

## **MINUTES OF THE REGULAR MEETING OF THE CANTON TOWNSHIP BOARD OF TRUSTEES HELD TUESDAY, JUNE 7, 2005**

The Canton Township Board of Trustees met in a Regular Session on Tuesday, June 07, 2005 with all three Trustees present.

### **Pledge of Allegiance**

<b>ROLE CALL:</b>	Mr. James A. Wilcox	-	Present
	Mr. William C. Smith	-	Present
	Mr. Christopher B. Nichols	-	Present

Also in attendance: Clerk Ron Smith, Zoning Inspector Ray Bednarczyk, Road Superintendent Dave Robertson, and Fire Chief Scott McKibben.

### **WORK SESSION:**

The Board met with Department Heads prior to the Regular Meeting starting at 6:30pm in a Work Session that included topics and/or approvals that each Department would like presented at the Regular Meeting.

### **MINUTES:**

Mr. Nichols made a motion to approve and waive the reading of the minutes of the May 24, 2005 Regular Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Smith and Mr. Nichols. Mr. Wilcox abstained from voting.

Mr. Wilcox made a motion to approve and waive the reading of the minutes of the May 31, 2005 Special Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

### **FIRE:**

Receipts collected for two weeks for the following: \$2,823.32=Ambulance Billing, \$40.00=Permit Fees, \$3.00=Report copies, for a total of \$2,866.32. Mr. Wilcox made a motion to accept the report as submitted, seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Smith made a motion to approve closing the following BC:

#50188 = Repairs

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

Mr. Nichols made a motion to approve closing the following 4 PO's:

#50144 = Nextel Communications	#50183 = Office Max
50219 = Save-A-Lot	50226 = Medtronic

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

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

\$4,421.03 = Stark Complete Dispatch	\$13,263.09 = Nimishillen Township
1,000.00 = Rite Aid Pharmacy	5,000.00 = Young Truck Sales
500.00 = Canton South Garden Center	

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

Mr. Nichols made a motion to approve opening a new PO to Brad Harper Surveying, in the amount of \$700.00. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion for the Board to approve and sign the Service Agreement with Nimishillen Township for the new fire, EMS, and road dispatching services. This contract has been approved by our legal counsel. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Fire Chief noted a copy of the Fire Prevention Report for the month of May was given to each Board member.

## **ROAD:**

Mr. Wilcox made a motion to approve and accept monies received for culvert pipe in the amount of \$493.75. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve closing the following BC:

#50166 = Supplies

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

Mr. Smith made a motion to approve opening the following new BC:

\$2,000.00 = Supplies

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



JD Mining Co	=	N/A	– Cold Mix
	=	\$26.00 per ton	– Hot Mix
North Star Asphalt	=	N/A	– Cold Mix
	=	\$25.50 per ton	– Hot Mix

Mr. Nichols made a motion to approve accepting all bids received for blacktop patching materials; and the Road Department to use the supplier nearest to their job site. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

## **ZONING:**

Zoning Inspector gave the following Nuisance report:

### HIGH GRASS:

- 3139 Trump NE – abandoned home
- 996 Lakeview NW – Sheriff sale-August 8
- 408 Mill SE – Sheriff sale-July 25
- 401 Cole SE – Sheriff sale-August 8
- 2900 Allenford SE – Sheriff sale-August 1
- Sherman Ch & Shepler Ch SW – Township mowed lot
- 903 Vince NW – mowed
- 3125 – 24<sup>th</sup> SE – realtor sale
- 3302 – 2<sup>nd</sup> SE – abandoned home

### VEHICLES:

- 215 Dane NE – inoperable vehicle
- 2820 Allenford SE – inoperable vehicle
- 2812 Lincoln East – illegal parking & high grass (grass has been mowed)

Mr. Smith asked for an update on the Nuisance Report from the last meeting. Zoning Inspector reported the following:

- 3112 Lincoln East (vehicles) – going to apply for zone change-all vehicles are licensed
- 324 – 40<sup>th</sup> SW (vehicle) – vehicle is gone
- 265 – 48<sup>th</sup> SW (high grass, vehicles) – owner here from California-letter went out, waiting for acknowledgement

Cutler Realtors (high grass) – 4 properties – all sold or mowed

3316 Prairie College SW (illegal business) – requested 60 days to look for commercial property to move their equipment or move out of township.

Mr. Nichols stated verbal communication is not enough. We must follow-up,

in writing, what is expected from the property owner and when it is expected.

