

2600 Easton St. NE  
Canton, OH 44721

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November 22, 05

**WORK SESSION**

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, II, Jo Ellen Reikowski, Mark Cozy, Eric Williams, Sam Tuttle, Steve Peroz, John Sabo, Mary Lee Sponseller. (Dennis Allman had to leave because of road conditions).

Mr. Leno convened the work session at 6:20 p.m. Present were Gary Becker of Sky Insurance, Bill Meers, Ray Isla, Sean Moriarty, B.J. Hershberger, Jr. and Teresa Dolan.

Bill Meers said he had the union members meet with Craig Mottice and he would like to meet with the Board for a longer period than the work session. Employees feel this is a large hit and have questions, especially about precertification for medical care by non-AultCare physicians.

Another meeting will be held on Tuesday, November 29 at 6:00 p.m. Greg Becker suggested comparing plans with other entities.

**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, 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:**

#05-572 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 Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**UNFINISHED BUSINESS:**

1. Health Insurance – held to next meeting.
2. Harmont – 505.86 –Eric Williams reported that the property owner is a “ward of the State of Ohio.” He said this is a very touchy situation and asked the Board for permission to set up a meeting with the property owner to have the paperwork signed for “Consent to Search.” Chief Sabo said this is a commercial building which needs asbestos certification, and without the proper papers, no one has a right to be in the building. The Board gave approval for Mr. Williams to proceed.

**UNFINISHED BUSINESS:** (continued)

3. Schneider St. Signal Design Plan –

#05-573

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize ME Companies to provide school zone flasher and signal design plans for Schneider Street at a cost not to exceed \$10,500.00, to be taken from Fund #01-M-03S.

Seconded by Mr. Leno.

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

**NEW BUSINESS:**

1. December Meeting Schedule – the meeting will stay on Dec. 27.

2. Winter Newsletter –

#05-574

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the printing and distributing of Issue 4, Winter 2005 of the Plain Township Newsletter by Pinnacle Press at a cost not to exceed \$5,500.00, to be paid from Fund #01-A-26E.

Seconded by Mr. Giavasis.

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

**7:15 P.M. PUBLIC HEARING – 29<sup>TH</sup> STREET SIDEWALKS**

Mr. Williams explained that this is on the south side of 29<sup>th</sup> Street. Two residents were present – Hanh Keene of 807 29<sup>th</sup>, and Gloria Wright of 809 29<sup>th</sup>. They asked when work would start and wanted to be informed of the costs. They were told Joe Iacino would be in contact with them and it probably would not start until spring.

#05-575

Motion by Mr. Giavasis,  
WHEREAS, a petition to repair the sidewalk and curb in an unincorporated district in Plain Township was filed with the Plain Township Clerk and was presented to the Plain Township Board of Trustees on October 25, 2005 (Resolution No. 05-521); and  
WHEREAS, the petition was signed by owners of more than one-half of the lots and lands abutting on the streets and public ways of the aforesaid district; and/or the petition complied with the law according to Ohio Revised Code §5543.10; and

WHEREAS, notice of a hearing before the Plain Township Board of Trustees on the petition for November 22, 2005 was duly and timely served on all lot owners and corporations affected by the proposed improvement, and was duly and timely published pursuant to Ohio Revised Code §5543.10 and according to law.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the petition for sidewalk and curb repair for 29<sup>th</sup> Street NE on the south side between Market Avenue and Beverly Avenue; and

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Clerk to certify 50% of this cost as a special assessment to the property owners to the Stark County Auditor, and to be assessed over a period of 5 years, and to authorize Dickerson to perform these repairs per agreement.

Seconded by Mr. Leno.

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

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**CLERK’S REPORT:**

1. Pending Warrants –

#05-576 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 \$177,681.74 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 –

#05-577 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 –

#05-578 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to authorize payment for the following medical  
claims as provided by AultCare:

| <u>DATE</u> | <u>WARRANT</u> | <u>AMOUNT</u> |
|-------------|----------------|---------------|
| 11/15/05    | EFT 51386      | \$8,866.11    |
| 11/22/05    | EFT 51455      | 6.936.49      |

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

4. The Investment report was given and accepted by the Board.

5. Ohio Division of Liquor Control – Pileggi’s – hold to next meeting.

6. Purchase of Paper Shredder –

#05-579 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize the purchase of one Model 20606  
Dahle Paper Shredder from F & E Check Protector Company in an  
amount not to exceed \$995.00 to be taken from 01-A-05C for use in  
the Clerk’s Office.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

