

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, Eric Williams, Joe Iacino, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.
Media present: Cal Peters, WHBC; Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: The agenda was presented. Mrs. Mahoney removed Zoning #1B. Mr. Cozy removed New Business #3. Mr. Leno added Sign Regulations in Plain Township under Concerns of Trustees.

SHERIFF'S REPORT:

Detective C. J. Stantz and Sgt. Curry were in attendance.

There was a firearms complaint. Mr. Cozy said that he had the lady's name and address and told her that presently Plain Township has no authority to regulate firearms and that she would need to call the Sheriff's Department and have them investigate to see if this discharge of firearms was being handled properly and safely and to see if it was in a legal area of the Township.

There was a complaint of speeding on 20th St. NW, and also on 29th St. NE, off of Harrisburg Rd.

There was a candidate present, Earl Wise, who is running for Probate Judge, who introduced himself to the audience.

UNFINISHED BUSINESS:

1. Newsletter –

#04-324 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the printing and distributing of Issue 2, Summer 2004 of the Plain Township Newsletter by Pinnacle Press at a cost not to exceed \$6,000.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. Website –

#04-325 Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize web site design and completion by Agilewear Solutions in an amount not to exceed \$4,000.00.

Seconded by Mrs. Bossart.

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

3. a. Rescind Resolution #04-291 –

#04-326

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to rescind Resolution #04-291, passed April 27, 2004.

Seconded by Mr. Giavasis.

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

UNFINISHED BUSINESS: (continued)

b. Seventh Supplemental Agreement – Fulton Rd. Widening –

#04-327

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the Seventh Supplemental Agreement to Agreement No. 1999-3 for the Fulton Road Widening Project;

BE IT FURTHER RESOLVED to authorize payment of \$8,962.00 to the Stark County Transportation Improvement District for the design base contract.

Seconded by Mr. Giavasis.

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

4. Plain Township Signs – Mr. Cozy presented the Board with a small picture of the new Plain Township signs with the off-white background rather than the white, and explained that there would be a sample forthcoming made out of the plastic as well as one made out of aluminum. If we used the aluminum sign, it would be less costly and we could use the lighter-weight post.

NEW BUSINESS:

1. Aultcare Renewal –

#04-328

Motion by Mr. Leno,

WHEREAS, the Plain Township Board of Trustees has entered into an agreement with AultCare Corporation, located at 2600 Sixth Street SW, Canton, Ohio, to provide medical coverage for Plain Township employees since June 1993 (Resolution #93-318);

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to continue this coverage and authorize the execution of the contract with AultCare Corporation for medical, dental, vision and

prescription coverage for the period beginning June 1, 2004.

Seconded by Mr. Giavasis.

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

2. Township Enterprise Zone –

#04-329

Motion by Mr. Giavasis,

WHEREAS, the Ohio Enterprise Zone Act, Ohio Revised Code §5709.61 through §5709.69 (“The Act”) authorized a Board of County Commissioners, with the consent and agreement of the legislative body of the affected municipalities and townships therein, to designate areas as ENTERPRISE ZONES and to execute agreements with certain enterprises for the purpose of establishing, expanding and renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the Board of County Commissioners; and

WHEREAS, the Board of Trustees for Plain Township, Stark County, Ohio (“the Trustees”), upon due consideration desires to implement The Act and to expand and enlarge the existing Enterprise Zone known as ENTERPRISE ZONE #234C within the boundaries of Plain Township, Stark County; and

WHEREAS, it is necessary for the Trustees to formally request from the Board of County Commissioners of Stark County, Ohio (“the Commissioners”) the inclusion of additional portions of the Township in an Enterprise Zone proposal and to include such resolution in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such an Enterprise Zone; and

NEW BUSINESS: (continued)

WHEREAS, the Trustees hereby find and determine that designation of the zone pursuant to Ohio Revised Code §5709.632 will promote the economic welfare of the residents of the Township by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of the Township; and

WHEREAS, the Trustees understand that the Commissioners are required by law to administer all Enterprise Zones and agreements within the county and will therefore appoint a designee to be responsible for:

- 1) 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code §5709.85,
- 2) 2) to ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code §5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property,

- 3) 3) to forward copies of all Enterprise Zone Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code,
- 4) 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school boards as a part of the review process as required under Ohio Revised Code §5709.83,
- 5) 5) to maintain a centralized record of all aspects of the Enterprise Zone including copies of the agreements, a list of the member of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and
- 6) 6) to submit a comprehensive annual report of the status of all Enterprise Zone activities on or before March 31 of each year pursuant to Ohio Revised Code §5709.68.

