

**MINUTES OF THE REGULAR MEETING OF THE  
CANTON TOWNSHIP BOARD OF TRUSTEES  
HELD TUESDAY, MAY 19, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm  
on Tuesday, May 19, 2009 with all three Trustees present.

Pledge of Allegiance

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

Also present: Fiscal Officer Ron Smith, Road Superintendent Tom Hewitt, and  
Fire Chief Scott McKibben.

Absent: Zoning Director Marshall Lewis

**MINUTES:**

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the  
May 05, 2009 Regular Meeting, seconded by Mr. Nichols and voting YES – Mr. Smith,  
Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve and waive the reading of the minutes from the  
May 11, 2009 Special Meeting, seconded by Mr. Wilcox and voting YES – Mr. Smith,  
Mr. Nichols, and Mr. Wilcox.

**FIRE:**

Fire Chief presented receipts for two weeks for the following: \$16,130.39=Ambulance  
Billing and \$120.00=CPR, for a total of \$16,250.39. Mr. Smith made a motion to accept  
the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr.  
Nichols and Mr. Wilcox.

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

#73 = Nimishillen Twp Fire Dept.

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

Mr. Nichols made a motion to approve opening 1 new PO:

\$39,933.00 = Nimishillen Twp Fire Dept

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

FYI: > Ohio Billing credit & billing report for April 2009

Mr. Smith made a motion to approve hiring Fire Fighter Cadet Craig Stasko, for the  
paid-per-call staff, working out of Station #3. He will be sworn in at a later date. Motion  
seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve interdepartmental transfers of the following firefighters from part-time paid-per-call staff to part-time staff, effective May 20, 2009:

<u>Fire Fighter</u>	<u>Part-Time Hourly Pay Rate</u>
Jerrod Carter	\$10.50
Tylene Hill	10.50
Walt Pittman	11.00
Alan Ramsey	10.50

**ROAD:**

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

#33 = Cargill Salt Co

56 = Marlboro Supply

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

Mr. Wilcox made a motion to approve opening 1 new PO:

\$2,000.00 = Ed Schory & Son

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

Mr. Wilcox made a motion to approve purchasing a new dump bed for truck #10 from Cross Truck Equipment Co., at a cost not to exceed \$7,236.00. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve opening 1 new PO:

\$7,236.00 = Cross Truck Equipment Co.

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

Mr. Smith made a motion to approve purchasing a new salt spreader for truck #10 from Goodyear Street & Highway, at a cost not to exceed \$3,291.00. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve opening 1 new PO:

\$3,291.00 = Goodyear Street & Highway

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

Mr. Wilcox made a motion to approve purchasing a 1997 Ford F-350 extended-cab truck from Bowling's Used Cars, at a cost not to exceed \$8,050.00. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve opening 1 new PO:

\$8,050.00 = Bowling's Used Cars

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

Mr. Smith made a motion to approve accessories for 1997 Ford truck, cost not to exceed \$3,000.00. Labor to be performed by Canton Township mechanic. Vendors to be paid from existing BC. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI:
- > County working on legal description to vacate Eversole SW land.
  - > County in process of getting Whipple SW (by E.C.Levy Co) staked to show township lines
  - > Charlotte SE culvert pipe is 50% complete
  - > Trump Ave (north of Georgetown intersection) shut down for 5 days, starting May 26 for county to replace culvert
  - > Received estimate from county engineer for Carnwise SW project - \$5,630

### **ZONING:**

In the absence of the Zoning Director, Trustee Smith presented receipts for 2 weeks in the amount of \$685.30. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve 2009 mowing rates for nuisance properties to be \$75.00 per hour, per man. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

### **New Violation Letters**

Mid State Trucks	1415 Raff Rd SW	High Grass & Trash
Adam Platt	3331 Varley Ave SW	High Grass
Tracy Rippel	1549 Edmeyer NW	High Grass
Karen L Lauer	2903 Patton St NW	High Grass
Deutsche Bank	1143 Lakeview Ave NW	High Grass
Mt Hebron Baptist Church	1212 Lilly NE	High Grass
Ida Lockhart	317 Parker Ave NE	High Grass
James Hyatt	4222 14th St NE	High Grass
John Hardie & C. Merrill	2335 19th St SE	High Grass
Suzanne Diveley & R. Eber	2332 19th St SE	High Grass
4 X Properties	306 Elmport	High Grass
David Guy	1330 Village SE	High Grass
Joe Jr. or Karl Boyer	1523 Village SE	High Grass
Thompson's Entertainment	3606 Cleveland Ave S.	Sign Operation
Betty Johnson	804 Faircrest St SW	High Grass
Jane Davis	4008 Dueber SW	High Grass
David & Stacy Haney	1160 Mill St SW	High Grass
Kelly Yeagly	1556 Sally Ann NW	Barking Dog Nuisance -Notice

### **Closed Violations**

Thompson's Entertainment 3606 Cleveland Ave S. Sign Operation - Corrected Sign  
Premium Petroleum Inc. 1652 Whipple Ave NW High Grass – Mowed

### **Canton Township Board of Trustees –vs.- William E. Edwards Jr.**

- Awaiting status -

### **Canton Township Board of Trustees –vs. - Woody's Tree Service**

Judgment Entry filed Friday 24 April 09 – Attorney Robert Rubin filed with the BZA for a hearing to be held this Thursday night - May 21, 2009, asking for the board to review and recognize a continuing lawful Non-Conforming Use.

**Timothy Lynn - 3963 Richville Dr., SW Canton OH – Parcel #13-09804**

Public Nuisance Hearing – July 8, 2008

Property has large amounts of solid waste – Over 25 Unlicensed and Inoperable vehicles –  
Abandon / wrecked recreational vehicles – Large accessory building collapsed – Tires on and off rims.

Building & Structures – 90 Days total removal of collapsed building – 9 Oct 08 - Completed

Vegetation, Garbage Refuse, Debris – 60 Days removal – 9 Sept 08 – Completed

Unlicensed vehicles are being removed – verified 10 have been relocated from the property –

Mr. Lynn states all will be removed by the end of month – March 09

May 30, 2009 – Trustees approved new date for vehicles to be removed

--- Scheduled to visit property 19 May 09 at 1:30 PM –

As of 15 May all but three vehicles removed from Canton TWP side of this property...

**Rose Cox** 3111 Central Ave SE Trash/Unsecured Structure –

Lawsuit filed 23 Mar 09 Stark County Health Dept -vs.- Rose Cox -Court date 3 April 09 - Grandson David Cox has taken responsibility for the property, judge issued 60 day ( 4 June 2009) clean up and 120 (4 August 2009) for removal of house. --- As of 15 May clean up is not completed, notified County Health Dept and scheduled site inspection for Friday 5 Jun 09.

**Business in Residential**

- 1810 Faircrest SE **Woody's Tree Service, Montgomery, Michael**, - Legal action in progress  
Final Pre-trial - May 21, 2009 Trial – Jun 1, 2009
- 4134 Fairknoll SE **Quality Turf / Quality Custom Embroidery, Edwards, Bill** - Legal action in  
progress. Awaiting Judge Decision.
- 824 Faircrest SW **Acropolis Property Services, Fellouzis, Walter**, 19 March 2008, 3<sup>rd</sup> notice  
Home Occupation – 5 Feb 09 – Application for Home Occupancy – 30 April 09  
- Withdrew application
- 5370 Ridge Ave SE **Harper Surveying, Harper, Bradley & Cynthia**, 17 April 08 – 1<sup>st</sup> notice,  
2<sup>nd</sup> notice 17 June 08 - 5 Feb 09 – Letter sent once again by zoning office to  
contact us about Business Operations – Application for Home Occupancy –  
Scheduled for **BZA 21 May 09**
- 427 Vince Ave NW **Risaliti Beauty Shop, Giorgio & Deanna Risaliti**, 4 March 09 – 1<sup>st</sup> notice. –  
Requesting review by BZA for existing non-conforming use –  
Scheduled **BZA 21 May 09**

**FISCAL OFFICER:**

Fiscal Officer presented bills in the amount of \$75,503.62 and payroll in the amount of \$73,995.35 for total checks of \$149,498.97. Mr. Smith made a motion to approve the checks as presented (warrant #7465, in the amount of \$26,622.00 payable to Nimishillen Twp. Fire Dept was not approved for payment and does not reflect in the total presented for payment). Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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, May 21.

Mr. Nichols made a motion to approve opening 1 new PO:

\$5,500.00 = Hall Law Firm (Fire Dept legal services)

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

Mr. Wilcox made a motion to approve , effective May 20, 2009, personal and vacation days for all full-time Administrative, Zoning and Road personnel must be taken in half-day or full-day increments, based on their normal workday hours. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve all full-time and part-time employees with an hourly pay rate to be paid in ten minute increments, if working past their normal workday hours. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI:
- > Employee Meeting – New Health Care Plan – Wednesday-May 20<sup>th</sup> – 7:30am here at township office
  - > Trustees to sign March & April Bank Reconciliations
  - > Received \$65,918.77 Estate Tax on May 13
  - > Faircrest Park Pavilion Rental = If renting both pavilions, renter is charged \$50.00 for each pavilion
  - > 2006-2007 audit is complete. Waiting for adjustments from State Auditor's office for 2004-2005 and 2006-2007 audits

**PUBLIC SPEAKS:**

**Jim Simodi = 2714 & 2716 Lincoln St East – Canton Twp**

Mr. Simodi was inquiring about the progress being made with Stark County concerning sanitary sewer hook-up on his street. Trustee Smith asked he be patient, give him about 30 days to get some answers. Feel free, any time, to call him with concerns.

**Jim Schwitzgabel = 1015 Lakeview NW – Canton Twp**

Mr. Schwitzgabel was inquiring about the progress being made on the Michel properties on Whipple and Lakeside NW. As of today, township has not received any quotes for landscape work on the Lakeview properties. Trustee Smith will check with Zoning Director tomorrow morning on progress.

**TRUSTEES:**

**MR. SMITH:**

Office Duties = Dorene Crilow, Zoning Secretary, to assist Road Superintendent with clerical paperwork, such as typing letters, invoices for payment of bills, payroll time cards, and maintaining records for vacation/personal/sick hours. Fiscal Officer will coordinate training time.

Judy Gill, Administrative Assistant to Trustees & Fiscal Officer, to receive township news bulletin articles from Department Heads for review, then forward to Trustees for approval.

**MR. NICHOLS:**

Website = Need to disable existing website in order to create new home page for the new website stating “Under Construction” and a second page, live, that will have 2009 meeting minutes for public access . Also need to mass forward township e-mail to yahoo or another site while new homepage is being built, then have it forwarded back

when new homepage is up and running. If that is not done, all e-mails will be lost. Trustee Nichols waiting for step-by-step instructions to take care of this

Park Supervisor Job Description = This will be discussed, in detail, at the Special meeting on May 26<sup>th</sup>.

Special Meeting = Mr. Nichols made a motion to approve a special meeting to be held Tuesday, May 26, 2009 at 6:30pm at the township administration building to discuss park issues and any other matters that come before the Board. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

MR. WILCOX:

Oil Township Parking Lot = Due to the dust created by heaving traffic in the summer months, the administration building parking lot will be oiled again this summer.

Recycling Area = Mr. Wilcox made a motion to approve sending a letter to Stark-Tusc-Wayne Joint Solid Waste Management District requesting they paint the recycle bins and keep bins and recycle area clean. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

**Bid Openings for Community Park Walking Track (Over St SE)**

<u>Company Name – City/State</u>	<u>Bid Amount</u>
Sable Asphalt – Stow, Ohio	\$50,066.00
Central Allied Ent Inc – Canton, Ohio	66,000.00
Joseph A. Jefferies Co – Louisville, Ohio	44,500.00
Scassa Asphalt Inc. – Massillon, Ohio	58,000.00

Mr. Wilcox made a motion to forward all bid packets for Community Park Walking Track to Atty. Hall for his review and opinion. Contract to be awarded at June 2<sup>nd</sup> meeting. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 8:36pm, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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Ronald L. Smith, Fiscal Officer

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William C. Smith, President

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Christopher B. Nichols, Vice President

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James A. Wilcox, Trustee