7. Transfer of Funds –

Motion by  
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> |
|-----------------------------|----------------------------------|---------------|
| 14-A-05 – Supplies          | 14-A-04 – Tools & Equipment      | \$ 1,168.67   |
| 28-A-05 – Tools & Equipment | 28-A-01 – Salaries - CE Overtime | 4,000.00      |

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

**CLERK’S REPORT:** (continued)

8. Accept Tax Rates & Certify Levies –

#05-581 Motion by Mr. Giavasis,  
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (as attached).  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

9. Appropriate Funds –

#05-582 Motion by Mr. Giavasis,  
WHEREAS, the Plain Township Board of Trustees requested an Additional Amended Certificate of Estimated Resources from the Stark County Auditor (Res. #05-554);  
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:

| Code                                      | Amount      |
|---|-------------|
| 01- E-01 – Contracts                      | \$ 1,000.00 |
| 01-M-04 – Other Expenses                  | 867,431.29  |
| 04-A-04 – Tools & Equipment               | 26,694.41   |
| 04-B-02 – Materials                       | 35,000.00   |
| 09-A-07 – Tools & Equipment               | 24,662.27   |
| 10-A-01B – Salaries – Fire Safety         | 11,000.00   |
| 10-A-01D – Salaries – Dispatch            | 6,000.00    |
| 10-A-01E – Salaries – Paramedics          | 6,728.02    |
| 10-A-01F – Salaries – Paramedics Overtime | 30,000.00   |
| 11-B-02 – Materials                       | 2,585.29    |
| 11-B-02C – Materials – Asphalt            | 2,500.00    |
| 13-A-01 – Salaries                        | 4,297.19    |
| 17-A-01 – Payouts – Deposits Returned     | 22,050.00   |

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

**FIRE DEPARTMENT:**

2. Repair of Fire Gear –

#05-583 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize repairs of fire protective clothing by Fire Service Management in the amount of \$2,000.00, to be paid from Fund #10-A-10.  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Widow Dependency Fund –

#05-584 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Pamela Bossart as Chairman and Board Member and Al Leno as Board Member for Plain Township on the Volunteer Firefighters’ Dependents Fund Board.  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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**ROAD DEPARTMENT:**

2. Amend Resolution #05-560 (Purchase of Fuel) –

#05-585

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to amend Res. #05-560 to read as follows:  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize payment to McIntosh Oil Company in an amount not to exceed \$1,397.80 from Fund #3-A-5A for the purchase of motor oil and hydraulics oil.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**7:30 P.M. PUBLIC HEARING – ZONING AMENDMENT #540**

Speaking in favor was Dave Mangon of 6630 Market Ave., owner of Cherry Ridge Development Co.

Speaking against were:  
Joe DiStefano, of 122 Stone Crossing, whose backyard will abut the back of the property. His concerns are drainage and flooding.

Nancy Molnar, of 6530 Beverly, who presented a prepared written speech with her issues of drainage and variances. Her drive is across from the proposed road in the development.

Harold Sowers, of 105 Stone Crossing, owns Lot 2 off Market. He felt that other property owners should have been given notice of the change because of possible flooding on their properties.

Fred Rossetti, of 2048 Mt. Pleasant, said with the new zoning, the Board's intention was to increase lot sizes not to downsize them.

Mrs. Bossart said she would like to look at the covenant and is concerned about the drainage issue.

Mr. Giavasis feels water will end up on Market Avenue and said the drainage issues need to be answered.

Mr. Leno remarked about the good comments from everyone, feeling no one had problems with the type of housing, just the drainage issues.

#05-586

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to continue the hearing to the next meeting on December 13, 2005 at 7:30 p.m.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**SHERIFF'S REPORT:**

Sgt. Curry of the Sheriff's Department arrived. Dennis Baker, of 129 Bellview, spoke of a speeding problem on Bellview, especially between 4:00 and 6:00 p.m. every night. He said they are having lots of traffic problems as people are using it as a cut-through from Market Ave.

**FIRE DEPARTMENT:** (continued)

1. EMS Charge Policy –

Chief Sabo presented information on a new proposal for Plain Township’s Ambulance Charge Policy. He said we have not increased the fees since the policy was put in place in 1999. The proposed schedule would update our fees to the current Medicare rate schedule for our area. As long as he is Chief, our residents will not be billed. Only 33% of people transported are non-residents.

#05-587

Motion by Mr. Giavasis,  
WHEREAS, the Plain Township Board of Trustees passed Resolution No. 99-070 on January 26, 1999, establishing reasonable charges for the use of ambulance or emergency medical services (a copy attached hereto and incorporated herein by reference); and  
WHEREAS, for good cause shown, the Trustees desire to amend said charge policy, previously established by Resolution #01-286;  
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend the previous policy established by Resolution #01-286 to the attached policy;  
BE IT FURTHER RESOLVED that said amendment be effective January 1, 2006.  
Seconded by Mrs. Bossart.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ROAD DEPARTMENT:** (continued)

1. Extended Warranty – Gradall – Mr. Williams explained that Southeastern Equipment agreed to extend the standard warranty on the Gradall another 6 months to Oct. 29, 2006. He suggested the Board wait to talk with Mr. Iacino before deciding on extending the warranty beyond this time.

**ZONING DEPARTMENT:**

1. Nuisance Abatement – 4115 Ashwood St. NW –

#05-588

Motion by Mr. Leno,  
WHEREAS, a public hearing was held on November 22, 2005 by the Board of Trustees regarding the Junk Motor Vehicle at 4115 Ashwood Street NW, Stark County, Ohio (Parcel # 52-03653) and  
WHEREAS, Gerald & Lori Helline 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;  
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.

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**ZONING DEPARTMENT:** (continued)

- 2. Set Public Hearing – Zoning Amendment #541 –

#05-589

Motion by Mrs. Bossart,  
 WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #541 on November 16, 2005; and  
 and  
 WHEREAS, the Plain Township Zoning Commission is recommending DENIAL of the proposed amendment; and  
 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; now  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Zoning Amendment #541 on December 13, 2005 at 8:00 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, December 3, 2005.  
 Seconded by Mr. Giavasis.  
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**PARKS & RECREATION:**

- 1. Purchase of Snow Plow –

#05-590

Motion by Mr. Leno,  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of a snow plow from Terry's Truck and Trailer Center, Inc. for the amount of \$3,200.00, to be taken from Fund #14-A-04.  
 Seconded by Mr. Giavasis.  
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 2. Recreational Programs – Mr. Tuttle presented information on a recreational program for preschoolers to be put on by Carmen Linn. This would be held during week days and limited to 12 children.

**COMMUNICATIONS:**

- 1. Ohio Department of Natural Resources – reported there will be no drilling of wells in the Glenhaven development.
- 2. Ohio Department of Commerce - information regarding liquor license renewals. This has been sent to the Stark County Sheriff.
- 3. Stark County Commissioners – notification of denial of Stone Crossing Street vacation and acceptance of Beverly Ave. NE vacation.
- 4. Plain Township Historical Society - thank you for support of the Historical Society.

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**APPROVAL OF MINUTES:**

- #05-591 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 November 9, 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 November 9, 2005 as presented.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**EXECUTIVE SESSION:**

- #05-592 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 9:24 p.m. from this regular meeting of November 22, 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; the purchase of real, personal, tangible or intangible property; preparing for, conducting or reviewing negotiations or bargaining sessions with public employees.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #05-593 Motion by Mrs. Bossart to return to regular session at 10:10 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**ANNOUNCEMENTS:**

- #05-594 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Carmen Linn as a part-time recreation supervisor at the Diamond Street Recreation Center at a rate of \$7.00 per hour with no benefits, effective January 2, 2006.  
Seconded by Mr. Leno.  
Discussion: Carmen will be in charge of the youth programs.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #05-595 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Michael Lasick as a part-time recreation supervisor at the Diamond Street Recreation Center at a rate of \$6.50 per hour with no benefits, effective December 3, 2005.  
Seconded by Mrs. Bossart.  
Discussion: Michael will be replacing an individual on medical leave.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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**ADJOURNMENT:**

#05-596      Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 10:12 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

\_\_\_\_\_  
Pamela S. Bossart  
Trustee

\_\_\_\_\_  
Louis P. Giavasis  
Trustee

\_\_\_\_\_  
Albert P. Leno, II  
Trustee

ATTEST: \_\_\_\_\_  
Jo Ellen Reikowski  
Clerk Pro Tem