

2600 Easton St. NE
Canton, OH 44721

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July 26, 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, Steve Peroz, John Sabo, Mary Lee Sponseller.

Media present: Cal Peters, WHBC; Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: Added to the agenda under the Sheriff's Report were Stolen Plain Township Signs by the Road Department, and Stop Sign Violations at 29th & Gibbs by Mr. Leno.

SHERIFF'S REPORT:

They discussed speeding on Applegrove between the railroad tracks and Wellington Hills.

There was a letter from a man on Broad Ave. complaining about noise.

Three Welcome to Plain Township signs were stolen. Two of them were found under the underpass on Orchard Park. One was taken from Avondale. Mr. Iacino has been investigating to see where the other one is missing from.

Mr. Leno said he had a complaint of people running the stop sign at 29th and Gibbs.

Tom Bryant, of 914 29th St. NE, had a complaint about the running of a stop sign at Beverly and 29th St. NE.

NEW BUSINESS:

1. GIS System – Mike Stevens and Shanda Yeager were present from the Stark County Auditor's Office to give the Township an update on the GIS System. The most important entities within the Township that this would benefit would be fire, police, building, zoning and road departments. Shanda also said that as they extend their capabilities within the system it will be able to locate the position of cell phone calls through the 911 system.

UNFINISHED BUSINESS:

1. Mt. Pleasant Culvert – Mr. Leno met with a Trustee from Lake Township and Gary Connor and Joe Iacino. He said that it doesn't really look like there is a benefit to Plain Township. However, the problem of more water on to our citizens was not a concern, Mr. Connor indicated. He said the only positive thing would be that the portion of the pipe under our side of the road would be new and we would not have to fix it in the future. Our cost for this would be \$8,000, Lake Township's would be \$8,000, and they expect to get \$8,000 from Stark County. Mr. Cozy indicated that he had talked to Mrs. Reikowski and was able to determine that Lake Township did not participate in the flasher placement on Mt. Pleasant. This may change the Trustees' concern in helping out with this project.

UNFINISHED BUSINESS: (continued)

2. 29th Street Sidewalks –

There were five owners present to discuss various costs. There will be a meeting on August 23. Vince Falcone represented some of the owners. Grady Jeter, Bill Goulden, and Ted Reese were all present and were all in favor of having the sidewalks replaced. They will all attend a public hearing on August 23 at 7:15 p.m. for the construction, repair and maintenance of sidewalks in that residential area.

#05-360

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED that the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for August 23, 2005 at 7:15 p.m. for the construction, repair, or maintenance of sidewalks by unanimous vote of the Trustees and as petitioned by the property owners of 29th Street NE between Beverly Avenue and Gibbs Avenue, and hereby authorize the Plain Township Clerk to make the necessary notification to the property owners and to publish a legal ad in the Repository of the hearing.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Fire Station Study –

#05-361

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED that the Plain Township Board of Trustees, Stark County, Ohio authorizes Plain Township Fire Chief John Sabo to enter into the attached contract with Harris/Day Architects for architectural services for a study of possible fire station improvements and/or additions for a lump sum cost not to exceed Seventeen Thousand Dollars (\$17,000), plus reimbursable expenses, in accordance with the correspondence and contract attached hereto and incorporated herein by reference.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. Fulton Road Widening –

#05-362

Motion by Mr. Giavasis,
WHEREAS, on April 26, 2005, (Resolution #05-195), the Plain Township Board of Trustees, Stark County, Ohio, authorized entering into the Eighth Supplemental Agreement to Agreement No. 1999-3 for the Fulton Road Widening Project;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to the Stark County Engineer for right-of-way acquisition for the Fulton Road Widening Project for an amount not to exceed \$16,000.00, to be paid from Fund #01-M-03F.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

5. Schneider St. Widening –

#05-363

Motion by Mr. Leno,
WHEREAS, on October 26, 2004, (Resolution #04-593), the Plain Township Board of Trustees, Stark County, Ohio, authorized PSI to do a soil investigation for the Schneider Street Widening Project in the amount of \$2,695.00; and
WHEREAS, further work has become necessary;

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UNFINISHED BUSINESS: (continued)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to PSI in the amount of \$2,978.00 for soil investigation.

