

2600 Easton St. NE
Canton, OH 44721

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August 9, 05

WORK SESSION

ATTENDANCE:

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

President Giavasis convened the work session at 6:20 p.m. Craig Mottice of Sky Insurance reviewed Plain Township’s current medical insurance program and suggested ways to control costs. Craig gave a brief overview of Health Savings Accounts and suggested a policy on spouse coverage. Mark Cozy and Jo Ellen Reikowski will meet with Craig Mottice to review our options and to form some plans to present to the Board.

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, Jo Ellen Reikowski, 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: Approved as prepared.

CLERK PRO TEM:

#05-399 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Jo Ellen Reikowski as Clerk Pro Tem.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

SHERIFF’S REPORT:

- 1. Menacing on Blossomwood – the Sheriff will look into this.

UNFINISHED BUSINESS:

- 1. Schneider Street Widening –

#05-400 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the payment of \$283.00 to PSI for the collection of two pavement core samples for the Schneider Street Widening Project.
Seconded by Mrs. Bossart.
Discussion: Mr. Giavasis asked for an explanation at the last meeting and feels this is accurate.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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UNFINISHED BUSINESS: (continued)

2. School Resource Officer –

#05-401

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Administrator to enter into a contract with the Stark County Sheriff’s Office to provide a School Resource Officer to the Plain Local School for the 2005/2006 school year until June 2006 in an amount not to exceed \$41,739.91;

BE IT FURTHER RESOLVED that the Plain Local School District shall reimburse Plain Township in an amount equal to one-half of the contract amount (not to exceed \$20,869.96). The Plain Local School District shall tender such reimbursement to Plain Township within thirty (30) days of receiving the invoice for the utilization of the School Resource Officer.

Seconded by Mr. Leno.

Discussion: Mr. Giavasis has two issues with this resolution: 1) Canton City pays no portion of the costs, and 2) with the last levy, we said we would pay for a resource officer. Mrs. Bossart feels it is the school’s responsibility to enter into the contract and ask the Township to reimburse them.

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

7:15 P.M. PUBLIC HEARING – ZONING AMENDMENT #538

Mrs. Sponseller read the proposed amendment.

Speaking against the proposal was Dr. Dana Gammill, Pastor of the Cathedral of Life Church and Inn at Belden Village. Dr. Gammill asked the Trustees to postpone any decision until he has a chance to check with his banks to see if the rezoning would have an impact on the collateralization of his loans, which is based on current business use. His church has 30 acres and has owned the land for 25 years. He doesn’t want to jeopardize the value.

The Board continued the public hearing until the next meeting, on August 23 at 8:00 p.m.

CLERK’S REPORT:

1. Pending Warrants –

#05-402

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 \$383,206.58 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 –

#05-403

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.

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CLERK’S REPORT: (continued)

3. Payment of Medical Claims –

#05-404

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>
08/02/05	EFT 50900	\$ 9,623.28
08/09/05	EFT 50959	15,483.50

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

4. The Financial report was accepted by the Board and made a part of the minutes.

5. Transfer of Funds –

#05-406

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>
04-B-02 – Materials	04-A-03 – Workers’ Compensation	\$ 1,017.17
04-B-02 – Materials	04-A-10 - Insurance	20,000.00
04-C-03 - Contracts	04-A-10 - Insurance	20,000.00
10-A-08 – Tools & Equipment	10-A-14 - Insurance	89,000.00
10-A-08 – Tools & Equipment	10-A-15 – Other Expenses	20,000.00
14-a-05C – Supplies – Athletic Paint	14-A-08C - Insurance	1,000.00
14-A-06 – Repairs – Park	14-A-08C - Insurance	2,500.00
14-A-07A – Contracts – Other	14-A-08C - Insurance	2,000.00
14-A-08B – Other Expenses – Cap Imp	14-A-08C - Insurance	2,000.00
14-A-04 – Tools & Equipment	14-A-08C - Insurance	1,000.00

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

6. Amended Certificate –

Motion by
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 form the Stark County Auditor for additional revenue of \$190,000.00 received as follows:

Fiduciary Fund – Medical Insurance \$190,000.00

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:

27-A-09 – Other Expenses – Medical Claims \$190,000.00

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

ADMINISTRATOR:

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

ADMINISTRATOR: (continued)

- 2. Cisco Router Warranties –

#05-407

Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of extended warranty contracts for Cisco routers and switches from Himebaugh Consulting Inc. in the amount of \$1,324.60, to be paid from the following funds: \$398.10 from 10-A-15; \$132.70 from 04-A-13; \$132.70 from 14-A-08; and \$661.10 from 01-A-26E.
 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. Amend Resolution #05-044 (Ohio Fire Chiefs Conference) –

#05-408

Motion by Mr. Leno,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #05-044 to read as follows:
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance for Chief Sabo to the Ohio Fire Chiefs' Conference in Columbus, Ohio from July 16 - 20, 2005 for registration, meals, lodging and travel in an amount not to exceed \$1,400.00.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Demington/Croydon Curb – the Road Department said the curb was put on the edge of the road to control flooding in the area. The Administrator stated he sent a letter to the County to request them to stake the right-of-way.
- 3. Gradall – The Law Director asked the Trustees for approval to prepare a letter to be sent to Gradall asking them to replace the piece of equipment with a new one. There have been over six service calls in the few months the equipment has been in service, and the problem is not solved.
- 4. Bellview Storm Sewer Project – The Road Superintendent announced that Market will be closed on Saturday and reopened on Sunday evening.

