

**2-24-04** The regular meeting was called to order at 7:00 p.m. by President  
**OPENING:** Giavasis, who led the staff and audience in the pledge of allegiance.

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, Sam Tuttle, Joseph Bourquin, Donald Snyder, Mary Lee Sponseller.  
Media present: Cal Peters, WHBC; Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

**AGENDA:** The agenda was presented. Added under Concerns of Trustees was Disaster Recovery and House Bill 127.

**SHERIFF'S REPORT:**

Detective Stantz and Lt. Shankle were present. Lt. Shankle gave the yearly report for 2003. He said that adding five officers had made a big difference in Plain Township and the numbers proved that. There were 1559 more activities or incidents, which had increased due to self-generated patrols by the additional officers. Traffic crashes were up four percent and there were 585 more citations. Again, Lt. Shankle said this is due to the additional police officers and having more time to patrol. Alarms were up 119 – these are false alarms and this is an ongoing problem. Investigator activity – there were over 100 arrests by our Detective, C. J. Stantz, that fall under investigator activity. DUI's – there were 111, that has doubled from 2002, when there were only 54. The vehicle maintenance program proved to show that the care for the vehicles cost the Township \$0.20 per mile.

Blake & 21<sup>st</sup> Street – a complaint about the running of a stop sign by school buses and other vehicles. There was also a complaint about a portable basketball hoop at 6900 Sweetwater. Mr. Iacino said that he had mailed a letter requesting the people get it out of the right-of-way and they had not moved it. At this point, he is asking the Sheriff's Department to handle this for the Township.

**UNFINISHED BUSINESS:**

1. Market & 55<sup>th</sup> Intersection – Mr. Cozy indicated this is located in the City and he is going to meet with the engineer tomorrow on February 25. He said that from 2000 to 2002, there were six registered accidents due to this lane merging over from the east side going north toward the center of Market. He is going to also see if the City of Canton will make any changes. He did indicate that if they would not do it and all they asked us to do was put up the signage, it might be worth our while to take care of it.

2. 29<sup>th</sup> St. Storm Sewer Project – Mr. Cozy had the information from Cooper and Associates, our engineer, and said that the west one-half on 29<sup>th</sup> Street would need to be totally replaced with 18-inch pipe and the remainder would be 30-inch. He is going to meet with the engineer on March 2, 2004 at 9:30 a.m. regarding the storm sewer project. If the City of Canton does not take part in the project, we will be able to relieve some of the problem, but not in its entirety.

**UNFINISHED BUSINESS:** (continued)

3. Credit Cards - Mr. Iacino said that he had asked why the credit cards were taken from the departments. Mr. Shriver explained in detail about the problem with another entity within the township charging against our credit card at Home Depot. When this happened, he indicated that he was able to find out that there were 37 credit cards within the different Township offices. He and Mrs. Reikowski have designed a sign-in and sign-out sheet which allows the person to sign their name, which credit card they are using, the department they are using it for, and return the receipt at the same time they bring the card back. He told the Board and those present that this had to do strictly with accountability and protecting the employees of the Township as well as protecting the taxpayers' money from any possible fraudulent activity. Mrs. Bossart wanted to know why someone like Joe Iacino couldn't have one card down at his office with somebody accountable for it. Mr. Shriver said that he did not know that there had been a problem to this point, and there had not been. Mr. Iacino indicated that he uses mainly Home Depot for the Road Department. Mrs. Bossart wanted to know if Linda could have the Home Depot card down at the Road Department and keep account of it. Mr. Shriver indicated that he would meet with Mrs. Reikowski in the morning to see if this would be satisfactory. Mrs. Bossart told Mr. Shriver that he should be talking to the Board and not Jo Ellen. Mr. Shriver informed Mrs. Bossart that he was in charge of the moneys within the Township and the Board was not, and that he would meet with Mrs. Reikowski and Linda Sweeney from the Road Department to see if another type of arrangement could be made.
4. Noise Wall Survey – there was a letter from ODOT to the residents where they are talking about putting the noise wall up on I-77. Mr. Leno said that he had met with Mr. Steffen and walked the area, and that the residents there had a very good argument. He also wanted to let everyone know that if they do not return the survey, it may be taken to mean that they are in favor of the project.

