

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, 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; Tony McCune, Observer Reporter.

AGENDA: The following items were added to the agenda:
Zoning # 2G: Lot # 43 on Eaglewatch
Concerns of Trustees # 1: 4150 Harrison Avenue
Mr. Shriver added to the Pending Warrants a Navarre Trailer purchase

SHERIFF'S REPORT:

1. Speeding – 1600 Block of Spangler – 4:00 p.m. to 5:00 p.m. – It was **suggested that the Sheriff’s Department place the speed trailer there to** reduce the quantity of speeding in that area.

2. There is a concern of suspicious vehicles on Orchard Park.

3. Panhandling on Belden and Whipple – An email from a resident was forwarded to us from Jackson Township about an individual that is panhandling in this area. The resident was concerned that this unsightly event may take away from the property value of the area.

Mr. Leno also wanted to discuss a problem with children on 39th Street between Harrison Avenue and Cleveland Avenue. A resident stated that when a car pulls up to the children, they simply stand there and do not move out of the way. Mr. Leno suggested that the detective should speak with the children.

Mr. Giavasis wanted to bring to the **attention of the Sheriff’s** Department that vehicles are frequently running a stop sign on Beverly Avenue.

Joan Cline of 7055 Pine Tree Avenue was present to discuss the new Home Rule Resolution #07-431 in regards to commercial trucks in residential neighborhoods. Mrs. Cline wanted to inform the Board that her husband is a cross-country truck driver who can only be home for about four days per month. Mr. Cline brings the vehicle home only to wash it and to clean and detail the inside, which is similar to a small apartment. Mrs. Cline pointed out that it is very expensive to take the vehicle to be washed by a company, and the new rule has caused a great deal of hardship for the couple. After lengthy discussion with the Trustees, Mr. Williams said that he will meet with Mrs. Campbell to see if they can find a fair solution to this problem. Mrs. Cline thanked the Board for their patience and looks forward to a solution.

NEW BUSINESS:

1. Application for OPWC Funds – Lindford Avenue NE

#07-540

Motion by Mr. Giavasis

A RESOLUTION AUTHORIZING LISA SABINA-CAMPBELL, ADMINISTRATOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTIVE CONTRACTS AS REQUIRED.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Plain Township Trustees are planning to make capital improvements to Linford Avenue NE Storm Sewer Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW, THEREFORE, BE IT RESOLVED by the Plain Township Trustees:

Section 1: The Administrator, Lisa Sabina-Campbell, is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The President of Board, Louis Giavasis, is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Seconded by Mr. Leno

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

2. Application for OPWC Funds – Steiner Heights NW

#07-541

Motion by Mrs. Bossart

A RESOLUTION AUTHORIZING LISA SABINA-CAMPBELL, ADMINISTRATOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTIVE CONTRACTS AS REQUIRED.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Plain Township Trustees are planning to make capital improvements to Steiner Heights SW Storm Sewer Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW, THEREFORE, BE IT RESOLVED by the Plain Township Trustees:

Section 1: The Administrator, Lisa Sabina-Campbell, is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The President of Board, Louis Giavasis, is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Seconded by Mr. Giavasis

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

NEW BUSINESS CONTINUED:

3. Speed Zone Study – Lakeside Avenue

#07-542

Motion by Mrs. Bossart

WHEREAS, a request has been made to this Board that the statutory vehicular speed limit established by Sec. 45111.21, Revised Code of Ohio is greater than that considered reasonable and safe on Lakeside Avenue between Parkway Drive and 20th Street; and

WHEREAS, this Board has caused to be made an engineering and traffic investigation upon the section of road described above; and

WHEREAS, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

Section 1. By virtue of the provisions of Sec. 4511.21, Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Lakeside Avenue between Parkway Drive and 20th Street, Plain Township, Stark County, Ohio.

Section 2. That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the section of road described in Section 1 hereof, standard signs, properly posted and giving notice thereof will be erected.

Passed this 25th day of September, 2007.

Seconded by Mr. Giavasis

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

FISCAL OFFICER’S REPORT:

1. Pending Warrants –

#07-543

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 \$ 211,782.13 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 –

#07-544

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; Mrs. Bossart, yes; Mr. Giavasis, yes.

FISCAL OFFICER’S REPORT CONTINUED:

3. Payment of Medical Claims –

#07-545

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>
9/18/07	11602	\$9710.88
9/25/07	11689	\$17,078.82

Seconded by Mr. Leno

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

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

5. Division of Liquor Control

a. **Eadie’s Fish House**

b. Bink and Squiqmires Inc.

6. Check Signer Policy

#07-546

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the policy for the check signer machine as attached and made part of these minutes.

Seconded by Mr. Leno

Discussion: Mr. Shriver explained that this policy was recommended by the State Auditors and was put together by Mrs. Reikowski. The Law Director, Mr. Williams, has approved the policy.

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

7. Public Records Training Designee

#07-547

Motion by Mr. Leno
WHEREAS, public records law in Ohio states that elected officials or their designees must have three hours of public records training during their term;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of trustees, Stark County, Ohio, based on the recommendation of the Fiscal Officer, to designate Jo Ellen Reikowski, Finance Director, to take the training **on the Fiscal Officer’s** behalf.

Seconded by Mr. Giavasis

Discussion: This was another suggestion from the State Auditors. Mrs. Campbell will be attending the training on behalf of the Board of Trustees and Mrs. Reikowski will be attending on behalf of the Fiscal Officer.

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

FISCAL OFFICER’S REPORT CONTINUED:

8. Transfer of Funds

#07-548

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>
2021-4330-740-0000 – Tools & Equipment	2021-4330-323-0000 – Repairs & Maintenance	\$ 2,500.00
2031-4330-420-4020 – Materials	2031-4330-420-3030 – Supplies - Sweeper/Vac/Tractor	2,500.00
2031-4330-420-4020 – Materials	2031-4330-420-3060 – Supplies - Vehicle/Truck Parts	3,000.00
2031-4330-420-4020 – Materials	2031-4330-352-0000 – Water & Sewer	1,000.00
2031-4330-740-0000 – Machinery & Equipment	2031-4330-351-0000 – Electricity	3,000.00
2111-4220-329-0000 – Other - Blacktop Parking Lots	2111-4220-323-0000 – Repairs & Maintenance	\$ 5,000.00
2111-4220-329-0000 – Other - Blacktop Parking Lots	2111-4220-314-0000 – Property Tax Collection Fees	1,000.00
2141-4330-360-0000 – Contracts	2141-4330-420-4040 – Materials - Asphalt	15,000.00
2141-4330-360-0000 – Contracts	2141-4330-420-4050 – Materials - Signs	2,500.00
2141-4330-360-0000 – Contracts	2141-4330-420-4060 – Materials - Gravel	4,000.00
2901-4610-420-3210 – Supplies - Turf	2901-4610-351-0000 – Electric	2,000.00
2901-4610-420-3210 – Supplies - Turf	2901-4610-352-0000 – Water & Sewer	200.00
2901-4610-420-3210 – Supplies - Turf	2901-4610-353-0000 – Natural Gas	2,000.00

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

ADMINISTRATOR:

1. Resignation of Administrative Assistant

#07-549

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Kelly Boggs, Administrative Assistant, effective October 1, 2007.

Seconded by Mr. Giavasis
Discussion: With much regret, Kelly Boggs, Administrative Assistant, has accepted another position in Carroll County. She had a very nice letter that was presented to the Board, thanking them for eleven years here at Plain Township.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

2. Public Records Training Designee

#07-550

Motion by Mrs. Bossart
WHEREAS, public records law in Ohio states that elected officials or their designees must have three hours of public records training during their term;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Trustees, Stark County, Ohio to designate Lisa Sabina-Campbell, to take the training on their behalf.

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

ADMINISTRATOR CONTINUED:

- 3. Drug-Free Workplace Training – Mrs. Campbell went over the Drug-Free Workplace Training and the schedule for training of Plain Township employees.

FIRE DEPARTMENT:

- 1. The Monthly Report was presented and accepted by the Board.
- 2. Peer Fitness Coordinators

#07-551 Motion by Mr. Leno
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance of (2) two people to the Peer Fitness Training Seminar at Jackson Township Safety Center on October 1-5, 2007, and to authorize payment to Jackson Township Trustees in an amount not to exceed \$1,500.00, to be taken from Account # 2111-4220-318-0000.
 Seconded by Mrs. Bossart
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

- 1. Stop Signs - Cloverhurst

#07-552 Motion by Mrs. Bossart
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to the authority of the Ohio Revised Code Section 4511.10, that a traffic control device in the form of a stop sign be placed at the following intersections based upon the recommendation of the Road Superintendent at:
CLOVERHURST ST NE & BOETTLER RD NE
CLOVERHURST & SARATOGA HILLS ST NE
 Seconded by Mr. Giavasis
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 2. Bid Lists - Brookhaven

The following companies submitted bids for the Brookhaven Storm Sewer Project:
 Beheler Excavating
 Bitzel Excavating
 DiPietro Excavating
 J. A. Dempsey & Sons
 Marks Excavating
 Nickel Excavating
 Ray Bertolini Trucking
 Superior Paving
 Tucson, Inc.
 Underground Services
 Wenger Excavating

ROAD DEPARTMENT CONTINUED:

3. Award Bid - Brookhaven

#07-553

Motion by Mr. Leno
WHEREAS, the Plain Township Board of Trustees has advertised for bids for the Brookhaven Storm Sewer Project on August 28, 2007 (Resolution #07-486);
WHEREAS, the Plain Township Board of Trustees has received and reviewed all such bids timely submitted;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to award the bid for the Brookhaven Storm Sewer Project to Wenger Excavating, Inc. with its bid of one hundred sixteen thousand two hundred sixty-two dollars and seventy-five cents (\$116,262.75) as the lowest responsive and responsible bidder.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

4. Sign Contract - Brookhaven

#07-554

Motion by Mrs. Bossart
WHEREAS, the Plain Township Board of Trustees has awarded a bid for the Brookhaven Storm Sewer Project to Wenger Excavating, Inc. on September 25, 2007 (Resolution #07- 553); and
WHEREAS, a contract has been prepared according to the terms and conditions of the bid specifications for the Brookhaven Storm Sewer Project;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the execution of the contract with Wenger Excavating, Inc. for the Brookhaven Storm Sewer Project, the language of which contract is incorporated by reference as if fully rewritten herein; and
BE IT FURTHER RESOLVED that the Township shall pay the Contractor for the performance of the Work, the sum of \$116,262.75, subject to additions and deductions by Change Orders properly approved and executed, to be paid from Fund #2031-4330-790-0000.

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

ZONING DEPARTMENT:

1. Certification and Payment of Nuisance Abatements

a. Vacant Lots # 64 and #65 on Dorothy Avenue NE

#07-555

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 Lot #64 & #65 on Dorothy Avenue NE (Parcel #52-17219) to abate the nuisance on this property (Resolution #07-518) on September 11, 2007; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$207.55; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$80.75;

ZONING DEPARTMENT CONTINUED:

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$288.30 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

b. 2748 Englewood Drive NE

#07-556

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2748 Englewood Drive NE (Parcel # 52-02537) to abate the nuisance on this property (Resolution #07-519) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$226.55; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$214.25;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$440.80 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

c. Vacant Lot # 241 on Harmon Street NE

#07-557

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 Lot #241 on Harmon Street NE (Parcel #52-02834) to abate the nuisance on this property (Resolution #07-520) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$190.26; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$188.00;

ZONING DEPARTMENT CONTINUED:

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$378.26 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

d. 7917 Market Avenue N

#07-558

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 7917 Market Avenue N (Parcel #52-11853) to abate the nuisance on this property (Resolution #07-521) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$146.90; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$203.75;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$350.65 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

e. Vacant Lot # 7 on Middlebranch Avenue

#07-559

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 Lot #7 on Middlebranch Avenue NE (Parcel #52-15463) to abate the nuisance on this property (Resolution #07-522) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$146.90; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$219.50;

ZONING DEPARTMENT CONTINUED:

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$366.40 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

f. 3300 Middlebranch Avenue NE

#07-560

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3300 Middlebranch Avenue NE (Parcel #52-07896) to abate the nuisance on this property (Resolution #07-523) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$177.23; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$224.75;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$401.98 to be placed on the property owner's tax duplicate

Seconded by Mr. Giavasis

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

g. 919 Milford Street NE

#07-561

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 919 Milford Street NE (Parcel # 52-15936) to abate the nuisance on this property (Resolution #07-524) on September 11, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$146.90; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$101.75;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$248.65 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

ZONING DEPARTMENT CONTINUED:

h. Vacant Lot on Millvale Avenue NE

#07-562

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 Lot on Millvale Avenue NE (Parcel #52-01497) to abate the nuisance on this property (Resolution #07-465) on August 14, 2007; and
 WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$269.39; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$188.75;
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$458.14 to be placed on the property owner's tax duplicate.
 Seconded by Mr. Giavasis
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

i. 4816 Orcharddale Drive NW

07-563

Motion by Mrs. Bossart
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4816 Orcharddale Drive NW (Parcel #52-07441) to abate the nuisance on this property (Resolution #07-492) on August 28, 2007; and
 WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$477.34; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$218.75;
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$696.09 to be placed on the property owner's tax duplicate.
 Seconded by Mr. Giavasis
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT CONTINUED:

j. 3843 Roosevelt Avenue NE

#07-564

Motion by Mrs. Bossart
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3843 Roosevelt Avenue NE (Parcel #52-10243) to abate the nuisance on this property (Resolution #07-466) on August 14, 2007; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$101.75;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$101.75 to be placed on the property owner's tax duplicate.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

k. 2020 26th Street NE

#07-565

Motion by Mrs. Bossart
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2020 26th Street NE (Parcel #52-07630) to abate the nuisance on this property (Resolution #07-525) on September 11, 2007; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$331.19; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$143.75;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$474.94 to be placed on the property owner's tax duplicate.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

l. 2701 26th Street NE

#07-566

Motion by Mrs. Bossart
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2701 26th Street NE (Parcel #52-04114) to abate the nuisance on this property (Resolution #07-526) on September 11, 2007; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$190.26; and

ZONING DEPARTMENT CONTINUED:

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$209.00;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$399.26 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

m. 2911 31st Street NE

#07-567

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2911 31st Street NE (Parcel #52-03031) to abate the nuisance on this property (Resolution #07-493) on August 28, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$177.57; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$251.50;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$429.07 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

2. Nuisance Abatements

a. 2446 Cathy Drive NE

#07-568

Motion by Mrs. Bossart

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2446 Cathy Drive NE, Stark County, Ohio (Parcel # 52-07395) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 29, 2007 and returned "Unable to Forward"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

ZONING DEPARTMETN CONTINUED:

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, and

3. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Giavasis

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

b. Vacant Lots # 2, # 3, and # 4 on Whipple Avenue NW

#07-569

Motion by Mrs. Bossart

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at **Vacant Lot #'s 2, 3, & 4 on Whipple Avenue NW, Stark County, Ohio** (Parcel # 52-15317) and

WHEREAS, Soon Ho Kim, 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:

High grass and/or weeds constitutes a nuisance under Ohio Revised Code Section 505.87 and

The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and

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.

c. Vacant Lot of 2.53 acres on Whipple Avenue NW

#07-570

Motion by Mrs. Bossart

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot 2.53 acres on Whipple Avenue NW, Stark County, Ohio (Parcel # 55-02008) and

WHEREAS, Soon Ho Kim, 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, and
- 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.

ZONING DEPARTMENT CONTINUED:

d. Vacant Lot # 5 on 50th Street NW

#07-571

Motion by Mrs. Bossart

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot #5 on 50th Street NW, Stark County, Ohio (Parcel # 52-02529) and

WHEREAS, Soon Ho Kim, 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, and
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.

e. Vacant Lot # 6 on 50th Street NW

#07-572

Motion by Mrs. Bossart

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot #6 on 50th Street NW, Stark County, Ohio (Parcel # 52-02530) and

WHEREAS, Soon Ho Kim, 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, and
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.

ZONING DEPARTMENT CONTINUED:

f. Vacant Lot # 7 on 50th Street NW

#07-573

Motion by Mrs. Bossart

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot #7 on 50th Street NW, Stark County, Ohio (Parcel # 52-02531) and

WHEREAS, Soon Ho Kim, 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, and
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.

g. Lot # 43 on Egelwatch

#07-574

Motion by Mr. Giavasis

WHEREAS, a public hearing was held on September 25, 2007 by the Board of Trustees regarding the property conditions at Vacant Lot # 43 on Eagle Watch Street NE, Stark County, Ohio (Parcel # 52-18267) and

WHEREAS, William & Natalie Knop, have 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, and
3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mrs. Bossart

Discussion: Mr. Leno wanted to know if Mr. Peroz had gone to look at this property. Mr. Peroz stated that he did look at the property and he generated the routine letter to the owner and did not hear back for a while. When he did finally hear back, he wanted to give the owner a week due to the fact that most owners will take care of the issue once they verify that they have received the letter. Mr. Leno stated his concern that this lot has not been taken care of and it is affecting the neighbors with sever allergies. The Board decided that it was in the best interest of the neighborhood to abate this property.

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

PARKS & RECREATION:

1. Tree Removal Service

#07-575

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Walent Tree Service to remove a dead tree at Alpine Park for the amount of \$1,375.00, to be paid from Fund #1000-4610-323-0000.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

2. Carpet Cleaning Service

#07-576

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize cleaning of the Diamond Indoor Soccer Field by Dunn-Right Custom Carpet Cleaning for the amount of \$900.00, to be paid from Fund #2901-4610-323-0000.
Seconded by Mr. Leno
Discussion: The Board wanted to make sure that this particular cleaning company has experience in cleaning Astroturf, and that they will not damage the turf. Mr. Alexander assured them that he had **confidence in this company's expertise.**
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

3. 'A Ride in the Park' Program

Mr. Alexander went over a community event 'A Ride in the Park' that will take place on October 6, 2007 between the hours of 12:00 p.m. and 4:00 p.m. The event will include a hayride, child-friendly pumpkin decorating, and other family activities. The event will be held at Rice's Nursery and the Schneider Park Property. McDonalds will be providing free refreshments. Mr. Alexander shared that there are nearly 200 people signed up so far.

CENTRAL MAINTENANCE:

1. Computer System

Mr. Kegley said that his is looking into purchasing a new computer system that will track vehicles and equipment for the Maintenance Department. He gave the information to Mrs. Bossart and he will keep the Board informed as to the needs of his department.

2. Repairs to Trucks by Superior Spring

#07-577

Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Superior Spring, Inc. to replace the two front springs on Truck # 18 in the amount of \$1,380.00 and to replace the king pins on Truck #9 in the amount of \$900.00 for the combined total of \$2,280.00 from Fund # 2021-4330-323-0000.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

COMMUNICATIONS:

- 1. A newsletter from the Stark Soil and Water Conservation District was presented to the Board.

CONCERNS OF TRUSTEES:

- 1. 4150 Harrison Avenue – Mrs. Bossart stated that she had been notified that the people at this address had vacated the premises and left a dog behind inside the house. She said that the Humane Society had rescued the dog, but was concerned that there was trash and debris thrown around outside the property. Mr. Peroz said that he had been to the property and it appeared that someone had collected the debris.

APPROVAL OF MINUTES:

#07-578 Motion by Mr. Leno
 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 September 11, 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 September 11, 2007 as presented.
 Seconded by Mr. Giavasis
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

07-579 Motion by Mr. Giavasis
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:18 p.m. from this regular meeting of September 25, 2007 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
 1. (b) employment of a public employee or official
 (d) discipline of a public employee or official
 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.

#07-580 Motion by Mr. Giavasis to return to regular session at 9:19 p.m.
 Seconded by Mrs. Bossart
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

07-581 Motion by Mr. Giavasis
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to advertise immediately for the position of Administrative Secretary in a newspaper of general circulation in the county.
 Seconded by Mrs. Bossart
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#07-582 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:20 p.m.
Seconded by Mr. Giavasis
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