

WORK SESSION

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, Stark County Auditor Brant Luther, Eric Parker, and Mr. Pusateri from the Stark County Auditor's Office.
Media present: none.

President Giavasis convened the work session at 6:20 p.m.

The Geographical Information System was presented by projection on a screen. Brant Luther opened the program and explained the uses and the various functions for residential areas and townships, which would include traffic, zoning, fire department mapping, location of traffic signs; a very extravagant list of uses. He also went over items currently available within the program. Eric Parker gave a detailed presentation of the actual GIS data explorer and the Board and those present felt that it was very impressive and could absolutely be very useful to the Township in the future.

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, Eric Williams, Joe Iacino, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller, Stark County Auditor Brant Luther, Eric Parker, and Mr. Pusateri from the Stark County Auditor's Office.

Media present: Kelly Young, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: Joe Iacino added Speed on Bentler, and under Concerns of Trustees Al Leno added Minutes of June 22.

SHERIFF'S REPORT:

There were complaints of speeding on 25th St. NW, speeding and running of a stop sign at Darlington and Eaton, speeding and motorcycle racing on Peachmont, speeding on 46th St. NE between Middlebranch and Brookhaven, and speeding on Markley. Also there was discussion with regard to dangerous dog regulations. Mr. Iacino

said that he had received a complaint about speeding on Bentler, especially in the evening hours.

Ingrid Teaford, of 7050 Woodell NE, said that she did not think the Township was doing enough with regard to vicious dogs. There is a dog that is a mixed type pit bull in her neighborhood that runs without a leash, and she is afraid it is going to harm children. Sgt. Curry was present from the Sheriff's Department and addressed the issue. He told her that they need to be called and that the resident who owns the dog would be cited if they arrive and find the dog running loose, because they are in violation. However, he also explained to Mrs. Teaford that neither the Sheriff's Department nor the Township could just invent laws to take care of this problem.

SHERIFF'S REPORT: (continued)

Mr. Leno suggested that she check and see if the dog is actually vicious. The lady indicated that it might be because it chased another lady down the street who was walking two dogs. Mr. Leno explained that maybe the dog was chasing the other two dogs. However, it was explained to her to continue to call the Sheriff's Department if the problem persists.

Albert Micco, of 1711 31st St. NE, was present to ask questions about four-wheelers in the park at the end of his street, which is a Canton City Park. Sgt. Curry informed him that they are not legal on the street and that he should probably contact the Canton City Parks Director about this problem.

7:15 P.M. PUBLIC HEARING – LIGHTING DISTRICT

The hearing was held over until the next meeting due to a signature error. The property owner needs to sign the petition, which was done this evening.

UNFINISHED BUSINESS:

1. 2005 Budget –

#04-412

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees held a public hearing on June 22, 2004 for the 2005 Plain Township Budget; and
WHEREAS, the Plain Township Board of Trustees continued the hearing on the 2005 Plain Township Budget until the next meeting;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adopt the 2005 Budget for Plain Township as presented and to authorize the Plain Township Clerk to

submit two copies of this budget to the Stark County Auditor on or before July 20, 2004.

Seconded by Mr. Giavasis.

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

2. Lexington Farms Drainage –

#04-413

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to reimburse the Stark County Commissioners for half of the expenses associated with the drainage way project as outlined in the attached correspondence in an amount not to exceed \$6,000.00, to be paid from Fund #01-A-26E.

Discussion: Mr. Leno said that originally there was to be a retention pond and there was also a discharge hose that pointed directly to the backyards in this development, and a swale is the answer. He gave thanks to Commissioner Vignos for her diligent work in working with the Township to get this corrected.

Seconded by Mr. Leno.

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

NEW BUSINESS:

1. Recognition of Eagle Scout – The Board will decide who may be present to give him his certificate.

NEW BUSINESS: (continued)

2. False Alarms –

#04-414

Motion by Mr. Giavasis,
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	#
Little Flower Church	2040 Diamond St. NE	4th, 5th, 6th, 7th
McDonalds	3934 Everhard Rd. NW	5th
Rice's Nursery	1651 55th St. NE	6th, 7th and 8th
Time Warner Cable	5520 Whipple Ave. NW	4th
Labor Ready	719 30th St. NE	10th
Jack Cannell	4216 38th St. NW	4th
Shirley Armstrong	1331 Stone Crossing St. NE	5th
Kenneth Marsh	1571 Applegrove St. NE	10th
Nicki Byers	5911 Beverly Ave. NE	4th

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 Mrs. Bossart.

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

CLERK'S REPORT:

1. 1. Pending Warrants –

#04-415

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 \$82,423.58 as attached hereto and made a part of these
minutes.

Seconded by Mr. Giavasis.

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

CLERK'S REPORT: (continued)

2. 2. Regular Payroll –

#04-416 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.

3. 3. Payment of Medical Claims –

#04-417 Motion by Mrs. Bossart,
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>
07/06/04	EFT 45238	\$9,078.76
07/06/04	EFT 45239	3,887.66
07/13/04	EFT 45294	5,279.30

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

4. The Financial Report was given. There were no questions.

5. EMS Refund –

#04-418 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize a refund as follows for overpayments for
Emergency Medical Services as requested by Ohio Billing, Inc.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
Barbara Netti	\$100.00

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

6. Transfer of Funds –

#04-419 Motion by Mr. Giavasis,
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-26L – Other Expenses - Leaves	01-B-06 – Equipment Purchases & Replacements	\$15,000.00

Seconded by Mrs. Bossart.

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. Purchase of Scaffolding –

#04-420 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of scaffolding from Waco Scaffolding and Equipment in the amount of \$1,244.00, to be paid in equal amounts from the following funds: 14-A-04; 01-B-06; 04-A-04; and 10-A-08.

ADMINISTRATOR: (continued)

Seconded by Mrs. Bossart.

Discussion: Mr. Cozy explained that over the years if we rented scaffolding it would have paid for us before to buy it. This will split out the cost between all departments. We are going to own our own scaffolding for future work.

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

3. Purchase of Computer –

#04-421 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of a computer work station from Dell in an amount not to exceed \$2,000.00, to be paid from Fund #01-A-05.

Seconded by Mr. Leno.

Discussion: Mr. Giavasis stated that he can attest to the fact that Mr. Cozy's computer is very slow and antiquated.

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

4. Van for Maintenance Coordinator –

#04-422 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of a van for the Maintenance Coordinator from Park Ford in an amount not to exceed \$15,000.000, to be paid from Fund #01-B-06.

Seconded by Mrs. Bossart.

Discussion: Mr. Leno stated that Mike Preusser is driving his own van during working hours and has his own truck equipped with his own equipment. He felt we should have him in our own van with our equipment. Mr. Cozy also said that the insurance company would prefer that it be that

way. Thus he will be driving a township vehicle rather than his own vehicle during working hours.

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

FIRE DEPARTMENT:

1. The Monthly Report was given; there were no questions.

2. Cancel 505.86 Nuisance Abatement –

#04-423

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to rescind Resolutions #04-339 at 2020 40th St. NE to cancel ORC 505.86 nuisance abatement.

Seconded by Mrs. Bossart.

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

3. Purchase of Cots –

#04-424

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to purchase 3 Stryker patient cots from Stryker EMS in an amount not to exceed \$10,000, from Account #28-A-05.

Seconded by Mr. Leno.

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

FIRE DEPARTMENT: (continued)

4. Purchase of Hose –

#04-425

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to purchase 200' of 4" hose from All American Fire
Equipment Inc. in an amount not to exceed \$1,750.00 from Account #10-
A-08.

Seconded by Mr. Giavasis.

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

5. Blacktopping of Parking Lots – Chief Sabo said that he had got in
blacktop bids for some of the parking lots at fire stations within our
bid for paving this year and also a figure for chip and sealing around
the training area at a cost that may be near \$26,000.00. However,
he wanted to discuss it with Joe Iacino to see if the bidding process
was done properly. He will let the Board know in the future.

ROAD DEPARTMENT:

1. The Monthly Report was given; there were no questions.

2. Purchase of Radios –

#04-426

Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to purchase four Kenwood TK-2160RK portable radios and
cases from Domer Communication, Inc. not to exceed an amount of One
Thousand Seven Hundred Thirty-Six Dollars (\$1,736.00) from Fund 11-A-
4.

Seconded by Mrs. Bossart.

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

3. Purchase of Salt –

#04-427

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to participate in the Stark County Engineer Cooperative
Purchasing Salt Program for 2004-2005 with North American Salt at
\$33.70/ton dumped.

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. Certification and Payment of Nuisance Abatements –
 - a. 7007 Bentler Ave. NE –

#04-428

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 7007 Bentler Ave. NE (Parcel #52-04659) to abate the nuisance on this property (Resolution #04-348) on May 25, 2004; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$396.00; and

ZONING DEPARTMENT: (continued)

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$111.21;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$507.21 to be placed on the property owner's tax duplicate.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- b. 1927 Clearview Ave. NW –

#04-429

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 1927 Clearview Ave. NW (Parcel #52-06957) to abate the nuisance on this property (Resolution #04-369) on June 8, 2004; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$298.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$101.54;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$399.54 to be placed on the property owner's tax duplicate.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- c. 7917 Market Ave. N. –

#04-430

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 7917 Market Ave. N. (Parcel #52-11853) to abate the nuisance on this property (Resolution #04-373) on June 8, 2004; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$476.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$190.76;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$666.76 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

d. 6919 Deer Trail –

#04-431

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6919 Deer Trail Ave. NE (Parcel #52-018260) to abate the nuisance on this property (Resolution #04-398) on June 22, 2004; and

ZONING DEPARTMENT: (continued)

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$392.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$135.81;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$527.81 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

e. 6956 Glenmere –

#04-432

Motion by Mr. Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6956 Glenmere Ave. NE (Parcel #52-00852) to abate the nuisance on this property (Resolution #04-347) on June 22, 2004; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$1,916.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$178.12;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$2,094.12 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

3. Nuisance Abatements –

a. 5000 Whipple Ave. NW –

#04-433

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 5000 Whipple Ave. NW, Stark County, Ohio (Parcel #52-15317); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 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 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. Leno.

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

b. Vacant Lot – Whipple Ave. NW – 2.53 acres –

#04-434

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 a vacant lot on Whipple Ave. NW consisting of approximately 2.53 acres, Stark County, Ohio (Parcel #55-02008); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 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 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. Giavasis.

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

c. 3102 Maxine Ave. NE –

#04-435

Motion by Mr. Leno,

WHEREAS, a public hearing was held on July 13, 2004 by the Board of Trustees regarding the property conditions at 3102 Maxine Ave. NE, Stark County, Ohio (Parcel #52-09086);

WHEREAS, Household Realty Corporation, 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. 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.

ZONING DEPARTMENT: (continued)

d. 4640 Magnolia Rd. NE –

#04-436

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on July 13, 2004 by the Board of Trustees regarding the property conditions at 4640 Magnolia Rd. NE, Stark County, Ohio (Parcel #52-010902);

WHEREAS, GMAC Mortgage, 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. 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 Mr. Giavasis.

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

e. Vacant Lot – Magnolia Ave. - .14 acre –

#04-437

Motion by Mr. Leno,

WHEREAS, a public hearing was held on July 13, 2004 by the Board of Trustees regarding the property conditions at a vacant lot on Magnolia Rd. NE, Stark County, Ohio (Parcel #52-01091);

WHEREAS, GMAC Mortgage, 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. 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 Mr. Giavasis.

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

f. 2104 40th St. NW –

#04-438

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 2104 40th St. NW, Stark County, Ohio (Parcel #52-10704); and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 23, 2004 and returned “Unable to Forward”; and

ZONING DEPARTMENT: (continued)

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
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. 4207 Harrison Ave. NW –

#04-449

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 4207 Harrison Ave. NW, Stark County, Ohio (Parcel #52-05792); and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 22, 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
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.

h. 1405 Glenview St. NE –

#04-440

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on July 13, 2004 by the Board of Trustees regarding the property conditions at 1405 Glenview St. NE, Stark County, Ohio (Parcel #52-11814);

WHEREAS, David & Nancy Tallman, 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

ZONING DEPARTMENT: (continued)

3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by

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

PARKS & RECREATION:

1. The Monthly Report was given. Mr. Tuttle mentioned that Alpine Park was really hurt bad in the last storm. The creek has a lot of fallen trees in it and so forth and would need to be cleaned out. He also indicated that mosquito larvacide had been done and put in 2,689 catch basins.
2. Greater Akron Soccer Contract –

#04-441

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a contract with the Greater Akron Amateur Soccer Association to utilize the outdoor facilities at the Diamond Street Recreation Center for playoffs on October 19 through 24, 2004, pursuant to the attached contract.

Seconded by Mr. Leno.

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

PLANNING:

1. The Monthly Report was given; there were no questions. Ms. Sponseller said it would be noted that the June Zoning Resolution meeting was cancelled due to not being able to get enough members together.
2. Enterprise Zone Certified – Ms. Sponseller said that she is putting together a brochure or some information regarding the reinvestment area which would include eligibility, tax savings, and requirements, sort of an easy guide should any of the Trustees be asked what some of the incentives would be to get involved in Plain Township in our CRA or Enterprise Zone district. She also mentioned it might be a good idea to include in our website a list of business properties or areas that are available in Plain Township, if the Law Director gives approval. Another township does have this information on their web site.

