

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Randy Traub, Joe Iacino, Sam Tuttle, Michelle Mahoney, Don Snyder, Mary Lee Sponseller.

Media present: none.

President Giavasis convened the work session at 6:20 p.m. The first topic was HIPAA training. The meeting was turned over to Mrs. Jo Ellen Reikowski, the Finance Director and Benefits Coordinator for Plain Township, who handed out attachments to each of the individuals present. She indicated that April 14 was the date to secure measures in the workplace. She also explained that though Plain Township does not have access to detailed medical records on premises, bills are faxed and these sometimes indicate things that would need to be kept confidential. She also said that these bills would no longer be attached to the pending warrants because the pending warrants are a public document, so that they would be kept in a separate file. She indicated if anybody needed help that various release forms are available to be signed to protect the township and see that we are in accordance with the HIPAA regulations.

The second item for discussion was that of signs for Plain Township. Mr. Cozy and Mr. Iacino discussed it. Mr. Iacino said that they could not find green posts anywhere. They could only find them in gray, beige and white. Mr. Cozy said that he called a company in Akron, and was able to find them in green. Mr. Iacino said that they range from \$7.00 to \$13.00 per foot. Mr. Cozy went over other various costs. Mr. Iacino indicated that this type of post cannot be painted on. Paint will not stick to it. This would prevent a maintenance problem in the future. Mr. Iacino also indicated that the 40" by 40" sign that we are presently installing is really too big and 30" by 30" would be big enough. The next step would be to order a sample of the sign, which will take about six weeks. They also discussed at what height the sign should be installed. They are also going to use the cream color instead of white.

REGULAR MEETING

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

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Randy Traub, Joe Iacino, Sam Tuttle, Michelle Mahoney,

Don Snyder, Mary Lee Sponseller.
Media present: Natalie Lariccia, the Repository; Betty O'Neill-Roderick,
Akron Beacon Journal.

AGENDA: New Business #1 – Plain Township Newsletter was added to the agenda.

SHERIFF'S REPORT:

Detective C. J. Stantz and Sgt. Maskaluk were present. There was a speeding ticket complaint by a lady who did not appreciate being asked her phone number and where she was born. The Board was told by Detective Stantz that this was standard, ordinary procedure on their forms. There was also a discussion about vicious dogs. Mr. Cozy wanted to know if the Board wanted to pursue any type of legislation about vicious dogs. This would be done under Home Rule. Presently Canton and Massillon have some time of ordinance in effect. Mr. Traub said that they could take a closer look at this and possibly install some type of insurance liability program for the owner of a vicious dog breed. Mr. Leno said that he would also like to revisit a problem from two years ago where some people have more than five dogs in their homes. He said he knows of two residences in Plain Township that have ten dogs; also one that has five dogs and they come every two days to feed the dogs. The Law Director will get a legal opinion and get back to the Board.

UNFINISHED BUSINESS:

1. Recognition of Eagle Scout – there was a request for a trustee, Mr. Leno, to attend the certification of the Eagle Scout and he will be presenting the Eagle Scout with a certificate that he can frame. Mr. Shriver read the certificate to the Board. The certificate will be available for signature on Monday.
2. Website – Mrs. Bossart said that she had followed up on the revamping of the Plain Township website and passed out an example to the Trustees. She said that this individual charges \$40 per hour and it takes approximately two and a half hours per page. She is going to schedule a meeting with Teresa and the department heads to get this under way. Mr. Giavasis and Mr. Leno gave their nod of approval.

NEW BUSINESS:

1. Newsletter – reminder of May 24 deadline of articles for the Plain Township Newsletter.

CLERK'S REPORT:

1. Pending Warrants –

#04-302

Motion by Mrs. Bossart,
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 \$113,853.74 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 –

#04-303

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 –

#04-304

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> |
|-------------|----------------|---------------|
| 05/04/04 | EFT 40504 | \$6,267.71 |
| 05/11/04 | EFT 40505 | 5,435,36 |

Seconded by Mrs. Bossart.

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

4. The Financial Report was given. Mr. Shriver indicated that following Mr. Greenspan's announcements last week, which amounted to nothing, he checked with the financial institutions on record, and had made an investment as of this day of \$1.5 million, \$500,000 for three months at 1.18%, and \$1 million at 1.60% due in six months, the first coming due on August 9 and the second on November 8, respectively. This makes a total of four investments. The investments are all laddered out so that there will not be any negative effects to cash availability to the township for expenses. Mr. Giavasis indicated that it was a good job.

5. Transfer of Funds –

#04-305

Motion by
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the following transfer of funds:

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|-----------------------------|---------------------------------------|---------------|
| 01-A-26E – Other Expenses | 01-F-01 – Salaries | \$ 4,000.00 |
| 04-A-04 – Tools & Equipment | 04-A-13 – Other Expenses | 16,000.00 |
| 14-A-01 – Salaries | 14-A-08C – Other Expenses – Insurance | 6,600.00 |

Seconded by

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

6. Refund of Pager –

#04-306

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize a refund to Randy Wilson of 3820
Rolling Ridge NE, Canton, OH 44721 in the amount of \$60.00 for a
pager he paid for on April 27, 2004 (Receipt 95) and that Plain

Township was not billed for by Arch Wireless.

Seconded by Mr. Giavasis.

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

ADMINISTRATOR:

1. The Computer Systems Manager Monthly Report was given; there were no questions.
2. Underground Storage Tank Fees –

#04-307

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of underground storage tank fees to the State of Ohio UST Fund in the amount of \$2,600.00.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Holy Cross Church Water –
 - a. Waterline Easement –

#04-308

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize a field topographic survey and easement work by Cooper and Associates for the Holy Cross Lutheran Church Water Project in the amount of \$1,895.25.
Seconded by Mrs. Bossart.
Discussion: Mrs. Bossart wanted to know if this was the total bill. Mr. Cozy indicated that it was.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- b. Hydrants –

#04-309

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to purchase two hydrant assemblies for the Holy Cross Lutheran Church Water Project from J. A. Dempsey and Sons Excavating Co. Inc. for the amount of \$5,200.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

FIRE DEPARTMENT:

1. The Monthly Report was given; there were no questions. Assistant Chief Snyder did indicate that the Fire Department is very busy with the nicer weather with many accidents and an increase in the EMS calls.
2. Fuel System – The Fire Department indicated they are having

problems with their fueling system. It was put in in 1994. Parts are no longer available. Chief Sabo is presently getting quotes. It could run from \$15,000 to \$20,000 for new dispensing equipment for fuel. He is also researching the possible use of credit cards at local service stations.

ROAD DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. Purchase of Truck –

#04-310

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize the purchase of a 2004 Ford F-250 truck from Valley Ford, Cleveland, Ohio, through the Ohio State Cooperative Purchasing Program in accordance with our specifications at a cost of sixteen thousand eighty-four dollars and twenty-five cents (\$16,084.25).
Seconded by Mrs. Bossart.

Discussion: It will replace Truck #45, which is going to go to the Parks Department, and the Parks Department will retire the very old truck they have been using.

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

3. Repair of Salt Storage Building –

#04-311

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize payment to Conrad Construction for the repair of the salt storage building at the Plain Township Road Department in an amount not to exceed \$13,950.00 from Fund 4-A-13.

Seconded by Mr. Leno.

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

ZONING DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. Nuisance Abatements –
 - a. 2104 40th St. NW –

#04-312

Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on May 11, 2004 by the Board of Trustees regarding the property conditions at 2104 40th Street NW, Stark County, Ohio (Parcel #52-10704)

WHEREAS, Katherine Cramer, has failed to demonstrate satisfactory progress in correcting the violations at the above property; and

WHEREAS, the Plain Township Board of Trustees has provided the owner(s) of the property with notice and opportunity to be heard on this matter;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township

Board of Trustees, Stark County, Ohio that:

- 1. 1. Trash and/or debris, and high grass and/or weeds constitute a nuisance under Ohio Revised Code Section 505.87 and**
- 2. 2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and**
- 3. 3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.**

Seconded by Mr. Leno.

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

ZONING DEPARTMENT: (continued)

b. 2723 Maxine Ave. NE –

#04-313

Motion by Mr. Leno,

WHEREAS, a public hearing was held on May 11, 2004 by the Board of Trustees regarding the property conditions at 2723 Maxine Ave. NE, Stark County, Ohio (Parcel #52-06295)

WHEREAS, Edward Ash & Rose Fesler, have failed to demonstrate satisfactory progress in correcting the violations at the above property; and

WHEREAS, the Plain Township Board of Trustees has provided the owner(s) of the property with notice and opportunity to be heard on this matter;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. 1. High grass and/or weeds constitute a nuisance under Ohio Revised Code Section 505.87 and
2. 2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mrs. Bossart.

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

PARKS & RECREATION:

1. The Monthly Report was given. Mr. Tuttle indicated that they are very busy. He mentioned some work being completed by Rotary and also said that they would be putting in some benches and trees.

PLANNING:

1. The Monthly Report was given; there were no questions. Ms. Sponseller said she had no further information at this point about the CRA.

COMMUNICATIONS:

1. Cindy Christian – regarding a concern about a dog defecating on the boulevard in Hunters Ridge. She took the new neighbor some cookies and explained it to her, and the problem has been resolved.
2. First Friends Church – a thank you for getting the speed reduced on 55th Street.

3. Jolyn K. Ramey – regarding a complaint about a home at 2031 39th St. NW, that is deteriorating, has mold and strong odors.
4. Mary M. James – a letter listing reasons no condos should ever be allowed on North Market Avenue and Mt. Pleasant.

CONCERNS OF CITIZENS:

Linda Voneman, of 1717 31st St. NE, spoke regarding basketball hoops in the roadway. She has experienced broken carriage lights on her home. They bang the basketball off their car, and of utmost concern is the disrespect, that they don't move out of the street when a car comes through. She said there are 17 basketball hoops within four blocks of her home. The Law Director is going to look into this. After much discussion by the Board, Mr. Leno said that kids do need to play and he hates to see this taken away from them, however, the Board was very upset with the fact of the disrespect. Mr. Giavasis pointed out that since we have been made aware of this, and Ohio Revised Code allows nothing in the right-of-way, should someone be run over by a car, it could present a problem and the Board should act on this. The Law Director will research this and see if perhaps, there is something similar to removing signs in the right-of-way.

Susan Monroe, of 1917 Grove NE, is concerned about the new high school property adjacent to her property. They were asking about the possibility of getting Grove vacated. Mrs. Sponseller explained the various restrictions and said that she didn't see any way that the school would want to use Grove as an entrance or even as a service entrance while they were building. She also was concerned about parking on Grove for sporting events so that people wouldn't have to walk so far. The Township would certainly be willing to work with the schools and do anything they can to prohibit any hardship on the residents adjacent to the new high school.

Dennis Smith, on Hollydale NE, explained to the Board where the gas lines run through the area.

Joe Rante, on Hollydale, is concerned about the drainage situation near his home and concerned with the drainage from the new high school. Joe Iacino said that there are no definite plans for drainage submitted to the County as of yet. However, he would come over and look at the situation and correct one of the problems now for Mr. Rante. The Board indicated to Mr. Rante that the school has to follow all subdivision regulations and they have zero tolerance for any additional flooding due to construction within the Township.

Audi Kress, of Bentler Ave. NE, presented herself to the Board to introduce herself, as she is a member of the Plain Initiative committee. She wanted to let them know that they will be involved in the groundbreaking ceremony at the high school and they are going to also be attending various meetings and act like liaisons between different organizations in the Township to make the Township a better place to

live in the future.

APPROVAL OF MINUTES:

#04-314

Motion by Mr. Giavasis,

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 April 27, 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 April 27, 2004 as presented.

Seconded by Mr. Leno.

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

EXECUTIVE SESSION:

- #04-315 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:20 p.m. from this regular meeting of May 11, 2004 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: employment of a public employee or official; compensation of a public employee or official; the purchase of real, personal, tangible or intangible property; the sale of property by competitive bid to prevent the disclosure of information that would provide competitive advantage; preparing for, conducting or reviewing negotiations or bargaining sessions with public employees.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #04-316 Motion by Mr. Giavasis to return to regular session at 10:58 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #04-317 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Mark Cozy, Plain Township Administrator, to enter into a contract with Clemans-Nelson at their standard hourly non-retainer rate.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #04-318 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire Jeffrey Frey, as a summer employee effective May 17, 2004 at a rate of \$7.00 per hour with no benefits.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #04-319 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to rehire James Pappas, as a summer employee effective May 17, 2004 at a rate of \$9.00 per hour with no benefits.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #04-320 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,

Stark County, Ohio, to hire Joseph Iacino, III, as a summer employee effective May 17, 2004 at a rate of \$7.50 per hour with no benefits.

Seconded by Mr. Leno.

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

#04-321

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into an agreement with the Richard T. Kiko Agency, Inc. for the sale of the property located at 2727 McDowell St. NE;

BE IT FURTHER RESOLVED to authorize payment to the Richard T. Kiko Agency in the amount of seven percent of the selling price.

Seconded by Mr. Giavasis.

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

ANNOUNCEMENTS: (continued)

#04-322 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to give the non-contract employees raises pursuant
to the attached schedule, effective as of April 1, 2004.
Seconded by Mr. Giavasis.
Discussion: Mr. Giavasis stated that the process that was followed was
the annual step process that was developed over the past four years.
Those non-contract employees who have capped out received a standard
cost of living raise.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#04-323 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 11:03 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Clerk