

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTTES
HELD TUESDAY, JULY 17, 2007**

The Canton Township Board of Trustees met in a Regular Session on
Tuesday, July 17, 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 July 03, 2007 Regular Meeting. Motion seconded by Mr. Smith and voting YES- Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FIRE:

Fire Chief presented receipts collected for two weeks for the following:
\$5,587.99=Ambulance Billing, \$4.00=Fee, \$475.00=CPR, for a total of \$6,066.99. Mr. Nichols 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. Wilcox made a motion to approve closing 1 PO:

#121 = Nightingale-Alan Medical

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

Mr. Nichols made a motion to approve hiring Crystal Velain as a new fire cadet, working out of Station #3. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

ROAD:

Road Superintendent presented receipts collected for two weeks for culvert pipe in the amount of \$116.00. Mr. Wilcox made a motion to accept the fees as submitted, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve closing the following 3 BC's and 1 PO:

BC's

2 = Supplies

21 = Repairs

31 = Materials

PO

#160 = Leppo Equipment

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

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

BC's

\$ 3,000.00 = Supplies
4,000.00 = Materials
10,000.00 = Repairs

PO's

\$ 500.00 = Goodyear Street & Highway
1,500.00 = Safety Kleen
1,000.00 = Leppo Equipment

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

- FYI:
- > Temporary “No Parking” signs are being posted along 17th NW on August 3-4-5 for Football Hall of Fame shuttle bus
 - > Curb and gutter catch basins have been repaired on Coty, Chagrin & Rebel SW
 - > Drainage problems at Carnwise & Forestdale SW to begin end of this week
 - > CDL training started last Saturday
 - > Road Superintendent taking day of vacation Friday, July 20
 - > Paving this year will be Hillsboro Allotment, Rexdale SW (between Dueber & 77) Carnwise (3 places that have sunk), and Sandy SE (between Rt.43 & Baum)

PUBLIC HEARING 7:15PM

This Public Hearing recorded, in its' entirety, by Hill Court Reporters

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

Also in attendance: Fiscal Officer Ron Smith and Zoning Director Marshall Lewis

Amendment: CA-2-07

Applicant: Michael Wertz

Present Zoning: R-R Rural Residential

Proposed Zoning: B-3 Commercial Business

Reclassification: Parcel #13-02622 = 9.05 acre tract, located on the east side of Cleveland Avenue (SR800) and north of 32nd Street SE, in the SE and SW Quarter Section 21 of Canton Township

Mr. Nichols made a motion to approve the zone change for CA-2-07 from R-R Rural Residential to B-3 Commercial Business, seconded by Mr. Smith.

ROLL CALL VOTE: Mr. Christopher B. Nichols - YES
 Mr. James A. Wilcox - NO
 Mr. William C. Smith - YES

Zone change approved.

Mr. Smith made a motion to close Public Hearing for CA-2-07, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

ZONING:

Zoning Director presented zoning fees for two weeks in the amount of \$1,017.70. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve a Board of Trustees Public Nuisance Hearing for 4727 Martin Dr SE (Tracy Becker) for Tuesday, July 31, 2007 at 7:15pm. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FYI: New Violation Letters Sent:

1501 Sally Ann NW (McNickle)	high grass
3021 Cleveland SW (Southside Grindorz)	occupancy permit
4034 Cleveland SE (Wildcat Café)	sign permit
4034 Cleveland SE (Wildcat Café)	unlicensed vehicle
1222 Waynesburg SE (Cole/Davis)	RJ Trucking – dust/smell
2747 Waynesburg SE (Sees)	unlicensed vehicles
3160 – 38 th SW (Stolicny)	no building permit

Violations Cleared:

4222 – 14 th NE (Hyatt)	mowed
1911 – 33 rd SW (Kennedy)	mowed
2215 – 33 rd SW (Lawrence)	mowed
4815 Cleveland SW (McClelland)	mowed

Mr. Nichols made a motion to approve and Fiscal Officer to sign Resolution authorizing Township Zoning Director and additional Township legal counsel to pursue lawsuit for declaratory judgment and permanent injunction against Gerald Michel and Sophia J. Michel. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols asked Zoning Director for updates on other nuisance properties:

- > Michel properties (Whipple & Lakeview NW) due to pending lawsuit, nothing further being done on the Michel properties
- > Mellon property (Sandy SE) Zoning Director will contact Atty. Hall for a ruling allowing Township on this property to remove vehicles. Mr. Mellon has been notified. Mr. Nichols asked if Zoning Director made contact with Deb Dawson of Stark County Prosecutor’s office as the Board requested. No contact made yet. Mr. Nichols strongly recommended not just stopping in, call and set an appointment with her.
- > Manard property (Waynesburg SE) He has made some clean-up and has mowed. Date has come and gone for clean-up.

Mr. Nichols made a motion to approve Zoning Director sending Mr. Charles Manard a letter stating he has until August 1, 2007 to complete clean-up of his property; otherwise the Township will follow through with the Nuisance Hearing ruling that was approved earlier this year. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

> 3215 – 5th St SE = Mr. Wilcox asked the Zoning Director for an update on this property. Neighbor had called Mr. Wilcox at home complaining about open burning of trash and debris. Mr. Wilcox viewed the property last Friday; Zoning Director was to view it yesterday (Monday). Zoning Director said he did view the property; and the Stark County Health Department and Ohio EPA has been notified. It appears he is operating a vehicle repair business on this property. Mr. Nichols asked what is being done to correct the problem. He sent a letter today regarding unlicensed and dismantled vehicles on the property. Zoning letters stated he had seven days to remove unlicensed and inoperable vehicles from the property. He included a hand-out from the Fire Department outlining the rules for open burning. Mr. Wilcox requested a close follow-up.

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$53,283.82, and payroll in the amount of \$70,086.99, for a total of \$123,370.81. Mr. Wilcox made a motion to approve the checks as submitted, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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, July 19.

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

\$2,000.00 = Paychex (monthly fees & quarterly reports)

600.00 = Richard Guinther (Comm Center maintenance July & August)

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

FYI: > Township Auction

Fiscal Officer reported one quote was received from July 1, 2007 newspaper ad requesting auctioneer quotes for conducting the Township auction. Due date for quotes was today at 3:00pm. Quote was received from Kiko Auctioneers.

Mr. Nichols made a motion to approve sending the quote from Kiko Auctioneers to conduct the Township auction to Atty. Charles Hall for his review and written approval. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

> 2002-2003 Audit Review

Mr. Nichols made a motion to set a Special Meeting for Tuesday, July 24, 2007 at 6:30pm with the Board, Fiscal Officer, Zoning Director, and Atty. Charles Hall to discuss zoning issues, audit response, auctioneer quotes, and any other matters that may come before the Board. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

- > State Co-Op Purchasing Program
Mr. Nichols made a motion to approve the Township membership renewal with the State Co-Op Purchasing Program at the cost of \$100.00. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.
- > Vacation
Fiscal Officer will be on vacation July 26 thru August 11. He is requesting Department Heads to submit bills and payroll for July 31 meeting as follows:
Payroll = turn in on Monday, July 23
Bills = turn in on Tuesday, July 24
- > Real Estate Tax Advances
2nd Half real estate tax advances will start this Thursday, July 19

PUBLIC SPEAKS:

Dorothy Rebstock – 4628 Central Ave SE – Canton Township

Mrs. Rebstock was here concerning a property she owns at 4652 Central Ave SE and the inappropriate drainage along Central Avenue that caused the basement to flood repeatedly, and the damage this flooding has caused. She read a letter she sent to the Board asking for compensation. Mr. Wilcox will address this issue in the Trustee portion of the meeting.