WHEREAS, the Trustees are requesting designation of an Enterprise Zone, which includes all of the unincorporated geographical area of Plain Township, Stark County, and meets the population and boundary requirements to be certified as a limited authority Enterprise Zone under Ohio Revised Code §5709.632.

WHEREAS, the Trustees hereby request the Commissioners to assign the power, duty and authority to negotiate Enterprise Zone Agreements as permitted by Ohio Revised Code §5709.632 and that the Trustees agree to negotiate agreements and to assist the Commissioners in the administration of the Enterprise Zone and will approve all agreements in accordance with all applicable statutory provisions before submitting agreements to the Commissioners for approval; and

WHEREAS, the Trustees hereby agree to the establishment of a Tax Incentive Review Council or Councils, pursuant to Ohio Revised Code §5709.85 and will appoint two representatives to said Tax Incentive Council within sixty days after the State Development Director certifies the Enterprise Zone; and

WHEREAS, the Enterprise Zone, as proposed to be expanded and/or enlarged will be the only Enterprise Zone within the Township; and

WHEREAS, the area proposed to be added to expand and enlarge the existing Enterprise Zone known as ENTERPRISE ZONE #234C is set forth on the attached EXHIBIT A and fully incorporated herein by reference as if fully re-written herein; and

NEW BUSINESS: (continued)

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees for Plain Township, Stark County, Ohio does hereby petition and authorize the Board of Stark County Commissioners to expand and enlarge the existing Enterprise Zone known as ENTERPRISE ZONE #234C as set forth on the attached EXHIBIT A and fully incorporated herein by reference as if fully re-written herein, and to include and designate same as an Enterprise Zone; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Stark County Commissioners is hereby authorized to include this Resolution in the petition to the Director of the Department of Development of the State of Ohio for Enterprise Zone.

Seconded by Mr. Leno.

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

3. Columbus Harmont Intersection Amended Agreement – removed from agenda.

CLERK'S REPORT:

1. 1. Pending Warrants –

#04-330

Motion by Mr. Leno,

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 \$142,872.87 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

2. 2. Regular Payroll –

#04-331

Motion by Mrs. Bossart,

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. Giavasis.

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

3. 3. Payment of Medical Claims –

#04-332

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>
05/18/04	EFT 40559	\$8,563.51
05/25/04	EFT 40560	4,197.93

Seconded by Mr. Giavasis.

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

4. The Investment Report was presented. There were no questions.

FIRE DEPARTMENT:

1. Purchase of Tires –

#04-333

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of state bid priced tires for Medic 3 and Medic 5 from North Central Tire in an amount not to exceed \$1,700.00. This will be taken from the 10-A-09E account.

Seconded by Mr. Leno.

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

2. Emergency Lighting Replacement –

#04-334

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of Whelen Emergency Lighting Lamp Replacements for current replacement and inventory stocking from Fallsway Equipment in an amount not to exceed \$2,000.00. This will be taken from the 10-A-09 account.

Seconded by Mr. Giavasis.

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

3. 505.86 Progress – Chief Sabo explained that under Code 505.86, they were going to have abatements to four properties, and wanted the Board to be aware of the progress with that particular procedure.

4. Repair and Replacement of Fuel Distribution System and Monitoring System – Chief Sabo said that he is receiving bids and will probably be replacing the card decoder system for the fuel distribution system. He will keep the Board informed as to the bids and repair.

5. Ladder Testing –

#04-335

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Independent Testing Laboratories to test the aerial ladder and up to 1000 feet of ground ladders on all trucks in an amount not to exceed \$1,600.00. This will be taken from the 10-A-10 account.

Seconded by Mr. Leno.

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

6. Purchase of Knox Box Decoders –

#04-336

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of 3 Knox Box 3810 Decoders from the Knox Company in an amount not to exceed \$2,400.00. This will be taken from the 10-A-08 account.

Seconded by Mr. Giavasis.

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

FIRE DEPARTMENT: (continued)

7. Purchase of EMS Equipment –

#04-337

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of a Laerdal Adult Trainer, a case of Easycap CO2 detectors and 140 fiber optic laryngoscope blades from Diamed in an amount not to exceed \$2,400.00. This will be taken from the 28-A-06 account. This will be reimbursed by a \$2,100.00 State of Ohio EMS Grant.

Seconded by Mr. Giavasis.

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

8. 505.86 Nuisance Abatement –

a. 5000 Whipple Ave. NW –

#04-338

Motion by Mr. Leno,
WHEREAS, ORC 505.86 authorizes the Plain Township Board of Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure, unsafe, or structurally defective or unfit for human habitation; and

WHEREAS, a written report has been prepared and presented to the Board by the Fire Inspector as a result of a complaint;

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

1. The conditions inside the structure at 5000 Whipple NW, Plain Township, Stark County, Ohio, Parcel #52-15317, constitute an unsafe and hazardous condition pursuant to ORC 505.86.
2. The conditions are such that they constitute an emergency.
3. The conditions shall be remedied by Plain Township pursuant to the procedures outlined in ORC 505.86.
4. The Township Clerk shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above stated property.
5. Notices of this decision will be provided to the property owners and any holders of liens of record therein.

Seconded by Mrs. Bossart.

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

b. 2020 40th St. NE –

#04-339

Motion by Mrs. Bossart,
WHEREAS, ORC 505.86 authorizes the Plain Township Board of

Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure, unsafe, or structurally defective or unfit for human habitation; and

WHEREAS, a written report has been prepared and presented to the Board by the Fire Inspector as a result of a complaint;

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

1. The conditions inside the structure at 2020 40th St. NE, Plain Township, Stark County, Ohio, Parcel #52-16455, constitute an unsafe and hazardous condition pursuant to ORC 505.86.
2. The conditions are such that they constitute an emergency.

FIRE DEPARTMENT: (continued)

3. The conditions shall be remedied by Plain Township pursuant to the procedures outlined in ORC 505.86.
4. The Township Clerk shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above stated property.
5. Notices of this decision will be provided to the property owners and any holders of liens of record therein.

Seconded by Mr. Leno.

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

c. 2741 Orchard Park NW –

#04-340

Motion by Mr. Giavasis,
WHEREAS, ORC 505.86 authorizes the Plain Township Board of Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure, unsafe, or structurally defective or unfit for human habitation; and
WHEREAS, a written report has been prepared and presented to the Board by the Fire Inspector as a result of a complaint;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, that:

1. The conditions inside the structure at 2741 Orchard Park NW, Plain Township, Stark County, Ohio, Parcel #52-08283, constitute an unsafe and hazardous condition pursuant to ORC 505.86.
2. The conditions are such that they constitute an emergency.
3. The conditions shall be remedied by Plain Township pursuant to the procedures outlined in ORC 505.86.
4. The Township Clerk shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above stated property.
5. Notices of this decision will be provided to the property owners and any holders of liens of record therein.

Seconded by Mrs. Bossart.

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

ROAD DEPARTMENT:

1. List Bids – Paving and Road Repair – Mr. Iacino presented a list of bids. Bids were received from Northstar Asphalt, Central-Allied, Superior Paving, and Shelley Company.
2. Award Bid – Paving and Road Repair –

#04-341

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to award the 2004 Plain Township Paving and Road Repair Project: Application of 404 Asphalt, Concrete and Pavement Markings for the project to Central-Allied, Inc. as the lowest responsible bidder with the following prices:

MATERIAL	PRICE PER UNIT
Profiling	\$ 0.00 per foot
Grinding	\$ 0.43 per sq yd
Tack Coat	\$ 0.01 per gallon
Cover Aggregate	\$ 0.01 per ton
403 Asphalt	\$ 27.00 per ton
404 Asphalt	\$ 27.00 per ton
Centerline Marking	\$1600.00 per mile
Edge Line Placement	\$1200.00 per mile

ROAD DEPARTMENT: (continued)

Curb & Gutter Replacement	\$ 20.00 per l.f.
Crosswalk Striping	\$12.00 per l.f.
Turn Arrows	\$450.00 each
Protected Left Turn Lane Only	\$10.00 per ft. \$450.00 each
Stop Bars	\$20.00 per l.f.
Yellow Roundabout Lines	\$15.00 per l.f.

Seconded by Mrs. Bossart.

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

ZONING DEPARTMENT:

1. Nuisance Abatements –

a. 2462 Easton Street NE –

#04-342

Motion by Mrs. Bossart,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2462 Easton Street NE, Stark County, Ohio (Parcel #52-09634); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 12, 2004 and returned “Unable to Forward”; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

Board of Trustees, Stark County, Ohio that:

1. 1. High grass and/or weeds and trash and/or debris 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

b. 3343 Capricio NE - removed from agenda.

c. 1414 31st St. NE –

#04-343

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on May 25, 2004 by the Board of Trustees regarding the property conditions at 1414 31st St. NE, Stark County, Ohio (Parcel #52-01587);

WHEREAS, Mark Lare, 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

ZONING DEPARTMENT: (continued)

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. Giavasis.

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

d. 1519 32nd St. NE –

#04-344

Motion by Mr. Giavasis,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 1519 32nd St. NE, Stark County, Ohio (Parcel #52-

04940); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 12, 2004 and returned "Unable to Forward"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

1. 1. High grass and/or weeds and trash and/or debris 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

e. 2622 Maxine Ave. NE –

#04-345

Motion by Mr. Leno,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2622 Maxine Ave. NE, Stark County, Ohio (Parcel #52-09026); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 12, 2004 and returned "Unable to Forward"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

ZONING DEPARTMENT: (continued)

3. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Giavasis.

