

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, Claude Shriver, Don Snyder, Joseph Iacino, Lisa Campbell, Eric Williams, Todd A. Alexander, Chuck Kegley, and Steve Peroz. Mr. Leno was ill and Chief Sabo was at a conference. Media present: Natalie Lariccia, the Repository, Cal Peters of WHBC and **Betty O'Neil**-Roderick, Akron Beacon Journal.

AGENDA: Concerns of Trustees was moved to Unfinished Business1 – Pembroke Water Update and to Central Maintenance: #2 – Three New Dump Trucks

SHERIFF'S REPORT:

- 1. Speeding in Winterberry Greens – Mr. Iacino gave a report about a complaint he received.

UNFINISHED BUSINESS:

- 1. Pembroke Water Update – Mrs. Campbell and Mr. Leno met with Tom Bernabei along with J.D. Williams from the City of Canton Water Department. Mr. Williams is going to modify the scope of the Pembroke project and revise the estimates. Bob Robertson was present representing the neighborhood.

NEW BUSINESS:

- 1. False Alarms – July 2008
#08-361 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>
Maggiore's	2927 Harrisburg Rd	4 & 5	\$ 150.00
First Christian Church	6900 Market Ave N	4	50.00
Mary Caiazza	1430 Spangler St NE	4 & 5	150.00

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Fiscal Officer to send a Notice of Bill for Excess False Alarms to the locations identified above; and in the event that any bill noted above is not paid within thirty (30) days of the date of such notice;

BE IT FURTHER RESOLVED to direct the Plain Township Fiscal Officer to send a notice by certified mail to the manager and the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent or tenant and to the owner, if different, of the real estate of which the residence is a part, stating that failure to pay the bill within 30 days, or to show just cause why the bill should not be paid, will result in the assessment of a lien upon the real estate in the

above-stated amount.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Fiscal Officer shall cause the above-stated amounts for each false alarm in excess of three (3) per year to be entered upon the tax duplicates of each location as a lien upon said real estate from the date of entry, which shall be collected as other taxes and returned to the Township general fund.

Seconded by Mr. Giavasis.

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

#08-362

2. Soil Boring

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Timmerman Geotechnical Group, Inc. to perform a subsurface investigation for the new Plain Township Fire Station in an amount not to exceed \$4,500.00 from Fund #1000-4110-599-0000.

Seconded by Mr. Giavasis.

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

#08-363

3. Surveying – New Fire Station & Access Drive

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to Hammontree & Associates, Ltd. For the Fire Station Site Survey & Access Drive in the amount of \$6,044.00 from Fund #1000-4390-316-0000.

Seconded by Mrs. Bossart.

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

#08-364

4. Doncaster Ditch Project

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to Marlboro Supply in an amount not to exceed \$8,000.00 for the purchase of pipe for the joint Doncaster Ditch Project with Stark County Engineers from Fund #1000-4110-599-0000.

Seconded by Mrs. Bossart.

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

FISCAL OFFICER’S REPORT:

#08-365

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 \$99,767.38 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

#08-366

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. Giavasis.

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

#08-367

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>
07/16/2008	13684	\$13,331.40

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07/22/2008 13700 14,737.27

Seconded by Mrs. Bossart.

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

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

5. Transfer of Funds

#08-368

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

FROM **TO** **AMOUNT**

Administration:

1000-4120-420-3080 – Supplies 1000-4120-740-000 Machinery \$ 4,000.00
And Equipment

Seconded by Mr. Giavasis.

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

ADMINISTRATOR:

1. Stark Parks

A letter from Mr. Fonte agreeing to the scope of work to complete Phase I of the Schneider Park Plan. The various concepts of the plan will be what we looked at our open house for Schneider Park and we can make changes within the conceptual plan in the future as we go into Phase II.

2. Senate Bill #171

Mrs. Campbell said she has talked with our Law Director about developing rules for scrap metal dealers within the Township and then found out Bill #171 had passed for the State requiring the necessary recordkeeping we were looking for in regard to scrap metal dealers.

FIRE DEPARTMENT:

1. Demolition of 3308 Middlebranch Road NE

#08-369

Motion by Mrs. Bossart,
WHEREAS, ORC505.86 authorizes the Plain Township Board of Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure, unsafe, or structurally defective or unfit for human habitation; and

WHEREAS, a written report has been prepared and presented to the Board by the Fire Inspector as a result of a complaint;

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

1. The conditions inside the structure at 3308 Middlebranch Road NE, Plain Township, Stark County, Ohio (Parcel #52-02821) constitute an unsafe and hazardous condition pursuant to ORC 505.86
2. The conditions are such that they constitute an emergency
3. The conditions shall be remedied by Plain Township pursuant to the procedures outlined in ORC 505.86
4. The Township Fiscal Officer shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above state property
5. Notices of this decision will be provided to the property owners and any holders of liens of record therein.

Seconded by Mr. Giavasis.

