

2600 Easton St. NE
Canton, OH 44721

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March 8, 05

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, Michelle Mahoney, John Sabo, Mary Lee Sponseller.
Media present: None.

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

Storm Water Problem on Chesham – Bryan Ashman was present to talk about this along with the Board. Mr. Cozy said that Mrs. Vignos and several officials met at the Martha Cook residence on Chesham to discuss the problem. Mrs. Vignos said that she wanted to correct the problem at the least amount of cost. Mr. Ashman said that he had worked out a lot of the easement problems with Mr. Graber and would get more information back to the Board in the near future as to what those arrangements were.

There was also a discussion of the zoning book, verification on setback requirements. The Zoning Department had some questions regarding the setback requirement as it pertains to the new zoning regulations. Basically, anything before June 8, 2005 would be developed under the old regulations, and anything after June 8, 2005 would have to be developed by the new regulations.

Pat Long, of Wagler Homes, was present, representing Wagler Homes and the Lexington Farms covenant agreement. He had a draft of the covenant available to give to the Board. It was the first they had seen it. Mr. Leno was absent from the meeting due to vacation. Mr. Long said that the first 70 acres would be able to be developed. However, Mr. Giavasis explained that the Board was in no position to grant an R-6 designation. That would have to go before the Zoning Commission. The Board said that they would look it over and look at some more maps, and since Mr. Leno was not here, they would reschedule a work session for March 22, 2005 at 6:15 p.m. to continue the discussion, and see how they might be able to be of some help to the Lexington Farms development.

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, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, 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 Road Department removed #4. Administrator #3 was moved to Unfinished Business #1 – Hall Sound System.

SHERIFF'S REPORT:

There was a complaint discussed about a pit bull running loose. Apparently that has resolved itself, because the complainant has not called back. Also, the Sheriff's Department introduced Deputy Stevic, who would be coming on patrol in Plain Township.

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UNFINISHED BUSINESS:

1. Hall Sound System –

Mr. Henry Ball, from the Musicue Corporation, was present to discuss our present problems with the sound system, and went over in detail the replacement of microphones and the addition of a mixer so that each microphone would have its own level control. He gave a demonstration of the type of microphone and gave a full presentation of how it would help our situation and also adapt us to being able to properly tape our meetings for documentation. He will have that work completed by the March 22 meeting.

#05-111

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of audio equipment for the Township Hall from Ohio Musicue Corporation for an amount not to exceed \$3,962.00.

Seconded by Mr. Giavasis.

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

2. Ohio Division of Liquor Control – Quick Shop – the Board has decided they do want a hearing in the county seat regarding the Quick Shop due to its proximity of many apartments and with the children next door to the ice cream stand.

7:15 PUBLIC HEARING – SARATOGA HILLS LIGHTING DISTRICT

#05-112

Motion by Mr. Giavasis,
WHEREAS, a petition to light artificially the streets and public ways in an unincorporated district in this township was filed with the Plain Township Clerk on February 17, 2005 and was presented to the Plain Township Trustees on February 22, 2005 (Resolution #05-67); and

WHEREAS, the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and

WHEREAS, notice of a hearing before the Plain Township Board of Trustees on the petition for March 8, 2005 was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published against nonresidents, pursuant to RC 515.04, and return of due service and publication was made according to law;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the petition for a lighting district for Saratoga Hills Development with Nine (9) 9,000 lumens post-top street lights to be located as follows:

1. At Werner Church and Saratoga Hills Drive on Lot 6
2. 7331 Saratoga Hills Drive NE
3. 7269 Saratoga Hills Drive NE
4. 2918 Shallowford Drive NE
5. 2880 Shallowford Drive NE
6. 7140 Spring Walk Drive NE
7. 7081 Spring Walk Drive NE
8. 7001 Spring Walk Drive NE
9. 2785 Forestview Street NE

7:15 PUBLIC HEARING – SARATOGA HILLS LIGHTING DISTRICT (cont'd)

AND BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Clerk to certify this cost as a special assessment to the property owners to the Stark County Auditor and to authorize American Electric Power to install the lights per agreement.

Seconded by Mrs. Bossart.

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

UNFINISHED BUSINESS: (continued)

3. Devon Drive Right-of-Way Vacation –

#05-113

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize ME Companies to create a vacation plat for Devon Drive at a cost not to exceed \$1,600.00.

Seconded by Mr. Giavasis.

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

NEW BUSINESS:

1. Dog Kennels – the issue was discussed and it was decided that Mrs. Mahoney would send a letter to this person because they may have to apply for conditional use if they are in fact running a business from their home.

2. Lexington Farms Covenant – was discussed during the work session.

CLERK'S REPORT:

1. Pending Warrants –

#05-114

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 \$206,078.20 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

2. Regular Payroll –

#05-115

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 \$125,000.00.

Seconded by Mr. Giavasis.

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

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CLERK’S REPORT: (continued)

3. Payment of Medical Claims –

#05-116

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>
03/04/05	EFT 50281	\$16,931.50
03/08/05	EFT 50285	9,042.92

Seconded by

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

4. The Financial Report was given. Mr. Shriver indicated there is nothing in particular to point out. There were no questions.

5. Ohio Division of Liquor Control – Franks Fly Thru – held over until the next meeting.

ADMINISTRATOR:

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

2. Copier Purchase –

#05-117

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the purchase of a Toshiba E-Studio 450
Digital Copier from Copier Sales, Inc. in the amount of \$9,125.00 (state
purchase price).

Seconded by Mrs. Bossart.

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

Mrs. Bossart said that she had talked to Gordon East, who is helping us with our website, and has asked him to come back and retrain a little bit with Teresa and herself as to how to add things to the website when necessary.

FIRE DEPARTMENT:

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

2. Whipple Property -

#05-118

Motion by Mr. Giavasis,
WHEREAS, on May 25, 2004, the Plain Township Board of Trustees, Stark
County, Ohio, passed Resolution #04-338, attached hereto and
incorporated herein by reference; and

WHEREAS, Resolution #04-338 authorized the Plain Township Board of
Trustees, Stark County, Ohio, to provide for the removal, repair or
securance of buildings or other structures declared insecure, unsafe, or
structurally defective or unfit for human habitation according to Ohio
Revised Code Section 505.86;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township
Board of Trustees, Stark County, Ohio, to authorize the removal of the
aforementioned building on the property at 5000 Whipple NW by Cottrill
Wrecking Co. at a cost not to exceed \$11,950.00, not including asbestos
abatement; and

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FIRE DEPARTMENT: (continued)

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, the Township Clerk shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above stated property.

Seconded by Mrs. Bossart.

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

3. Purchase of Fuel –

#05-119

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 \$6,000.00, to be taken from Account #10-A-09F.

Seconded by Mr. Giavasis.

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

4. Purchase of Uniform Items –

a. Colors –

#05-120

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of uniform T-shirts, sweatshirts, and hats from Colors in an amount not to exceed \$4,000.00 taken from Account #10-A-09C.

Seconded by Mr. Giavasis.

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

b. Law Enforcement (Livingston's) –

#05-121

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of uniform boots and shoes from Law Enforcement (Livingston's) in an amount not to exceed \$1,600.00 to be taken from Account #10-A-09C.

Seconded by Mrs. Bossart.

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

c. D & G Uniforms –

#05-122

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of uniform boots and shoes from D & G Uniforms in an amount not to exceed \$1,200.00 to be taken from Account #10-A-09C.

Seconded by Mr. Giavasis.

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

ROAD DEPARTMENT:

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

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ROAD DEPARTMENT: (continued)

2. Advertise for Bids – Road Materials –

#05-123

Motion by Mr. Giavasis,
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to place an Advertisement for Bids for Road Materials in a newspaper published in Stark County and of general circulation in the Township on March 17th and March 24th, 2005 in the Repository, with bids to be received by 12:30 PM, on April 12, 2005.

Seconded by Mrs. Bossart.

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

3. Advertise for Bids – Culvert Pipe -

#05-124

Motion by Mrs. Bossart,
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to place an Advertisement for Bids for Culvert Pipe – Catch Basins – Grates – Frames in a newspaper published in Stark County and of general circulation in the Township on March 17th and March 24th, 2005 in the Repository, with bids to be received by 2:00 PM, on April 12, 2005.

Seconded by Mr. Giavasis.

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

4. Damage to Windshield - removed from agenda.

5. Speed Zone Study – Brookpoint –

#05-125

Motion by Mr. Giavasis,
WHEREAS, a request has been made to this Board that the statutory vehicular speed limit established by Sec. 4511.21, Revised Code of Ohio is greater than that considered reasonable and safe on Brookpoint St. NW between Brentwood and Frazer, Plain Township, Stark County, Ohio.
WHEREAS, this Board has caused to be made a traffic engineering investigation upon the section of road described above; and
WHEREAS, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic;
NOW THEREFORE, BE IT RESOLVED by the Plain Township Trustees of Stark County, Ohio that:

By virtue of the provisions of Sec. 4511.21, Revised Code of Ohio, the Township Trustees have determined that the Roadway Superintendent has declared a reasonable and safe speed limit of 25 mph on the section of road described hereof, therefore, standard signs, properly posted and giving notice thereof will be erected.

Seconded by Mrs. Bossart.

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

6. Updated Five-Year Plan - Mr. Iacino said that he updated the five-year plan because there were some older items on it and it needed to be updated. He said that he would keep the Board informed as to the costs of the Vactor and several other items with regard to leasing options, etc.

ROAD DEPARTMENT: (continued)

- 7. Cintas Uniform Contract –

#05-126 Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to authorize Joe Iacino, Road Superintendent, to enter
 into an annual renewal contract with Cintas Corporation to provide the
 Road Dept, Buildings & Grounds Dept, and Parks Dept. with uniforms and
 shop towels, with a maximum of five percent increase per year with a
 weekly cost of \$155.22 for 21 employees.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

ZONING DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Nuisance Abatement – 4527 Packard Ave. NW –

#05-127 Motion by Mr. Giavasis,
 WHEREAS, a public hearing was held on March 8, 2005 by the Board of
 Trustees regarding the property conditions at 4527 Packard Avenue NW,
 Stark County, Ohio (Parcel #52-07968) and
 WHEREAS, Clarence and Jean Miller, 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. Trash and/or debris, 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, absent; Mr. Giavasis, yes.

PARKS & RECREATION:

- 1. The Monthly Report was given. Mr. Tuttle was not here. Mrs. Bossart
 did ask Mr. Iacino when they would be putting more gravel on the west
 parking lot near the recycling area. He said it would be a couple of
 weeks, that our supplier has not been able to get the material to us, and
 that we would need to take that into consideration for bids the next
 time around because they have been very delayed in the winter
 months.

PLANNING:

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

COMMUNICATIONS:

- 1. Stark County Engineer – with regards to costs of signs they use at
 \$5.00 each.

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COMMUNICATIONS: (continued)

2. Michael J. Harvan - a thank you note.
3. Court of Common Pleas - regarding a treatment program they would be putting together.
4. Plain Local Midget Football League - thanking the Parks Administration for a fine job and support.

CONCERNS OF CITIZENS:

Bryan Ashman, from 1884 Summerchase NE, said that for any covenant agreements that the Board would consider, he asked that they treat all builders and developers fairly. He also felt that there should be some type of podium or table available during a presentation to the Board so that people would have a place to set their papers, etc.

APPROVAL OF MINUTES:

- #05-128 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 22, 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 22, 2005 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #05-129 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:06 p.m. from this regular meeting of March 8, 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; 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.
- #05-130 Motion by Mr. Giavasis to return to regular session at 9:25 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #05-131 Motion by Mr. Giavasis,
WHEREAS, Elizabeth A. Diana was appointed to the position of Plain Township Fire Department Secretary effective November 1, 2004; and
WHEREAS, Elizabeth A. Diana has successfully completed her probationary period;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjust the salary of Elizabeth A. Diana to \$9.50 per hour with benefits effective February 1, 2005, 12:01 a.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, absent; Mr. Giavasis, yes.

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ANNOUNCEMENTS: (continued)

A letter of resignation from Michelle Mahoney was accepted with much regret. They wished her well in her future parenting and in her future with her family. They will be advertising in the paper for a replacement for the Zoning Director.

ADJOURNMENT:

#05-132 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:27 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