

The Board of Lake Township Trustees met at 6:00 p.m. for the purpose of conducting a Public Hearing for Zoning Amendment No. 06-218ZA (text change); at 6:05 p.m. to conduct Public Hearings for possible nuisance situations for the following properties: 1460 Edison Street NE, 13200 Cleveland Avenue NW, 11362 Kent Avenue NE and 916-918 Camelia Street NW; and immediately following in regular session at 12360 Market Avenue North, Hartville, Ohio with the following members present:

Ellis Erb, President
Galen Stoll, Member

Also Present:

Ben Sommers, Fiscal Officer	Marie Sommers
William Emley	Tom Renner
Rich Feller	Joy Dingman
John White	Jonathan Fleming
Martha Miller	Eve Morgan
Jeremy Wise	Karen Moss
Mary Ann Kannam	Edward Maluke
Clark Swisher	Don Hensley
Don Wise	Steve Lacey
Jerry Machamer	Mary Kamerer
Charles Shephard	John Arnold

Mr. Erb called the Public Hearing for Zoning Amendment No. 06-218ZA (text change) to order at 6:00 p.m. Mr. Erb explained what the proposed changes were under this amendment. Mr. Erb called for anyone who would like to speak in favor of the proposed changes. Hearing none, Mr. Erb called for anyone who would like to speak against this amendment. Hearing none, Mr. Erb explained that he would like additional time to review the proposed text changes and called for a decision to be tabled on this amendment.

06-405 A resolution was made by Ellis Erb tabling a decision for Zoning Amendment No. 06-218ZA until the next Board meeting, in order to allow the Board additional time to review the proposed changes. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called for anyone who would like to speak on behalf of the property at 1460 Edison Street NE. Board reviewed photos and information provided to them by the zoning department.

- William Emley Sr., Esq., Buckingham, Doolittle & Burroughs, LLP, 4518 Fulton Drive NW, Canton OH 44735-5548: Addressed the Board on behalf of Lehman Brothers Bank FSB. Mr. Emley explained that they are in the process of foreclosing on this property and also are in the process of consulting an expert to determine whether or not

this structure is worth rehabilitating or to raze the structure. He requested additional time to make these determinations.

06-406 A resolution was made by Mr. Erb tabling a decision for the nuisance situation at 1460 Edison Street NE, until the meeting of December 11, 2006, in order to allow additional time for the bank to gather their information. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called for anyone who would like to speak on behalf of 13200 Cleveland Avenue NW. Hearing none, Board reviewed the photos and discussed the situation and determined that the building has been in this condition for at least a year. Mr. Erb noted that we have correspondence in the file informing the township that asbestos is not a problem.

06-407 A resolution was made by Ellis Erb, based on the photos and information obtained from the Zoning Department, that a nuisance exists at 13200 Cleveland Avenue NW and to obtain quotes for razing and removal of the same. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called for anyone who would like to speak on behalf of the property at 11362 Kent Avenue NE. Board reviewed photos and information provided to them by the zoning department.

- John Stewart, 11362 Kent Avenue NE, Hartville: Addressed the Board and informed them that he intends to clean up his property.

06-408 A resolution was made by Ellis Erb tabling a decision for the nuisance situation at 11362 Kent Avenue NE, until the next Board meeting on December 11, 2006, in order to give the property owner time to alleviate the zoning violations. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called for anyone who would like to speak on behalf of the property at 916-918 Camelia Street NW.

- Edward Maluke, 916-918 Camelia Street NW: Addressed the Board and advised them that he was not made aware of what the violation is. He thought the problem had been resolved with the last correspondence he mailed to the zoning department. Discussion between Board and Mr. Maluke. Mr. Maluke informed the Board that the siding will be fixed.

The Board noted their concern with the condition of the inside of the building and that it is a hazard to anyone who would have to enter this building, specifically firemen.

Mr. Maluke advised that the vehicles are in working condition. He advised the Board that he intends to use the items that are in and on the property as his health improves.

The Board advised Mr. Maluke that the use of this property is for a single-family residence, not a storage building.

Mr. Maluke advised the Board that he is taking care of his sister in Akron and intends to live in the house again once she is okay. He informed them that he was living in the house up until he had his leg surgery approximately 3 years ago. Mr. Maluke asked for a point-by-point list of what the Board would like to have cleaned up?

The Board asked what he intends to do with the broken glass in the vehicles?

Mr. Maluke said he intends to use duct tape and vinyl to do the repairs. He informed them that he is working on getting all of them currently licensed. He said that he checks on the property and picks up his mail three times per week.

The Board told him the property needs to be cleaned up and it needs to be used for residential purposes and not used for storage.

Steve Lacey informed the Board that the Fire Prevention Officer is prepared to ask for a warrant for access to the interior of the house if the Board declares the property a nuisance.

06-409 A resolution was made by Ellis Erb tabling a decision for the nuisance situation at 916-918 Camelia Street NW, in order to give the property owner additional time to bring the property into compliance with zoning. The Board wants to see progress made on this compliance by the meeting of December 11, 2006 when the Board will determine what to do at that time. The Zoning Administrator is to inspect the property on the morning of December 11, 2006 and report to the Board with the status. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

06-410 A resolution was made by Ellis Erb adjourning the Public Hearings at 6:38 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called the regular meeting of the Board of Trustees to order at 6:38 p.m.

06-411 A resolution was made by Ellis Erb approving the minutes of November 13, 2006, as submitted. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-412 A resolution was made by Ellis Erb authorizing payment of payroll for November 30, 2006, in the amount of \$15,093.64. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-413 A resolution was made by Ellis Erb authorizing payment of December 1, 2006, in the amount of \$69,140.59. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-414 A resolution was made by Ellis Erb accepting/approving the Financial Status Report as of November 27, 2006, as submitted by the Lake Township Fiscal Officer.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-415 A resolution was made by Ellis Erb authorizing payment of bills as of November 27, 2006, in the amount of \$45,396.01. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

CORRESPONDENCE

1. ODOT – Workshops
2. Joe Underwood – Highland Creek No. 1 Construction Inspection Report
3. SWCD Site Inspection Reports for Heritage Glen No. 3, Highlands 2 and LCCS
4. Notice of Subdivision Action for Powell Electric
5. Joe Underwood – Enclave No. 2 Construction Inspection Report
6. Health Department – 2006 OMNIBUS poll regarding tobacco use
7. Notice regarding CLOUT membership
8. David and Toya Hayhurst – Commending voting operation at St. Jacobs
9. Notice of December 4 Subdivision Review and December 5 RPC meeting

- With reference to Correspondence No. 7, Board confirmed with the Fiscal Officer that the \$200.00 membership fee will be paid.

DEPARTMENT REPORTS:

Police Department

None

Road Department

None

Zoning Department

None

Fire Departments/Fire Prevention Office

None

OLD BUSINESS:

06-416 A resolution was made by Ellis Erb tabling a decision, until the next Board meeting of December 11, 2006, for the request from the Greentown Fire Department for funding of a new pumper truck. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

06-417 A resolution was made by Ellis Erb to submit to the Stark County Engineer's Office the township's request to have a 2007 Speed Zone Study conducted on Schlabach Avenue from Smith Kramer Street to Nimishillen Church Street. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

06-418 A resolution was made by Ellis Erb tabling a decision with reference to the bond and time-limit issue for unfinished sidewalks within a subdivision, until the next Board meeting of December 11, 2006. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

NEW BUSINESS:

- The Board executed Road Open Permits for the following: C-06-30 (gas tie-in on Royer); C-06-31 (gas tie-in on McGinty).

