

REGULAR MEETING

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

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Eric Williams, Dennis Allman, Steve Peroz, John Sabo, Todd A. Alexander.

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

AGENDA: The agenda was presented. Added was: Fire Department #2, Property Located at 2405 40th Street NE.

SHERIFF'S REPORT:

1. 3007 31st St. NE – It was brought to the attention of the Board, as **well as the Sherriff's Department**, that there are kids going in and out of the property of 3007 31st Street NE at all hours of the day, bringing concern to the residents of this neighborhood.
2. 2227 48th Street – Barking Dogs – Mr. Harry Craig of 2226 49th Street presented a complaint of barking dogs at the residence of 2227 48th Street. Mr. Craig stated that he has filed complaints before, resulting in the owners of the dog receiving warnings but never citations. He strongly felt the reason for this is that both of the owners work for Plain Township. Mr. Craig was informed that there is no favoritism in this case and he should **call the Sheriff's Department** in the future so that they will take the proper action.
3. 2309, 2317, and 2333 Brookdale – Cats – It was stated that there are no resolutions specifically regarding the control of cats in the township.

John Edwards of 3919 Daventry was present to thank the **Sherriff's Department for putting the traffic trailer out on the street** regarding the cut-through traffic problem. Mr. Edwards also wanted to know the status of his request to replace the signs and what the citation process may consist of. He was told that if anyone other than local traffic cuts through the area, they will be followed through and cited for avoiding a traffic control device.

NEW BUSINESS:

1. False Alarms -

#07-342

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees has authorized charges 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 (Resolution #06-568) **in the following amounts: for the fourth false alarm... \$50.00; for the fifth false alarm...\$100.00; for all false alarms in any calendar year occurring after the fifth false alarm....\$150.00; 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:

NEW BUSINESS: (continued)

NAME	ADDRESS	#	AMOUNT
Aaron's Sales & Lease	5156 Whipple Ave	4	\$50.00
Diebold Computer Science	2100 38 th St. NW	4	\$50.00
Fisher Foods	4403 Cleveland Ave. NW	4	\$50.00
Time Warner Cable	5520 Whipple Ave. NW	5, 6	\$250.00
Chester Neweirski	3516 31 st Street	4	\$50.00

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Fiscal Officer 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 Fiscal Officer 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 lien upon the real estate in the above-stated amount.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Fiscal Officer shall cause the above-stated amounts 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. Giavasis

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

FISCAL OFFICER'S REPORT:

1. Pending Warrants –

#07-343

Motion by Mr. Leno

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 \$167,285.94 as attached hereto and made a part of these minutes.

Seconded by Mr. Giavasis

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

2. Regular Payroll –

#07-344

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 \$150,000.00.

Seconded by Mr. Leno

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

3. Payment of Medical Claims –

#07-345

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:

FISCAL OFFICER’S REPORT: (continued)

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
6/14/07	11041	\$22,682.40
6/19/07	11042	\$11,287.14
6/26/07	11123	\$11,257.23

Seconded by Mr. Giavasis

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

4. The Investment report was given, and it was announced that there will be an investment in July, and that it will be decided exactly how much money to invest and the duration of that investment.

5. Transfer of Funds -

#07-346

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following transfer of funds:

- From: 2031-4330-221-0000 – Medical/Hospitalization
- To: 2031-4330-213-0000 – Medicare \$ 3,500.00
- From: 2031-4330-221-0000 – Medical/ Hospitalization
- To: 2031-4330-230-0000 – **Worker’s Comp** 3,340.00
- From: 2111-4220-212-0000 – Social Security
- To: 2181-4220-213-0000 – Medicare 1,000.00
- From: 2901-4610-360-0000 – Contracts -
- To: 2901-4610-599-0000 – Other Expenses-Referees 3,500.00

Seconded by Mr. Leno

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

FIRE DEPARTMENT:

1. Bluetooth Upgrade on Monitor/Defibrillators -

#07-347

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Medtronic to upgrade seven (7) Lifepac 12 monitor/defibrillators with the UPG12 Blue – Lifenet Blue upgrade (Blue Tooth capability) options to be field retrofitted in the amount of \$3,770.69 from account #2281-4230-740-0000.

Seconded by Mr. Giavasis

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

2. The property of 2405 40th Street NE has received the 505-86 approval. Due to some delays beyond our control, Chief Sabo has recommended that we move forward to secure the property since the resolution has been approved.

ROAD DEPARTMENT:

1. **“Through Traffic Prohibited” Signs** – Daventry & Pittsburgh and Hearthstone & Orion -

#07-348

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the posting of "Through Traffic Prohibited" signs on the following streets:

DAVENTRY @ PITTSBURGH
HEARTHSTONE & ORION

Seconded by Mr. Giavasis

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

2. Purchase of Gasoline, Oil and Diesel Fuel -

#07-349

Motion by Mr. Leno
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 \$15,000.00 from Fund 2021-4330-420-3070.

Seconded by Mr. Giavasis

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

3. No Parking on Alpine at Park Entrance – Due to the fact that the parking issue only becomes a problem a couple of times throughout the year, it has been declared that Plain Township will not be placing signs at the Alpine Park entrance. Mr. Giavasis pointed out that if we were to do so, this would only cause parking problems in other areas of Alpine Street.

ZONING DEPARTMENT:

1. Associated Graphix – There was a notice of subdivision review for Associated Graphix.

2. Plain Local Schools -

#07-350

Motion by
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the payment of any and all zoning fees necessary for the application for a Conditional Use Permit to be heard by the Board of Zoning Appeals at a special hearing on July 18, 2007 for the property at 1723 Schneider Street NW.

Zoning Appeals/Conditional Use Application Fee - \$200.00

Certified Mailing/Notification Fee - \$366.75

Total Fee - \$566.75

Additional Fees Incurred:

Repository Legal Ad Fee - \$105.75

Zoning Board Member Fee – \$350.00

Subtotal Fee - \$455.75

BE IT FURTHER RESOLVED that any additional zoning fees needing to be waived will be brought before the Board of Trustees at a future meeting depending upon the decision of the Board of Zoning Appeals regarding the Conditional Use Application.

Seconded by Mr. Giavasis

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

ZONING DEPARTMENT: (continued)

3. Certification & Payment of Nuisance Abatements -

#07-351 -
#07-364

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the attached Certification & Payment of Nuisance Abatement Resolutions.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

4. Nuisance Abatement - Vacant Lot #64 & 65 on Dorothy Ave. NE

#07-365

Motion by Mr. Leno
WHEREAS, a public hearing was held on June 26, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot # 64 and #65 on Dorothy Avenue NE, Stark County, Ohio (Parcel # 52-17219) ; and
WHEREAS, Dan Shundry 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
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: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

LAW DIRECTOR:

1. Police Levy – Renewal -

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF RENEWING A TAX LEVY FOR THE PURPOSE OF THE PAYMENT OF THE COSTS INCURRED BY THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO, AS A RESULT OF CONTRACTS MADE WITH OTHER POLITICAL SUBDIVISIONS IN ORDER TO OBTAIN POLICE PROTECTION FOR THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO.

LAW DIRECTOR: (continued)

#07-366

Motion by Mrs. Bossart

WHEREAS, upon due investigation and consideration, the Board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the Plain Township Police District, Plain Township, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount for the necessary requirements for said Plain Township Police District for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result of contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio, and that the question of renewing such tax should be submitted to the electors in said Plain Township Police District; in accordance with Sections 5705.19 and 5705.192 of the Revised Code; and

WHEREAS, pursuant to Sections 5705.191 and 5705.192 of the Revised Code, the Board has determined that there should be submitted to the electors of the District at the general election to be held on November 6, 2007, the question of renewing a tax of two and one-quarter (2.25) mills outside the ten (10) mill limitation, which amounts to twenty-two and one half cents (22.5¢) for each one hundred dollars (100) of valuation, for a period of five (5) years, tax years 2007, 2008, 2009, 2010 and 2011 for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result of contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio. NOW, THEREFORE BE IT RESOLVED, by the Plain Township Board of Trustees that a copy of this Resolution shall be immediately certified to the County Auditor of the County of Stark, and this Board hereby requests that the County Auditor certify (a) the total current tax valuation of the Police District and (b) the dollar amount of revenue that would be generated by the rate of 2.25 mills for each \$1.00 of tax valuation.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

This resolution shall be in full force and effect from and immediately upon its adoption.

