

2600 Easton St. NE
Canton, OH 44721

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April 12, 05

WORK SESSION

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.

President Giavasis convened the work session at 6:20 p.m. The discussion revolved around R-1-A Zoning Amendment, for single-family residential lots, which would allow the lot size to be smaller than required under R-1. It was decided that rather than 10,000 square feet, the R-1-A would require 12,000 square feet.

Mr. Grisez, the developer, was invited to tonight's meeting and did not show up. He was not there to discuss any of his plans.

EXECUTIVE SESSION:

#05-155 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:35 p.m. from this regular meeting of April 12, 2005 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.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#05-156 Motion by Mrs. Bossart to return to regular session at 7:02 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.
Media present: Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: Approved as prepared.

SHERIFF'S REPORT:

Lt. Dave Shankle was present to give the annual report. He indicated that there was an increase in overall calls, but many of them were self-generated by the different patrols because we have more patrols out and about. He went over incidents. Burglary was down in the northeast side and the southeast side, as well as vandalism. Accidents were down 4.17%, citations were up 2.98%, and vehicle maintenance costs averaged 13 cents per mile. He also reminded the Board that we had five new cruisers being delivered this year.

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SHERIFF'S REPORT: (continued)

He then introduced the new investigator who is taking the place of Investigator Stantz, Mr. Ryan Hostetler, and also the School Resource Office, Mr. Chad Smith. Mr. Leno wanted to go on record, as did the Board, thanking C. J. Stantz for a great job within the Township. All the Board members welcomed Investigator Ryan Hostetler and School Resource Officer Chad Smith to their new duties in Plain Township.

There was a letter sent to the Board via e-mail complaining about the conceal and carry signs being posted at the parks. As far as the Board is concerned, the signs will remain there presently.

There was discussion of speeding on Panther Avenue.

UNFINISHED BUSINESS:

1. Cherry Ridge Villas – Mrs. Barbara Bennett, from Hammontree & Associates, was present with a letter for the Board from the Ohio Department of Transportation, saying it was okay to access Market Avenue from this new small development, as long as it would include a channelizing island, which is part of their protocol. You would only be able to turn right out of this development onto Market Avenue. Placement of signs was discussed, and the Board agreed that they would put the letter together affirming that they would allow this type of configuration.
2. Country Treatment Center – a letter from Judge Reinbold regarding a County Treatment Center. It was our Law Director Mr. Williams' opinion that we wait and see if this is going to be a private enterprise or public, before we can see if it would be legal for us to contribute any funds. Mr. Williams will discuss this with Judge Reinbold when he sees him the next time in the courts.
3. Solid Waste Management Plan –

#05-157

Motion by Mr. Giavasis,
WHEREAS, Plain Township is located within the jurisdiction of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District (STW Joint Solid Waste Management District); and
WHEREAS, the STW Joint Solid Waste Management District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan for the District in accordance with Ohio Revised Code Sections 3734.53, 3734.54 and 3734.55; and
WHEREAS, the STW Joint Solid Waste Management District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the District; and
WHEREAS, Plain Township must decide whether it approves of said Solid Waste Management within ninety days of receipt of the Final Draft Plan.
NOW, THEREFORE, BE IT RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, that:

1. The Plain Township Board of Trustees, Stark County, Ohio, approves/disapproves the STW Joint Solid Waste Management District Solid Waste Management Plan.
2. The Clerk is hereby directed to send the STW Joint Solid Waste Management District a copy of this resolution to the attention of David Held, STW Joint Solid Waste Management District, 9918 Wilshire Blvd., Bolivar, Ohio 44612.

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UNFINISHED BUSINESS: (continued)

- 3. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

Seconded by Mr. Leno.

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

- 4. Kiko Auctioneers –

#05-158

Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into an agreement with Kiko Auctioneers per the attached proposal; and
 BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the department heads to compile by the next regularly scheduled Trustees’ meeting a list of items to be auctioned on June 25, 2005.

Seconded by Mr. Giavasis.

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

- 5. Lexington Farms Trail – there was discussion by Mr. Cozy as to the trail that had been put together and designed in conjunction with Stark Parks. It will be an off the road trail. Mr. Williams will clean up the agreement and make the language a little simpler. It sounds like it will be a very nice development within the township.

NEW BUSINESS:

- 1. American Aluminum Extensions – Mr. Cozy notified the Board that they have submitted a voluntary end to their tax abatement program, since they were not meeting the requirements.

- 2. False Alarms (February & March) –

#05-159

Motion by Mr. Leno,
 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	#
Movies 4	3911 Everhard Rd. NW	4th
Fisher Foods	4403 Cleveland Ave. NW	4th
Schumacher Homes	2481 Wise Ave. NW	4th, 5th and 6th
Family Dollar	4101 Cleveland Ave. NW	4th and 5th
Aultworks Occupation	3730 Whipple Ave. NW	4th and 5th

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

In the event that any bill noted above is not paid within thirty (30) days of the date of such notice;

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NEW BUSINESS: (continued)

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, yes; Mr. Giavasis, yes.

- 3. Central Allied/Harmont Annexation Area – Mr. Giavasis wanted the Law Director to look into the agreement with the City of Canton to see if there wasn't some language in there that stated that they would notify us before going ahead with annexation attempts. He felt that the City should abide by the present agreement, as did the other Board members.

CLERK'S REPORT:

- 1. Pending Warrants –

#05-160

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 \$299,145.60 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 –

#05-161

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 \$125,000.00.

Seconded by Mrs. Bossart.

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

- 3. Payment of Medical Claims –

#05-162

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>
03/29/05	EFT 50352	\$ 2,840.94
04/05/05	EFT 50411	10,618.84
04/12/05	EFT 50412	8,508.84

Seconded by Mr. Leno.

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

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CLERK’S REPORT: (continued)

4. Financial Report – Mr. Shriver indicated that he had recently purchased a CD, invested \$1,000,000 at an interest rate of 3.03%, and that the investments were laddered out very nicely and we were going to continue to look forward to some better interest rates.

5. Road Department Longevity –

#05-163 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the additional benefits of longevity pay to members of the Utility Workers Union of America AFL-CIO Local 561 who meet the requirement of the attached schedule effective April 1, 2005.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

6. EMS Refund –

#05-164 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.:

PAYABLE TO	AMOUNT
AultCare (For Karen Schoppelrey)	\$507.00

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

7. Transfer of Funds –

#05-165 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
13-A-03 – Supplies	13-A-05 – Other Expenses	\$3,000.00

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

ADMINISTRATOR:

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

2. Repair of Cruiser –

#05-166 Motion by Mr. Giavasis,
WHEREAS, a police cruiser received damage from an auto accident; and WHEREAS, insurance reimbursement has been received from OTARMA in the amount of \$8,649.89;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize a payment to Conley’s Automotive in the total amount of \$9,649.89, to be paid from Fund #09-A-09.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ADMINISTRATOR: (continued)

- 3. Purchase of Server –

#05-167 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of a server from Dell for the amount of \$7,852.25, with \$3,140.90 to be paid by Administration from Fund #01-A-05, and \$4,711.35 to be paid by the Fire Department from Fund #10-A-08.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

FIRE DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Purchase of Radios for New EMS Vehicles –

#05-168 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of radios and installation from Domer Communications for three medic trucks in an amount not to exceed \$10,000.00, to be taken from Account #10-A-08.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 3. Purchase of Computers –

#05-169 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of seven computers from Dell for an amount of \$10,391.03, to be paid from Fund #10-A-08.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 4. Purchase of Tires –

#05-170 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of tires, tubes and balancing from North Central Tire in an amount not to exceed \$2,000.00, to be taken from Account #10-A-09E.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 5. Repair of Ladder Truck –
 - a. All-American Fire Equipment –

#05-171 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the emergency repair to Ladder 3 by All-American Fire Equipment, Inc. in the amount of \$4,942.85, to be taken from Account #10-A-10.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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FIRE DEPARTMENT: (continued)

b. Superior Spring -

#05-172 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the repair of Ladder 3 by Superior Spring
in an amount not to exceed \$6,200, to be taken from Account #10-A-10.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Purchase of Gradall –

#05-173 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED that the Plain Township Board of Trustees,
Stark County, Ohio acquire a new Gradall XL3100 Rubber-Tired Excavator
at a cost not to exceed \$203,424.64, to be paid in four (4) semi-annual
payments of \$50,856.16, with the first payment being due six (6) months
after the transaction. Said transaction shall be in accordance with the
paperwork attached hereto and incorporated herein by reference.
The proposal to acquire a new Gradall XL3100 Rubber-Tired Excavator is
under the State of Ohio STS 515 Purchasing Program, Schedule 776515X
and NIGP Code Numbers 760-90-99-002-9).
Seconded by Mrs. Bossart.
Discussion: Mr. Iacino went over the specifications and conditions with the
purchase of the new Gradall.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Reimburse Overpayment of Recording Fees –

#05-174 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize a reimbursement for Stark County
Recording fees to Cairo Properties Ltd. 2814 Edison Street NW,
Uniontown, OH 44685 in the amount of \$212.00 for the property at the
vacant lots on Market Avenue N (Parcel #'s 52-19114 & 52-19113) owned
by Cairo Properties as authorized by Michelle Mahoney, Zoning
Director.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 3. Amend Resolution #05-143 (Copier)

#05-175 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to amend Resolution #05-143 to read:
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the purchase of a Toshiba E-Studio 350
Digital Copier from Copier Sales, Inc. in the amount of \$6,948.00 (state
purchase price).
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, no; Mr. Leno, no; Mr. Giavasis, no.

ZONING DEPARTMENT: (continued)

#05-176 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to initiate application to the Plain Township Zoning Commission, through the Plain Township Zoning Director, for Zoning Resolution Text Amendment #537, and to waive any and all fees for same application.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

Note: The language has changed from 10,000 square feet to 12,000 square feet in the one area.

PARKS & RECREATION:

1. The Monthly Report was given. Mr. Tuttle said that they had been very busy.
2. Concession Agreement – GlenOak Soccer Boosters –

#05-177 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into an agreement with the GlenOak Soccer Boosters to provide concessions at the Diamond Community Center, a copy of which agreement is attached hereto and made a part of the record.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Paint Machine Discussion – Mr. Tuttle went over the details of a new paint machine. He said that everything has been replaced on the old machine with the exception of the rear axle. He was going to have this new machine delivered and run it through the paces again without running paint through it, just to see how it works on our property.

PLANNING:

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

COMMUNICATIONS:

1. Gary LaLone – a thank you note for his participation in the zoning hearing.
2. Stark County Commissioners – regarding a hearing on April 18 for vacation of some streets.
3. Ohio Department of Transportation – regarding a meeting on May 9.
4. Stark County Educational Center – a copy of State Bill 165, regarding the ability to place a lien on abated real and personal property if the owners are not meeting the requirements.

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APPROVAL OF MINUTES:

- #05-178 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 March 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 March 22, 2005 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #05-179 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 March 29, 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 special meeting held March 29, 2005 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #05-180 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:24 p.m. from this regular meeting of April 12, 2005 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.
- #05-181 Motion by Mr. Giavasis, to return to regular session at 9:19 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #05-182 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire Richard N. Schaffner for part-time summer employment at a rate of \$8.50 per hour with no benefits effective April 12, 2005.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #05-183 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to give the non-contract employees raises pursuant to the attached schedule, effective as of March 27, 2005.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ADJOURNMENT:

#05-184 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:28 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