

2600 Easton St. NE  
Canton, OH 44721

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February 22, 05

**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:** Approved as prepared.

**SHERIFF'S REPORT:**

There was discussion about speeding on Brookpoint; also the cut-through being used at K-Mart and loud mufflers on Broad Ave.

**UNFINISHED BUSINESS:**

1. Island Removal - it was decided that the Board would go for a 50 percent split for \$195.00. Mr. Leno said that he felt it was fair for the Township to split this with the resident. For the record, Mr. Leno wanted to point out that Mr. Lemmon is doing the removal and the main part of the tear-out of that portion of the island.

#05-059

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to agree to pay for half of the cost to repair the area of the island removed at the main entrance on Sugarwood St. to the Wellington Woods development at a cost not to exceed \$195.00 for curb and gutter only.

Seconded by Mr. Leno.

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

**NEW BUSINESS:**

1. Devon Right-of-Way Vacation - Mr. Cozy explained to the Board that due to a new law the Trustees would have the right to vacate a dedicated portion of a right-of-way and it was suggested that we do so. Mr. Iacino agreed that we should vacate this part of the right-of-way near the Sanctuary Golf Course. It is being used by construction vehicles presently.
2. David Mangon and Hammontree & Assoc. - David Mangon and Barb Bennett from Hammontree & Associates were present to share information about Mr. Mangon's property. It is approximately six acres that he would like to develop into housing units. He said that the units would be between 1800 and 2000 square feet and would be leaning towards the empty nester group of citizens. Mrs. Bennett said that they wanted to have a variance to eliminate the need for sidewalks as requested by Regional Planning and also dedicate the additional footage for the right-of-way. The Board agreed that they would allow the variance and also the dedication of the right-of-way.

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**NEW BUSINESS:** (continued)

3. Newsletter –

#05-060 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize the printing and distributing of Issue 1,  
Spring 2005 of the Plain Township Newsletter by Pinnacle Press at a cost  
not to exceed \$5,500.00.  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. Metro Regional Transit Authority Agreement –

#05-061 Motion by  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to enter into the attached agreement with the City of  
Canton and Metro Regional Authority for professional engineering and  
design services in an amount not to exceed \$25,000.00.  
Seconded by  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**CLERK’S REPORT:**

1. Pending Warrants –

#05-062 Motion by Mrs. Bossart,  
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 \$196,435.01 as attached hereto and made a part of these  
minutes.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. Regular Payroll –

#05-063 Motion by Mr. Leno,  
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 \$125,000.00.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#05-064 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>
02/15/05	EFT 50169	\$22,706.54
02/22/05	EFT 50225	5,955.70

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

4. The Investment Report was given. It was noted by Mr. Shriver that  
the most recent investment was made at a 3.30% interest rate and  
that we had another investment coming due in April as well as in  
May.

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**CLERK’S REPORT:** (continued)

5. Transfer of Funds –

#05-065 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-09 – Repairs \$1,000.00  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

6. Refund of EMS Overpayment –

#05-066 Motion by Mr. Leno,  
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.:  
PAYABLE TO AMOUNT  
ODHS (for Jeffery Donohue) \$ 5.20  
Qualchoice 49.30  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

7. Lighting District – Saratoga Hills –

#05-067 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to set a public hearing for Tuesday, March 8, 2005 at  
7:15 p.m. for creation of a lighting district as petitioned by the property  
owners of Saratoga Hills Allotment and authorize the Plain Township Clerk  
to make the necessary notification to the property owners and publish a  
legal ad in the Repository of the hearing.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

8. Ohio Division of Liquor Control – Quick Shop Food Store – put on  
hold until the next meeting.

**FIRE DEPARTMENT:**

1. Automatic Fire Protection in Mutual Response Area -

#05-068 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to enter into the attached agreement with the City of  
Canton for Automatic Fire Protection in the Mutual Response Area.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. Establish Reserve Account –

#05-069 Motion by Mrs. Bossart,  
WHEREAS, Ohio Revised Code §5705.13 permits political subdivisions to  
establish via ordinance a Capital Projects Fund for the purpose of  
accumulating resources for the acquisition, construction or improvement of  
fixed assets of a subdivision;  
WHEREAS, the Plain Township Fire Department wishes to establish a  
Capital Projects Fund for the above-described purposes;

**FIRE DEPARTMENT:** (continued)

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that the Plain Township Fire Department shall hereby establish a Capital Projects Fund as follows:

- (1) the source of the monies shall be from the Fire District Fund,
- (2) the amount of monies to be deposited into the Capital Projects Fund is \$1,000,000.00,
- (3) this Capital Projects Fund shall exist for a time period not to exceed ten (10) years,
- (4) the fixed assets to be acquired, constructed or improved with the monies shall be identified as Capital Equipment – Aerial Ladder Truck and Related Equipment for Fire Department.

BE IT FURTHER RESOLVED that the Plain Township Clerk shall hereby be authorized to certify the establishment of the Fire District Fund to the Stark County Auditor and to the Auditor of the State of Ohio.

BE IT FURTHER RESOLVED that the Plain Township Fire Department shall hereby be authorized to transfer \$1,000,000 from the Fire District Fund into the Capital Projects Fund as follows:

- (a) the name of the Capital Projects Fund shall be “21B – Capital Equipment – Aerial Ladder Truck and Related Equipment”,
- (b) the funds shall originate from “10-A-08 – Tools & Equipment”,
- (c) the account that the funds shall be deposited into is “21-A-02B – Aerial Ladder Truck & Related Equipment”,
- (d) the transfer of said funds shall be certified to the Stark County Auditor.

Seconded by Mr. Giavasis.

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

3. GIS Maintenance Contract –

#05-070

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Digital Data Technologies, Inc. for the AccuGlobe 19-1-1 2005 Annual Maintenance Fee for one seat and one server in the amount of \$1,190.00.

Seconded by Mr. Giavasis.

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

4. Amend Resolution #05-046 –

#05-071

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #05-046 to read as follows:

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the completion of the repair to the generator at Station #5 by Buckeye Power Sales in an amount not to exceed \$1,182.40.

Seconded by Mrs. Bossart.

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

**ROAD DEPARTMENT:**

1. Purchase of Fuel –

#05-072

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of gasoline, oil, and diesel fuel at a cost not to exceed \$10,000.00 from Fund 3-A-5A.

Seconded by Mr. Giavasis.

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

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**ZONING DEPARTMENT:**

1. New Lot Size Setbacks – Mrs. Mahoney said that she needed some direction with regard to the new lot size and setbacks. After discussion with the Board, the Law Director, Mr. Williams, said that he would get with Michelle and put something together for the next meeting for the Board to approve.
2. Set Public Hearing – Zoning Amendment 536 –

#05-073

Motion by Mrs. Bossart,  
WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #536 on February 16, 2005; and  
WHEREAS, the Plain Township Zoning Commission is recommending DENIAL of the proposed amendment; and  
WHEREAS, the Plain Township Zoning Commission is submitting such recommendation along with application, text, and map pertaining thereto to the Plain Township Board of Trustees within the required thirty days following its public hearing; now  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Zoning Amendment #536 on March 22, 2005 at 7:15 PM at the Plain Township Hall and to further instruct and authorize the Plain Township Clerk to prepare and publish notice of the public hearing in the Repository on Saturday, March 12, 2005.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**COMMUNICATIONS:**

1. Lt. Stephan B. Wilder/North Canton Police Dept. – with details regarding the Police and Fire Games to be held this summer.
2. Stark County Sheriff’s Department – regarding our snow ban procedures.

**APPROVAL OF MINUTES:**

#05-074

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 February 8, 2005 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 February 8, 2005 as presented.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**EXECUTIVE SESSION:**

#05-075

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 February 22, 2005 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:  
employment of a public employee or official; the purchase of real, personal, tangible or intangible property.  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