Seconded by Mr. Giavasis

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

2. Habitat for Humanity – The organization was looking for information on properties in Plain Township (that have been in debt in property taxes) for possible development by Habitat for Humanity at a later date.

LAW DIRECTOR: (continued)

3. Community Reinvestment Area – **Walker’s Mountain** -

#07-367

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a letter to be sent to the Stark County Commissioners requesting that a community reinvestment area be created in portions of Sections 19 and 30 of Plain Township. The general boundaries of the proposed Everhard/Broodmoor/38th Street CRA are described as follows:

North: Everhard Road;

South: 38th Street, with the exclusion of Parcels #03-06281 and #03-05779, currently in the City of Canton;

East: the west r/w of the Metro Regional Transit Authority railroad tracks, which is also the Canton City corporation line; and

West: the west r/w line of I.R. 77 south to the section line between Sec. 19 and 30 of Plain Township; then continuing west along the section **line to a point approximately 536’ west of the ¼ section line; then** south to 38th Street.

Seconded by Mr. Giavasis

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

4. Cost of Copies -

#07-368

Motion by Mr. Giavasis

WHEREAS, on January 19, 1993 (Resolution #93-43), the Plain Township Board of Trustees, Stark County, Ohio established a policy of charging 25 cents per page for copies of public records; and

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio stated that these charges would be reviewed periodically to ensure compliance with applicable laws; and

WHEREAS, on June 15, 1998 (Resolution #98-330), the policy was amended to authorize the waiver of the fee for the first nine pages of copies;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amend the policy to provide for the first nine copies of public records to be provided at no charge, and for each page over nine pages to be provided at a cost of ten cents per copy.

Seconded by Mr. Leno

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

CENTRAL MAINTENANCE:

1. Purchase of HVAC Reclaim & Recycler – Building Maintenance

#07-369

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of HVAC Reclaim & Recycler for Building Maintenance from Famous Supply in the amount of \$2,790.16, to be paid as follows:

\$697.54 from 2111-4760-740-0000

\$697.54 from 2031-4330-740-0000

\$697.54 from 2901-4610-740-0000

\$697.54 from 1000-4120-740-0000

Seconded by Mr. Leno

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

CENTRAL MAINTENANCE: (continued)

2. Purchase of Tools -

#07-370

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of tools from Sears in the amount of \$1, 039.87, to be paid as follows: \$259.97 from 2901-4610-430-0000.

\$259.97 from 2031-4330-430-0000

\$259.97 from 2111-4220-430-0000

\$259.96 from 1000-4120-430-0000

Seconded by Mrs. Bossart

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

COMMUNICATIONS:

1. City of Canton – We have received a letter from the City of Canton regarding the Meadowlake project. The City of Canton has stated that they have no financial responsibility to pay for or assist in the payment of a new storm drainage system on the property.
2. Stark County Metropolitan Sewer District – A letter from the Stark County Metropolitan Sewer District announced that the Lawr-Chester development has finally acquired enough signatures to receive assessments for a sanitary sewer project.

CONCERNS OF CITIZENS:

Mr. Tom Pieper, of 2810 River Run Circle, President of the Plain Township Historical Society, was present to thank the Board and staff for their continued support.

CONCERNS OF TRUSTEES:

Mr. Giavasis brought up for discussion that before we place the Sherriff Levy back on the ballot, we need to meet with Sherriff Swanson to see how much money will be used and the duration of the collecting of the money for the existing levy. It was pointed out that if the levy expires in December—though we would still collect the 2007 money in 2008—we would not be collecting any money or receiving any money in 2009 due to the expiration of the levy. Chief Sabo suggested that the procedure is followed through sequentially as it was previously done before.

APPROVAL OF MINUTES:

#07-371

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 June 12, 2007 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 June 12, 2007 as presented.

Seconded by Mr. Leno

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

PLAIN TOWNSHIP BOARD OF TRUSTEES

2600 Easton St. NE
Canton, OH 44721

Regular

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ADJOURNMENT:

#07-372 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 8:12 p.m.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer