

WORK SESSION

Attendance: Louis Giavasis, Albert Leno, II, Claude Shriver, Eric Williams, Lisa Campbell, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley, Steve Peroz, Deputy Chief Snyder and Deputy Chief Kraft.

This special work session called to order at 6:20 p.m. was a very thorough session that was taped by Chief Sabo on the purchase of a new ladder truck. He went over in detail via a slide presentation the ISO specifications and the 2-1/2 mile radius of which a ladder truck would respond. Chief Sabo said the money for the purchase has been set aside in a special fund for six years now and can only be used for the purchase of a ladder truck. Chief Sabo is very sensitive to what taxpayers may think at this particular time and during these economic conditions and was hopeful that the Board, Fiscal Office and everyone present understood the proper response to a taxpayer if need be on timing of the purchase of this equipment.

REGULAR MEETING

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

ATTENDANCE:

Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley and Steve Peroz. Pamela Bossart was not present. Media present: Betty O'Neil-Roderick, Akron Beacon Journal.

AGENDA: The following was added to the agenda was Communications #3 – September 8th Applause article; added by Chairman Giavasis under Concerns of Trustees #1 – Dogs on Werner Church Road NE. Deletion of #1 under Administrator. The agenda was accepted.

SHERIFF'S REPORT:

- 1. Speeding on Orion Street NW
Another complaint and the Sheriff present said they would look into this.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

BICENTENNIAL UPDATE:

No Report

FISCAL OFFICER'S REPORT:

- #09-489 1. Pending Warrants
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 \$434,882.43 as attached hereto and made a part of these minutes.
Seconded by Chairman Giavasis.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, Absent.

- #09-490 2. Regular Payroll
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the regular payroll in an

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amount not to exceed \$220,000.00.
Seconded by Member Leno.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, Absent.

3. Medical Claims

#09-491

Motion by Chairman 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 and Medical Mutual:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
09/01/09	16346 (AultCare)	\$ 3,419.26
09/01/09	16347 (Medical Mutual)	9,739.85
09/08/09	16420 (Medical Mutual)	15,262.83

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

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

5. Liquor Permit – The Barrel Room
This was held to the next meeting for comments.

6. Transfer of Funds

#09-492

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 Expenses	1000-4110-319-6003 – Website Maintenance	\$ 5,000.00
<u>Road Department</u> 2031-4330-740-0000 – Mach/Equip	2031-4330-420-4020 – Materials - Construction	\$ 7,500.00
2031-4330-740-0000 – Mach/Equip	2031-4330-420-4050 – Materials - Signs	\$ 1,500.00
2031-4330-740-0000 – Mach/Equip	2031-4330-420-4060 – Materials - Gravel	\$ 5,000.00

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

ADMINISTRATOR:

1. Orcharddale Storm Sewer Pre-Bid Conference

A pre-bid meeting has been scheduled for 9 am on Wednesday,
September 23rd at the office of the Stark County Regional
Planning Commission.

FIRE DEPARTMENT:

1. Monthly Report was given

2. Purchase of Ladder Truck

#09-493

Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of
Trustees, Stark County, Ohio to authorize the purchase from state
bid, per the attached information, of one Sutphen SPH 100 foot
tower for the amount of \$998,598.53 to be taken from Account
#4902-4990-740-0000. In addition to authorize the purchase of
an upgrade of water tank size to an additional 100 gallons in the
amount of \$1,000.00 to be taken from Account #2111-4760-740-

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0000.

Seconded by Chairman Giavasis.

Discussion: Chairman Giavasis wanted it noted on record that these funds have been set aside for nearly six years, encumbered for this purchase. It is also noted that Jackson and North Canton are purchasing this same model ladder truck at this particular time.

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

3. 9/11 Ceremony

Chief Sabo informed the Board they were invited as well as retired firefighters, police officers, etc. for recognition of 911 tragedy at the GlenOak football game. There will be a ceremony around the flagpole with bagpipers and the raising of the flag at the game on Friday evening.

ROAD DEPARTMENT:

1. Monthly Report was given

2. Pro Football Hall of Fame

A thank you letter for helping with road closures during the Hall of Fame events.

3. Stop Sign – Bentler and Diamond

#09-494

Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the installation of a traffic device in the form of a stop sign, East Bound on Diamond Street at Bentler Avenue as recommended by Stark County Traffic Engineer because of the lack of visibility South bound on Bentler Avenue and West bound on Diamond Street.

Seconded by Member Leno.

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

ZONING DEPARTMENT:

1. Monthly Report was given

2. Special Zoning Meetings – September 15 & 30, 2009

Notice of special meetings to be held regarding nuisance abatements.

3. Nuisance Abatements

a. Vacant Lot #64 & #65 on Dorothy Avenue NE

#09-495

Motion by Chairman 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 #64 & #65 on Dorothy Avenue NE, Stark County, Ohio (Parcel #52-17219) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 19, 2009 and returned “Unable to Forward”;
and

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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 Member Leno.

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

#09-496

b. 2748 Englewood Drive NE

Motion by Chairman 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 2748 Englewood Drive NE, Stark County, Ohio (Parcel #52-02537) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 28, **2009 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 Member Leno.

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

#09-497

c. Vacant Lot on Millvale Avenue NE

Motion by Chairman 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 on Millvale Avenue NE, Stark County, Ohio (Parcel #52-16404) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 27, **2009 and returned "Unable to Forward";**

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

#09-498

d) 3521 Millvale Avenue NE
Motion by Chairman 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 3521 Millvale Avenue NE, Stark County, Ohio (Parcel #52-16400) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 27, 2009 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 Member Leno.
Vote: Member Leno, yes; Member Bossart, Absent; Chairman Giavasis, yes.

#09-499

e) 3223 Regent Avenue NE
Motion by Chairman 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 3223 Regent Avenue NE, Stark County, Ohio (Parcel #52-03204) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director

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was sent August 31, 2009 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 Member Leno.

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

#09-500

f) 2020 26th Street NE
Motion by Chairman 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 2020 26th Street NE, Stark County, Ohio (Parcel #52-07630) and

WHEREAS, Rhoda Mayberry, 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. 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 Member Leno.

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

#09-501

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

WHEREAS, a certified notice providing the property owner with

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seven (7) days to address the matter with the Zoning Director **was sent August 27, 2009 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 Member Leno.

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

#09-502

h) 2701 26th Street NE

Motion by Chairman 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 August 27, 2009 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 Member Leno.

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

#09-503

i) 2426 30th Street NE

Motion by Chairman 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

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nuisance property condition at 2426 30th Street NE, Stark County, Ohio (Parcel #52-00464) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 31, 2009 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 Member Leno.

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

#09-504

j) 2707 30th Street NE

Motion by Chairman 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 2707 30th Street NE, Stark County, Ohio (Parcel #52-12906) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 31, 2009 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 Member Leno.

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

#09-505

k) 2618 31st Street NE

Motion by Chairman 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 2618 31st Street NE, Stark County, Ohio (Parcel #52-08220) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 31, 2009 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 Member Leno.

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

#09-506

l) 2702 31st Street NE
Motion by Chairman 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 2702 31st Street NE, Stark County, Ohio (Parcel #52-07138) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 31, 2009 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 Member Leno.

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

#09-507

m) 2825 31st Street NE
Motion by Chairman 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

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other debris constitutes a nuisance; and
WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2825 31st Street NE, Stark County, Ohio (Parcel #52-10337) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent **August 31, 2009 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 Member Leno.

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

#09-508

n) 1600 32nd Street NE
Motion by Chairman 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 32nd Street NE, Stark County, Ohio (Parcel #52-07463) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 27, 2009 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 Member Leno.

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

#09-509

o) 122 35th Street NE
Motion by Chairman 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

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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 122 35th Street NE, Stark County, Ohio (Parcel #52-09906) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director **was sent August 31, 2009 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 Member Leno.

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

4. Nuisance Payments

#09-510

a) 2446 Cathy Drive NE

Motion by Member Leno,

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 #09-469) on August 25, 2009; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of the Plain Township Maintenance Department at a cost of \$355.87; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$206.65;

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 \$562.52 to **be placed on the property owner's tax duplicate.**

Seconded by Chairman Giavasis.

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

#09-511

b) 2715 Dorothy Avenue NE

Motion by Member Leno,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2715 Dorothy Avenue NE (Parcel #52-07150) to abate the nuisance on this property (Resolution #09-470) on August 25, 2009; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$352.54; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$229.05;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain

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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 \$581.59 to **be placed on the property owner's tax duplicate.**

Seconded by Chairman Giavasis.

