

2600 Easton St. NE  
Canton, OH 44721

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February 28, 06

**OPENING:** The regular meeting was called to order at 7:00 p.m. by President Bossart, who led the staff and audience in the pledge of allegiance.

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, 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:** Approved as prepared.

**SHERIFF'S REPORT:**

- 1. Boettler Oil Wells & Sewer Plant – a complaint about kids playing near the oil wells on Boettler and at the sewer plant. Mr. Tuttle added that he had talked to the person that filed the complaint and these kids are actually climbing over the fence and curious as to how these things work. The Sheriff will look into this.

**UNFINISHED BUSINESS:**

- 1. Graber Storm Sewer – Mr. Iacino reported that the cost estimate had dropped by \$60,000. He has a meeting next week with the County Administrator. Mr. Williams will be working on some easement language. He will get back to the Board.

**NEW BUSINESS:**

- 1. John Pavel, from the Health Department, was present to introduce himself to the Board. He is the water sanitarian for the Stark County Health Department for residential and commercial. He also brought with him and introduced Jim Shaheen, who is the food inspector for Plain Township, covering restaurants and grocery stores. Mr. Shaheen stated that they will be doing random checks in the evening now, in addition to their daily schedules.

- 2. Spring Newsletter –

#06-105 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the printing and distributing of Issue 1, Spring 2006 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 Mrs. Bossart.

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

**FISCAL OFFICER'S REPORT:**

- 1. Pending Warrants –

#06-106 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 \$235,854.30 as attached hereto and made a part of these minutes.

Seconded by Mr. Leno.

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

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**FISCAL OFFICER’S REPORT:** (continued)

2. Regular Payroll –

#06-107 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 \$150,000.00.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Payment of Medical Claims –

#06-108 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to authorize payment for the following medical  
claims as provided by AultCare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
02/21/06	EFT 60239	\$11,818.54
02/28/06	EFT 60242	4,497.22

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

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

5. Refund for Overpayment of Soccer Fees –

#06-109 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to refund overpaid soccer fees in the amount of  
\$180.00 to Curt Tinlin, 12586 Islandview, Uniontown, OH 44685.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

6. Transfer of Funds –

#06-110 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-M-04 – Other Expenses	01-M-03G – Contracts – Breezewood Storm Sewer	\$24,600.00

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

**ADMINISTRATOR:**

1. Breezewood Storm Sewer –

#01-111 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to authorize Nickel Excavating, Inc. to install the  
Breezewood Storm Sewer Project for an amount not to exceed  
\$24,563.00, to be paid from Fund #01-M-03G.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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**ADMINISTRATOR:** (continued)

2. Release Retainage – 29<sup>th</sup> St. Storm Sewer –

#01-112

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize the release of retainage being held for Superior Paving and Materials, Inc. in the amount of \$1,147.72 for the completion of the 29th Street Storm Sewer Project.

Seconded by Mr. Giavasis.

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

**FIRE DEPARTMENT:**

1. Demolition of Harmont Property –

#01-113

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Cottrill Wrecking Company to demolish the property pursuant to the Board of Trustees' previous action on ORC 505.86, starting with Resolution #03-620, dated November 10, 2003, at Harmont Ave. NE between 4407 and 4425 (Parcel #52-00888) in an amount not to exceed \$4,500.00, to be taken from Fund #01-A-26.

Seconded by Mrs. Bossart.

Discussion: The Board was very pleased that this had finally reached the point where it is going to be torn down. Chief Sabo credited Mr. Williams with his hard work. Mr. Williams credited Toby Slabaugh and Tom McCallin in the Fire Department for following this individual all around the State until we could get all the approval, t's crossed and i's dotted, to get this property demolished.

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

**ROAD DEPARTMENT:**

1. Advertise for Bids – Road Materials –

#01-114

Motion by Mrs. Bossart,  
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Fiscal Officer to place an Advertisement for Bids for Road Materials in a newspaper published in Stark County and of general circulation in the Township on March 17th and March 24th, 2006 in the Repository, with bids to be received by 12:30 PM, on April 12, 2006.

Seconded by Mr. Giavasis.

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

2. Advertise for Bids – Culvert Pipe –

#06-115

Motion by Mr. Leno,  
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Fiscal Officer to place an Advertisement for Bids for Culvert Pipe – Catch Basins – Grates – Frames in a newspaper published in Stark County and of general circulation in the Township on March 17th and March 24th, 2006 in the Repository, with bids to be received by 2:00 PM, on April 12, 2006.

Seconded by Mrs. Bossart.

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

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**ROAD DEPARTMENT:** (continued)

3. Uniform Renewal Contract – Cintas –

#06-116 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Joe Iacino, Road Superintendent, to enter into an annual renewal contract with Cintas Corporation to provide the Road Dept, Buildings & Grounds Dept, and Parks Dept. with uniforms and shop towels, with a maximum of five percent increase per year with a weekly cost of \$126.25 for 21 employees.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

4. Purchase of Fuel –

#06-117 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: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**ZONING DEPARTMENT:**

1. Set Public Hearing – Zoning Amendment 542 –

#06-118 Motion by Mrs. Bossart,  
WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #542 on February 15, 2006; and WHEREAS, the Plain Township Zoning Commission is recommending APPROVAL 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 its 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 #542 on March 14, 2006 at 7:15 PM at the Plain Township Hall and to further instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of the public hearing in the Repository on Saturday, March 4, 2006.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

2. Set Public Hearing – Zoning Amendment 543 –

#06-119 Motion by Mr. Leno,  
WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #543 on February 15, 2006; and WHEREAS, the Plain Township Zoning Commission is recommending APPROVAL WITH MODIFICATIONS 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 its 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 #543 on March 14, 2006 at 7:20 pm at the Plain Township Hall and to

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**ZONING DEPARTMENT:** (continued)

further instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of the public hearing in the Repository on Saturday, March 4, 2006.

Seconded by Mrs. Bossart.

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

3. Resignation of Zoning Board of Appeals Member –

#06-120

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Plain Township Zoning Board of Appeals member Virginia Ferencz effective immediately.

Seconded by Mr. Leno.

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

4. Advertise for Zoning Board of Appeals Member –

#01-121

Motion by Mr. Giavasis,

WHEREAS, there is an appointed position on the Plain Township Board of Zoning Appeals to finish the unexpired term with the term expiring December 31, 2006; and

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Plain Township Fiscal Officer to publish the following notice in The Repository on Sunday, March 5, 2006.

PUBLIC NOTICE: The Plain Township Trustees are accepting letters of interest for a position on the Board of Zoning Appeals to finish the unexpired term with the term expiring on December 31, 2006. Applicants must be residents of Plain Township and must be able to devote up to 3 evenings per month for public hearings. Zoning knowledge is preferred. Submit letters of intent with a brief resume to the Plain Township Zoning Director, 2600 Easton Street NE, Canton, Ohio 44721 by Monday, March 20, 2006. Office hours are 8:00 AM to 4:00 PM, Monday through Friday. EOE. No phone calls please.

Seconded by Mrs. Bossart.

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

**PARKS & RECREATION:**

1. Park Fees – Mr. Tuttle went over various changes that he would like to make to the current fees being charged at the Community Park. One item that he would like to change would have the teams pay the referees, and also raise the practice fee to \$20.00. He said that Community Soccer pays \$17.50 now and he will talk to the Board members before making any changes. He also has asked baseball to help out with maintenance on the fields at \$10.00 per game and he was going to be asking football to do the same thing. He mentioned that the costs are escalating and that we just need to have these minimum charges to maintain everything in a satisfactory condition. He will put together a schedule of fees in a resolution form and get it back to the Board. Mr. Leno stated that he had traveled around the community with his son playing sports, and that we as a Township should be very proud of the condition our fields are in compared to neighboring fields and across the county.

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**COMMUNICATIONS:**

1. North Canton Water Department - regarding a 12-inch water line they will putting in our right-of-way on Mt. Pleasant Rd. Mr. Iacino will be meeting with them because we and Lake Township have questions.
2. Stark County Health Department – regarding the Phase II Stormwater Project. Our cost will be \$18,283.00. There is absolutely nothing that can be done about this, because it is an EPA mandate under the Clean Water Act.
3. Time Warner Cable – with our franchise fee, in the amount of \$134,013.15.
4. Stark County Health Department – regarding a change of the District Advisory Council Meeting on March 2.
5. City of Canton- regarding the annexation of the DioGuardi area, on Market Ave. N.

**APPROVAL OF MINUTES:**

#06-122 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 February 14, 2006 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 February 14, 2006 as presented.  
Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**EXECUTIVE SESSION:**

#06-123 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:42 p.m. from this regular meeting of February 28, 2006 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; 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 Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-124 Motion by Mrs. Bossart to return to regular session at 11:00 p.m.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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**ADJOURNMENT:**

#06-125      Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 11:01 p.m.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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Pamela S. Bossart  
Trustee

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Louis P. Giavasis  
Trustee

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Albert P. Leno, II  
Trustee

ATTEST: \_\_\_\_\_  
Claude W. Shriver, II  
Fiscal Officer