

2600 Easton St. NE
Canton, OH 44721

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August 10, 04

WORK SESSION

ATTENDANCE:

Pamela Bossart, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Dennis Allman, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.
Media present: none.

The work session at was convened at 6:20 p.m. Mr. Glen Owens was present from the Stark County Treasurer’s Department to present the information on House Bill 127. Mr. Owens said that the House Bill 127 was a start, which would allow government entities to acquire property that has become delinquent via the real estate tax office. He said basically it would be a friendly versus foreclosure type setting when the government entity would take over the property. The friendly setting would be that the government entity would contact the owner, and many times the owner would be willing to walk away from the property because they did not have the funds to take care of their past taxes. Foreclosure is when they would go to court. He said it was a very good start for small properties that had become delinquent within the township or government entity. He also noted that the entities collecting monies from the property taxes, such as the various fire departments, school boards and police departments, would have to sign off. He said that any property would be eligible for the new house bill, as long as it was past due one year or more. Mr. Owens was thanked for his participation and he left. At that time, the Board and Chief Sabo discussed various properties within the Township that would meet the possible criteria of House Bill 127.

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:00 p.m. The pledge of allegiance was led.

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Dennis Allman, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.
Media present: Natalie Lariccia, the Repository; Betty O’Neill-Roderick, Akron Beacon Journal.

AGENDA: The agenda was presented. The Zoning Department added #3B: 3830 Highspire NE. The Fire Department was moved up to position one on the agenda, due to the fact that Chief Sabo had a special training issue to take care of. Added under Concerns of Trustees was the Richmond Property by Trustee Bossart.

FIRE DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. Stark State College Contract –

#04-479 Motion by Mr. Giavasis,
WHEREAS, the Stark State College of Technology desires to utilize the services of the Plain Township Fire Department for training in emergency medical services technology (basic and intermediate & paramedic;
WHEREAS, the Plain Township Board of Trustees desires to enter into an agreement with Stark State College of Technology to provide said services;

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FIRE DEPARTMENT: (continued)

BE IT HEREBY RESOLVED that the Plain Township Board of Trustees, Stark County, Ohio hereby authorizes Fire Chief John Sabo to enter into an agreement for services between the Plain Township Fire Department and Stark State College of Technology for training in emergency medical services technology (basic and intermediate & paramedic) as attached. Seconded by Mrs. Bossart.

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

3. EMS Billing and Collection –

#04-480

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, that the Plain Township Fire Department is authorized to enter into the attached Contract with Eric J. Williams and Pelini & Fischer, Ltd. for legal collection services.

Seconded by Mr. Giavasis.

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

SHERIFF'S REPORT:

The Quarterly Report was given by Lt. Shankle. He said that the total calls were up 13 for the quarter. Incidents were down 9.67%, citations were up 4.91%, accidents were up 2%, and alarm drops were up 12%. Maintenance costs on the vehicles averaged out to 11 cents per mile. Investigation activity was turned over to C. J. Stantz. He indicated that sometimes he would receive five new areas of concern per day.

Mr. Leno said that he had a resident talk to him about a particular crime in the neighborhood and wanted to know if the Trustees might have a way of knowing what's going on. Mr. Stantz said that certainly something could be worked out. He said that it is embarrassing because a resident asks him, being a Trustee, and he doesn't seem to know of a particular activity that took place in a neighborhood.

Mrs. Bossart stated that she had someone tell her that a cruiser was in the neighborhood and that her children waved at the cruiser and the deputy did not wave back. Lt. Shankle said it could be he was answering his radio and many times they do not see the children, but they are told to be friendly and acknowledge the children.

Mr. Giavasis mentioned mailbox destruction on Beverly NE. There was also a complaint of loud music at the Take Five restaurant. A resident on Easton complaining about loud music in the evening. Other citizen complaints were: semi trucks parking on Regent Ave. NE; speeding on Diamond between 7:30 and 8:00 a.m.; the private use of a short school bus at St. Elmo and Route 62, apparently used to tow race cars, blocking the area there to one lane; and a parking problem at Applegrove and Coral.

CLERK'S REPORT:

1. Pending Warrants –

#04-481

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 \$62,927.65 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

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2. Regular Payroll –

#04-482 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. Payment of Medical Claims –

#04-483 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>
08/04/04	EFT 45350	\$5,405.50
08/04/04	EFT 45403	5,029.00
08/10/04	EFT 45405	8,368.56

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

- The Financial Report was given. There were no questions.
- Ohio Division of Liquor Control – the Clerk’s office will notify the Ohio Division of Liquor Control that the area in question is currently dry and most probably this would have to be placed on the ballot.

ADMINISTRATOR:

- The Computer Systems Manager Monthly Report was given; there were no questions.
- & Purchase of Trucks – held over until the next meeting for more
- investigation as to whether these trucks should be four wheel drive or not.

ROAD DEPARTMENT:

- The Monthly Report was given.
- Crack Sealing –

#04-484 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to contract with PS Construction Fabrics for the 2004
Crack Sealing Program not to exceed seventeen thousand five hundred
dollars (\$17,500.00) from Fund 04-C-03 on the following streets:

ROAD	TO	FROM	LENGTH	WIDTH
WISE	HILLS & DALES	S TERM	2280	28
BELLWOOD	RIDGEDALE	WISE	2490	28
ASHWOOD	RIDGEDALE	CIRCLE	2350	28
SUGARGROVE	EASTON	S TERM	600	28
SONGBIRD	EASTON	S TERM	700	28
BLOSSOMWOOD	EASTON	S TERM	850	28
STRAWBERRY FLDS	EASTON	S TERM	850	28
COBBLEFIELD	BEVERLY	E TERM	1915	24
CHANTILLY	LOMA LINDA	E TERM	875	24
S COMMONS	BEVERLY	E TERM	830	24
SOUTHMOOR CIR	BEVERLY	E TERM	590	24
BEVERLY	SCHNEIDER	55TH	2036	34
LOMA LINDA	55TH	N TERM	2450	24
TOTAL =			19,616 FEET	

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ROAD DEPARTMENT: (continued)

Seconded by Mrs. Bossart.