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

2. Purchase of Smoke Detectors & Related Equipment

#08-370

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of the

following in the amount of \$22,998.47:

- 1. \$11,729.00 from Plain Olde Hardware for 370 Kidde CO/Smoke Alarm #706432-300-0102 @ \$31.70 each
- 2. \$9378.00 from Plain Olde Hardware for 521 Kidde Dual Sensor Smoke Alarm #705 509-442007 @ \$18.00 each
- 3. \$988.75 from Grainger for 125 9V Battery 8 Packs @ \$7.91 each
- 4. \$579.22 from Foremost Promotions for 2000 Safety Bags @ \$0.28961 each
- 5. \$323.50 from NFPA for 1 DVD

This purchase will be reimbursed on a 90% Fire Act Grant #EMW-2006-FG-17453-002 to be taken from Account #2111-4220-599-0000.

Seconded by Mr. Giavasis.

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

3. Fire Station #4 Staffing

Chief Snyder reported that Fire Station #4 is close to being staffed and within 2 to 3 weeks it will be limitedly staffed and in about 6 weeks it will be staffed full time. The candidate firefighters are working out very well rotating station to station and everything is going very smoothly.

ROAD DEPARTMENT:

- 1. 20th Street Speed Zone Study – The recommendation came back to lower speed zone on 20th Street between Lakeside and Whipple from 40 mph to 35 mph. After the Board signs, it will be sent to ODOT to be approve and this normally takes a month. Then the signs will be put in place.

ZONING DEPARTMENT:

- 1. Notice of Public Hearing
The Plain Township Board of Zoning Appeals will held a public hearing on Wednesday, August 6, 2008 at 7 PM for Appeal #1197-08-A – a request to split Parcel #52-06582 on Broad Avenue NW.
- 2. Nuisance Payments
a) 2918 Arboretum Circle NW
Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2918 Arboretum Circle NW (Parcel #52-07869) to abate the nuisance on this property (Resolution #08-276) on June 10, 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 \$687.18; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$216.83; 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 \$904.01 to be placed on the **property owner’s tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-372

- b) Vacant Lot #64 & #65 on Dorothy Avenue NE
Motion by Mr. Giavasis,
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 #08-

309) on June 24, 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 \$473.12; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$83.10;
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 \$556.22 to be placed on the **property owner's tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-373

c) 2526 Dorothy Avenue NE
Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2526 Dorothy Avenue NE (Parcel #52-10103) to abate the nuisance on this property (Resolution #08-310) on June 24, 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 \$373.10; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$83.10;
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 \$456.20 to be placed on the **property owner's tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-374

d) 6252 Melody Road NE
Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6252 Melody Road NE (Parcel #52-11877) to abate the nuisance on this property (Resolution #08-312) on June 24, 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 \$632.76; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$260.83;
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 \$893.59 to be placed on the **property owner's tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-375

e) 2230 Whipple Avenue NW
Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2230 Whipple Avenue NE (Parcel #52-16570) to abate the nuisance on this property (Resolution #08-313) on June 24, 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 \$509.14; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$222.33; 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 \$731.47 to be placed on the **property owner's tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-376

f)

2020 26th Street NE

Motion by Mr. Giavasis,

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 #08-314) on June 24, 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 \$476.06; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$112.20;

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 \$588.26 to be placed on the **property owner's tax duplicate.**

Seconded by Mrs. Bossart.

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

#08-377

3.

Nuisance Abatements

a)

6717 Amsel Avenue NE

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on July 22, 2008 by the Board of Trustees regarding the property conditions at 6717 Amsel Avenue NE, Stark County, Ohio (Parcel #52-07859); and WHEREAS, US Bank, 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 Mrs. Bossart.

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

#08-378

b)

2117 Blake Avenue 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

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WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2117 Blake Avenue NE, Stark County, Ohio (Parcel # 52-10835); and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 11, 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 Mrs. Bossart.

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

#08-379

c) 6544 Chesham Drive 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 6544 Chesham Drive NE, Stark County, Ohio (Parcel # 52-05089); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 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 Mrs. Bossart.

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

#08-380

d) 4101 Cleveland Avenue NW

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on July 22, 2008 by the Board of Trustees regarding the property conditions at 4101 Cleveland Avenue NW, Stark County, Ohio (Parcel #52-14724) and

WHEREAS, Saturn Dollar Family LP 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

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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.

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

#08-381

e)

1105 Deborah Street 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 1105 Deborah Street NW, Stark County, Ohio (Parcel # 52-03043); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 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 Mrs. Bossart.

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

#08-382

f)

7813 Market Avenue N

Motion by Mr. Giavasis,

WHEREAS, a public hearing was held on July 22, 2008 by the Board of Trustees regarding the property conditions at 7813 Market Avenue N, Stark County, Ohio (Parcel #52-00960) and

WHEREAS, Premium Petroleum 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 Mrs. Bossart.

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

#08-383

g)

7917 Market Avenue N

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 7917 Market Avenue N, Stark County, Ohio (Parcel # 52-11853); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 14, 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. Giavasis.

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

#08-384

h)

2701 26th 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 2701 26th Street NE, Stark County, Ohio (Parcel # 52-04114); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 9, 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 Mrs. Bossart.

