

2600 Easton St. NE
Canton, OH 44721

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June 14, 05

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, Sam Tuttle, Steve Peroz, John Sabo, Mary Lee Sponseller.

President Giavasis convened the work session at 6:10 p.m. Mr. Ben Grisez, a builder, was present and provided the Board and staff with two maps. Discussion centered around the fact that R-1-A averaged around 12,000 square feet per lot, and this certainly would be allowed to be reduced lot width to do the villas within his development. There were various discussions. Chet Shoemaker, as well as his parents, who live on Werner Church Road, was present and had questions. Overall, Mrs. Shoemaker said that she thought it was a very nice plan but she was concerned about the nonexistence of rural area within the Township. Everyone seemed satisfied with the proposed plan as brought back to the Trustees.

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, Steve Peroz, John Sabo, Mary Lee Sponseller.
Media present: Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: Two items were added to the Sheriff's Report: Speeding on McDowell and Speeding on Forestview. Mrs. Bossart also added under Concerns of Trustees: SCOG Update.

SHERIFF'S REPORT:

Speeding between 27th and 20th St. on Lakeside was discussed. This was a complaint taken by the Road Department. There was also discussion of speeding on McDowell east of Middlebranch, speeding on Forestview coming out of Saratoga Hills. Apparently these are construction vehicles that are speeding around quitting time. Mr. Giavasis also added that people are running a stop sign on Beverly Ave. People are not paying attention to the three-way stop. The Sheriff took note of this and will act accordingly.

CONCERNS OF CITIZENS:

Mr. Bill McNew of 905 Easton St. NE, said that they have an existing problem getting out of their driveway, and he was concerned if Beverly was continued on through that they won't be able to get out of their driveway at all. Mr. Cozy said that they have done some studies and that the right-of-way on Beverly is a 50-foot right-of-way and it would be advisable for those residents to vacate Beverly. They would need to go before the Stark County Commissioners to get that vacation started. The Board would send a letter of support and sign off supporting the residents in the area for the vacation of Beverly.

CONCERNS OF CITIZENS: (continued)

Linda Brown was also present. She owns a lot at the corner of Bellview and Beverly. She also had traffic concerns and said that she foresaw problems in the future with the kids when the new high school is built lead footing it up and down that area.

7:15 P.M. PUBLIC HEARING – ZONING AMENDMENT 537

Mr. Bob Rucker, of Canton, asked about the amendment and wanted to know where a 10,000 square foot lot would fall, and he was informed that that would fall under our old zoning resolution if it was prior to June 8.

#05-273 Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on June 14, 2005 by the Plain Township Board of Trustees to consider Amendment #537 to the Plain Township Zoning Resolution; and
WHEREAS, such hearing was properly and timely held pursuant to Ohio Revised Code 519.12; and
WHEREAS, the Plain Township Board of Trustees has duly considered the nature of the amendment and the reasons therefore, the recommendation of the Plain Township Zoning Commission, the Stark County Regional Planning Commission, and the information provided by any and all other interested persons,
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the recommendation of the Plain Township Zoning Commission for APPROVAL.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

UNFINISHED BUSINESS:

1. Amend Resolution #05-264 (Temporary Services) –

#05-274 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #05-264 to read as follows:
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into a contract with Preferred Temporary Services, Inc. to provide seasonal help for the purpose of building and grounds maintenance, nuisance mowing, and yard waste recycling for an amount not to exceed \$5,000, to be paid as follows: \$2,500 from Fund #01-A-26L, and \$2,500 from Fund #01-B-01 .
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. County Ditch Program – Mr. Cozy said that he had talked to the County regarding the Chesham and Graber Farm Ditch Project. The County informed him that they want the Township to be the lead agent and secure the easements. There was discussion regarding public drainage easements. However, the Board felt that they needed to get underway with the project.

3. Rescind Resolution #05-244 (Proposed Zoning Amendment) –

#05-275 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to rescind Resolution #05-244.
Seconded by Mr. Giavasis.

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

UNFINISHED BUSINESS: (continued)

4. Proposed Zoning Amendment –

#05-276

Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Zoning Resolution and Official Zoning Map were adopted in 1960 in accordance with Ohio Revised Code Section 519 and have been amended over the years in accordance with law; and
 WHEREAS, Plain Township Trustees adopted the “Plain Township Comprehensive Mini-Master Plan” in 2002, which included recommendations to update zoning and land use regulations to achieve goals and objectives identified in the Plan; and
 WHEREAS, in an ongoing effort to enact policies and recommendations made in that Plan , one of which is “to ensure the remaining land in the Township is developed in a way which is sensitive to environmental constraints and the need to maintain a balanced tax base”;
 THEREFORE BE IT RESOLVED that the Plain Township Trustees propose an overall rezoning plan for an area of the township generally bounded by I.R. 77 and Salway Avenue on the east; 38th Street on the south; the existing business and multifamily zoning districts on the west; and the on-ramp to I.R. 77 on the north, within the SE & SW ¼ Section 19 and NE & NW ¼ Section 30. The following changes are proposed:
 TRACT I – B-2 General Business to S-1 Suburban Office District -all existing B-2 General Business zoned parcels of land (parcels #5218370, #5280402, #5218371, #5218048) which have frontage on the north side of 38th Street, east of Whipple Avenue, all within the NW ¼ Section 30, excepting the existing business at the northeast corner of the intersection of Whipple and 38th Street (Parcel #5218047) which shall remain B-2 General Business;
 TRACT II – R-1 Single Family Residential & B-2 General Business to R-R Rural Residential -all existing properties now zoned R-1 Single Family Residential and also one tract now zoned B-2 General Business within the SW/SE 1/4 Section 19 and NE/NW 1/4 Section 30, which are bounded and described as follows: beginning at a point where the existing B-2 General Business District intersects with 38th St. east of Whipple Avenue; thence in a northerly direction following the boundary of the existing B-2 district to the existing R-3 Low Density Residential District; thence in an easterly direction along the southern boundary of the R-3 district and then continuing north along the east boundary of said R-3 district to a point on the south allotment line of North Avondale Allot. #1, (as recorded in P.B. 24, pg. 36-37); thence following the south boundary to the southeast corner of said N. Avondale Allot.#1; thence north along the east boundary line of said allotment to a point on the south R/W line of I.R.77; thence south along the R/W line of I.R.77 to a point, that point being the northern property line of the Plain Local School District’s property(parcel #5280011); thence west along said property line to Salway Street, an undedicated street; thence south along Salway St. to the Canton City corporation line; thence west and south following along the City of Canton Corp. line to 38th St.; thence west along 38th Street to the place of beginning.

Seconded by Mrs. Bossart.

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

NEW BUSINESS:

1. BWC Achievement Award - there was an achievement award sent through from the Bureau of Workers’ Compensation for a low accident rate. The Board wanted to extend their thanks to Jo Ellen Reikowski for getting well involved in this and for doing a superb job in attending these meetings and keeping the Board informed.

NEW BUSINESS: (continued)

- 2. Student Resource Officer – a letter from James Aquilo regarding the future participation with the student resource officer within the schools. He was asking the Board to give some thought to helping the school subsidize this resource officer in the future. Mr. Shriver stated, as the Township Clerk, that he felt that the schools should not be leaning on the Township for any funds when they had a grant taken away from them. They should be able to manage their own books. Mr. Giavasis and the Board said that they felt that the City of Canton should participate in the cost of the resource officer because many of the schools are located in the City. Mr. Giavasis stated that the City wants to continually annex land but they don't want to take in any of the expense that comes with having ownership of that land or bringing people into the City. Mr. Shriver agreed, but also stated that the citizens in the Township self-tax themselves for a police levy and he did not feel it was right for that money to be taken away from their protection and put in subsidizing the school payroll with this resource officer. He also suggested that a copy of Mr. Aquilo's letter should have gone to the City of Canton and it did not indicate that it had. Mr. Giavasis agreed, and said that they were going to contact Mr. Aquilo and have him also contact the City of Canton, so that all entities involved could take part in sharing the expense for this resource officer.

CLERK'S REPORT:

- 1. Pending Warrants –

#05-277 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 \$61,387.43 as attached hereto and made a part of these minutes. Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 2. a. Regular Payroll –

#05-278 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 Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- b. Volunteer Payroll –

#05-279 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the payment of the volunteer payroll for the 2nd Quarter 2005 in an amount not to exceed \$30,000.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 3. Payment of Medical Claims –

#05-280 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:

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CLERK’S REPORT: (continued)

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
06/01/05	EFT 50650	\$10,815.24
06/07/05	EFT 50654	7,410.34

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

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

5. EMS Refunds –

#05-281 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.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
Crime Victims (for Judith Weir)	\$33.44
Frederick J. Harris	20.00
Kevin Vollema	50.70

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

6. Appropriation of Certified Funds –

#05-282 Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees requested an Additional
Amended Certificate of Estimated Resources form the Stark County Auditor
(Res. #05-249);
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:

<u>Code</u>	<u>Amount</u>
17-A-01 – Payouts – Deposits Returned	\$8,205.00

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

7. The 2006 Budget Hearing will be held June 28 at 7:30 p.m.

8. Transfer of Funds –

#05-283 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the following transfer of funds:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
01-A-26E – Other Expenses	01-B-07 – Repairs	\$17,370.00

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

ADMINISTRATOR:

1. Township Hall Roof –

FIRE DEPARTMENT:

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

FIRE DEPARTMENT: (continued)

2. Adoption of National Incident Management System –

#05-285

Motion by Mr. Giavasis,
 WHEREAS, In Homeland Security Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and
 WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and
 WHEREAS, it is necessary that all federal, state, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and
 WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and
 WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve Plain Township’s ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and
 WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and
 WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.
 NOW THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to mandate the National Incident Management System be utilized for all incident management in Plain Township, Stark County, Ohio.
 Seconded by Mrs. Bossart.
 Discussion: Chief Sabo went over in detail an abbreviated description for the National Incident Management System which could possibly require in the future that elected officials take a two-hour training course.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. County Litter Pick-up – participation in the County Litter Pick-up Program was discussed by Mr. Iacino.

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ROAD DEPARTMENT: (continued)

- 3. Scrap Metal Sale –

#05-286 Motion by Mrs. Bossart,
 WHEREAS, Ohio Revised Code Section 505.10(A) provides that the Board of Trustees may sell property at private sale, if the Board determines that: 1) the property is no longer needed; and 2) the value of the property is less than \$2,500.00; and
 WHEREAS, the Township has accumulated scrap metal which it no longer needs and which has a salvage value of less than \$2,500.00;
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that said scrap metal is sold.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT:

- 1. The Monthly Report was given.
- 2. Payment & Certification of Nuisance Abatement –
 - a. 2917 31st St. NE –

#05-287 Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2917 31st Street NE (Parcel number #52-10017) to abate the nuisance on this property (Resolution #05-237) on May 10, 2005; and
 WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$314.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$89.12;
 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 \$403.12 to be placed on the property owner's tax duplicate.
 Seconded by Mr. Leno.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- b. 5425 Glenhill Ave. NE –

#05-288 Motion by Mrs. Bossart,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 5425 Glenhill Avenue NE (Parcel number #52-10056) to abate the nuisance on this property (Resolution #05-254) on May 24, 2005; and
 WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$436.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$188.31;
 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 \$624.31 to be placed on the property owner's tax duplicate.
 Seconded by Mr. Leno.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ZONING DEPARTMENT: (continued)

c. 3312 Forestview St. NE –

#05-289

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3312 Forestview Street NE (Parcel number #52-08976) to abate the nuisance on this property (Resolution #05-256) on May 24, 2005; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$508.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$88.64;
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 \$596.64 to be placed on the property owner's tax duplicate.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Nuisance Abatements –

a. 3014 31st St. NE –

#05-290

Motion by Mrs. Bossart,
WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and
WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 3014 31ST Street NE, Stark County, Ohio (Parcel #52-09522) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 25, 2005 and returned "Unknown"; and
WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:
1. High grass and/or weeds, and 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

b. 2528 – 2530 43rd St. NW –

#05-291

Motion by Mrs. Bossart,
WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

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ZONING DEPARTMENT: (continued)

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2528-2530 43rd Street NW, Stark County, Ohio (Parcel #52-15810) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 27, 2005 and returned "Unknown"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. High grass and/or weeds 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Giavasis.

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

c. 2525 Martha Ave. NE –

#05-292

Motion by Mr. Leno,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2525 Martha Avenue NE, Stark County, Ohio (Parcel #52-15942) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 27, 2005 and returned "Unknown"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

High grass and/or weeds constitute 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mrs. Bossart.

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

d. 6228 Melody Rd. NE –

#05-293

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on June 14, 2005 by the Board of Trustees regarding the property conditions at 6228 Melody Road NE, Stark County, Ohio (Parcel #52-15232) and

WHEREAS, Jason & Sheri McCray, have failed to demonstrate satisfactory progress in correcting the violations at the above property; and

ZONING DEPARTMENT: (continued)

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. High grass and/or weeds 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, yes; Mr. Giavasis, yes.

e. 1323 31st St. NE –

#05-294

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on June 14, 2005 by the Board of Trustees regarding the property conditions at 1323 31st Street NE, Stark County, Ohio (Parcel #52-09794) and

WHEREAS, Larry Thorne, has 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. High grass and/or weeds constitutes a nuisance under Ohio Revised Code Section 505.87 and
2. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87 and
3. Stagnant pool water constitutes a nuisance under Ohio Revised Code Section 505.87 and
4. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
5. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mr. Leno.

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

f. 6855 Amsel Ave. NE –

#05-295

Motion by Mr. Leno,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 6855 Amsel Avenue NE, Stark County, Ohio (Parcel #52-08080) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 24, 2005 and returned "Unknown"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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ZONING DEPARTMENT: (continued)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. Trash and/or debris constitute 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. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mrs. Bossart.

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

PARKS & RECREATION:

1. The Monthly Report was given. Mr. Tuttle also wanted to alert the Trustees that the West Nile Virus was getting ready to break out. We have not had much rain, and if any citizens had standing water in any containers on their lots or properties to please get rid of it. Also, he informed the Board that he would be doing a joint purchase again this year for the larvacide and would start distributing it into the catch basins as soon as he received it. He also wanted to note that there was some destruction done at Alpine Park by a ninth-grade class from Plain Local Schools and that in the future he wanted permission to deny them a permit to use the park. Mr. Leno suggested that he contact the police department or our detective and have some of these children talked to so that they could have an example set for the future because we work too hard on the parks to have this kind of behavior.

PLANNING:

1. The Monthly Report was given. Mrs. Sponseller said that she is almost ready to start having some meetings for the Trustees to review the entire Zoning Resolution. She felt sure there may be some things they didn't care for or had questions about and she was looking forward to getting this project underway.

COMMUNICATIONS:

1. Stark County Commissioners – regarding an annexation petition filed by the City of North Canton.
2. Senator Kirk Schuring - thanking the Board for their letter and resolution regarding the local government funds cuts.
3. Stark County Commissioners – a copy of a resolution showing approval of an annexation.
4. Stark County Commissioners – a copy of a resolution showing approval of an annexation.
5. City of Canton – a notice from Sam Sliman setting a public hearing for the Groffre – Broadway Annexation.

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Joe Iacino said he did not put it on the Sheriff's report because he thought it had been taken care of; however, some cones belonging to some construction crews were moved by some teenagers, possibly after the festival in North Canton. They were moved from the area of Radford and scattered about the Bob-O-Link area. He said most of them had been recovered. This took place last evening between 10:00 p.m. and 11:00 p.m. The value of these cones is around \$100 each and he felt that there were probably 12 or 15 still missing.

CONCERNS OF CITIZENS:

Mr. Kenneth Helmick, of 8254 Hidden Glen, was complaining about a well that is on a lot next door to his house that is owned by McCormick Properties, which is Lemmon & Lemmon. They do not take care of it and don't mow it, and he is sick and tired of it. The Trustees said that they would get involved in this and contact Mr. Lemmon. This man also stated that he was told that one of the Trustees said do not send Mr. Lemmon any more letters. This possibly was pertaining to a lot in Wellington Hills. The person that repeated this was probably unaware that it did not pertain to the Pebblebrook well, because the one in Wellington Hills has been maintained.

Nancy Molnar, of 6530 Beverly NE, was present to ask the Board if, in the future, they would be contacting adjacent property owners when there is going to be something affecting their property. They said yes, they would. She also stated that she wanted to apologize to any of the Board members if she was offensive to them in her past concerns about the Cherry Hill development.

Vincent Falcone, of 922 29th St. NE, brought in a slide presentation on his laptop showing the disarray of curb and gutter on his street. A lot of this is a result of the sewer project that was recently taken care of. Mr. Iacino said that he had Joe Dima go and look at this because Joe Dima is experienced for many years in cement contractor work. He said that Mr. Dima said that this possibly could be done as one with the sidewalk and curb. The Board agreed. The property owners are willing to share in the cost, according to Mr. Falcone. The Board asked Mr. Williams to do some research and we will set a meeting as soon as possible with owners and get some estimates and talk about the possibility of taking care of this project in conjunction with the owners to finalize and take away the hazard problems of the broken-down sidewalk and curbs as they exist presently.

CONCERNS OF TRUSTEES:

SCOG Update – Mrs. Bossart gave figures with regard to us participating in the gas aggregate. She stated that the Stark County aggregate is for residential properties using less than 500 mcf and that Plain Township saved \$6305 last year by belonging to the aggregated. We used a total of 3796 mcf.

APPROVAL OF MINUTES:

#05-296 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 May 24, 2005 and make them a part of the record as if read in their totality; and

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APPROVAL OF MINUTES: (continued)

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the minutes of the regular meeting held May 24, 2005 as presented.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#05-297 Motion by Mr. Leno,
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 May 27, 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 May 27, 2005 as presented.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes.

EXECUTIVE SESSION:

#05-298 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:53 p.m. from this regular meeting of June 14, 2005 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: appointment of a public employee or official; the sale of property by competitive bid to prevent the disclosure of information that would provide competitive advantage; a conference with the law director or other retained counsel concerning pending or imminent court action.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#05-299 Motion by Mr. Giavasis to return to regular session at 10:17 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

#05-300 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the sale of the Gradall to the City of Canton for \$14,999.99.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ADJOURNMENT:

#05-301 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 10:18 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