06-419 A resolution was made by Ellis Erb authorizing Don Hensley to carry over 280 hours of vacation from 2006 into 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

06-420 A resolution was made by Ellis Erb authorizing Michael Batchik to carry over 40 hours of vacation from 2006 into 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-421 A resolution was made by Ellis Erb rescinding Resolution No. 06-395 (80 hours) and further resolving to authorize Christine Weyrick to instead carry over 72 hours of vacation from 2006 into 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-422 A resolution was made by Ellis Erb authorizing Jack Coontz to carry over the allowable 40 hours of vacation from 2006 into 2007 and further authorizing Mr. Coontz to bank the remaining three weeks of vacation from 2006 towards retirement. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-423 A resolution was made by Ellis Erb, upon the inspection and recommendation of the Lake Township Road Superintendent, authorizing the Fiscal Officer to release the bond that was posted under Road Open Permit No. 0-06-06 to J & J Ringer Inc for work performed on Brunner. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

06-424 A resolution was made by Ellis Erb authorizing the Board to execute a Deed for the sale of Lot No. 472 in the South section of Woods Cemetery to James and Linda Carol Dooley. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

04-425 A resolution was made by Ellis Erb authorizing Rick Criss to carry over 9 hours of vacation from 2006 into 2007. This is in addition to the 40 hours allowable without resolution. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

MEETING REPORTS:

None

FISCAL OFFICER'S REPORT:

06-426 A resolution was made by Ellis Erb authorizing the Fiscal Officer of Lake Township to request an Amended Certificate from the Stark County Budget Commission, which would allow the Lake Township Board of Trustees to make the following budgetary adjustments in the 2006 Appropriations Budget and the 2006 Receipts Budget. These adjustments are due to the differences between the anticipated revenue and the actual revenue collected in the following funds in 2006:

2006 Budgetary Adjustments

<u>Fund</u>	<u>Amount</u>	<u>Reason</u>
GENERAL FUND #1	<u>232,700.00</u>	79,700 Estate Taxes & 153,000 Interest
GASOLINE TAX #3	<u>47,000.00</u>	Additional Gas Taxes collected
ROAD & BRIDGE #4	<u>23,700.00</u>	13,000 Additional R.E. Taxes & 10,700 Other Exp.
CEMETERY FUND #5	<u>(800.00)</u>	Over Estimated Revenue for sale of lots & burials
LIGHTING ASSESS. :		
7A Uniontown Light .Dist.	<u>(14,600)</u>	Less Assessments
7B Greentown Light .Dist.	<u>(3,500)</u>	Less Assessments
7C Mt.Pleasant Light .Dist.	<u>(9,700)</u>	Less Assessments
7D Willowhurst Light .Dist.	<u>(650)</u>	Less Assessments
7E Windgate Light .Dist.	<u>322</u>	Additional Assessments
POLICE DIST. FUND#9	<u>20,200.00</u>	Additional R.E. Taxes & Fines
FIRE FUND #10	<u>16,000.00</u>	Additional R.E.Taxes
ROAD DIST. #11	<u>22,600.00</u>	Additional R.E. Taxes & Springfield Reimbursement
EMS #20	<u>5,500.00</u>	Additional R.E. Taxes
DRUG LAW ENF. FUND#22	<u>577.00</u>	Additional Revenue
LAW ENF. ED. FUND#33	<u>(184.00)</u>	Less Revenue

Total budgetary adjustments: \$ 339,165.00

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes

- The Board acknowledged the following transfers made on November 13, 2006, pursuant to Resolution No. 06-038, by the Fiscal Officer:

\$108.00 from 07-A-03E (Advances Out) to 07-A-01E (Contracts)
\$3000.00 from 09-A-01 (Salaries) to 09-A-80 (Unemployment)

PUBLIC SPEAKS:

None

- The Board explained that they have received fifteen applications for filling the unexpired term of Sue Ruley.

06-427 A resolution was made by Galen Stoll appointing Mr. John Arnold to fill the unexpired term of Sue Ruley as Lake Township Trustee, said appointment effective Friday, December 1, 2006. Seconded by Ellis Erb. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

06-428 A resolution was made by Ellis Erb adjourning the meeting at 6:56 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Ben Sommers, Fiscal Officer

Ellis Erb, President

Galen Stoll, Member