

2600 Easton St. NE  
Canton, OH 44721

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October 12, 04

**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:**

Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Randy Traub, Joe Iacino, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.

Media present: Cal Peters, WHBC; Kelli Young, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

**AGENDA:** The agenda was presented. Zoning added Political Signs (#2). The Fire Department removed #1. Administration added to the Clerk's Report an item to be included on #6.

**SHERIFF'S REPORT:**

Detective C. J. Stantz and Sgt. Maskaluk were present. There was a complaint about barking dogs. Mr. Cozy said he had a resident call who said that some people next door let their dogs run loose and leave for work and leave them out. Sgt. Maskaluk said that he knows that he has read some of the complaints, and when deputies get there, they have yet to see a dog or hear any barking and suspects a possible neighborhood dispute situation.

**UNFINISHED BUSINESS:**

1. Leaf Recycling –

#04-581

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Warstler Brothers Landscaping in an amount not to exceed \$2,500.00 for loading leaves into containers for the 2004 Fall Leaf Program.

Seconded by Mr. Leno.

Discussion: Mr. Cozy went over the leaf recycling program.

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

2. Canton Park Commission – a letter denying our request to install a basketball court at Oak Park, which is a park that is located in Plain Township but owned by the City of Canton. The Park Commission turned us down, basically saying that they didn't like the type of element that was attracted to basketball courts. The Board will take this further to try to get this enacted. Mr. Leno stated we had taken the portable basketball hoops away from the kids, and now we are being turned down for putting in a basketball court at township expense for them to have a place to play. Mr. Giavasis agreed that we should possibly call Mayor Creighton to see if there is a full understanding of what our intentions were.

3. K-Mart Area Annexation – this is located in a Cooperative Economic District. Mr. Giavasis said that he wants to be very sure that the City of Canton understands that bringing people into the City against their will is not cooperative and goes against the cooperative agreement. Mr. Cozy said that he talked to Mr. Sliman and he feels that Mr. Sliman has a very sure understanding of what the Township means by cooperative.

**NEW BUSINESS:**

1. Metro Regional Transit Authority – a letter from Joe Concatto and the City regarding financial support to alleviate flooding along the Zimber Ditch.
2. Court Security - a letter from Bernard Hunt regarding a security meeting on October 21 and possible fees that will be instated to transport prisoners to the Canton Municipal Court. The fees will be used to enhance the ingress security at the Court.
3. Budget Hearing – it is scheduled on October 25 at 9:00 a.m. This has to do with questions concerning our Fire Department carryover.

**CLERK’S REPORT:**

1. Pending Warrants –

#04-582 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 \$64,992.84 as attached hereto and made a part of these minutes. Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, absent; Mr. Leno, yes; Mr. Giavasis, yes.

2. Regular Payroll –

#04-583 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, absent; Mr. Leno, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#04-584 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>
10/05/04	EFT 49085	\$ 4,722.10
10/12/04	EFT 49090	10,388.65

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

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

5. EMS Refunds –

#04-585 Motion by  
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>
Aetna Healthcare (for Kevin Tamminen)	\$462.60
Aetna Healthcare (for Marianne Tamminen)	370.00

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

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**CLERK’S REPORT:** (continued)

6. Transfers of Funds –

#04-586

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:

FROM	TO	AMOUNT
01-A-26E – Other Exp.	01-B-04 – Utilities	\$3,000.00
01-F-07 – Repairs	01-B-05 – Maint. Supplies & Materials	2,000.00
28-A-05 – Tools & Equip.	28-A-01 – Salaries – Paramedics	50,000.00
28-A-05 – Tools & Equip.	28-A-09 – Other Expenses	1,200.00
09-A-10 – Contracts	09-A-07 – Tools and Equipment	90,000.00

Seconded by Mr. Leno.

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

**ADMINISTRATOR:**

1. The Computer Systems Manager Monthly Report was given. Mr. Giavasis noted that the web site is up and published at this time.

**FIRE DEPARTMENT:**

1. The Monthly Report was removed from the agenda.
2. Upgrade PCs –

#04-587

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize the purchase of two computer  
workstations from Dell in an amount not to exceed \$4,000.00.

Seconded by Mr. Giavasis.

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

3. Barthel’s Garden Center Donation - Mr. Sabo said that this would be dedicated to the ladies of gentlemen of fire service within Plain Township. It is a statue that sits outside the main entrance to the Fire office.

4. Request for Qualifications –

#04-588

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize Fire Chief John Sabo to solicit area  
consultants for Requests for Qualifications in order to assess which of these  
consultants are qualified to provide analysis of current fire facilities and to  
make recommendations regarding expansion and improvements of same.