**NEW BUSINESS:**

1. False Alarms –

#04-173

Motion by Mr. Leno,  
WHEREAS, the Plain Township Board of Trustees has authorized a charge of twenty-five dollars (\$25.00) for each false alarm from an automatic security alarm system in excess of three (3) false alarms within a calendar year pursuant to its authority under Ohio Revised

Code Section 505.511 (Resolutions #95-96); and  
 WHEREAS, the Plain Township Board of Trustees has been duly notified by the Stark County Sheriff, under contract to Plain Township, that an excess of three (3) responses to such alarms have been made at the following businesses and/or residences:

NAME	ADDRESS	#
Movies 4	3911 Everhard Rd. NW	15 <sup>th</sup> , 16 <sup>th</sup>
Holy Trinity Lutheran Church	2551 55th St. NE	6 <sup>th</sup>
Canton Christian Fellowship	5305 Broadmoor Cir. NW	5 <sup>th</sup>
McDonald's	3700 Harmont NE	10 <sup>th</sup>
High Mill Church	1950 Schneider St. NE	5 <sup>th</sup>
Kids R Us	4824 Whipple NW	5 <sup>th</sup> , 6 <sup>th</sup>
Time Warner Cable	5520 Whipple Av. NW	7 <sup>th</sup>
Chicken Manor	8043 Cleveland Av. NW	8 <sup>th</sup>
McDonald's	2628 Easton St. NE	4 <sup>th</sup>

**NEW BUSINESS:** (continued)

Lincolnway Serrc	4465 Louisville St. NE	4 <sup>th</sup> , 5 <sup>th</sup>
Citgo	6356 Market Av. N.	5 <sup>th</sup> , 6 <sup>th</sup>
Fishers Foods	8100 Cleveland NW	7 <sup>th</sup>
Hershberger Homes	5551 Birmingham NE	6 <sup>th</sup> , 7 <sup>th</sup>
Laurel Ridge Children's Learning Center	3906 Easton St. NE	4 <sup>th</sup>
Kentucky Fried Chicken	2348 Columbus NE	8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup>
Eugene Murari	7695 Northland Av. NW	4 <sup>th</sup>
Dennis Harding	5845 Shetland Cir. NE	4 <sup>th</sup>
Annette Crawford	6428 Blossomwood NE	4 <sup>th</sup>
Alan Zimmerman	3850 Orion St. NW	5 <sup>th</sup>
Shirley Armstrong	1331 Stone Crossing NE	4 <sup>th</sup>
Kenneth Marsh	1571 Applegrove St. NE	4 <sup>th</sup>

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to send a Notice of Bill for Excess False Alarms to the locations identified above; and

In the event that any bill noted above is not paid within thirty (30) days of the date of such notice;

BE IT FURTHER RESOLVED to direct the Plain Township Clerk to send a notice by certified mail to the manager and the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent or tenant and to the owner, if different, of the real estate of which the residence is a part, stating that failure to pay the bill within 30 days, or to show just cause why the bill should not be paid, will result in the assessment of a \$25.00 lien upon the real estate.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Clerk shall cause the sum of \$25.00 for each false alarm in excess of three (3) per year to be entered upon the

tax duplicates of each location as a lien upon said real estate from the date of entry, which shall be collected as other taxes and returned to the Township general fund.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes ; Mr. Leno, yes; Mr. Giavasis, yes.

**CLERK'S REPORT:**

1. 1. Pending Warrants –

#04-174

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of pending warrants in an amount of \$115,653.12 as attached hereto and made a part of these minutes.

Seconded by Mr. Leno.

Vote: Mrs. Bossart, yes ; Mr. Leno, yes; Mr. Giavasis, yes.

2. 2. Regular Payroll –

#04-175

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the regular payroll in an amount not to exceed \$110,000.00.

Seconded by Mr. Leno.

Vote: Mrs. Bossart, yes ; Mr. Leno, yes; Mr. Giavasis, yes.

**CLERK'S REPORT:** (continued)

3. 3. Payment of Medical Claims –

#04-176

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to authorize payment for the following medical claims  
as provided by AultCare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
02/24/04	EFT 40219	\$7,718.77

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes ; Mr. Leno, yes; Mr. Giavasis, yes.

4. The Investment Report was given. Mr. Shriver indicated that there was a little over \$2 million available in Star Ohio that was gaining in interest rate, and also there was \$1 million in our checking account gaining interest. However, he did reinvest a \$1 million CD at an interest rate of 1.27% with U.S. Bank. Mrs. Bossart asked why we did not ladder these investments out. Mr. Shriver responded that the interest rates on 3 months and 6 months were much less than the 1.27% and that certainly we had enough available funds that we should be okay with this investment.

5. Refund of False Alarm Overpayment –

#04-177

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize refund of an overpayment of false alarm  
fees to Kimco Realty Corporation, 3333 New Hyde Park Road, New Hyde  
Park, NY 11042 in the amount of \$50.00.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ADMINISTRATOR:**

1. Bellview Storm Sewer –

#04-178

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize ME Companies to complete survey,  
design, coordination with ODOT, North Canton and McKinley  
Development and full plan sheets for contract bid of the Bellview Storm  
Sewer at a cost not to exceed \$14,660.00, to be paid from Fund #04-C-03.  
Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

At this point, Mrs. Bossart added another item – Administrator #2.

2. Phone System Update - Computer Systems Manager Teresa Dolan was present to discuss the problems we have been having with the new phone system since December. She said that as of today it was resolved, but they needed to get XO Communications to fix the T-1's which are a high-speed interface. They are having a meeting tomorrow, February 25, and Mrs. Dolan also wanted to point out that all of the vendors have been very cooperative and come out when needed. As of today, things are working as they should.

**FIRE DEPARTMENT:**

1. Attendance to Ohio Arson School –

#04-179

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance of Tom McCallin to the Ohio Arson School in Columbus on August 2 - 6, 2004. This is to include registration, lodging, meals, mileage, etc. in accordance with current township policy not to exceed \$1,200.00.

Seconded by Mr. Leno.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. Hepatitis Vaccine –

#04-180

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to approve the administration of a series of 3 hepatitis vaccinations at \$40.00 each and a follow-up Hepatitis B titre test at \$40.00 each from Aultworks to all Fire Department personnel requesting it.

Seconded by Mr. Leno.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Attendance to Bowling Green State Fire School –

#04-181

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the attendance of up to five people at the Ohio State Fire School in Bowling Green on May 10 - 14, 2004 and to approve lodging, registration, mileage, meals and parking in an amount not to exceed \$4,500.00.

Seconded by Mrs. Bossart.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. Repair of Shift Commander's Vehicle -

#04-182

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the repair of the shift commander vehicle (damaged in an auto accident) by Auto Worx Body Shop in an amount not to exceed \$5,000.00. This will be paid for by the driver of the other vehicle's insurance company to us.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ROAD DEPARTMENT:**

1. Advertise for Bids – Road Materials –

#04-183

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to place an Advertisement for Bids for Road Materials in a newspaper published in Stark County and of general circulation in the Township on March 15, 2004 and March 22, 2004 with bids to be received by 12:30 p.m. on April 7, 2004 and opened at 12:30 p.m. on April 7, 2004.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ROAD DEPARTMENT: (continued)**

2. Advertise for Bids – Culvert Pipe –

#04-184

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to place an Advertisement for Bids for Culvert Pipe in a newspaper published in Stark County and of general circulation in the Township on March 15, 2004 and March 22, 2004 with bids to be received by 2:00 p.m. on April 7, 2004 and opened at 2:00 p.m. on April 7, 2004.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Cintas Uniforms – for informational purposes, Mr. Iacino brought in the new uniforms that Cintas is willing to upgrade the Road Department to, due to past problems, and showed the Board various samples that the Department had chosen. This is all going to be done at no additional cost to the Township.

4. Request for No U-Turn Signs – 50<sup>th</sup> & Whipple –

#04-185

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the installation of a No U-Turn sign on 50<sup>th</sup> St. NW and Whipple Ave. NW as requested by the Stark County Traffic Engineer.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ZONING DEPARTMENT:**

1. Set Public Hearing – Zoning Amendment 532 –

#04-186

Motion by Mr. Giavasis,  
WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #532 on February 11, 2004; and  
WHEREAS, the Plain Township Zoning Commission is recommending denial of the proposed amendment; and  
WHEREAS, the Plain Township Zoning Commission is submitting such recommendation along with application, text, and map pertaining thereto to the Plain Township Board of Trustees within the required thirty days following its public hearing; now

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Zoning Amendment #532 on March 9, 2004 at 7:30 PM at the Plain Township Hall and to further

instruct and authorize the Plain Township Clerk to prepare and publish notice of the public hearing in the Repository on Saturday, February 28, 2004.

Seconded by Mrs. Bossart.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ZONING DEPARTMENT:** (continued)

2. RPC Annual Dinner –

#04-187 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Trustees, Administrator, Clerk, members of the Plain Township Zoning Boards, Law Director, and Zoning Staff to attend the Stark County Regional Planning Commission Annual Dinner on March 23, 2004 and to authorize their cost of \$23.00 per person be reimbursed upon submission of receipts to the Clerk's Office.

Seconded by Mrs. Bossart.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Waiver of Fees – Text Amendment –

#04-188 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive any and all Board of Zoning Commission application fees necessary for text Amendment #533 for Adult Entertainment Uses.

Seconded by Mrs. Bossart.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**PARKS & RECREATION:**

1. Five-Year Plan – Mr. Tuttle presented a five-year plan that he said he had worked on some years ago. On the back page, he indicated to the Board that it showed the successful accomplishments that the Parks Department has made to date. He simply wanted to update the five-year plan and give it to them for their input and discussion.

2. Indoor Concessions –

#04-189 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into an agreement with the Goal Oriented Futbol Club to provide concessions at the Diamond Community Center, a copy of which agreement is attached hereto and made a part of the record.

Seconded by Mr. Giavasis.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**PLANNING:**

1. Proposed Oakwood Square CRA – Mary Lee Sponseller said with regard to the Community Reinvestment Area that the housing survey had been submitted and that the Board of Commissioners in the next step would need to adopt a resolution, advertise it in the paper and send it to the State. They should have approval within two weeks. Once this passes, an owner within the Community Reinvestment Area would be able to request and negotiate for tax abatement. She will keep the Board informed as this progresses.

#### **COMMUNICATIONS:**

1. City of Canton – regarding a meeting about housing and urban development on February 25, from 1:00 to 2:30 at the Stark County office building in Room 318. None of the trustees will be able to attend. Mr. Shriver indicated that Mayor Creighton had called him on Monday and asked if he would be attending and he said that he would attend.

#### **COMMUNICATIONS:**

2. Washington Township – regarding a vacancy on the Stark County Health Department.
3. Stark County Engineer's Office - regarding the agenda for this year's annual meeting with the township trustees.
4. Time Warner Cable – announcing the fulfillment of the franchise check.

#### **CONCERNS OF TRUSTEES:**

1. Disaster Recovery Plan – Mrs. Bossart explained that this is something that needs to be updated. They need to go over various computer data, make sure the department heads know how to back up properly, and also look at various processes.
2. House Bill 127 – Mrs. Bossart said that the Stark County Treasurer, Mr. Ziegler, would like to speak about this bill at our March 23 meeting.

Mrs. Bossart also wanted to talk about putting Concerns of Citizens somewhere at the beginning of the meeting in case they had any concerns about what was on the agenda. It was decided that the presiding officer would see how this works and at the end of various activities throughout the agenda perhaps ask if there are any questions from the citizens.

**APPROVAL OF MINUTES:**

#04-190 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to waive the reading of the minutes of the regular  
meeting held February 10, 2004 and make them a part of the record as if  
read in their totality; and  
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to approve the minutes of the regular meeting held  
February 10, 2004 as presented.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**EXECUTIVE SESSION:**

#04-191 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn to executive session at 8:37 p.m. from  
this regular meeting of February 24, 2004 as authorized under Ohio  
Revised Code 121.22(G) for the purpose of the consideration of:  
compensation of a public employee or official; preparing for, conducting  
or reviewing negotiations or bargaining sessions with public employees.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#04-192 Motion by Mr. Leno to return to regular session at 9:33 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ADJOURNMENT:**

#04-193      Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 9:33 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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Pamela S. Bossart  
Trustee

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Louis P. Giavasis  
Trustee

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Albert P. Leno, II  
Trustee

ATTEST: \_\_\_\_\_  
Claude W. Shriver, II  
Clerk