3045 Cleveland SW (no permit for sign) permit has been issued

4227 – 4<sup>th</sup> NE (high grass) – grass has been cut

3815 Cleveland SW (high grass) – grass has been cut

4722 Sherman Church SW (debris) – driveway has been cleaned out

317 – 39<sup>th</sup> SW (abandoned home) – waiting for identity of property owner from bank

Cleveland & 48<sup>th</sup> SW (high grass) – grass has been cut

Mr. Smith asked the status of the 8 other properties that have been written up. As of this date, Zoning Inspector has not re-checked those properties.

Mr. Smith asked about 317 – 29<sup>th</sup> St SW (Franks) Zoning Inspector said he has to determine which bank to send a certified letter. Liens show two different banks. He stated it takes two to three weeks to do a title search with a title company. To save time, he is using the Stark County Recorder's web site to research the current lien holder and send certified letter.

Mr. Smith asked what is the game plan to get some of these properties mowed that are about three feet high. Zoning Inspector stated certified letters are sent to the property owner. When certified receipt is returned showing date received, the seven day notification starts from that date. After the seven days, Township can legally mow and put cost of mowing on real estate tax duplicate.

Mr. Smith asked about the properties that are going to Sheriff Sale. Zoning Inspector said he makes phone calls to attorneys handling the properties for the banks to see if they will move on it, most of the time they will not. He will then try to find bank that hold the mortgage and send them a letter.

Mr. Smith said it is taking too long to get properties mowed. Zoning Inspector said if you do not know who the owner is, you have to research. The problem is finding the owner or the lien holder. Even the records on the internet are not up-to-date. Mr. Smith that is why we use a title company, let them research it. A month later, we are sitting here with high grass and have gone nowhere. Zoning Inspector said it will still take two to three weeks if we use a title company. He trying to do the same thing a title company would do. Mr. Smith said it is not working. This is the fastest grass-growing month of the year; and we are getting many phone calls from residents complaining about high grass. We have authorized the use of a title company, so we can move this process faster. If you cannot find the information you need on the internet, get it to the title company. A month is unacceptable. Mr. Smith asked if that direction was clear. Zoning Inspector said yes, it's clear. He would make a complete list and give them all to the title company.

Mr. Nichols said he had a resident inquire as to the legality of Woody's Tree Service on Bywood SE. He asked Zoning Inspector if that had been researched. Woody's has acreage (not sure how much). He is permitted to bring wood in the back and have one commercial vehicle. Mr. Nichols asked if he is permitted to have employees come to work, park their cars there, and drive the trucks out. Zoning Inspector said No he is not permitted to do that; but each time he has drive by, there have been no cars parked there and he has one vehicle that the owner drives back and forth. Mr. Nichols requested the Zoning Inspector put this on his list to keep watch over.

Mr. Nichols also inquired about the old Lehmilller Hardware property on Ridge SE. Has that file been closed? Has the building that was to come down been taken care of? The owner is still working on the interior take things out and cleaning up. As far as he can see, the building that was to be taken down is gone, there is no roof.

Mr. Smith said he had a list to check on.

Pigott on 53<sup>rd</sup> SW = They have a building up with no windows, doors, or floor. They had a court order to be complete by May 31<sup>st</sup>. Zoning Inspector said windows are in. He talked to the Stark County Prosecutor today. Mr. Pigott had requested an additional two weeks to get four feet of fill dirt to put in before he put the floor and doors in.

Pribula on 46<sup>th</sup> SW = Zoning Inspector said Pribula was there cleaning up the last time he drove by. Mr. Smith said he had four more vehicles parked out front.

Serafini on 33<sup>rd</sup> SW = Zoning Inspector said Mrs. Serafini has been cutting the grass and cleaning up around the property. Has she been getting rid of the I-beams, fork lifts and all the junk that is around the property. There is one I-beam there. Mr. Smith said it's junk isn't it.

### **CLERK:**

Clerk submitted payroll totaling \$40,185.82, and bills totaling \$35,020.81, making total checks \$75,206.63. Mr. Wilcox made a motion to approve the checks as submitted by the Clerk, seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols, with Mr. Smith abstaining from the vote on the following three warrants: warrant #40964, payable to Smith's Waco Market, in the amount of \$108.10 and warrant # 40967, payable to William C. Smith, in the amount of \$1,211.84 and warrant #40925, payable to Jerry L. Adams, in the amount of \$50.00.

Pending Warrants, Fund Status, and Appropriation Status reports handed out to all three Trustees and Department Heads. PO and BC lists to be given to Department Heads on Thursday, Jun 9<sup>th</sup>.

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

\$74,016.88 = Bank of Magnolia (ambulance payments June thru December)

280.0 = Canton City Schools (football/basketball program ad for 2005-2006)

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

Ohio Billing Contract: Clerk has been reviewing our Ohio Billing contract for ambulance and EMS services. He requested the Board take a serious look at this. Past due accounts amount to approximately \$108,777.00. There are accounts that are as much as 180 days past due. He suggested, in July, we take bids for a new contract and see what is offered.

**PUBLIC SPEAKS:**

(No Public Speaks this evening)

**TRUSTEES:**

MR. WILCOX:

Tables-Community Center = Mr. Wilcox made a motion to purchase 20 new tables for the Community Center from Ohio China, for a total cost not to exceed \$2,500.00. Motion seconded by Mr. Smith. DISCUSSION: Mr. Smith asked to get a delivery date. Mr. Nichols suggested they discuss trying to get the tables donated by individuals or companies and putting name plaques on the tables saying “donated by”. All voting NO – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Park Fund = Mr. Wilcox made a motion to approve transferring \$10,000.00 from the General Fund to the Park Fund. This amount would cover the 25% match for the \$27,000.00 Park grant we received (\$6,750.00), plus allow money to pay wages for grass mowing at the park. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Executive Session = Mr. Wilcox made a motion to move into an Executive Session at 8:20pm with the Fire Chief to discuss his contract, to be renewed July 01, 2005. Motion seconded by Mr. Nichols.

ROLE CALL VOTE:	Mr. James A. Wilcox	-	YES
	Mr. William C. Smith	-	YES
	Mr. Christopher B. Nichols	-	YES

Mr. Wilcox made a motion to move out of Executive Session at 8:35pm. Motion seconded by Mr. Nichols.

ROLE CALL VOTE:	Mr. James A. Wilcox	-	YES
	Mr. William c. Smith	-	YES
	Mr. Christopher B. Nichols	-	YES

Walk-Behind Mower = Mr. Smith made a motion to approve the purchase of a walk-behind mower from Ray's Mower & Service-Navarre, Ohio at a cost of \$2,449.00, to be paid from Zoning funds. Motion seconded by Mr. Nichols. Clerk certified funds are available. Voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Parking-Davis SW = Mr. Wilcox reported he had more complaints about the parking problem on Davis SW. He went by on a Saturday morning and counted 14 vehicles, all parked on the same side of the street. He wants to have "No Parking" signs erected. Mr. Nichols and Mr. Smith do not want to put up "No Parking" signs if at all possible. There aren't any roads in the township that can allow 2 cars abreast if there are vehicles parked on one side. If we start doing this, it could be a problem. Mr. Wilcox will talk to the parties involved and report back at next meeting.

MR. SMITH:

Alarm System = Mr. Smith made a motion to approve Interstate Fire & Security Systems to monitor all Township alarm sites. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

MR. NICHOLS:

Duncan Press = Mr. Nichols made a motion to approve a PO to Duncan Press, in the amount of \$2,000.00, for business cards for Township employees. Motion seconded by Mr. Wilcox. Clerk to divide cost among the appropriate funds. DISCUSSION: Board is in agreement that professional looking cards are a good idea, but Mr. Smith feels that we could possibly print our own cards and not pay that amount of money. Mr. Nichols and Mr. Smith will work on this. Voting NO – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Voice Mail = He is working on a price quote received from SBC and should have a report at the next meeting.

No further business coming before the Board, Mr. Smith made a motion to adjourn at 8:48pm, seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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Ronald L. Smith, Clerk

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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

**FUND STATUS REPORT**

**06-07-05**

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>FUND CASH BALANCE</u>	<u>% OF TOTAL CASH BALANCE</u>
01	General	138,936.78	20.3
02	Motor Vehicle License Tax	13,480.84	2.0
03	Gasoline Tax	20,031.15	2.9
04	Road & Bridge	130,027.22	19.0
07	Lighting Assessment	25,958.67	3.8
10	Fire District	110,335.27	16.1
13	Zoning	12,989.39	1.9
14	Park Advisory	748.73	0.1
14A	Recycling	0.00	0.0
14B	FEMA Grant – Flood Plane	0.00	0.0
14F	Fire Loss Claim Fund	0.00	0.0
20	Fire Levy	111,077.39	16.2
23	Permissive License Tax	26,804.45	3.9
28	Ambulance & Emergency Medical	91,515.41	13.4
30	Faircrest Project – Issue 2	0.00	0.0
30A	Cheyenne Bridge Project	<u>2,258.79</u>	0.3
	<b>CASH TOTAL</b>	<b>684,073.09</b>	