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

f. 919 29th St. NE –

#04-346

Motion by Mrs. Bossart,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 919 29th St. NE, Stark County, Ohio (Parcel #52-05482); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 5, 2004 and returned “Unable to Forward”; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

1. 1. High grass and/or weeds, trash and/or debris and brush piles 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

g. 6956 Glenmere Ave. NE –

#04-347

Motion by Mr. Giavasis,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 6956 Glenmere Ave. NE, Stark County, Ohio (Parcel #52-00852); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 17, 2004 and returned “Unable to Forward”; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

Board of Trustees, Stark County, Ohio that:

1. 1. High grass and/or weeds and trash and/or debris 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

ZONING DEPARTMENT: (continued)

Seconded by Mrs. Bossart.

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

h. 7007 Bentler Ave. NE –

#04-348

Motion by Mr. Leno,

WHEREAS, a public hearing was held on May 25, 2004 by the Board of Trustees regarding the property conditions at 7007 Bentler Ave. NE, Stark County, Ohio (Parcel #52-04659);

WHEREAS, Robert & Tina Miller, 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. 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. 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.

i. 1269 Applegrove NW –

#04-349

Motion by Mr. Giavasis,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 1269 Applegrove NW, Stark County, Ohio (Parcel #52-17308); and

WHEREAS, a certified notice providing the property owner with seven (7)

days to address the matter with the Zoning Director was sent May 17, 2004 and returned "Unable to Forward"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

1. 1. High grass and/or weeds and trash and/or debris 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mrs. Bossart.

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

PARKS & RECREATION:

1. Purchase of Fertilizer -

#04-350

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of fertilizer from Hoopes Fertilizer in the amount of \$1,068.42, to be paid from Fund #14-A-05B. Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

PLANNING:

1. Oakwood Square CRA – Mrs. Sponseller presented the Board with a notice from the Ohio Department of Development stating that the CRA at Oakwood Square is certified with the State. This only applies to real estate taxes. However, residential real estate taxes could also be affected should residents within the CRA district want to do improvements to their property.

COMMUNICATIONS:

1. Debbie and Gregg Clark – thank you letter to the Road Department.
2. Plain Chamber of Commerce – announcing the next meeting at the Plain Township Hall on June 1, 2004.
3. Stark County Soil and Water – announcing the new address for their office.

CONCERNS OF CITIZENS:

Tony Confalone, of 2960 Forestview, has continued flooding problems.

Cindy Rante, of 6261 Hollydale NE, is still very concerned about the drainage near the new high school on Schneider. It was explained to her that no plans had been submitted yet. The high school must follow all subdivision regulations. Mr. Giavasis said that they would hold a work session on June 8, beginning at 6:00 p.m. and try to have the Stark County Engineer's representative, Joe Underwood, there to answer questions and review plans with those residents concerned.

Robert Stewart, of 2408 49th St. NE, wanted to mention two traffic hazards to the Board. One happens to be a Plain Township sign located on 55th St. He said it is very hard to see when you are turning out of Lindford. It impairs vision. Also a pine tree at the corner of Schneider

and Middlebranch Rd.

Jennifer Smith, of 6111 Hollydale NE, was here once again to register a problem she had and concerns over drainage near the new high school.

CONCERNS OF TRUSTEES:

Mr. Leno said that he realizes we have sign regulations within the Township, and that there is a new restaurant that opened in the Township called Notturmo's. They had a banner up and were asked to take it down because you are not permitted to have it up. They also had a Doc's portable sign up, which they had for two months. Mrs. Mahoney said that the resolutions within zoning say that you have to have an attached sign to your building. However, he explained that this entity has no funds right now to buy a new sign as they put all the money into the business.

Mr. Williams told Mr. Leno that certainly we could try to be creative and have some different views regarding the use of portable signs for new businesses within the Township, but certainly the Board would have to live with their decision. Mrs. Bossart pointed out that if we allowed portable signs up for more than two months, she didn't think it would look very nice. The example she used was of 14 portable signs along Easton Street advertising various businesses in Oakwood Square. Mr. Giavasis suggested that the Resolution Committee look into the sign situation and try to come up with something that might help new businesses within the Township in the future.

APPROVAL OF MINUTES:

#04-351 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 May 11, 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 May 11, 2004 as presented.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#04-352 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:10 p.m. from this regular meeting of May 25 , 2004 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: discipline 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.

#04-353

Motion by Mr. Leno to return to regular session at 9:10 p.m.

Seconded by Mrs. Bossart.

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

ADJOURNMENT:

#04-354 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:10 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