ZONING DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Payment & Certification of Nuisance Abatements –
 - a. 2825 – 2827 Gross Ave. NE –

#05-409

Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2825 – 2827 Gross Avenue NE (Parcel number #52-11639) to abate the nuisance on this property (Resolution #05-353) on July 12, 2005; and

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ZONING DEPARTMENT: (continued)

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$ 500.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$195.13;

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 \$695.13 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

b. Vacant Lots 5, 6, 7 on 50th St. NW, 5000 Whipple NW & 2.53 acres on Whipple NW –

#05-410

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at Vacant lots #5, 6, & 7 on 50th Street NW, 5000 Whipple Avenue NW, & 2.53 acres on Whipple Avenue NW (Parcel number #'s 52-02529, 52-02530, 52-02531, 52-15317, & 55-02008) to abate the nuisance on this property (Resolution #05-317) 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 \$ 580.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$119.53;

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 \$699.53 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

c. 2618 31st St. NE –

#05-411

Motion by Mr. Leno,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2618 31st Street NE (Parcel number #52-08220) to abate the nuisance on this property (Resolution #05-321) 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 \$ 2,556.96; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$187.56;

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 \$2,744.52 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis.

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

ZONING DEPARTMENT: (continued)

d. 6956 Glenmere NE –

#05-412

Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6956 Glenmere Avenue NE (Parcel number #52-00852) to abate the nuisance on this property (Resolution #05-351) 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 \$ 470.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$174.47;
 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 \$644.47 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. 7900 Cleveland Ave. NW –

#05-413

Motion by Mrs. Bossart,
 WHEREAS, a public hearing was held on August 9, 2005 by the Board of Trustees regarding the property conditions at 7900 Cleveland Avenue NW, Stark County, Ohio (Parcel # 55-00037) and
 WHEREAS, GLS Leasco Inc, 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. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
 4. 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.

b. Court Cost Payment – removed from agenda. The Law Director will send a letter giving the property owners seven days to comply by getting a permit, and then will take legal action for a violation of zoning. The Zoning Department will check with the Building Department.

c. Lots 163, 164, 165 on Applegrove St. NE -

#05-414

Motion by Mr. Giavasis,
 WHEREAS, a public hearing was held on August 9, 2005 by the Board of Trustees regarding the property conditions at vacant lots #163, 164, & 165 on Applegrove Street NE , Stark County, Ohio (Parcel #'s 52-08531, 52-08532, 52-08533) and

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ZONING DEPARTMENT: (continued)

WHEREAS, Finders LLC, 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. Lot does not maintain a level surface 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 Mrs. Bossart.

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

d. 2015 Markley St. NW -

#05-415

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on August 9, 2005 by the Board of Trustees regarding the property conditions at 2015 Markley Street NW, Stark County, Ohio (Parcel # 52-04753) and
WHEREAS, James Buccigross, 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. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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.

4. Court Cost Payment – the Law Director explained it was the property owner’s actions that caused the court costs and, therefore, his responsibility. The Board authorized the Law Director to reply to the non-compliance issue.

5. Nuisance Towing - the Zoning Director said under O.R.C. 505.85 the Board can enter into a contract with a towing company for nuisance towing and impoundment. The Board asked the Law Director and Zoning Director to look into the correct procedures.

PARKS & RECREATION:

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

PLANNING:

1. The Monthly Report was given. Mrs. Sponseller reminded the Trustees that the next meeting to review the proposed Zoning Resolution recommended by the Review Committee will be held Tuesday, August 16 at 5:00 p.m.

COMMUNICATIONS:

1. Stark County Regional Planning Commission – notice of CDBG application workshop.
2. Tina Blyer - an appreciation letter to Stephanie Metzger on her help with a zoning permit.
3. Dominion East Ohio – regarding work on Schneider Road. Mr. Cozy referred this to Plain Local Schools as it is part of the high school project.

CONCERNS OF CITIZENS:

Gloria Slisik, of 5641 Breezewood, who was at the Trustees’ July 12 meeting, told the Board she had a contractor cap and seal the field tile, and had a private water analysis which showed sewage. Her problem has been corrected so far.

Roxane Eibel, of 5726 Breezewood, a neighbor of Ms. Slisik, told about the water problem she has had for 9 ½ years because of the broken field tile. She said she had an “easement” survey done, which showed the tiles were put in the ground in 1938 through a private easement. Mr. Giavasis and Mr. Iacino have both been to her home and seen the flooding. Mr. Iacino said our system is not deep enough to solve her problem.

Todd Pavlis and John Pavel with the Stark County Health Department reported they have run dye tests at the homes and said this will be a drawn-out process. Mr. Giavasis asked the Road Department to set up a meeting with Gary Connor for Tuesday, August 15 to look at this.

APPROVAL OF MINUTES:

#05-416 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 regular meeting held July 26, 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 26, 2005 as presented.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#05-417 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:45 p.m. from this regular meeting of August 9, 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; a conference with the law director or other retained counsel concerning pending or imminent court action 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.

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RETURN TO REGULAR SESSION:

#05-418 Motion by Mr. Leno to return to regular session at 9:57 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, absent.

Mr. Giavasis had to leave during the executive session. He had a recent surgery and was not feeling well.

ADJOURNMENT:

#05-419 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark
County, Ohio to adjourn at 9:58 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, absent.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Jo Ellen Reikowski
Clerk Pro Tem