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

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- #08-385 i) 1600 30th 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 1600 30th Street NE, Stark County, Ohio (Parcel # 52-19055); and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 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 Mrs. Bossart.
Vote: Mr. Giavasis, yes; Mr. Leno, Absent; Mrs. Bossart, **yes.**
- #08-386 j) 2354 31st Street NE
Motion by Mr. Giavasis,
WHEREAS, a public hearing was held on July 22, 2008 by the Board of Trustees regarding the property conditions at 2354 31st Street NE, Stark County, Ohio (Parcel #52-02871) and
WHEREAS, Robert & Rebecca McGonagle 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 Mrs. Bossart.
Vote: Mr. Giavasis, yes; Mr. Leno, Absent; Mrs. Bossart, **yes**
- #08-387 k) 2343 41st Street 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 2343 41st Street NW, Stark County, Ohio (Parcel # 52-04334); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent July 9, 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 Mrs. Bossart.

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

PARKS & RECREATION:

1. Land and Water Conservation Fund
Mr. Alexander gave information regarding the Land and Water Conservation Fund that had provided funds for the development of Alpine Park. He completed the self certification packet that needs to be completed every so often for the funding that was received.

2. Super Scrimmage
#08-388 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Jackson High School Girls Soccer Boosters to host a Super Scrimmage at Diamond Community Park on August 9, 2008. Scrimmages will be held on Fields #6, #8, #9, #12 and #13 for \$26.00 per scrimmage.

Seconded by Mrs. Bossart.

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

3. Amend Resolution #08-350
#08-389 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County Ohio to amend resolution #08-350 to **state: ".....to authorize Sports Monster to use the following..."**

Seconded by Mr. Giavasis.

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

LAW DIRECTOR:

No Report

CENTRAL MAINTENANCE:

1. Purchase of Mower
#08-390 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a Scag **Turf Tiger 29 hp Mower DFI w/61" Deck, 29 hp Kawasaki Digital Fuel Injection Engine & three bag catcher** at the state purchasing price of \$13,074.00 from **Paul's Lawn & Garden** and to authorize the payment from #1000-4120-740-0000.

Seconded by Mr. Giavasis.

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

2. 3 New Dump Trucks

Mr. Kegley stated that the 3 new dump trucks have been delivered to Gledhill Company for the snow equipment to be installed and they will be completed soon.

7:30 BUDGET HEARING:

Mrs. Campbell presented the 2009 Budget to the Board stating this will be voted on at the August 12, 2008 meeting. She reviewed a few changes in the General Fund and the departments gave reports on their part of the budget. Mrs. Campbell mentioned to the Board that this was a collaborative process between the Administration, the Fiscal Office and the other departments.

COMMUNICATIONS:

1. Stark Soil & Water Conservation District – newsletter
2. The Celtic Club – thank you to Todd Alexander and the Park Department for use of the goal posts
3. Stark County Metropolitan Sewer District – Project 550 – Lawr-Chester/Pembroke area sanitary sewer project will commence shortly and be under construction for one year
4. Stark County Engineer – Applegrove Widening Phase 1 Project and existing problems with the project
5. Subdivision Regulations – revised regulations will become effective on August 6, 2008 and available on their website.
6. Mary Ann Cook – Thank you to the Road Department for helping their area have a successful block party.
7. 2009-2011 CDBG Application Workshop – will be held on August 27, 2008 and attendance will earn 10 points towards application.

CONCERNS OF CITIZENS:

None – but Steve Peroz, Zoning Director brought up the fact that the address at 2701 26th Street NE needs to be secured.

CONCERNS OF TRUSTEES:

1. Mrs. Bossart mentioned the passing of a Lexington Township official and that the Stark County Township Association will be sending flowers.

APPROVAL OF MINUTES:

- #08-391
1. July 8, 2008
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 July 8, 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 July 8, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, Absent; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-392
- Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:47 p.m. from this regular meeting of July 22, 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.

2600 Easton St. NE
Canton, OH 44721

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#08-393 Vote: Mrs. Bossart, yes; Mr. Leno, Absent; Mr. Giavasis, yes.
 Motion was made by Mrs. Bossart to return to public session at 8:45
 p.m.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, Absent; Mr. Giavasis, yes.

ANNOUNCEMENTS:

#08-394 1. Jamar Wesley
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of
 Trustees, Stark County, Ohio to hire Jamar Wesley as a Buildings
 and Grounds employee at a rate of \$9.00 per hour plus benefits
 subject to a 90 day probationary period and a successful pre-
 employment drug/alcohol screening effective as soon as
 practicable.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, Absent; Mr. Giavasis, yes.

ADJOURNMENT:

#08-395 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to adjourn at 8:47 p.m.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, Absent; Mr. Giavasis, yes.

Pamela S. Bossart
Leno, II
Trustee

Louis P. Giavasis
Trustee

Albert P.
Trustee

ATTEST: _____
Claude W. Shriver II
Fiscal Officer