

2600 Easton St. NE
Canton, OH 44721

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September 30, 09

SPECIAL MEETING

ATTENDANCE:

Albert Leno, Pamela Bossart, Lisa Campbell, Steve Peroz, Todd Alexander and Jo Ellen Reikowski.

FISCAL OFFICER PRO TEM:

#09-559

Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Jo Ellen Reikowski as Fiscal Officer Pro Tem.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

OPENING:

The Special Meeting was called to order at 12:03 p.m. by Vice-President Leno who dispensed with the pledge of allegiance. The agenda was accepted as presented.

NEW BUSINESS:

#09-560

1. Phase II Stormwater Inspections & Monitoring
Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of \$5,501.50 to the Stark County Health Department for the Phase II Stormwater inspections and monitoring from Fund #1000-4420-370-6205.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

2. Drug Free Workplace
Lisa wanted to remind the Board of the dates and times for this **year’s training. Three training sessions have been scheduled for** Tuesday, October 6th from 6:30 pm to 8:30 pm; Thursday, October 8th from 9 am to 11 am and on Friday, October 9th from 1 pm to 3 pm. Training for Department Heads and Supervisors will be on Friday, October 16th from 9 am to 11 am.

ZONING:

#09-561

1. Nuisance Abatements
 - a) 2302 Barr Avenue NW
Motion by Member Bossart,
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 2302 Barr Avenue NW, Stark County, Ohio (Parcel #52-05843) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning **Director was sent September 16, 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:

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

#09-562

- b) 2916 38th Street NW – Garbage
Motion by Member Bossart,
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 2916 38th Street NW, Stark County, Ohio (Parcel #52-16453) 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. Trash and/or debris 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.

Discussion: Mrs. Campbell inquired if the trash could be scrapped and monies deposited to the General Fund. This will be looked into.

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

#09-563

- c) 2916 38th Street NW – Junk Vehicle
Motion by Member Bossart,
WHEREAS, a public hearing was held on September 30, 2009 by the Board of Trustees regarding Junk Motor Vehicle(s) at 2916 38th Street NW, Stark County, Ohio (Parcel #52-16453) and
WHEREAS, Anthony & Karen Lasorella, have failed to demonstrate satisfactory progress in correcting the violations at the above property; and
WHEREAS, the Plain Township Board of Trustees have provided the owner(s) of the property with notice and opportunity to be heard on this matter;

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

1. A Junk Motor Vehicle(s) constitutes a nuisance under Ohio Revised Code Section 505.173, and
2. The nuisance shall be abated or removed according to the procedures outlined in ORC Section 505.173, and
3. Notice of this decision will be provided to the property owners
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 Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

2. Nuisance Payments

#09-564

- a) 2117 Blake Avenue NW
Motion by Member Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2117 Blake Avenue NW (Parcel #52-10835) to abate the nuisance on this property (Resolution #09-522) on September 15, 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 \$214.56; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$257.05;
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 \$471.61 to **be placed on the property owner's tax duplicate.**

Seconded by Member Bossart.

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

b) 2408 Clearview Avenue NW

#09-565

- Motion by Member Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2408 Clearview Avenue NW (Parcel #52-04502) to abate the nuisance on this property (Resolution #09-523) on September 15, 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 \$118.53; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$240.25;
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 \$358.78 to **be placed on the property owner's tax duplicate.**

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

#09-566 c) 3726 Dauphin 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 3726 Dauphin Drive NE (Parcel #52-07185) to abate the nuisance on this property (Resolution #09-524) on September 15, 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 \$448.10; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$245.85;
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 \$693.95 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

#09-567 d) 1600 30th 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 1600 30th Street NE (Parcel #52-19055) to abate the nuisance on this property (Resolution #09-525) on September 15, 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 \$167.68; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$230.65;
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 \$398.33 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

#09-568 e) 2426 30th 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 2426 30th Street NE (Parcel #52-00464) to abate the nuisance on this property (Resolution #09-503) on September 8, 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 \$257.67; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$206.65;

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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 \$464.32 to **be placed on the property owner's tax duplicate.**

Seconded by Member Bossart.

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

- #09-569 f) 2707 30th 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 2707 30th Street NE (Parcel #52-12906) to abate the nuisance on this property (Resolution #09-504) on September 8, 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 \$342.61; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$217.85;
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 \$560.46 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.
- #09-570 g) 2618 31st 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 2618 31st Street NE (Parcel #52-08220) to abate the nuisance on this property (Resolution #09-505) on September 8, 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 \$300.74; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$219.45;
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 \$520.19 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.
- h) 2702 31st Street NE

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- #09-571 Motion by Member Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2702 31st Street NE (Parcel #52-07138) to abate the nuisance on this property (Resolution #09-506) on September 8, 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 \$342.05; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$217.85;
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 \$559.90 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.
- #09-572 i) 2825 31st 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 2825 31st Street NE (Parcel #52-10337) to abate the nuisance on this property (Resolution #09-507) on September 8, 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 \$220.83; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$212.25;
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 \$433.08 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.
- #09-573 j) 1600 32nd 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 1600 32nd Street NE (Parcel #52-07463) to abate the nuisance on this property (Resolution #09-508) on September 8, 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 \$433.53; 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 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

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Abatement of a Nuisance certifying the total cost of \$662.58 to **be placed on the property owner's tax duplicate.**

Seconded by Member Bossart.

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

- #09-574 k) 122 35th 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 122 35th Street NE (Parcel #52-09906) to abate the nuisance on this property (Resolution #09-509) on September 8, 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 \$240.82; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$217.85; 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 \$458.67 to **be placed on the property owner's tax duplicate.**
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

COMMUNICATIONS:

- 1. Lawr-Chester Allotment Portion Sanitary Sewer Connection

Notice to property owners that the completion and testing has been completed and approved and sewers are now available for connection. The connection fee for sanitary waste will be \$1,650 for a single family residence.
- 2. 2010 District Yard Waste Drop-Off

After discussion with representatives of the Ohio Environmental Protection Agency, the District has determined the yard waste drop-off program for FY2010 will remain unchanged.

ADJOURNMENT:

- #09-575 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 12:10 p.m.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, Absent.

Absent

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Jo Ellen Reikowski
Fiscal Officer Pro-Tem