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

ZONING DEPARTMENT:

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

2. Payment and Certification of Nuisance Abatements –

a. 5000 Whipple NW –

#04-485

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 5000 Whipple NW (Parcel #52-15317) to abate the nuisance on this property (Resolution #04-433) on July 13, 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 \$254.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$155.44;

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 \$409.44 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

b. Whipple Ave. NW – 2.53 acre parcel –

#04-486

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at a vacant lot on Whipple NW consisting of approximately 2.53 acres (Parcel #52-02008) to abate the nuisance on this property (Resolution #04-434) on July 13, 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 \$1,316.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$162.34;

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 \$1,478.34 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis.

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

3. Nuisance Abatements –

a. 3834 Royal Ave. NE –

#04-487

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

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ZONING DEPARTMENT: (continued)

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 3834 Royal Ave. NE, Stark County, Ohio (Parcel #52-04991); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 23, 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. High grass and/or weeds, and trash and/or debris constitute a nuisance under Ohio Revised Code Section 505.87 and
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.

b. 3830 Highspire St. NE –

#04-488

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on July 27, 2004 and continued to August 10, 2004 by the Board of Trustees regarding the property conditions at 3830 Highspire St. NE Stark County, Ohio (Parcel #52-11379);

WHEREAS, Tiffany Salle, 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. Brush pile that presents a haven for rodents constitutes a nuisance under Ohio Revised Code Section 505.87 and
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.

4. OPC Workshop –

#04-489

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of \$85.00 per person to the OPC Cleveland's 16th Annual Planning and Zoning Workshop for attendance by any Zoning Department Staff, Law Director, Planning & Economic Development Coordinator, members of the Board of Trustees, members of the Plain Township Zoning Board of Appeals, and members of the Plain Township Zoning Commission at the Fifteenth Annual Zoning Workshop on Wednesday, October 6, 2004 at the Sheraton City Centre in an amount not to exceed \$1,500.00.

Seconded by Mr. Giavasis.

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

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PARKS & RECREATION:

1. The Monthly Report was given. Mr. Tuttle mentioned that we had a new picnic pad at Alpine Park due to a scout project. He also said that he was on the second round of larvacide application for the mosquitoes, and that there are 2,680 catch basins that have been larvicided and he is in the process of completing round two now.

PLANNING:

1. The Monthly Report was given. Mrs. Sponseller said with regard to tax abatement she had talked to a couple of people within the township who had already made improvements a year or so ago. She was not able to help them.

COMMUNICATIONS:

1. Stark County Commissioners - regarding the annexation petition for the Jeffries property at Richmond and Cliftmont.
2. City of Canton – regarding the annexation of the Bigler property.
3. Stark Soil and Water Conservation District - announcing its new office location.

CONCERNS OF TRUSTEES:

Mrs. Bossart said that she had a phone call from a resident regarding the Richmond/Cliftmont property, saying that the grass was waist high and that the mosquitoes were very bad. She felt that Mr. Leno may be upset with her for bringing it up, because he had talked to the owner of the property. Mr. Leno said that he had talked to the owner of the property and the owner said that he would be mowing the grass by the end of this week. He agreed with the Board that if the project was not taken care of by the end of the week, there would a special meeting and/or a resolution will be passed this evening that the grass and conditions at this property will be abated by the Township if the owner doesn't follow through on his promise to correct it by the end of the week.

ZONING DEPARTMENT: (continued)

3. Nuisance Abatements –
 - c. Vacant Lot – Richmond Ave. NE –

#04-490

Motion by Mrs. Bossart,
 WHEREAS, a public hearing was held on August 10, 2004 by the Board of Trustees regarding the property conditions at a vacant lot on Richmond Avenue NE consisting of approximately 4.81 acres, Stark County, Ohio (Parcel #52-15091);
 WHEREAS, Groffre Investments, 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. High grass and/or weeds constitutes a nuisance under Ohio Revised Code Section 505.87 and

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ZONING DEPARTMENT: (continued)

- 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.

Discussion: There was detailed discussion between the Trustees as to whether or not this should have come up during the public portion of the meeting. Mrs. Bossart felt that she needed to bring it up because she had a phone call from a resident complaining about the property. Mr. Leno felt that she should not have brought it up because he had already told Mr. Cozy that he had talked to the owner of the property and had a promise from him that it would be taken care of by the end of the week. There was detailed discussion as to the series of events with regard to this resolution and how it transpired. Trustee Leno disagreed on the fact that it was brought into the public meeting, since he had already made arrangements with the owner. Any further discussion with regard to the resolution can be heard on the tape, which is a public document.

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

APPROVAL OF MINUTES:

#04-491 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 July 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 July 27, 2004 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#04-492 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 special meeting held August 5, 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 special meeting held August 5, 2004 as presented.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes.

EXECUTIVE SESSION:

#04-493 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:05 p.m. from this regular meeting of August 10, 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; 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.

#04-494 Motion by Mr. Giavasis to return to regular session at 9:24 p.m.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ANNOUNCEMENTS:

#04-495 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to rescind Resolution #04-474, passed July 27, 2004.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#04-496 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize Fire Chief John Sabo to enter into an
agreement with a temporary agency for temporary secretarial employment
placement within the Fire Department, at an hourly rate not to exceed
\$13.00 per hour.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#04-497 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:36 p.m.
Seconded by Mr. Leno.
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