Seconded by Mr. Giavasis.

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

**ROAD DEPARTMENT:**

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

**ROAD DEPARTMENT:** (continued)

- 2. 30<sup>th</sup> Street Speed Study –

#04-589

Motion by Mr. Leno,  
**BE IT HEREBY RESOLVED**, by the Plain Township Board of Trustees,  
 Stark County, to authorize M-E Companies to perform a Speed Zone  
 Study for 30th St NE between Harrisburg Avenue and Sahara Avenue for  
 a lump sum fee not to exceed an amount of \$1,000.00 (one thousand  
 dollars) from Fund #11-B-3.

Seconded by Mr. Giavasis.

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

**ZONING DEPARTMENT:**

- 1. The Monthly Report was given.
- 2. Sign Regulations – there was a complaint filed to the Zoning Department about a political sign being located on school property. The individual said that our current zoning regulations say that signs must be located on private property. Our Law Director will look into this for clarification.

**PARKS & RECREATION:**

- 1. The Monthly Report was given. Mr. Tuttle also noted that he was contacted by an entity that wanted to play football this fall on the fields. He did turn them down. He felt the stress and damage to the fields would not be repairable properly for spring. The Board agreed.

**PLANNING:**

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

**COMMUNICATIONS:**

- 1. Anonymous Letters - dealing with a problem with a teenager.
- 2. NEFCO – a meeting is set up for October 23 for the clean-up of the Nimishillen Creek.

Mr. Cozy also mentioned the article that was in the paper about the young child who called 911 and saved his mother. The child was quoted in the paper as saying he learned how to do this in the Plain Township Safety City Program. The Board asked Chief Sabo if it would be possible to get this young man to come to a meeting so that he could be given some type of appreciative award.

**CONCERNS OF CITIZENS:**

Ralph Olbon said he moved here from Carrollton and lives at 3821 Grove NE. He said he loves Plain Township, and likes the neighborhood because everyone is a homeowner. He said that recently a home was for sale in the neighborhood and was sold and bought by an agency. Now there is a sign up that says rent to own. He is disturbed about it, because having been a business man and lived in various communities, he knows what renters can do to a home and to a neighborhood, not necessarily all the time, but he feels that this is not something that Plain Township should want. It was explained to Mr. Olbon that the Board has no jurisdiction over the rental of a single dwelling home; however, they do have jurisdiction of whether the

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**CONCERNS OF CITIZENS:** (continued)

house would be duplexed or multi-residential dwelling, etc. It was suggested that he get a copy of the deed from the County Recorder's office to see if there are any deed restrictions that they might look at in a private nature that would help them.

Paul Wolbert, also of Grove NE, had the same concerns.

Regina Perrine, of 3214 33<sup>rd</sup> St. NE, said she has a drainage problem. There is a pipe going between some Habitat houses that are located in the City of Canton that empties out right beside her driveway. Her home is located in Plain Township. The Stark County Health Department people have been out and checked the water and it does contain some unhealthy bacteria. She is very concerned. She said that it has caused a buildup of ice in the wintertime and some minor accidents involving school buses. It also has eroded part of the roadway. Mr. Iacino said that he is familiar with the situation and had notified the City of Canton. They said they would be running a culvert to have this pipe disperse into the sanitary sewer. However, now that have told him they are not going to do it. Mr. Giavasis asked where the water was coming from. Mr. Iacino said it is coming from various backyards in between the Habitat homes. Mr. Shriver asked if he might speak, and said that as he remembered when he served as a trustee, if there is a natural flow of water interrupted and it is deliberately being poured out onto someone else's property, it could be looked into. Mr. Giavasis agreed, as did Randy Traub, the Law Director. He will get with the legal people in the City of Canton to see where the situation stands.

Fred Rossetti, of 2048 Mt. Pleasant, wanted to express a thank you to Stephanie Metzger in the Zoning Office for her help in completing the necessary paperwork for a handicapped ramp to be located at his father's house for his brother, who is coming home. He said that, even though he serves on one of the Zoning Boards, he did not realize all of the red tape that is necessary, and that Stephanie was very accommodating and helpful in helping him complete the information needed. He wanted to publicly say thank you to Zoning and to Stephanie.

**APPROVAL OF MINUTES:**

#04-590      Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the reading of the minutes of the regular meeting held September 28, 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 September 28, 2004 as presented.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, absent; Mr. Leno, yes; Mr. Giavasis, yes.

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**ADJOURNMENT:**

#04-591      Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 8:15 p.m.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, absent; Mr. Leno, yes; Mr. Giavasis, yes.

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Louis P. Giavasis  
Trustee

\_\_\_\_\_  
Albert P. Leno, II  
Trustee

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