr. Smith made a motion to approve Trustee Wilcox hiring a maintenance company to fix the duct-work in the Administration Building, cost not to exceed \$2,500.00. Motion seconded by Mr. Nichols and voting YES – MR. Wilcox, Mr. Smith, and Mr. Nichols.

MR. SMITH:

Website = *(audio tape not clear)*

MR. NICHOLS:

Dental Insurance =Mr. Nichols will write memo to employees covered by township dental insurance, requesting they provide information to Hollinger-Yohe Insurance Agency (*agent of record*) concerning errors made in deductible charges.

Website = *(audio tape not clear)*

Ballfield Request Forms = *(audio tape not clear, then turns off)*

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 9:38pm, seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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Ronald L. Smith, Fiscal Officer

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James A. Wilcox, President

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William C. Smith, Vice President

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Christopher B. Nichols, Trustee