COMMUNICATIONS:

1. Stark County Sheriff – enshrinement procedures for August 8 for the Hall of Fame.
2. Bureau of Workers' Compensation – showing how we can obtain a two percent discount for participation in the Ohio Safety Council.
3. Stark County Engineer – regarding Neil Avenue drainage.
4. Robert P. Aman – a complaint about a neighbor and what he considers to be trash stashed outside the house on 35th St. NE.

CONCERNS OF CITIZENS:

Deanna O'Donell, of 126 35th St. NE, was also present to complain about the property condition at 122 35th St. NE. The Law Director will go out with Joe Bourquin and determine whether this constitutes a nuisance under our present nuisance regulations.

CONCERNS OF CITIZENS: (continued)

Kim Jackson of 152 35th St., said that he has watched this house decline over the years. It is an eyesore and it has declined property values around it.

Linda Voneman, of 1717 31st St. NE, said they had a problem with a sewer backup in their basements. It is sanitary sewer. Mr. Giavasis said they would have to ascertain where the storm water is getting into the sanitary sewer and see who is responsible for it and find out how it could be fixed and he would get back to the residents in the future after consulting with the Sanitary Sewer Engineer and Joe Iacino at the scene.

David Miner, of 4806 Darlington NW, as president of the North Avondale Homeowners Association, said that he had three areas of concern. One was the S.H. Kim property, which was on the nuisance abatement this evening. Secondly, 50th St. NW has been flooding about 200 feet east of Whipple for nearly five to ten years. He said that at the time they built their homes or bought their homes or when Kinetix was developed, the Trustees said that the S.H. Kim property would be developed and it should take care of itself. The remainder of the S.H. Kim property had never been developed, so he would like something to be looked into to alleviate the flooding problem. Thirdly, he said that 47th St. has become the major ingress and egress in and out of their allotment. However, on Bethel to Sharonwood there is a width problem and they do have a handicapped home within the neighborhood that has SARTA buses and school buses coming to it on a weekly basis. He was suggesting that the width be looked at on Bethel to Sharonwood because it is a 30 foot width and the Township would have some right-of-way to possibly widen it. He said that some residents have complained that their mirrors almost touch when they go down the street.

Chief Sabo then gave an update on the demolition of the S.H. Kim property and explained to Mr. Miner that the property in question had a date in late August for all the of the lien holders to comply. After that he would be contacting the demolition party to continue with the demolition process of those properties.

Mark Enot was present with regard to the lighting district. He was late and didn't know that it was going to be on early. Mr. Shriver explained to him that the problem was he needed to sign the petition since he was the property owner. Mr. Shriver said he would get with him after the meeting and have him sign a petition and resubmit this for the hearing since it was held over to the next meeting.

CONCERNS OF TRUSTEES:

Mr. Leno wanted to state that at the meeting of June 22 with regard to

Resolution #04-406 in the hiring of temporary help within the office, that he did not feel it was necessary; however, it was a very hectic meeting and he wanted to publicly within these minutes let it be known that he is not in favor of that particular resolution to hire any temporary help. He feels with the new phone system and after talking with Kelly Boggs and understanding how the phone system works, the work within the office if someone is out sick or on vacation can be handled with teamwork and everyone filling in, especially with the cost of the new phone system. However, he did want to go on record with Resolution #04-406 that his vote would be no and he is not in favor of hiring any temporary help in the office.

APPROVAL OF MINUTES:

- #04-442 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 June 22, 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 June 22, 2004 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #04-443 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at p.m. from this regular meeting of July 13, 2004 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
appointment of a public employee or official; employment of a public employee or official; compensation of a public employee or official; the purchase of real, personal, tangible or intangible property; 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.
- #04-444 Motion by Mr. Giavasis to return to regular session at 10:14 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #04-445 Motion by Mrs. Bossart.
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to reassign Randy Picone from his temporary assignment as Working Foreman in the Road Department to his regular position of Operator/Laborer I, at an hourly rate of \$17.56, effective July 11, 2004.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #04-446 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Janel Myers Newell to the Plain

Township Zoning Commission to fill the unexpired term created by the resignation of Peter Volas. This term expires December 2006.

Seconded by Mr. Giavasis.

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

#04-447

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Ryan Reaves as alternate member to the Plain Township Zoning Commission to fill the unexpired alternate term created by the appointment of alternate member William Lundin to a full term. This term expires December 2005.

Seconded by Mr. Giavasis.

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

ADJOURNMENT:

#04-448 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 10:15 p.m.
Seconded by Mr. Giavasis.
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