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

#09-512

- c) 2343 41st Street NE
Motion by Member Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2343 41st Street NE (Parcel #52-04334) to abate the nuisance on this property (Resolution #09-473) on August 25, 2009; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$377.31; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$225.05; 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 \$602.36 **to be placed on the property owner's tax duplicate.**

Seconded by Chairman Giavasis.

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

PARKS & FACILITIES:

1. Monthly Report was given

LAW DIRECTOR:

1. No Report

CENTRAL MAINTENANCE:

1. Monthly Report was given

COMMUNICATIONS:

1. Plain Local Schools – a thank you letter from the Safety Director of Plain Local Schools for helping to provide funds for the Resource Officer in the schools.
2. Pandemic Flu Training – a notification from Stark County Health Department on Pandemic Flu Plan Training to be held on September 10th and 17th for elected, administration, fire and law enforcement officials preparing for an emergency.
3. September 8th Applause – Chief Sabo read an article from Mrs. Rex who wrote in the Applause section of the Repository about the saving of her life by four of our paramedics. She had a massive heart seizure.

CONCERNS OF CITIZENS:

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1. Rose Scott of Rolling Ridge was present to say the drainage problem still exists in her backyard. Mr. Iacino said he checked his records and there is no easement there so we are not permitted to go onto the property to do anything. She said the Health Department did tell her that one of the septic tanks back there had been rebuilt and replaced and that it is okay but they feel something else has collapsed and is causing this problem. She has sludge in her backyard and one of the catch basins in the backyard down the street is overflowing.
2. James Roberts of Rolling Ridge also had the same concern that if this goes on, it may ruin their water pumps. Joe Iacino is going to see if there is a way to help these folks maybe by using a private septic tank company and to call the County to see if their remote camera can be used to see what is causing the blockage.
3. Michael May – 5305 Astor Avenue NE also has a problem with water in his backyard. Joe Iacino, again said it is an off-road project but he did look at it during a storm and have a video of it. There is a large log clogging the ditch. Also one of the neighbors piled firewood in the ditch. He said it is an on-going problem with the neighbors not keeping the ditch cleaned. Mr. May wanted to know if he could correct the problem himself by digging out the ditch and putting in piping. Mr. Iacino suggested he contact Gary Connor at **Stark County Engineer's** office to get the proper specifications, type of pipe and get his okay.
4. Doug Xides – 2655 Tulip NE is concerned about water and wondered why the drainage system was stopped before they continued it all the way down Tulip. Joe explained that when **Norwood Hills was built that was probably the developer's** responsibility and that water is drained from the Norwood Hills Allotment across Middlebranch Road into that ditch which is suppose to take it to the Central-Allied Lake. Again he explained in detail that this is not a Plain Township Board responsibility but a County responsibility but they do not have the money to do it. Chairman Giavasis offered to contact Mr. Connor to see if the County could come up with some funds to share the project with us. Member Leno also that they are very concerned in helping citizens with these water problems but they have to be **very careful because the Township doesn't have the right to go** on private property without the proper easements. After long discussion, Chairman Giavasis said he would call the County again tomorrow on behalf of the citizens to see if there is anything we can do.

CONCERNS OF TRUSTEES:

1. Dogs on Werner Church – Chairman Giavasis said there is someone out there that has eight to ten dog pens. Steve Peroz from Zoning will look into this and report back to the Board.

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

#09-513

1. Regular Meeting August 25, 2009

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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 August 25, 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 August 25, 2009 as presented.
Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, Absent; Chairman Giavasis, yes.

EXECUTIVE SESSION:

#09-514 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:58 p.m. from this regular meeting of September 8, 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
Seconded by Member Leno.
Vote: Member Bossart, Absent; Member Leno, yes; Chairman Giavasis, yes.

#09-515 Motion was made by Chairman Giavasis to return to public session at 8:20 p.m.
Seconded by Member Leno.
Vote: Member Bossart, Absent; Member Leno, yes; Chairman Giavasis, yes.

ADJOURNMENT:

#09-516 Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:21 p.m.
Seconded by Chairman Giavasis.
Vote: Member Bossart, Absent; Member Leno, yes; Chairman Giavasis, yes.

Absent

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer