

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on October 13, 2015 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall on Tuesday, October 13, 2015 at 7:00pm. Chairman Maszczak opened the meeting with the Pledge of Allegiance. Attendance sheet is available upon request.

In as much as these meetings are recorded, these minutes are to provide information of the most salient points, and are not intended to describe all conversations and testimony verbatim. Recording of the meetings are available for listening in the Township Hall, and a copy may be obtained upon request of the Fiscal Officer.

Public Presentation

Ms. Doris Puerner of Leffingwell Rd extended an invitation to everyone to the Election Day spaghetti dinner available on November 3 from 4 to 8pm at the high school which is a community fund raiser.

Loran Brooks of Gibson Rd addressed the issue of election signs in the road right-a-way. Mr. Maszczak noted that he spoke with Mr. Rogers, and if ok with the Board, he planned tonight to give a seven day notice to all sign owners to remove them from the road right-away.

Mr. Brooks addressed concerns that the Township doesn't have a Zoning Inspector, comparing the Township with Poland Township. Mr. Brooks reviewed some cases that forced the Township to give variances due to contractor errors.

Mr. Bettile of Fox Den stated that everyone has signs in the road right-a-way. Mr. Brooks disagrees.

Mr. Bettile noted that he placed a public records request last week and received a letter from the prosecutor's office addressing his request and he wanted to know why. Mr. Bettile noted that he had to file his detention pond plans with the Township. What constitutes a public record and the meaning of voluminous request of records was discussed.

Attendance Roll Call

Chairman Maszczak requested that Carmen I. Heasley, Fiscal Officer, call the attendance roll:

Mr. Governor	present,
Ms. Cartwright	present,
Mr. Maszczak	present,

MINUTES: Chairman Maszczak requested corrections or additions to the special meeting minutes of August 5, August 18, and special meeting minutes of August 26, 2015. Ms. Cartwright noted that the meeting of August 18 was technically our regular meeting of the board, but is listed as a special meeting because it was not conducted on the regular date. Minutes were approved as presented.

ADMINISTRATOR/ROAD SUPERINTENDENT REPORT: Chairman Maszczak requested questions and/or comments on the Administrator/Road Superintendent's report. Ms. Cartwright asked a minute to review report since she just received it. The Gibson Rd bridge ODOT project was discussed.

Ms. Cartwright commented on the recycling event that did not go as smoothly as in the past. If the vendor is going to handle money they must handle it differently and maybe walk up and down the aisles.

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People had to wait more than an hour to drop off their electronic items and they were not very happy about it. Another issue no matter what group assists us must be reviewed as to number of individuals working and the amount we donate to the organization. She understands that we're making a donation but emphasized that by 10:30 to 11 o'clock there were only four guys there helping. Either they must commit to working the whole time or we must look into other methods of paying them. The current system isn't working. The report was accepted as presented.

FISCAL OFFICER'S REPORT: Chairman Maszczak called on the Fiscal Officer, Carmen I. Heasley, to present the financials. Fiscal Officer reviewed warrants, electronic payments and purchase orders. Fiscal Officer provided an updated electronic budget for the Board to review, requesting a workshop to review it. Fiscal Officer received the AT&T invoice for the Messerly Rd phones. The bill increased from \$74.50 to \$217.43 suggesting that we consider Armstrong. Township received a thank you note from the 4th of July Committee for our support of the event on the Green. The report was accepted as presented.

NEW BUSINESS

RESOLUTION 2015-10-13-146

Warrants & Electronic Payments

Mr. Maszczak moved to approve Warrants #10587 thru #10654, electronic payments 239-2015 thru 272-2015 as general & payroll obligations of the Township in the amount of \$104,015.52. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-147

Purchase Orders

Ms. Cartwright moved to approve purchase orders PO 30-2015 thru PO 32-2015 the total amount of \$20,953.14. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-148

2015 Leaf Pick-up

Mr. Maszczak moved to approve the Public Works Department to conduct the 2015 Leaf Recycling Pick-up Program. The Township will use the same quadrant system as in years past using state route 224 and route 46 to divide the quadrants. The collection dates for this year will be as follows: for the NW and NE quadrants Oct. 20th, Oct. 27th, Nov. 3rd, Nov. 10th and Nov. 17th; for the SE and SW quadrants Oct. 22nd, Oct. 29th, Nov. 5th, Nov. 12th and Nov. 19th. Township residents wishing to participate will receive their first (5) leaf bags free with a valid driver's license, additional bags can also be purchased for a \$2.00 fee per five bags. The Motion was seconded by Mr. Governor. Discussion: The leaf bags can be picked up M-F from 8-4 in the Township Office. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-149

Parkland Grass Restoration

Ms. Cartwright moved to accept the best low qualified bid from Cross Brothers Landscaping LLC, to restore the grass area around the pavilion at the Township Park at a cost of \$1,350.00. The funding for this last step in the project will be included in the grant from the Ohio Department of Natural Resources.

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The Motion was seconded by Mr. Governor. Discussion: Ms. Cartwright asked for the bidders. Mr. Rogers advised that it was Walt Colbrunn Excavating and Cross Brothers Landscaping. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-150

Dean Hill Cemetery Rules and Regulations

Ms. Cartwright moved to approve and adopt the updated Rules and Regulations for Dean Hill Cemetery which covers purchase of lots, interment, disinterment, monuments and markers, cemetery care and general rules of the cemetery grounds. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that the new rules and regulations will be posted to the Township website and copies will be made available in this office and the Township Sexton should have copies. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-151

RESOLUTION TO AMEND THE ZONING TEXT OF CANFIELD TOWNSHIP, MAHONING COUNTY, OHIO ZONING AMENDMENT NUMBER 15-01-ZC

WHEREAS, Canfield Township Zoning Amendment Number **15-01-ZC**, as described below, came on for hearing before the Canfield Township Board of Trustees, which case is described as follows:

Zoning Amendment Number 15-01-BZ: By motion adopted by the Canfield Township Zoning Commission, an amendment is proposed to revise the text of the Canfield Township Zoning Resolution. This proposed amendment is designated as Canfield Township Zoning Amendment Case Number 15-01-ZC and would, if adopted, revise the Table of Contents to and all Articles of the Text of the Canfield Township Zoning Resolution to reflect the creation of certain districts; with all such proposed textual revisions being reflected in the Zoning Amendment Text labeled, for identification purposes, "Canfield Township Zoning Amendment Number 15-01-ZC".

WHEREAS, on Date: August 25, 2015, the Mahoning County Regional Planning Commission recommended certain modifications; and

WHEREAS, on Date: Sept 10, 2015, the Canfield Township Zoning Commission recommended approval of the proposed amendment; and

WHEREAS, a public hearing before the Board of Trustees has been duly noticed and conducted on September 22, 2015 and October 13, 2015 in Zoning Amendment Number 15-01-ZC pursuant to Ohio Revised Code Section 519.12 in order to take the action hereinafter set forth.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CANFIELD TOWNSHIP, MAHONING COUNTY, OHIO, THAT: Part 1: The recommendation of the Canfield Township Zoning Commission in Zoning Amendment Number 15-01-ZC be hereby modified as follows:

- A. Section 200** – A new definition #65 shall be added to read as follows: "Portable Storage Unit - The term "Portable Storage Unit" shall be defined to be: any container, storage

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unit, shed-like container, shipping container, trailer, or other portable structure that can or is used for the storage of property of any kind and which is located for such purposes outside of a residence or business.”

- B. Section 400** - the opening paragraph shall be amended in its entirety to read as follows: “For the purpose of this Resolution, the Township of Canfield is divided into the following eleven (11) classes of districts.”
- C. Section 500.03 (G)** – shall be amended in its entirety to read as follows: “Access - There shall be adequate provision for ingress and egress to all parking spaces; however, such ingress and egress points shall be located so as to minimize traffic congestion and avoid undue interference with pedestrian access at street intersections. All Driveway access to a public Right-Of-Way shall meet the access management standards, minimum visibility standards, and all other applicable standards of Canfield Township, and the Mahoning County Engineers office, and the Ohio Department of Transportation.”
- D. Section 500.08 (B)** Add paragraph 7 to read as follows: “Stored indoors or outdoors in a business approved by the township for the storage of personal and/or business property.”
- E. Section 505.05 (C)(2)** the entire paragraph shall be amended in its entirety to read as follows: “No Billboard shall exceed twenty (20) feet in height above the average grade, nor have a length in excess of four times the height of the sign face.”
- F. Section 510.06** add a paragraph (D) to read as follows: “As an Accessory Use by a business in an industrial district that has been approved by the township for warehousing and storage of personal or business property. Such Portable Storage Unit shall meet the following criteria:”
- G. Section 510.06 (D)** add a sub-paragraph (1) to read as follows: “Portable Storage Units used for such purposes shall be located to the side or rear of the principle structure(s) only, and all such units shall be completely screened from view from adjacent streets or properties by the use of a fence, wall, or landscaping.”
- H. Section 510.07 (C)** shall be amended in its entirety to read as follows: “Not more than 1 portable storage unit shall be permitted on any property at any time, with the exception of commercial or industrial properties currently under construction, or where approved as an Accessory Use on an industrial property zoned for use as a storage or warehouse facility for personal or business property.”
- I. Section 510.07 (F)** shall be amended in its entirety to read as follows: “Portable storage units shall only be used for the storage of personal property and for no other purpose whatsoever, except where used for the storage of tools, materials and equipment on commercial or industrial properties under construction, or where approved as an

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Accessory Use on an industrial property zoned for use as a storage or warehouse facility for personal or business property.”

- J. **Entire Resolution** – Correct any and all typographical and/or numbering errors
- K. **Index of Terms** – Remove the Index of Terms from the text of the Resolution

Part 2:

It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Ms. Cartwright moved that the trustees adopt the recommendations of the Canfield Township Zoning Commission and approve Canfield Township Zoning Amendment Number 15-01-CZ, modified pursuant to the terms of Part 1 of this Resolution. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that although we are approving these Resolutions code revisions as they are, there will be amendments by the Zoning Board as needed. Mr. Maszczak noted that this Board has done a comprehensive review of these new Resolutions and will be a dynamic document. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-152 **Canfield Board of Zoning Appeals**

Mr. Maszczak moved to approve that the Canfield Board of Zoning Appeals voting members will be paid a total sum of \$30.00 per meeting, regardless of the number of cases heard in a day. The member must be an active voting member, which means that a vote must be recorded on the case heard. Meetings without a vote will not be paid. In the case where two or more cases are heard on the same day and the first voting member must leave the meeting after voting on one case, then the second case starts with the alternate, that alternate will also be paid \$30.00 for the day, as long as the alternate participates in the vote. In the case where an active Board member must leave and the alternate takes their place to vote, only the voting member will be paid. Each meeting can only have five active voting members at any given time, but up to six members can be paid if the alternate also participates in the voting process on a separate case on the same day. The Motion was seconded by Mr. Governor. Discussion: Mr. Governor noted that he is seeing this for the first time and wants to make sure it's not a change in policy. Fiscal Officer noted that it's not a change but clarification instead of having to go thru years of Resolutions every time someone questions their pay. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-10-13-153 **Executive Session**

Mr. Maszczak moved to adjourn into executive session at 7:50 pm to discuss the possible employment of a public employee. The Motion was seconded by Mr. Governor. Discussion: Ms. Cartwright asked before we enter into session, she would like to set meeting dates. All agreed. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

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Trustees Comments: Workshop set for October 28, 2015 at 2pm to discuss Budget, Policies & Procedures and any other business that comes before the Board. Trustees discussed the tree problems in the Westbury Development area and it was decided that Ms. Cartwright would try contact an Arborist from Mill Creek Park to look at the trees in an attempt to find out how large these trees will get. The Board also discussed the possible need for updating the mail box policy and decided not to change the existing policy. Finally, Mr. Rogers was asked to obtain input and estimates in regards to the water in basement of Township Hall.

The Board entered into executive session at 8:00pm. Board returned to open session at 8:54pm

RESOLUTION 2015-10-13-154

Advertise Position

Mr. Maszczak moved to advertise the position for Administrative Assistant to the Trustees in the Youngstown *Vindicator* to run on Sundays Oct 18 & Oct 25 to include the Vindicator on-line and Twp website. The Motion was seconded by Ms. Cartwright. Discussion: Ms. Cartwright noted that she will handle the advertising. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

ADJOURNMENT

With no further business before the Board, the Chairman adjourned at 9:05pm.

Mr. Stephen M. Maszczak, Chairman

Ms. Marie Izzo Cartwright, Vice-Chairman

Mr. Brian W. Governor, Trustee

Ms. Carmen I. Heasley, Fiscal Officer