

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, John Sabo, Paul Birk, Todd A. Alexander, Chuck Kegley, Steve Peroz and JoEllen Reikowski. Media present: Natalie Lariccia, the Repository; Cal Peters, WHBC and **Betty O'Neil**-Roderick, Akron Beacon Journal.

FISCAL OFFICER PRO TEM:

#08-249 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint JoEllen Reikowski as Fiscal Officer Pro Tem.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

AGENDA: Added to the Agenda – Parks #4 – Sports Monster and Concerns of Trustees - #2 – Feedback from Stonehedge Allotment. The Agenda was accepted.

SHERIFF'S REPORT:

1. **ATV's on Chantilly Circle** – Mr. Alexander said that Donna Valentine of 1436 Chantilly Circle NE contacted him about ATVs transverse onto the new park property. Mr. Alexander presented pictures of the area. Discussion was held. The Township can not post signs on private property. The Board will check with the Law Director to see what they can do.
2. 3906 Linda Street NW – Mrs. Denise Sokolowski reported that the Sheriff has responded to several calls lately in her neighborhood and she was issued Home Rule violations twice regarding her dogs. Mrs. Bossart said her issues seem to be neighborhood problems and gave her information on a mediation program she could contact. Mrs. Sokolowski said she would pay the first violation by July 3th in full and would return the second one requesting a hearing.
3. Sugarbush Kennels – Mr. Jim Campbell – 1300 Applegrove NE owner of the kennels told the Board his business is in compliance with local laws feels he is being harassed. The kennels have been in business at that location for 44 years and predates most of the homes in the neighborhood.

UNFINISHED BUSINESS:

- #08-250 1. Safety Resource Officer
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Administrator to enter into a contract with the Stark County **Sheriff's Office to provide a School Resource Officer** to the Plain Local School District for the 2008/2009 school year in an amount not to exceed \$47,626.38 to be paid from Fund 2081-370-6110;
BE IT FURTHER RESOLVED that the Plain Local School District shall reimburse Plain Township in an amount equal to one-half of the contract amount (not to exceed \$23,813.19). The Plain Local School District shall tender such reimbursement to Plain Township within thirty (30) days of receiving the invoice for the

utilization of the School Resource Officer.
Seconded by Mr. Giavasis.

Discussion: Mr. Giavasis said he met with the Mayor of the City of Canton on this and he was opened to the idea but has not gotten back to him.

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

NEW BUSINESS:

- 1. May False Alarms

#08-251

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 a excess of three (3) responses to such alarms have been made at the following businesses and/or residences:

<u>NAME</u>	<u>ADDRESS</u>	<u>#</u>	<u>AMOUNT</u>
Fisher Foods	4403 Cleveland Avenue	4	\$ 50.00
Time Warner Cable	5520 Whipple Avenue	4,5,6	\$ 300.00

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. Leno.

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

- 2. Nuisance Abatement Special Meetings – Mrs. Campbell asked the Board if Special meetings could be held to take action on the many nuisance abatements because of three week so as not to delay certifications to the Stark County Auditor. The following dates and times were set: July 29th at 11:30 am and September 16th at 11:30 am. Mrs. Campbell will make the necessary advertisements.
- 3. Plain Township Bicentennial Committee Agenda – The agenda for the June 12th meeting was presented. It is the **Board’s intent**

to be actively involved with the committee for a special event to be planned.

FISCAL OFFICER’S REPORT:

#08-252 1. Pending Warrants
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 \$291,026.42 as attached hereto and made a part of these minutes.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-253 2. Regular Payroll –
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 \$220,000.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-254 2a. Volunteer Payroll
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the volunteer payroll for the 2nd Quarter 2008 in an amount not to exceed \$30,000.00
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-255 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>
06/03/2008	13358	\$11,044.26
06/10/2008	13465	10,495.21

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

4. The financial report for May 2008 was given. It was accepted by the Board with no questions.

5. Liquor Permit – MSO Leasing LTD – this was held to the next meeting for comments.

#08-256 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>
<u>Administration</u>		
1000-4330-360-6040 – Contracts Fulton Widening	1000-4330-360-6035 – Contracts 30 th St Storm Sewer	\$ 20,000.00
1000-4110-599-0000 – Other Expense	1000-4120-420-3070 – Supplies – Fuel & Oil	6,000.00
1000-4110-599-0000 – Other Expense	1000-4110-319-6002 – Computer Services	10,000.00
1000-4110-599-0000 – Other Expense	1000-4110-323-0000 – Other Copier Maint	1,000.00
1000-4110-599-0000 – Other Expense	1000-4110-230-0000 – Workers Comp	2,060.00
1000-4110-599-0000 – Other Expense	1000-4110-430-0000 – Sm Tools & Equip	2,000.00
Road Department:		
2021-4330-360-0000 - Contracts	2021-4330-420-3070 – Supplies – Fuel & Oil	15,000.00
2021-4330-740-0000 – Machinery & Equipment	2021-4330-420-3070 – Supplies - Fuel & Oil	15,000.00
2031-4330-790-0000 – Contracts	2031-4330-323-0000 – Repairs & Main	2,000.00
2031-4330-381-0000 – Insurance	2031-4330-230-0000 – Workers Comp	3,000.00
2031-4330-740-0000 – Machinery &	2031-4330-420-3060 – Supplies – Vehicle	2,000.00

2600 Easton St. NE
Canton, OH 44721

Page 4 of 17
June 10, 08

Equipment	/Truck Parts	
Fire Department:		
2111-4760-740-0000 – Machinery & Equipment	2111-4220-323-5040 – Maintenance & Repairs – Vehicles	25,000.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-230-0000 – Workers Comp	12,300.00
2281-4230-740 – Tools & Equipment	2281-4230-215-0000 – Employer P&F	6,000.00
Fiscal Office:		
2401-4310-351-0000 – Street Lighting	2401-4310-314-0000 – Auditor &	1,000.00
Parks Department:		
2901-4610-420-4030 – Supplies - Landscaping	2901-4610-599-0000 – Other Expenses	3,400.00
2901-4610-420-3220 – Supplies - Athletic Paint	2901-4610-430-0000 – Sm Tools & Equip	2,200.00
2901-4610-360-0000 – Contracts	2901-4610-341-0000 – Telephone Expense	200.00

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

- #08-257 7. Zoning Board Payments
Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to members of the Plain Township Boards of Zoning Appeals and Zoning Commission for the period of January 1, 2008 through June 30, 2008 at the rate of \$50 per meeting for a total of \$1,300.00
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADMINISTRATOR:

- #08-258 1. Stormwater Report – Mrs. Campbell gave a report on suggestions that can be done in your backyard to control stormwater including making a rain garden and rain barrels. Information will be on our website when we will have rain barrel here from Stark Soil & Water and do education on how to install rain barrels.
- #08-258 2. **Renewal of Workers’ Compensation Rating Program**
Motion by Mrs. Bossart,
WHEREAS, Plain Township has been a member of the Workers’ Compensation Rating Program administered through the Frank Gates Service Company; and
WHEREAS, the Frank Gates Service Company is sponsored by the Ohio Township Association; and
WHEREAS, the projections of the Frank Gates Service Company will provide a net savings of \$118,788.00;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a contract with the Frank Gates Service Company to provide the services as detailed in the service contract which is attached hereto and made a part of these minutes and to approve payment of the administrative fee at a cost not to exceed \$20,100.00 to be paid as follows:
\$2,572.80 from Fund #100-4110-230-0000; \$3,819.00 from Fund #2031-4330-230-0000; \$13,708.20 from Fund #2111-4220-230-0000.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-259 3. City of Canton Property Tax Reimbursements – Mrs. Campbell informed the Board that payment has been received from the City of Canton for annexations from 2001 to 2006.
- #08-259 4. Request for Tuition Reimbursement
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to grant the request for tuition reimbursement of William E. Reed, Jr. attached hereto in an

amount not to exceed \$396.00 to be taken from account #2111-4220-599-0000.

Seconded by Mr. Leno.

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

- 5. Discount Drainage Supplies – This company was awarded the bid for pipe and culvert and they have asked that the bond be reduced from \$50,000 to \$25,000. In checking, Mrs. Campbell found that bid bonds have not been required in the past for materials and this form should not have been included in the bid package. The Board approved her contacting Discount Drainage Supplies with this information.

FIRE DEPARTMENT:

- 1. Monthly report - presented to the Board
- 2. Safety City

#08-260

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of t-shirts for the Safety City Program from ASAP in the amount of \$937.50 to be paid from Fund #1000-4110-599-0000.

Seconded by Mr. Giavasis.

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

ROAD DEPARTMENT:

- 1. Monthly Report – was presented to the Board. Mr. Birk said the Brookhaven project has been completed and most of the roadside mowing has been completed. The new mower is working out great.
- 2. 2008 Pavement Marking Program

#08-261

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to contract with Aero-Mark Inc. for the 2008 Pavement Marking Program to be completed by August 15, 2008 not to exceed the amount of 421,770.14 from Fund #2021-4330-360-0000.

Seconded by Mr. Leno.

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

- 3. Purchase of Fuel

#08-262

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 \$10,000.00 from Fund 2021-4330-420-3070.

Seconded by Mr. Giavasis.

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

ZONING DEPARTMENT:

- 1. Monthly Report – presented to the Board
- 2. Nuisance Abatements

#08-263

- a) 3755 Ashwood Street NW

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3755 Ashwood Street NW (Parcel #52-06201) to abate the nuisance on this property (Resolution #08-210) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$312.62; and WHEREAS, the Plain Township Board of Trustees incurred

costs for services and notification in the amount of \$120.00; 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 \$432.62 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-264

b)

2446 Cathy Drive NE

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2446 Cathy Drive NE (Parcel #52-07395) to abate the nuisance on this property (Resolution #08-211) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$244.83; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$193.13; 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 \$437.96 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-265

c)

6544 Chesham Drive NE

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6544 Chesham Drive NE (Parcel #52-05089) to abate the nuisance on this property (Resolution #08-231) on May 27, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$493.55; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$105.00; 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 \$598.55 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-266

d)

1105 Deborah Street NW

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 1105 Deborah Street NW (Parcel #52-03043) to abate the nuisance on this property (Resolution #08-212) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$325.33; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$92.50; 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 \$327.83 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-267 e) 2748 Englewood Drive NE
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 #08-213) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$419.64; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$233.13; 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 \$652.77 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-268 f) 4108 Martindale Road NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4108 Martindale Road NE (Parcel #52-05001) to abate the nuisance on this property (Resolution #08-214) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$87.50; 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 \$87.50 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-269 g) 919 Milford Street NE
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 #08-215) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$274.63; 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 \$274.63 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.

- #08-270 h) Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
3301 Morris Avenue NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3301 Morris Avenue NE (Parcel #52-13375) to abate the nuisance on this property (Resolution #08-216) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$259.63;
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 \$259.63 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
- #08-271 i) Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
317 Oakpark Street NW
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 317 Oakpark Street NW (Parcel #52-07294) to abate the nuisance on this property (Resolution #08-217) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$289.90; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$121.50;
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 \$411.40 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
- #08-272 j) Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
719 Spangler Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 719 Spangler Street NE (Parcel #52-03045) to abate the nuisance on this property (Resolution #08-218) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$82.00;
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 \$82.00 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
- #08-273 k) Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
2095 Windham Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2095 Windham Street NE (Parcel #52-13271) to abate the

nuisance on this property (Resolution #08-237) on May 27, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$549.50; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$98.00; 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 \$647.50 to be placed on the **property owner's tax duplicate**.

Seconded by Mr. Giavasis.

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

#08-274

l)

2807 31st Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2807 31st Street NE (Parcel #52-08632) to abate the nuisance on this property (Resolution #08-219) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$155.29; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$235.63; 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 \$390.92 to be placed on the **property owner's tax duplicate**.

Seconded by Mr. Giavasis.

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

#08-275

m)

2914 33th Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2914 33rd Street NE (Parcel #52-08028) to abate the nuisance on this property (Resolution #08-220) on May 13, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$462.56; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$105.00; 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 \$567.56 to be placed on the **property owner's tax duplicate**.

Seconded by Mr. Giavasis.

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

#08-276

3.

a)

Nuisance Abatements
2918 Arboretum Circle NW
Motion by Mr. Giavasis,
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 2918 Arboretum Circle NW, Stark County, Ohio (Parcel # 52-07869) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 15, 2008 and returned "Unable to Forward"; and WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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. Leno.

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

#08-277

b) 3824 Harrison Avenue NW

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on June 3, 2008 by the Board of Trustees regarding the property conditions at 3824 Harrison Avenue NW, Stark County, Ohio (Parcel #52-16512) and

WHEREAS, WM Specialty Mortgage LLC, 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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87 and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mr. Leno.

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

#08-278

c) 3220 Middlebranch Avenue NE

Motion by Mr. Giavasis,

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 3220 Middlebranch Avneue NE,

2600 Easton St. NE
Canton, OH 44721

Page 11 of 17
June 10, 08

Stark County, Ohio (Parcel # 52-15408) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 3, 2008 and returned "Unable to Forward"; and WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Leno.

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

#08-279

d)

3300 Middlebranch Avenue NE

Motion by Mr. Giavasis,

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 3300 Middlebranch Avenue NE, Stark County, Ohio (Parcel # 52-07896) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 20, 2008 and June 3, 2008 and returned "Unable to Forward"; and

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

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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Leno.

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

#08-280

e)

3308 Middlebranch Avenue NE

Motion by Mr. Giavasis,

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

2600 Easton St. NE
Canton, OH 44721

Page 12 of 17
June 10, 08

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 3308 Middlebranch Avenue NE, Stark County, Ohio (Parcel # 52-02821) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 20, 2008 and June 3, 2008 and returned "Unable to Forward"; and

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

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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Leno.

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

#08-281

f)

4306 Vinal Avenue NE

Motion by Mr. Giavasis,

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 4306 Vinal Avenue NW, Stark County, Ohio (Parcel # 52-08999) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 29, 2008 and returned "Unable to Forward"; and
WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Leno.

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

#08-282

g)

2315 26th Street NE

Motion by Mr. Giavasis,

2600 Easton St. NE
Canton, OH 44721

Page 13 of 17
June 10, 08

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 2315 26th Street NE, Stark County, Ohio (Parcel # 52-03509) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 3, 2008 and returned "Unable to Forward"; and WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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. Leno.

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

#08-283

h)

2702 31st Street NE

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on May 29, 2008 by the Board of Trustees regarding the property conditions at 2702 31st Street NE, Stark County, Ohio (Parcel #52-07138) and WHEREAS, Michael & Linda Miner 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 Mr. Leno.

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

#08-284

i)

Vacant Lot #32 on 34th Street NE

Motion by Mr. Giavasis,

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 Vacant Lot #32 on 34th Street

NE, Stark County, Ohio (Parcel # 52-04102) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 3, 2008 and returned "Unable to Forward"; and WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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. Leno.

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

PARKS & RECREATION:

1. Monthly Report – presented to the Board.
2. Shelter Donation – Mr. Alexander met with Mr. Wise of the Junior Order of United American Mechanics, Washington Council #12 who is donating a shelter and tables for the new park on Schneider Street. The proposed donation totals \$32,000 and they would like to see it built this year. Their organization has contracted with a company to install seven (7) shelters in various parks in Stark County. They are placing Plain Township at the end of the list so this shelter will be installed in late September or early October. Township employees will do the site preparation.
3. Northeast Ohio Tennis Association Grant – Mr. Alexander presented information on a \$500 grant awarded for tennis equipment.
4. Sports Monster – Mr. Alexander said he was contacted by this group who is looking for field space for adult co-ed softball and kickball games. He said this would not interfere with the current programs. The Board asked him to make contact and negotiate terms to present at the next meeting.

LAW DIRECTOR:

No report

CENTRAL MAINTENANCE:

1. Monthly Report – presented to Board.

COMMUNICATIONS:

1. SCRPC/SCATS – information on the Program Year 2008-2009 Infrastructure Program.
2. Caroline R. Fisk – A thank you to Mr. Alexander in the Parks Department for helping her connect to someone using the Community Room.

CONCERNS OF CITIZENS:

1. Scott Haws of 6929 Northview Avenue NE – Reported excess septic sewage is apparent on Pinetree and asked what could be done. Mrs. Campbell said Nick Hammer is trying to determine the source and is involved in the problem. Mr. Peroz mentioned before building permits are issued and inspection is made of septic systems.
2. Rebecca Raco – 5019 Lindford NE – asked about high grass and junk in the backyard of 5010 Lindford and what could be done. She said there have been law enforcement issues with the owner and she has been hesitant to give her name when calling the Township. They have a nice neighbor and want to keep it that way. Mr. Peroz said he is familiar with the property and will look into it.
3. Ambrose Perduk Jr. – 1013 Stone Crossing Street – was present as the president of the Homeowner's Associations to speak on the noise from First Christian Church. He said there has been very little change and is requesting the Trustees to start dealing with this. Mr. Giavasis said he is at the point what do you do. He knows the neighbors are at wits end and does not know what else can be done. Mr. Leno said he has **been at the property and wouldn't want to live there. Persons** fined have paid the citations. Mr. Perduk said he is **disappointed in the Center/ Church's attitude but does** appreciation the **Board's help. Mr. Leno said there will be a** mediation meeting on June 16th that he plans to attend. A Licensed Court Mediator will be present. It was suggested that the residents be encouraged to attend this meeting so they can see first-hand what is happening and have a chance to speak. Mr. Giavasis stated he was concerned with what is taking place at the ECC and felt the residents have a valid concern. He also stated he had been called to many of the residents homes on several occasions and that I felt our noise resolution is firm in his mind unless told that it is not by a judge. He also stated that he had read several other noise ordinances from other subdivisions around the state and ours was in line with those. Mr. Giavasis stated that he was concerned because of the amount of times the deputies where called to the facility and the noise law was being made a mockery of because it was teaching the kids the wrong thing because it was showing them to ignore the law and the requests of the police officers after they left.
4. Joan Gum – 6712 Bridgestone Circle NE – also speaking on the issue with First Christian Church said the rock concert scheduled for Saturday night was cancelled and asked what more they could do. Mrs. Bossart said that she was on the **center's board when the original plans were developed and it** was intended to be used for the arts, plays dance recitals, etc. Concerts were not discussed and she is no longer part of that Board. **The Trustees asked if the residents' comments Mrs.** Gum submitted could be included in the minutes. Mrs. Gum said it would be okay providing their names be removed.
5. Sharon Gingerich – 813 Stone Crossing Street NE – asked how mediation will enter into this when there are laws. Mr. Leno said they are challenging the laws of the Township. Lawsuits would be against the township and not the residents.

6. Mary Beth Smith with Glen Oak Soccer was present. The Board told her that when Mr. Williams returns, the Administrator will have him get in touch with her about the language of the contract for the concessions. She said the information on the **concessions didn't add up right. The Board said that any percentage can be processed that the next meeting.**

CONCERNS OF TRUSTEES:

1. 3068 Forestview Street NE – Mrs. Bossart had a conversation with this resident about a stone culvert that goes alongside the side of his house into our park system. This was put in by the developer and **is causing 4" of standing water.** The Board will look into this.
2. Feedback from Stonehedge Allotment – already discussed under Concerns of Citizens.

APPROVAL OF MINUTES:

1. May 27, 2008
#08-285 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 May 27, 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 May 27, 2008 as presented.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-286 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:58 p.m. from this regular meeting of June 10, 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
(g) investigation of charges or complaints against a public employee, official, licensee, or regulated individual
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-287 Motion was made by Mrs. Bossart to return to public session at 9:06 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

1. Corey Baker
#08-288 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Corey Baker as summer employee retroactive date of June 3, 2008 at a rate of \$7.50 per hour with no benefits.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

- #08-289 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 9:08 p.m.
Seconded by Mrs. Giavasis.

2600 Easton St. NE
Canton, OH 44721

Page 17 of 17
June 10, 08

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