Discussion: The Board felt that CT Consultants should have given prior notice as to why the extra funds were necessary.

Vote: Mrs. Bossart, no; Mr. Leno, yes; Mr. Giavasis, no.

NEW BUSINESS: (continued)

2. False Alarms –

#05-364

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	#
Movies 4	3911 Everhard Rd. NW	10th
Schumacher Homes	2715 Wise Ave. NW	11th and 12th
Renaissance Landscape	2751 Werner Church Rd. NE	4th and 5th
Spee-D-Foods	3002 Market Ave. N.	6th and 7th
Marathon Station	7960 Cleveland Ave. NW	12th, 13th, 14th
Family Dollar	4101 Cleveland Ave. NW	6th
Aultworks Occupation	3730 Whipple Ave. NW	6th
Rt. 62 Corporation	2920 Harrisburg Rd. NE	4th
Donald Schneider	3040 Sussex St. NW	4th
Marie McKelvy	5412 Moss Wood Cir. NE	4th

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;

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. Leno.

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

CLERK’S REPORT:

1. Pending Warrants –

#05-365

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 \$61,690.25 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 –

#05-366

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.

3. Payment of Medical Claims –

#05-367

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:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
07/19/05	EFT 50843	\$6,186.73
07/26/05	EFT 50899	18,705.98

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

4. The Investment report was given and accepted by the Board. There were no concerns or comments.

5. Transfer of Funds –

#05-368

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:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
01-A-28A – Contractual Service - Water Project	01-A-10 – Legal Fees	\$25,000.00

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

6. Amended Certificate & Appropriation of Funds –

#05-369

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Clerk to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for additional revenue of \$22,745.74 received as follows:

Expendable Trust – Deposits	\$10,438.00
Fiduciary Fund – Medical Insurance	12,307.74

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CLERK’S REPORT: (continued)

AND BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, upon certification by the Stark County Auditor to appropriate these funds as follows:

17-A-01 – Payouts – Deposits Returned	\$10,438.00
27-A-09 – Other Expenses – Medical Claims	12,307.74

Seconded by Mr. Leno.

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

7. EMS Refunds –

#05-370

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
AultCare (for Kari Willoughby)	\$231.90
Aetna Healthcare (for Aysha Mathis)	210.81

Seconded by Mr. Giavasis.

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

ADMINISTRATOR:

1. Schneider Street – Survey and Right-of-Way Acquisition –

#05-371

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize ME Companies to perform Survey and Right-of-Way Acquisition on the north side of Schneider Street NE at the new High School for an amount not to exceed \$4,500.00.

Seconded by Mr. Giavasis.

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

2. Renew Contract – Frank Gates. Co. – Workers’ Compensation –

#05-372

Motion by Mr. Leno,
WHEREAS, Plain Township has been a member of the Workers’ Compensation Rating Program administered through the Frank Gates Service Company; and
WHEREAS, the Frank Gates Service Company is sponsored by the Ohio Township Association; and
WHEREAS, the projections of the Frank Gates Service Company will provide a net savings of \$78,758.00;

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a contract with the Frank Gates Service Company to provide the services as detailed in the service contract which is attached hereto and made a part of these minutes and to approve payment of the administrative fee at a cost not to exceed \$13,343.00.

Seconded by Mrs. Bossart.

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

FIRE DEPARTMENT:

1. Purchase of Intake Valves -

#05-373 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of 9 Task Force Tips Pressure Relief Intake Valves from Finley Fire Equipment Co. Inc. in an amount not to exceed \$11,000 to be taken from Account #10-A-08.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

2. Purchase of Safety Vests and Rain Jackets –

#05-374 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of ANSI Class II Safety Vests and ANSI Class III Rain Jackets from U.S. Safety Gear in an amount not to exceed \$5,500.00, to be taken from Account #10-A-09B.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

1. Purchase of Fuel –

#05-375 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.

2. No Parking Signs – Hall of Fame –

#05-376 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the posting of temporary "No Parking" signs on both sides on the following streets: Broad Ave. NW from Fulton Road NW to 17th St NW; Clarendon Ave. NW from the City Limits to Fulton Rd NW; Clearview Ave. NW from the City Limits to Fulton Road NW; Blake Ave. NW from the City Limits to Fulton Rd NW; Barr Ave NW from the City Limits to Fulton Rd NW; all of Woodward Pl NW; 25th St NW from Clarendon Ave NW to Broad Ave NW; 21st St. NW from Blake Ave. NW to Broad Ave NW; 19th St. NW from Broad Ave NW to the Stadium; and 17th St. NW from Broad Ave. NW to the parking lot. The above "No Parking" signs will be posted on August 5, 2005 and removed August 9, 2005.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT:

1. Set Public Hearing – Zoning Amendment #538 –

#05-377 Motion by Mr. Giavasis,
WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #538 on July 13, 2005; and
WHEREAS, the Plain Township Zoning Commission is recommending APPROVAL of the proposed amendment; and

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ZONING DEPARTMENT: (continued)

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 it's public hearing; no

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Zoning Amendment #538 on August 9, 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, July 31, 2005. Seconded by Mr. Leno.

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

2. Payment & Certification of Nuisance Abatements –

a. 1931 Broad Ave. NW –

#05-378

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 1931 Broad Avenue NW(Parcel number #52-03722) to abate the nuisance on this property (Resolution #05-325) on June 28, 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 \$528.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$186.46;

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 \$714.46 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. 4331 28th St. NE –

#05-379

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4331 28th Street NE(Parcel number #52-00107) to abate the nuisance on this property (Resolution #05-324) on June 28, 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 \$504.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$199.72;

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 \$703.72 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. 2542 Martha Ave. NE –

#05-380 Motion by Mr. Leno,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2542 Martha Avenue NE (Parcel number #52-15970) to abate the nuisance on this property (Resolution #05-328) on June 28, 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 \$360.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$168.78;
 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 \$528.78 to be placed on the property owner's tax duplicate.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

d. 2521 44th St. NW –

#05-381 Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2521 44th Street NW (Parcel number #52-03382) to abate the nuisance on this property (Resolution #05-319) on June 28, 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 \$271.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$97.21;
 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 \$368.21 to be placed on the property owner's tax duplicate.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

e. 1401 33rd St. NE –

#05-382 Motion by Mrs. Bossart,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 1401 33rd Street NE (Parcel number #52-03461) to abate the nuisance on this property (Resolution #05-322) on June 28, 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 \$690.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$85.22;

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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 \$775.22 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

f. 2944 Maple Ave. NE –

#05-383

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2944 Maple Avenue NE (Parcel number #52-03034) to abate the nuisance on this property (Resolution #05-318) on June 28, 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 \$342.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$133.84;

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 \$475.84 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

g. 2342 Zircon St. NE –

#05-384

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2342 Zircon Street NE (Parcel number #52-12487) to abate the nuisance on this property (Resolution #05-320) on June 28, 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 \$410.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$186.29;

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 \$596.29 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

h. 4701 Middlebranch Ave. NE –

#05-385

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4701 Middlebranch Avenue NE (Parcel number #52-02771) to abate the nuisance on this property (Resolution #05-327) on June 28, 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 \$320.00; and

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ZONING DEPARTMENT: (continued)

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$98.48;
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 \$418.48 to be placed on the property owner's tax duplicate.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

i. 2207-2301 26th Street NE –

#05-386 Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2207-2301 26th Street NE (Parcel number #52-16913) to abate the nuisance on this property (Resolution #05-532) on July 12, 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 \$ 565.00; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$83.95;
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 \$648.95 to be placed on the property owner's tax duplicate.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. OPC Cleveland's 17th Annual Planning & Zoning Workshop –

#05-387 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of \$85.00 per person to the OPC Cleveland's 17th Annual Planning and Zoning Workshop for attendance by any Zoning Department Staff, Law Director, Planning & Economic Development Coordinator, members of the Board of Trustees, members of the Plain Township Board of Zoning Appeals, and members of the Plain Township Zoning Commission on Wednesday, September 28, 2005, Thursday, September 29, 2005 and Friday, September 30, 2005 at the Cleveland Convention Center in an amount not to exceed \$2,000.00.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. Nuisance Abatements –

a. 7119 Rolling Ridge NE –

#05-388 Motion by Mr. Giavasis,
WHEREAS, a public hearing was held on July 26, 2005 by the Board of Trustees regarding the Junk Motor Vehicle at 7119 Rolling Ridge Road NE, Stark County, Ohio (Parcel # 52-06353) and
WHEREAS, William & Eva Foltz Jr., have failed to demonstrate satisfactory progress in correcting the violations at the above property; and
WHEREAS, the Plain Township Board of Trustees have provided the owner(s) of the property with notice and opportunity to be heard on this matter;

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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. A Junk Motor Vehicle constitutes a nuisance under Ohio Revised Code Section 505.173 and
2. The nuisance shall be abated or removed according to the procedures outlined in ORC Section 505.173, and
3. Notice of this decision will be provided to the property owners.

Seconded by Mrs. Bossart.

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

b. 2212 41st St. NW -

#05-389

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on July 26, 2005 by the Board of Trustees regarding the Junk Motor Vehicle at 2212 41st Street NW, Stark County, Ohio (Parcel # 52-15822) and

WHEREAS, Connie Cox, has failed to demonstrate satisfactory progress in correcting the violations at the above property; and

WHEREAS, the Plain Township Board of Trustees have 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. A Junk Motor Vehicle constitutes a nuisance under Ohio Revised Code Section 505.173 and
2. The nuisance shall be abated or removed according to the procedures outlined in ORC Section 505.173, and
3. Notice of this decision will be provided to the property owners.

Seconded by Mr. Giavasis.

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

c. 3007 31st St. NE –

#05-390

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on July 26, 2005 by the Board of Trustees regarding the property conditions at 3007 31st Street NE , Stark County, Ohio (Parcel # 52-09036) and

WHEREAS, Becky Clark, 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. 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 Mr. Giavasis.

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

ZONING DEPARTMENT: (continued)

d. Vacant Lot #2 – Market Ave. N. -

#05-391

Motion by Mr. Giavasis,
 WHEREAS, a public hearing was held on July 26, 2005 by the Board of Trustees regarding the property conditions at vacant lot #2 on Market Avenue N, Stark County, Ohio (Parcel # 52-03091) and
 WHEREAS, Catherine Swallen, 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. 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 Mr. Leno.

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

e. 2547 Broad Ave. NW –

#05-392

Motion by Mr. Giavasis,
 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 2547 Broad Avenue NW, Stark County, Ohio (Parcel #52-06582) and
 WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 18, 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. 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.

f. 2461 Regentview –

#05-393

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 2461 Regentview Street NE, Stark County, Ohio (Parcel #52-09047) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 18, 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. Leno.

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

COMMUNICATIONS:

1. Drew Griesen & residents of Hollydale NE – a thank you note for mowing a vacant property. Nice job.
2. Senator Kirk Schuring –regarding a meeting on August 4 regarding Ohio Prevailing Wage Law.
3. Stark County Commissioners - proposed road vacations pertaining to Lake Heights and Grove.
4. Stark County Metropolitan Sewer District - an update on the Lawr-Chester Sewer Project.
5. Penny White –a concern from a citizen who lives next door to a resident who has a bear. She fears for her life.
6. Stark County Commissioners – regarding the release of roadways.
7. Stark County Commissioners – withdrawal of an annexation petition by the City of Canton.

APPROVAL OF MINUTES:

#05-394

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 July 12, 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 July 12, 2005 as presented.

Seconded by Mr. Giavasis.

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

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APPROVAL OF MINUTES: (continued)

#05-395 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 special
meeting held July 19, 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 July
19, 2005 as presented.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#05-396 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn to executive session at 8:34 p.m. from this
regular meeting of July 26, 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 sale of property by competitive bid to prevent the
disclosure of information that would provide competitive advantage;
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.

#05-397 Motion by Mrs. Bossart to return to regular session at 9:11 p.m.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#05-398 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:12 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
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ATTEST: _____
Claude W. Shriver, II
Clerk