

2600 Easton St. NE
Canton, OH 44721

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April 8, 08

REGULAR MEETING

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, Lisa Sabina-Campbell, Joe Iacino, Todd A. Alexander, Chuck Kegley and Steve Peroz. Chief Sabo was at a fire conference. Media present: Natalie Lariccia, the Repository and **Betty O’Neil-Roderick**, Akron Beacon Journal.

AGENDA: Added to the Agenda under Zoning by Mr. Giavasis - #3 – Borders on 25th Street and Mr. Alexander added Parks #3 – Concessions. The Agenda was accepted.

SHERIFF'S REPORT:

1. Quarterly Report – presented
2. 2007 End of Year Report – Sgt Weisburn from the Stark County **Sheriff’s Department was present to give the annual** report. He indicated to the Board the total calls were up 8% for a total of 20,980 calls for service; incident reports were down 251 calls; citations were down 198; accidents were down 1.87%; alarms were down 8.7%; on the vehicle report, he stated that maintenance per mile on the vehicle is 14 cents. We have eight cars with over 100,000 miles and 3 new cars that are just about ready to be put into service. Detective Hostetler had 307 cases assigned to him; 152 were closed. He had 66 adult arrests and **24 juvenile arrests. The report on “Ollie” our German Shepherd** and Deputy Haines – there were 76 responses for Ollie within the Township in 2007.

UNFINISHED BUSINESS:

1. Liquor Permit – **Kraus’ Pizza** – will be returned not requesting a hearing as there were no complaints or concerns.

NEW BUSINESS:

#08-143

1. False Alarms
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees has authorized charges for false alarms 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:

| NAME | ADDRESS | # | AMOUNT |
|---------------|--------------------|---|----------|
| Township News | 4445 Cleveland Ave | 4 | \$ 50.00 |
| Robert Kasner | 4404 Whipple Ave | 4 | \$ 50.00 |

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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's General Fund.**

Seconded by Mr. Leno.

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

FISCAL OFFICER'S REPORT:

#08-144 1. Pending Warrants

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 \$300,127.21 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

#08-145 2. Regular Payroll –

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 Mr. Giavasis.

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

#08-146 3. Payment of Medical Claims –

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> |
|-------------|----------------|---------------|
| 04/01/2008 | 12979 | \$ 9,980.13 |
| 04/08/2008 | 12984 | 22,301.43 |

Seconded by Mrs. Bossart.

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

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- 4. The financial report was given. It was accepted by the Board with no questions.
- 5. Longevity Pay – Road Department
#08-147 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the additional benefits of longevity pay to members of the Utility Workers Union of America AFL-CIO Local 561 who meet the requirements of the attached schedule effective April 1, 2008.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADMINISTRATOR:

- 1. Stormwater Report - Mrs. Campbell **went over this month's** report on Pet Waste & Water Quality.
- 2. School Resource Officer – a letter from Plain Local Schools with a review of school resource officer showing favorable comments.
- 3. Stark County Engineers
#08-148 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of \$5,109.50 to the Stark County Engineers for the right-of-way parcel purchases in conjunction with the Applegrove Street Widening Project as agreed on February 26, 2002 in Resolution #02-097 and amended on October 14, 2003 in Resolution #03-537.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- 4. Applegrove Widening Notice to Proceed – Mrs. Campbell went over a notice to proceed with the Applegrove Widening Project.

FIRE DEPARTMENT:

No report – Chief Sabo was at a fire conference in Indiana.

ROAD DEPARTMENT:

- 1. Monthly Report was given.

ZONING DEPARTMENT:

- 1. The monthly report was given.
- 2. 2008 Planning and Zoning Commissioner Training Workshop
#08-149 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of \$75.00 per person to the 2008 Planning and Zoning Commissioner Training Workshop for attendance by any Zoning Department Staff, Law Director, Administrator, members of the Board of Trustees, members of the Plain Township Board of Zoning Appeals, and members of the Plain Township Zoning Commission on Friday, May 9, 2008, at the Tangiers Restaurant in an amount not to exceed \$1,500.00
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- 3. Borders on 25th Street – Mr. Giavasis said that he had received a phone call from someone concerned about someone subletting a single residential area on 25th Street. Mr. Peroz said that he had

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talked to them and apparently someone is living in a building outside of the house and comes into the main structure to shower, etc. and that he had contacted the Health Department for further guidance.

PARKS & RECREATION:

1. The monthly report was given.
2. Repair of Gutter on Diamond Sports Complex – Mr. Alexander showed photos of damage to the gutters on the Diamond Sports Complex.
3. Concessions – Entailed detailed discussions in regards to the concessions and participation with the GlenOak Booster Club at the Diamond Sports Complex. Mr. Alexander went over in detail a profit and loss with regards to money earned in 2006, net income in 2006 as well as the income received by Mr. Kessler from **Chuck’s Wagon**. He also gave a report regarding the partnership he had arranged with Coco-Cola and the success we have had selling their products. However, he stated that when the booster club is selling the concession they put tape over the coin slots in our coke machines. Mr. Giavasis said that he attended a meeting with school officials and their goal was to put some numbers together but he was also concerned how we might grow and increase the products at the Complex, especially at the west end of the field. Mr. Leno also agreed that there should be a way to get products to the west end of the field and eventually, hopes would be to build a building there with a restroom. Mrs. Bossart pointed out, and the Board agreed that it is very hard for the Board to be sharing monies from this process when in fact we do not ask the taxpayers for a park levy and she would not want to see it come to the point where we had to ask for a park levy. Mr. Leno agreed and said that we had to stay solvent – that we have found out that this can be a moneymaker and can generate monies for the park, and we also have the Schneider property to develop. There will be **another informal meeting this evening following the Trustees’** meeting with a couple of people from the Booster Club.

LAW DIRECTOR:

#08-150

1. Cable Franchise Agreement – set fees for new cable suppliers within the Township.
Motion by Mrs. Bossart,
WHEREAS, in order to comply with the Ohio Revised Code, the Plain Township Board of Trustees, Stark County, Ohio must pass a resolution indicating the percentage of gross revenue payable to them through their Cable Franchise Agreements.
WHEREAS, in order to further comply with the Ohio Revised Code, the Plain Township Board of Trustees must state in this resolution whether or not the payments made to Plain Township shall include advertising revenue as defined in Revised Code 1332.32
NOW, THEREFORE BE IT HEREBY RESOLVED that the Plain Township Board of Trustees does hereby state that the video service provider fee payable to Plain Township is five percent (5%) of gross revenue as defined in Ohio Revised Code 1332.32, and that gross revenue shall include advertising revenue as further defined in Ohio Revised Code 1332.32.
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Plain Township Board of Trustees does hereby authorize Lisa Sabina-

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Campbell to send copies of this enabling legislation to the various video service providers operating in Plain Township, and to inform them of the fees payable as outlined herein.

Seconded by Mr. Leno.

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

CENTRAL MAINTENANCE:

1. Monthly Report was given.

COMMUNICATIONS:

- #08-151 2. Amend Resolution #08-041 -
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to amend Resolution #08-041 for a total amount of \$14,287.00 to Taylor Chevrolet.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #08-152 3. Jack Doheny Supplies Open House
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment for seminars, lodging and travel expenses for Joseph Iacino and Chuck Kegley to attend the Jack Doheny Supplies Open House on April 17th, 2008 in the amount of \$400.00 from Fund #2031-4330-599-0000.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-153 4. Plain Township Auction
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to dispose of the above identified unneeded property in accordance with ORC 505.10 and ORC 05.101 at public auction May 17th, 2008 at 11:00 am at the Plain Township Road Garage, located at 6300 Heminger N.E., Canton, Ohio. To be advertised in a newspaper published in Stark County and of general circulation in the Township on April 25th and May 2nd, 2008 in The Repository.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

COMMUNICATIONS:

1. Stark County Regional Planning Commission – notice regarding a CDBG seminar
2. Bayberry Woods Condominium Association – a complaint about noise from United Glass and Metal and requesting that a sound barrier be installed.
3. Buckingham, Doolittle & Burroughs, LLP – letter from legal counsel for United Glass and Metal stating that the company is a legal entity within the Township and if a sound barrier is wanted, the Association can install one themselves.
4. Emily Simon – a high school student at GlenOak concerned about sidewalks on Firestone due to fact that children are walking to school.
5. Little Eagle Kindergarten – Erick Hendrickson, Principal of Little Eagle Kindergarten congratulating the new firefighters installed on the Plain Township Fire Department.
6. Stark County Safety Council – notice of the 2008 Safety Awards Banquet to be held on May 14th.

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CONCERNS OF CITIZENS:

1. Bryan Daniels – 1301 Spangler Rd NE – said he recently attended a cleanup in Mentor, Ohio and also a stadium park cleanup and wanted to know about the cleanup on the Nimishillen Creek this year and what area it would take place in. He would like to take pictures for the Board. He said this year it is going to be in honor of Congressman Ralph Regula and his 36 years of service. Other concerns was the mess at the SARTA bus stop near his home. Mrs. **Bossart explained that was SARTA's responsibility to clean that area.**

APPROVAL OF MINUTES:

1. March 25, 2008
#08-113 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 March 25, 2008 and make them 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 March 25, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-155 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:21 p.m. from this regular meeting of April 8, 2008 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
 - 1.(a) appointment of a public employee or official
 - (b) employment of a public employee or official
 - (f) compensation 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 Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-156 Motion was made by Mrs. Bossart to return to public session at 9:33 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #08-157 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Pat DeOrion as a part-time Concession Stand Employee for the Parks & Recreation Department at the rate of \$7.00 per hour with no benefits effective April 12, 2008.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #08-158 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Kristen Holt as a part-time Concession Stand Employee for the Parks & Recreation Department at the rate of \$7.00 per hour with no benefits effective April 12, 2008.
Seconded by Mr. Giavasis.

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#08-159 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of
 Trustees, Stark County, Ohio to hire Thomas Snelbaker as a part-
 time Zoning & Nuisance Investigator in the Zoning Department at
 the rate of \$10.00 per hour with no benefits effective April 14,
 2008.
 Seconded by Mr. Giavasis.
 Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#08-160 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to adjourn at 9:36 p.m.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#08-161 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to rescind Resolution #07-160.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
 The meeting was reopened under Concerns of Citizens.

CONCERNS OF CITIZENS:

The discussion ensued regarding the participation with GlenOak Boosters at the Diamond Concessions. Audi Kress was present to go over some figures from 2007. The Board decided to operate the concessions with the Booster Club for the first few Saturdays to get a handle on the amount of income and expense we would be dealing with. Mrs. Campbell pointed out that the Booster Club has had a very good thing going for themselves for the past six years.

#08-162 Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to adjourn at 10:00 p.m.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer