

EXECUTIVE SESSION:

#07-373 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:22 p.m. from this regular meeting of July 10, 2007 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:

1. (a) employment of a public employee or official
- (b) dismissal of a public employee or official
- (c) discipline of a public employee or official
- (d) compensation of a public employee or official

2. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-374 Motion by Mr. Giavasis to return to regular session at 6:59 p.m.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

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, Lisa Sabina-Campbell, Joe Iacino, Steve Peroz, John Sabo, Todd A. Alexander, Chuck Kegley.
Media present: Cal Peters, WHBC; Natalie Lariccia, the Repository;
Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: The agenda was presented.
Removed—**Sheriff's Report # 2** - Speeding on Dawson Drive
Added—Communications # 8 - Fisher House Fundraiser

SHERIFF'S REPORT:

1. Damage to Toilet at Alpine Park—Damages to the bathroom at Alpine Park was discussed. A **Sheriff's report has been filed and the Parks Director** has stated that the repairs will be made.
2. Speeding on Dawson Drive (Removed From Agenda)
3. Winterberry Green Allotment—Speeding and Through Traffic was discussed. Mr. John Edwards was once again present to bring to **the Board's attention that he has seen very little presence of the Sheriff** in this area. Sergeant Curry was present to explain to him that he did not have the authority to assign a deputy to that area for an extended period of time. The Law Director will look into the possibility of closing the entrance to that allotment temporarily.

Carol Mayhew of 7850 Hearthstone NW was also present to voice her concerns about the increased traffic on Orion Street—not only during the construction but following the completion of this project.

They have decided to check with the Stark County Board of Commissioners to see if the entrance to that neighborhood could be permanently blocked. The Board of Trustees has agreed to help them in any way possible.

SHERIFF'S REPORT CONTINUED

4. 4520 Packard NW—Shooting, Fireworks complaints have subsided; however she is still concerned about some vandalism, including a brick being thrown through her windshield.

Ms. Jenny Moecia, of 2719 Clearview NW, was present to voice her **complaint of neighbors' barking dogs. It was explained to her that the deputy needed to arrive and hear the dogs barking and that they would then issue a warning and follow through with a citation under Home Rule Regulations if another complaint was addressed.**

Mr. Tom Crowther of 7070 Pinetree Avenue NE, was here to once again discuss the semi-trailer parked on the street. He was informed by our Law Director that there would be a resolution at the next meeting for Board approval to act on this. He also wanted to know if he had the right-of-way to his own driveway, as there are bicyclists that go through the woods adjoining his property and sometimes they come into his driveway. Mr. Crowther was told that he did, in fact, have the right-of-way to his own driveway.

Mr. Frank Cutlip, of 3714 Duplain, was present to voice his opinion about use of Orion Street. He felt that since he is a taxpayer who obeys the speed limit and uses the street frequently he should be permitted access to the street. The Board acknowledged his good point, but stated that it is their job to assure the safety of the neighborhood. With the influx of traffic due to construction, the Board felt that this would not be a good idea. Mr. Cutlip stated that he still feels that this is not right. Although the Board agreed with him, they decided that it is their duty to see to the safety of the neighborhood.

Mr. Mike Hubble also stated his concern about the issue on Orion Street. He pointed out that traffic will be shifted from Shuffel Street to Orion Street following the construction. To decide the safest course of action, a meeting with the Stark County Engineer, Ohio Department of Transportation, Jackson Township, and the City of North Canton will be arranged by Mr. Iacino.

UNFINISHED BUSINESS:

1. Community Reinvestment Area – approved by the Stark County Commissioners.
2. Mr. Richard Lemmon, of 1201 S. Main Street, was present to state that his firm is willing to bond all lots that have no homes for Saratoga Hills, or any lots that they are in charge of in Plain Township. Mr. Iacino said that he had no problem with this, as long as bonds are made. It was stated that a time limit will be necessary, and Mr. Williams will be working on a resolution with a time limit of three years and a cost factor that will protect us from inflation in the future. Mr. Williams will present the Board with more information at a future meeting.

Mr. Iacino brought to his attention that Stark Parks will be installing a sidewalk in the Lexington Farms area. This sidewalk will be six feet in **width, as opposed to the standard four feet. The Homeowner's Association will be maintaining this.** The Board mentioned no problems with this arrangement.

NEW BUSINESS:

1. Renewal of Property Records CD

#07-375 Motion by Mr. Leno
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a one-year renewal of the Haines Real Estate Directory CD from Haines & Company, Inc. for the amount of \$1,093.00, to be paid from Fund #1000-4110-599-0000.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

FISCAL OFFICER’S REPORT:

1. Pending Warrants –

#07-376 Motion by Mr. Giavasis
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 \$224,561.29 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes Mr. Giavasis, yes.

2. Regular Payroll –

#07-377 Motion by Mrs. Bossart
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. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#07-378 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>
7/03/07	11134	\$14,779.43
7/10/07	11154	6,141.85

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

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

5. EMS Refund

#07-379 Motion by Mr. Giavasis
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.:

<u>PAYABLE TO:</u>	<u>AMOUNT</u>
Lisa M. Saunier	\$15.00

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

FISCAL OFFICER’S REPORT CONTINUED

#07-380 6. 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>
1000-4120-420-3080 Maintenance Supplies	1000-4120-599-0000 Other Expenses	\$3,000.00
2021-4330-420-0000 Materials	2021-4330-420-3070 Supplies-Fuel & Oil	12,000.00
2031-4330-420-4020 Materials	2031-4330-599-0000 Other Expenses	15,000.00
2031-4330-420-4020 Materials	2031-4330-420-0000 Misc. Supplies	5,000.00
2901-4610-381-0000 Insurance	2901-4610-740-0000 Machinery & Equipment	4,000.00

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

ADMINISTRATOR:

1. The Stormwater Report was given by Sean Moriarty. It was indicated to those present that as of January 2008, the EPA will be inspecting public buildings and facilities to assure that they are meeting qualifications. This must also be done with the cleaning of vehicles in the public and private sector, due to the concern of polluting the ground water. Only twenty-two percent of those surveyed actually realize that stormwater is a common type of pollution. The Road Department will have one location in the North Bay, where vehicles may be cleaned using biodegradable detergents. Larger trucks will be cleaned in grassy or gravelly areas so that the sediment may go into the storm system. Skimmers and separators will be purchased for the Bay, as well as silt sacks and oil skimmers in the basins to protect against spills in the storm water system. A study of the fire stations was also conducted. Fire stations #1, #3, and #5 have been approved with no problems. Fire station #2 is reported as problematic. Due to drainage to the storm sewers, no vehicles may be cleaned there. The Parks Department has been approved. Because they have forty acres of land, they only need to be sure that they are using biodegradable detergents. However, by cleaning vehicles on grassy surfaces, the natural sediments in the earth take care of filtering out the pollutants.
2. Estimated Property Tax Revenues were submitted to the Board.
3. Police Levy Discussions
 - a) July 24, 2007 at 7:00 p.m. Sheriff Swanson
 - b) August 14, 2007 7:00 p.m. Chief Deputy Perez
4. Sidewalks on Everhard Road were requested by letter from a resident of the area due to the fact that some residents of this area use wheelchairs.

ADMINISTRATOR CONTINUED

- 5. An announcement was made that a meeting will be held on July 11, 2007 with Plain Local Schools, Plain Township Fire Department, Plane Township Zoning Department, and the Stark County Health Department to discuss the stadium project.

FIRE DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Diversified Inspections

#07-381

Motion by Mrs. Bossart
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Diversified Inspections/ITL to test the aerial ladder and up to 1000 feet of ground ladders on all trucks in an amount not to exceed \$2,000.00, to be paid from Fund #2111-4220-323-5040.
 Seconded by Mr. Giavasis
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. **Temporary 'No Parking' Signs—Hall of Fame**

#07-382

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: 17TH St between Broad and Lakeside; 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 PI 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 3, 2007 and removed August 6, 2007.
 Seconded by Mrs. Bossart
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 3. A letter from Gregory Larrick apologizing for the destruction of Plain Township signs was presented.
- 4. Advertise for Bids—Micro-surfacing

#07-383

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 the 2007 Micro-Surfacing & Sami Micro-Surfacing Project in a newspaper published in Stark County and of general circulation in the Township on July 13th and July 20th, 2007 in the Repository, with bids to be received by 1:00 PM, on July 23, 2007.
 Seconded by Mrs. Bossart
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT CONTINUED

5. A stop sign was requested on a private road. Mr. Williams pointed out that we do not have the authority to enforce a stop sign on a private drive.

6. Purchase of Trailer

#07-384

Motion by Mr. Leno

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a Cronhite trailer from Southeastern Equipment Co., Inc., for the amount of \$7,540.00, to be paid from Fund #2141-4330-740-0000.

Seconded by Mrs. Bossart

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

ZONING DEPARTMENT:

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

2. Certification & Payment of Nuisance Abatements

#07-385 –
07-392

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. Leno.

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

#07-393 –
07-403

3. Nuisance Abatements

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the attached Nuisance Abatement Resolutions.

Seconded by Mr. Giavasis.

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

PARKS & RECREATION:

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

2. Purchase of Fertilizer

#07-404

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of eighty bags of fertilizer from Lesco for the amount of \$1,093.60, to be paid from Fund #2901-4610-420-3210.

Seconded by Mrs. Bossart

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

3. Purchase of Zero Turn Mower

#07-405

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a zero turn mower from Baker Vehicle Systems for the amount of \$8,719.20 from fund #2901-4610-740-0000.

Seconded by Mrs. Bossart

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

CENTRAL MAINTENANCE:

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

COMMUNICATIONS:

1. Earth N Wood Compost Facility Tour, July 11, 2007, 1:00 p.m.—2:30 p.m.
2. Stark County Regional Planning - regarding Program Year 2008 Infrastructure Application.
3. Stark County Regional Planning - the **Citizens' Advisory Council** Meetings Agenda.
4. Ohio Department of Health - regarding the public smoking ban and how to obtain specific information regarding the ban.
5. NEFCO - regarding Nimishillen Creek Meeting on July 18, 2007.
6. **Akron Children's Hospital**—an acknowledgement letter and a reimbursement to Plain Township Fire Department for ten hours instructional time performed by Troy Slabaugh at a rate of \$40.00 per hour.
7. **Ohio Bureau of Workers' Compensation**—A program to be held on September 11, 2007 with valuable information for those interested in **learning about Worker's Compensation. Mrs. Campbell and Ms. Reikowski** will be attending, along with any department heads that show any interest.
8. Fisher House Fund Raiser—Placed on the agenda by Mr. Leno. The Fisher House Fund Raiser will be held on July 14, 2007 at the Tip Top Mart in Plain Township. This fundraiser is for families of American soldiers that have been sent home. The plan is to raise one million dollars.

CONCERNS OF CITIZENS:

Robert Stewart, of 2408 49th Street NE, questioned if there would be any shortfall with the tax levy estimate due to the homestead exemptions. Mr. Giavasis explained to him that the Board is unsure at this time, but it is certainly being taken into consideration.

Rick Davidson, of 5641 Gross Avenue, asked if Plain Township would be doing anything with the weeds on Schneider Avenue. There is approximately 150 feet of frontage. Since his property is over three acres, it will be exempt from our zoning regulations; however, the Board felt that we could mow along the area to make it look presentable.

APPROVAL OF MINUTES:

#07-406 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 26, 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 26, 2007 as presented.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#07-407 Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:53 p.m. from this regular meeting of July 10, 2007 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
1. Compensation of a public employee or official
2. The purchase of real, personal, tangible or intangible property
3. A conference with the law director or other retained counsel concerning pending or imminent court action
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-408 Motion by Mr. Leno to return to regular session at 11:09 p.m.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#07-409 Motion by Mr. Leno
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 11:10 p.m.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

Pamela S. Bossart
II
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno,
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer