

2600 Easton St. NE
Canton, OH 44721

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November 23, 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:

Pamela Bossart, Louis Giavasis, 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: Approved as prepared. Mr. Giavasis announced that Mr. Leno would not be at the meeting this evening. His mother was critically ill and not expected to live. He wanted the Board to know that our thoughts and prayers are with Mr. Leno and his family.

SHERIFF'S REPORT:

A complaint was filed through the Road Department for speeding on Oakpark west of Market. Also, a number of dogs are running loose in the area of Regentview and 41st Street NE. The Sheriff's representative, Sgt. Maskaluk, said that he would notify the Dog Warden and work in conjunction with him to get this problem taken care of.

UNFINISHED BUSINESS:

- 1. Employee Handbook - various additions and deletions were gone over since the last meeting. The Board will have Mr. Leno look this over before it is finalized.

NEW BUSINESS:

- 1. False Alarms –

#04-641

Motion by Mrs. Bossart,
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	#
K Mart	3801 Harmont Ave. NE	5th and 6th
Little Flower Church	2040 Diamond St. NE	8th and 9th
Movies 4	3911 Everhard Rd. NW	7th and 8th
Schumacher Homes	2715 Wise Ave. NW	12th, 13th and 14th
Edgewood Golf Course	6900 Market Ave. N.	4th
Fisher Foods	4403 Cleveland Ave. NW	6th
Rice's Nursery	1651 55th St. NE	11th
Marathon Station	7690 Cleveland Ave. NW	4th
Deckard Excavating	3413 Middlebranch NE	4th
Rod Napier Investment	3939 Everhard Rd. NW	4th, 5th and 6th
Jack Cannell	4216 38th St. NW	6th

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

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NEW BUSINESS: (continued)

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 Mr. Giavasis.

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

2. Stark County Crash Report - Mr. Cozy went over the Stark County Crash Report. It was in the trustees' folder.
3. Goods to Iraq - Mary Terese Monea spoke on her idea of goods to Iraq. She is collecting food for the troops and has done extensive research on how her goal of 10,000 items might be sent over to the troops.
4. Lexington Farms – Bellview St. Vacation – there was discussion as to the two variances that are being requested in the Lexington Farms division. One variance is for a cul-de-sac length to exceed 750 feet on Bellview Street. Another one has to do with putting in a boulevard. Mr. Cozy said that he would be meeting with Joe Underwood, the Subdivision Engineer, to get his input. Basically, the trustees said that this individual has not come to the trustees for any insight or counsel. Therefore, at this point, they are against any change, especially the change with the length of the cul-de-sac. Chief Sabo said that this would not be a safe issue.
5. Recycling Drop-off Sites - Stark County Waste Management is recommending that there be a site for every 5,000 people. Mr. Cozy indicated this would be approximately seven sites. We presently have two. He would like the Board to check into adding two more somewhere within the Township.

CLERK'S REPORT:

1. Pending Warrants –

#04-642

Motion by Mr. Giavasis,

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 \$165,813.05 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

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CLERK’S REPORT: (continued)

2. Regular Payroll –

#04-643 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, absent; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#04-644 Motion by Mr. Giavasis,
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>
11/16/04	69790	\$6,552.18
11/23/04	69889	9,031.16

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

4. The Investment Report was given. There were no questions, other than the fact Mrs. Bossart asked if the interest income from the investments went into the general fund.

5. Accepting Tax Levy –

#04-645 Motion by Mrs. Bossart,
A resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor (as attached).
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

6. EMS Overpayments –

#04-646 Motion by Mrs. Bossart,
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>
Eric E. Vannest	\$96.20

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

7. Refund of Soccer Funds –

#04-647 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize refunds for soccer fees to:

Steve Jensen	\$50.00
Josie Bentz	\$50.00
Norman Floom	\$60.00

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

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CLERK’S REPORT: (continued)

8. Appropriation of Funds –

#04-648

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees requested an Additional Amended Certificate of Estimated Resources from the Stark County Auditor (Res. #04-621);
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appropriate the funds certified by the Stark County Auditor as follows:

Code	Amount
01-A-03 – Travel & Other Expenses	\$ 1,500.00
01-A-10 – Legal Counsel	15,000.00
01-A-26e – Other Expenses	7,400.17
01-B-05 – Maintenance Supplies & Materials	2,000.00
01-B-08 – Other Expenses	500.00
01-G-02 – Equipment Purchases & Replacements	114,000.00
01-M-03C- Contracts – Columbus/Harmont	60,000.00
01-M-03F – Contracts – Fulton Rd	45,000.00
03-A-05A – Supplies – Fuel	5,000.00
03-B-02 – Materials	8,726.46
04-A-04 – Tools & Equipment	12,000.00
04-A-05 – Supplies	10,000.00
04-A-05D – Supplies – Tires	3,000.00
04-A-05E – Supplies – Snow Equipment Parts	7,000.00
04-A-13 – Other Expenses	5,000.00
04-B-02 – Materials	86,428.59
05-A-12 – Other Expenses	500.00
09-A-10 – Contracts	24,642.29
10-A-09E – Supplies – Tires	1,800.00
10-A-06 – New Buildings & Equipment	83,616.51
11-B-02 – Materials	14,147.48
13-A-01 – Salaries	8,330.98

Seconded by Mrs. Bossart.

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

9. Records Commission Meeting – to be held Dec. 14 at 6:50 p.m.

10. Transfer of Funds –

#04-649

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

FROM	TO	AMOUNT
09-A-07 – Tools & Equipment	09-A-10 – Contracts	\$ 96,677.31
10-A-01P – Salaries – Part-Time	10-A-06 – New Buildings & Equipment	200,000.00
10-A-01E – Salaries – Paramedics	10-A-08 – Tools & Equipment	500,000.00
10-A-01V – Salaries – Volunteers	10-A-06 – New Buildings & Equipment	75,000.00
10-A-09B – Supplies – Protective Cloth.	10-A-08 – Tools & Equipment	20,000.00

Seconded by Mr. Giavasis.

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

ADMINISTRATOR:

- Hunters Ridge Drainage Project – Lexington Farms No. 1 - a letter from the Stark County Commissioners, talking about the Hunter’s Ridge drainage project that has been completed in conjunction with Lexington Farms. We will be receiving an invoice for our portion of that.

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FIRE DEPARTMENT:

Chief Sabo said that he attended a going away dinner for Jason Myers, a member of the Fire Department who has been deployed to Iraq. He said they had a very nice gathering and going away dinner for him at the fire station.

1. Widow Dependency Fund Board –

#04-650 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Louis Giavasis as Chairman and Board Member and Pamela Bossart as Board Member for Plain Township on the Volunteer Firefighters’ Dependents Fund Board.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

2. Purchase of Tires –

#04-651 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of tires for Engine 1, Engine 4, Engine 5, Squad 4 and Medic 5 from North Central Tire in an amount not to exceed \$3,800 to be taken from Account #10-A-09E.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

ROAD DEPARTMENT:

1. 2005 Speed Zone Study – from the County, we get one free speed study and that is due in to them by January 10. The Trustees and department heads will submit various ideas and come up with what area or what road we would like the speed study done on.

2. Purchase of Snowplow Blades –

#04-652 Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize the purchase Hardux 500 snow plow blades and corner guards from Grodhaus & Young, Inc. not to exceed the amount of \$5,100.00 from Fund 4-A-05E.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

ZONING DEPARTMENT:

1. Certification of Nuisance Abatement – 3200 Royal NE -

#04-653 Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3200 Royal Avenue NE, (Parcel #52-16835) to abate the nuisance on this property (Resolution #04-606) on October 26, 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 \$232.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$124.30;

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ZONING DEPARTMENT: (continued)

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 \$356.30 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

- 2. Nuisance Abatement – 2430 41st NW - resolution was not acted upon. It has been handed over to the Law Director.

COMMUNICATIONS:

- 1. J. J. Detweiler Enterprises – a meeting notice for the Willowbrook Farm P.U.D.
- 2. Children’s Hospital Medical Center – thanking the Fire Department for their participation.
- 3. Ohio Division of Liquor Control – talking about the expiration of all liquor permits within the Township on February 1, 2005.
- 4. Stark County Commissioners – certified copy of the resolution for the denial of the vacation of a portion of Endrow Ave. NE.
- 5. Stark County Building Department – stating the condition of the S.H. Kim property at 5000 Whipple Ave. NW.

CONCERNS OF CITIZENS:

Mr. Fred Rossetti, of 2048 Mt. Pleasant, was present, and said that with the recent development in Jackson Township and the Trustees changing the zoning from R-3 to R-1, he hoped that after the lawsuits come to rest Plain Township may consider doing the same thing in some areas of the Township.

APPROVAL OF MINUTES:

#04-654 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 November 9, 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 November 9, 2004 as presented.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

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EXECUTIVE SESSION:

#04-655 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn to executive session at 8:42 p.m. from this
regular meeting of November 23, 2004 as authorized under Ohio Revised
Code 121.22(G) for the purpose of the consideration of: 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, absent; Mr. Giavasis, yes.

#04-656 Motion by Mrs. Bossart to return to regular session at 9:20 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

ADJOURNMENT:

#04-657 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:20 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

ATTEST: _____
Claude W. Shriver, II
Clerk