Debbie Haidet – 3212 – 5th St SE – Canton Township

Ms. Haidet was here concerning a neighbor property at 3215 – 5th St SE. This is a problem that has been going on for the past five years. She has called and complained several times. Each time, their vehicles have been tampered with and one time a window shot out of their truck. She has notified the Sheriff Department and installed security cameras. After her last complaint, a woman living at this address, came up to her as she was sitting in her car and said if she made one more call, it would be her last. She will continue to make calls until something is done. She and her family cannot live across the street from this mess any longer. Mr. Nichols said now that Zoning has sent him a letter, the process has formally started.

Jim Schwitzgabel – 1015 Lakeview NW – Canton Township

Mr. Schwitzgabel was here concerning the Michel properties on Whipple and Lakeview NW. Why can other properties be mowed by the Township, but just because Mr. Michel says do not come on my property, the Township cannot mow it. Mr. Nichols explained that is the law. If the property owner says get off my property; by law, that is what we have to do.

TRUSTEES:

MR. NICHOLS:

Walker School Staff/Community Park = Mr. Nichols made a motion to approve the Walker Elementary School staff using the Community Park pavilion, at no charge, on Thursday – August 9th, from 6pm to 8pm for their “back-to-school” staff meeting/party, provided that date and time have not already been rented. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Website = Web people have received information necessary from Timer Warner Cable; and by middle of next week we should have home page, some of Fire Department and meeting minutes ready to go.

MR. WILCOX:

Community Park Funds = Mr. Wilcox made a motion to approve opening a new BC in the amount \$2,600.00 for the Community Park for porta-jon service and open/close gate through October. Motion seconded by Mr. Nichols. Fiscal Officer certified funds are available. Voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith

“Old Betsy” at Car Show = Mr. Wilcox made a motion to approve taking “Old Betsy” fire truck to the car show at the Community Park on August 12th, provided a qualified driver is available. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mrs. Rebstock = Mr. Wilcox and Road Superintendent to meet with Mrs. Rebstock to discuss her concerns about 4652 Central SE on Thursday, July 19 at 10:30am.

Road Dept. Roof = Mr. Wilcox made a motion to approve hiring Franks Brothers to repair Road Department garage roof, at a cost not to exceed \$2,100.00. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to open a new PO:

\$2,100.00 = Franks Brothers

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

CS 10-Year-Olds Baseball Tournament = Mr. Wilcox made a motion to approve Canton South 10-year-old baseball teams using the ball fields at the Community Park on August 2,3,4,5,6 for a baseball tournament. Motion seconded by Mr. Smith and voting YS – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

MR. SMITH:

Computer Passwords = Trustees and Fiscal Officer should be provided with passwords to all Township computers. Department Heads to give list to Fiscal Officer.

Emergency Phone Number List = Credit-card-size emergency phone contact list needs to be updated. Please provide changes to Administrative Assistant.

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 8:30pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

(signatures on next page)

**SIGNATURES OF THE BOARD OF TRUSTEES AND FISCAL OFFICER
FROM THE MEETING MINUTES OF TUESDAY, JULY 17, 2007**

Ronald L. Smith, Fiscal Officer

Christopher B. Nichols, President

James A. Wilcox, Vice President

William C. Smith, Trustee

FUND STATUS REPORT
07-17-07

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>FUND BALANCE</u>	<u>% of TOTAL CASH BALANCE</u>
1000	General	67,404.42	14.254
2011	Motor Vehicle License Tax	11,624.21	2.458
2021	Gasoline Tax	105,099.48	22.226
2031	Road & Bridge	75,481.00	15.962
2111	Fire District	59,793.94	12.645
2171	Park Advisory	83.56	0.018
2181	Zoning	28,894.33	6.110
2191	Special Levy	3,493.85	0.739
2231	Permissive Motor Vehicle	28,691.03	6.067
2281	Fire, Rescue, Ambulance	43,868.45	9.277
2401	Special Assessment	30,189.81	6.384
2901	FEMA 1484 Flood Plain	15,984.10	3.380
2902	Cheyenne Bridge Project	2,258.79	0.478
2903	Fire Loss Claim Fund	.00	0.000
	TOTAL	472,866.97	