

2600 Easton St. NE
Canton, OH 44721

Page 1 of 8
April 14, 09

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley and Steve Peroz.

Phil Revlock with the Stark County Health Department was present to go over changes with the mosquito spraying program. He indicated that there were several changes but nothing real drastic. He provided the Board with maps and statistics for Plain Township. He said the larvacide program will continue and they will continue to do swimming pools as the complaints come in, scrap tires, wet wooded areas, etc and also provide technical assistance. He said they want to do the pools as it is their goal to get those emptied as soon as possible. As far as kiddy pools go, if it is an abandoned property, they simply turn them upside down and empty them. It was a very brief work session with an attachment for the minutes.

EXECUTIVE SESSION:

#09-120 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:30 p.m. from this regular meeting of April 14, 2009 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
4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Member Bossart.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

#09-121 Motion was made by Chairman Giavasis to return to public session at 6:59 p.m.

Seconded by Member Bossart.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:00 p.m. by Chairman Giavasis who led the pledge of allegiance.

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley and Steve Peroz. Media present: **Betty O'Neil**-Roderick, Akron Beacon Journal, Edd Pritchard, Repository and Cal Peters from WHBC.

AGENDA: The agenda was presented and approved as presented.

SHERIFF'S REPORT:

1. No report

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Owner, Oakwood Shopping Center – Mr. Jim Wilson, who is one of the owners of the Oakwood Plaza and purchased in 2006 was present and provided information and cooperative efforts on his

2600 Easton St. NE
Canton, OH 44721

Page 2 of 8
April 14, 09

- part with the Board and the Plain Township citizens. He said he has been able to increase the tenants in the plaza by 13%. Approximately the 2nd week of May the entire plaza will be uplifted with newly painted façade. It will be stripped and painted. The parking lot will be cleaned up, holes refilled and striped and resealed. They put out over 234 letters to prospective tenants for the anchor building, 500 who seem to fit. However the problem is with no anchor it is a stopping point in getting the plaza filled up. He did indicate it is still a problem with Giant Eagle in fact that they hold the lease and have turned down in the past prospective grocer tenants. Mr. Sylvio Pilligi who has been in the restaurant business in the plaza for three years was present to complain about the plaza and wants to start a coalition against Giant Eagle. It was pointed out by Mr. Giavasis that the former owners of the plaza would not communicate with Plain Township as to what was going on but at least Mr. Wilson was communicating and being forthright with the Board as to their efforts in trying to get the Plaza occupied.
2. Stormwater Mapping – due to EPA mandates Lisa went over a program whereby the Regional Planning Commission will take the project, field collection of our inventory of our conveyances, any water moving in and out of pipes, storm sewers we have, etc. This project will cost will cost around \$130,000 over a five year period. If it were not for RPC doing this, as it is mandated, we would have to come up with the money ourselves and hire employees. It was the feeling of the Board, Lisa and Joe that this was the way to go. There are other overlays that could be involved later such as inventory of signs, fire hydrants, traffic control devices, etc.
 3. 25th Street NE, Storm Sewer Agreement

#09-122 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the attached agreement regarding the 25th Street NE Storm Sewer Project.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

4. False Alarms

#09-123 Motion by Member 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
O J Barbacci	1997 Applegrove NW	4	\$ 50.00
Time Warner Cable	5520 Whipple Ave NW	4	50.00
Master Touch Cleaners	2605 Easton St NE	4	50.00

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's General Fund.**
Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

5. Family Medical Leave Act Policy

#09-124 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the attached Family Medical Leave Act Policy to reflect regulations that became effective January 16, 2009.
Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

BICENTENNIAL UPDATE:

1. Status of Bicentennial – Mr. Campbell gave a concise update on the status of the Bicentennial. He said we are approaching \$90,000 in funding. He had a couple more sponsors received today and gave a very nice update on the program. The Board commended him on the fine job he has done on behalf of the Township.

FISCAL OFFICER’S REPORT:

1. Pending Warrants

#09-125 Motion by Member 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 \$235,013.43 as attached hereto and made a part of these minutes.
Seconded by Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

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2. Regular Payroll

#09-126 Motion by Member 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 Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

3. Medical Claims

#09-127 Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment for the following medical claims as provided by AultCare:

2600 Easton St. NE
Canton, OH 44721

Page 4 of 8
April 14, 09

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
03/31/09	15354	\$22,964.78
04/07/09	15364	20,827.40
04/14/09	15375	12,020.54

Seconded by Chairman Giavasis.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

4. Financial Report – was given and accepted by the Board with no questions.
5. EMS Refund

#09-128

Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a refund as follows for overpayments for Emergency Medical Services as requested by Ohio Billing, Inc.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
Public Consulting Group (for Karrie Vugrinovich)	\$ 169.60
Edgar Lynn	65.00

Seconded by Member Leno.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

6. Amended Certificate

Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Fiscal Officer to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for \$159,526.65 representing the carryover encumbrances from 2008 as follows:

1000 – General Fund	\$ 34,632.83
2011 – Motor Vehicle Tax Fund	4,984.87
2021 – Gasoline Tax Fund	286.00
2031 – Road & Bridge Fund	3,686.67
2111 – Fire District	97,900.62
2141 – Road District	392.05
2181 – Zoning funds	11.11
2281 – Ambulance & EMS Fund	1,685.30
2901 – Misc – Diamond Park	1,347.20
2902 – Trust Deposits	14,600.00

AND BE IT HEREBY FURTHER RESOLVED, by the Plain Township Board of Trustees, upon certification by the Stark County Auditor to appropriate these funds as follows:

1000-4110-311-0000 – Legal Counsel	7,500.00
1000-4110-319-0000 – Bank Service Charges	450.00
1000-4110-319-6002 – Computer Services	309.00
1000-4110-319-6003 – Website Maintenance	224.68
1000-4110-344-0000 – Printing	98.50
1000-4110-591-0000 – Contributions - Bicent	54.50
1000-4110-599-0000 – Other Expenses	3,687.85
1000-4110-599-7020 – Other Exp - Leaves	420.00
1000-4120-420-3070 – Supplies – Fuel & Oil	228.03
1000-4120-420-3080 – Maintenance Supplies	19.80
1000-4120-420-3110 – Supplies - Uniforms	38.97
1000-4420-370-6205 – Contractual–Health Dept	5,501.50
1000-4610-316-0000 – Engineering Services	16,100.00
2011-4330-323-0000 – Repairs & Maintenance	1,631.37
2011-4330-420-3070 – Supplies – Fuel & Oil	3,353.50
2021-4330-323-0000 – Repairs & Maintenance	286.00
2031-4330-319-6002 – Computer Services	644.00
2031-4330-323-0000 – Repairs & Maintenance	133.65
2031-4330-420-0000 – Operating Supplies	1,124.03
2031-4330-420-3060 – Veh/Truck Parts	(52.04)
2031-4330-599-0000 – Other Expenses	1,837.03
2111-4220-319-6002 – Computer Services	644.00

2600 Easton St. NE
Canton, OH 44721

April 14,

Page 5 of 8
09

2111-4220-323-0000 – Repairs & Maintenance	400.00
2111-4220-323-5010 – Repairs/Maint - Bldg	17,393.00
2111-4220-420-0000 – Operating Supplies	5.37
2111-4220-420-3070 – Supplies – Fuel & Oil	4,881.80
2111-4220-420-3100 – Supplies – Prot Clothing	58,610.50
2111-4220-420-3110 – Supplies – Uniform Allow	215.95
2111-4760-740-0000 – Machinery, Equip & Furn	15,750.00
2141-4330-420-4040 – Materials - Asphalt	366.75
2141-4330-420-4050 – Materials - Signs	25.30
2181-4130-599-0000 – Other Expenses	11.11
2281-4230-370-6310 – EMS Billing	765.00
2281-4230-370-6320 – EMS Collections	390.00
2281-4230-420-0000 – Operating Supplies	530.30
2901-4610-319-6002 – Computer Services	103.00
2901-4610-319-6003 – Website Maintenance	586.68
2901-4610-360-0000 – Contracts – Referees	40.00
2901-4610-420-3070 – Supplies – Fuel & Oil	185.52
2901-4610-599-0000 – Other Expenses	432.00
2902-4990-599-0000 – Payouts – Deposits Ret	14,600.00

Seconded by Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

- #09-130
7. Transfer of Funds
Motion by Member Leno,
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>		
1000-4110-599-0000 – Other Expense	1000-4110-323-0000 – Other - Copier Expense	\$ 1,500.00
<u>Parks</u>		
2901-4610-740-0000 - Machinery & Equipment	2901-4610-319-6003 – Website Maintenance	2,000.00
2901-4610-740-0000 Machinery & Equipment	2901-4610-341-0000 – Telephone Expense	2,500.00
<u>Road</u>		
2031-4330-790-0000 – Contracts	2031-4330-3220-0000 - Garbage & Trash Removal	800.00

Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

- #09-131
8. Longevity Pay to Members of Utility Workers Union of America
Motion by Chairman 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 of effective April 1, 2009.

Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

ADMINISTRATOR:

- Stormwater Report – Lisa presented “Stormwater for Kids” a program that has been put on our website. It is for use by teachers and it is for kids. There are puzzles and various things for children to learn on how to deal with stormwater and be better environmentalists in our society.
- Ohio Vietnam Memorial Park – an invitation to the unveiling and dedication of the Ohio Vietnam Veterans Memorial Wall and the Gold Star Mother Statue on Sunday May 17th at 2 pm in Clinton, Ohio.
- Our Town North Canton – Mr. Jim Dansizen publisher of *Our Town* North Canton gave an overview and sample paper. He would like to get the thoughts of the people in our area to see if they would like a Plain Township newspaper. It is published once a month and pertains to Plain Township news with articles

2600 Easton St. NE
Canton, OH 44721

Page 6 of 8
April 14, 09

written by Plain Township residents. The Board said he was welcome to publish a paper about North Canton.

4. Amendment to the Management Package

#09-132

Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amended the Management Package:

1. **Move Financial Assistant from Class “C” to Class “B”** classification
2. **Add Safety & Special Projects Coordinator to the Class “B”** classification

Seconded by Member Leno.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

FIRE DEPARTMENT:

1. Monthly Report was given

ROAD DEPARTMENT:

1. Monthly Report was given
2. Purchase of fuel

#09-133

Motion by Member Bossart,
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 \$15,000.00 from Fund 2021-4330-420-3070.

Seconded by Member Leno.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

3. Lexington Farms No. 2 Allotment – Mr. Iacino informed the Board that the developer Wagler Homes is going bankrupt and he is very concerned as to what will have to the drainage ponds and the roads that have not been turned over to the Township. However, as information is received, he will inform the Board and staff expeditiously.
4. Amend Resolution #09-097 (No Parking on Paige Avenue)

#09-134

Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amend Resolution #09-097 **passed March 10, 2009 to authorize the posting of “No Parking Anytime” signs on Paige Ave NW between 42nd St NW and 44th St NW to read “No Parking on west side of street anytime and No Parking on east side of street within 25’ of any intersection as marked.”**

Seconded by Member Leno.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

ZONING DEPARTMENT:

1. Monthly Report was given.

PARKS & FACILITIES:

1. Monthly Report was given – Todd thanked everyone who helped with the Easter Egg Hunt. It was a big success.

LAW DIRECTOR:

No Report

CENTRAL MAINTENANCE:

Monthly Report was given

2600 Easton St. NE
Canton, OH 44721

Page 7 of 8
April 14, 09

COMMUNICATIONS:

1. American Recovery & Reinvestment Act Information Session – information on seminars to be held on the economic stimulus package.
2. Plain Local Auction – A community auction to be held on April 18th at GlenOak High School

CONCERNS OF CITIZENS:

1. Tom Pieper – 2810 River Run Circle was present to thank the staff and Trustees for support of the Historical Society and give special thanks to Rick Campbell for the fine job that he is doing in putting together the 200 year Bicentennial Celebration.
2. Katherine Darrah – 4306 Paige Ave NW – had parking tickets and wanted to know if she should pay them. She was told it was in affect until tonight when the resolution was passed. The next question she had was since they were 2 weeks old, would she had to pay the \$5 or the extra amount. She was told to pay just the \$5. Mr. Shriver said he would take the tickets and pay the \$10 on her behalf for told her to have a nice evening.

CONCERNS OF TRUSTEES:

None

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

1. Regular Meeting March 24, 2009

#09-135

Motion by Chairman 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 March 24, 2009 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 24, 2009 as presented.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

EXECUTIVE SESSION:

#09-136

Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:23 p.m. from this regular meeting of April 14, 2009 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
4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Member Bossart.

Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

2600 Easton St. NE
Canton, OH 44721

Page 8 of 8
April 14, 09

#09-137 Motion was made by Chairman Giavasis to return to public sessions at 9:04 p.m.
Seconded by Member Bossart.
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:30 p.m. from this regular meeting of April 14, 2009 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
- 4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

ADJOURNMENT:

#09-138 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 9:05 p.m.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer