

WORK SESSION

Attendance: Louis Giavasis, Albert Leno II, Pamela Bossart, Claude Shriver, Eric Williams, Lisa Campbell, John Sabo, Todd Alexander, Joe Iacino and Steve Peroz. **Media present was Betty O’Neil-Roderick.**

The work session on November 10, 2009 was called to order at 6:35 p.m. due to the fact there was only one couple present from Peachmont Avenue and the Board wanted to give time for other people to arrive. The other people arrived at 7 p.m. So continuation of the discussion ensued during Concerns of Citizens.

The meeting was directed to Debbie Weaver from ME Consultants who passed out a report to the Trustees discussing the criteria and speed study that was conducted on Peachmont. This was done for seven different days, 24 hours a day. Debbie mentioned this is not a very severe problem but a slight problem probably averaging between five and seven miles over the speed limit rated on certain percentiles. She said it does not meet the criteria for a four way signaling device. However, she would recommend if anything was done, that they would use the traffic devices that are placed in the **road that are called “speed tables”. These can cost between \$2,000 and \$3,000 a piece.** During the discussion, Mr. Leno mentioned that the Township has problems like this in other neighborhoods and we would be setting precedence by spending this kind of money. He felt the best way to handle it right now would be to establish a pattern of police in the area and have one of our deputies, whenever available, writing tickets so people will know that we are very serious about stopping this. Maria Tache of 2133 Mohler Drive NW was present to say it is an ongoing problem and she wished people could be there and see what goes on Saturdays when you try to work in your yard and these people go speeding by. Further discussions will be during the Concerns of Citizens portion of the meeting.

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:05 p.m. by President Giavasis who led the pledge of allegiance. After the pledge there was a moment of silence observed for Stark County Engineer Michael Rehfus.

ATTENDANCE:

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

AGENDA: Deleted from the agenda was Parks & Facilities #3. Added to the agenda was Unfinished Business #1 – Oil & Gas Well. The agenda was accepted.

SHERIFF’S REPORT:

No report

UNFINISHED BUSINESS:

1. Oil & Gas Well – Mr. Williams said that he talked with the representative with the company that wanted to refabricate the

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well at the Road Department. He was present and talked to the Board briefly and stated that we would receive approximately 300,000 mcf per year for heating to the garage. The areas that are on the lease would receive a total of 1/8 in royalties that would be split according to the amount of land they own and the acreage of the well. The Board wants to proceed with this. Mr. Iacino said this could easily save us at least \$10,000 per year. But right off the top it is saving us \$10,000 that we were told by the Department of Natural Resources that would have had to pay to cap the well. Mr. Williams will move forward with an agreement with the company in question to have this oil and gas well reworked at the Road Garage.

NEW BUSINESS:

1. SCOPP
Public notification was received from Stark County Out of Poverty Partnership Homeownership regarding the renting out of four homes on Willowrow Avenue NE. This was sent to allow the Trustees to voice any negative opinion to this idea. These homes are presently vacated and this is a step in the right direction to get them habituated.

BICENTENNIAL UPDATE:

No Report

FISCAL OFFICER’S REPORT:

1. Pending Warrants
#09-625 Motion by Chairman 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 \$87,119.58 as attached hereto and made a part of these minutes.
Seconded by Member Bossart.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

2. Regular Payroll
#09-626 Motion by Member Leno,
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 Member Bossart.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

3. Medical Claims
#09-627 Motion by Member Bossart,
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 Medical Mutual:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
11/04/09	16754	\$19,021.12

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

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

5. Longevity
#09-628 a) Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of

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Trustees, Stark County, Ohio to authorize the benefits of longevity pay to members of the Plain Township Firefighters Association who meet the requirements of the attached schedule.

Seconded by Member Leno.

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

#09-629

- b) Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the benefits of longevity pay to all non-bargaining unit employees who meet the requirements of the attached schedule.

Seconded by Chairman Giavasis.

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

- 6. Department of Liquor Control – **Let’s Golf Daily Inc**
This was to be returned without a hearing as it was a change in corporate stock ownership.

ADMINISTRATOR:

- 1. **Public Record’s Training**
Lisa went over her certificate that she received at her public records training and said she thought it was very highly worthwhile and is suggesting people in different departments attend this as it answers very basic questions as to the compliance of public records. She has scheduled Linda for a training session and will schedule others.

FIRE DEPARTMENT:

- 1. Monthly Report was given

ROAD DEPARTMENT:

- 1. Monthly Report was given
- 2. Fawcett Stadium – Temporary No Parking
A request from the Ohio High School Athletic Association during December 4th and 5th to place signs on Board Avenue. There was detailed discussion as to the problems in the past regarding one individual who demands that the cars be towed. Lisa, after detailed discussion, said she would call the individual and tell him the signs were going up and the fact of the matter is according to the Sheriff deputy present and our law director, the cars in question are parked on the right-of-way and they legally can be parked there. But if they are on the paved part of the street, they can not be parked there. However, these cars are parked on gravel-type areas that the residences on Board Avenue have put in themselves.

#09-630

- 3. Purchase of Gasoline
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 Chairman Giavasis.

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

7:30 P.M. PUBLIC HEARING:

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#09-631

Motion by Chairman Giavasis,
WHEREAS, a petition to light artificially the streets and public ways in an unincorporated district in this township was filed with the Plain Township Fiscal Officer on October 15, 2009 and was presented to the Plain Township Trustees on October 27, 2009 (Resolution #09-605); and
WHEREAS, the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and
WHEREAS, notice of a hearing before the Plain Township Board of Trustees on the petition for October 27, 2009 was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published against nonresidents, pursuant to RC 515.04, and return of due service and publication was made according to law;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the petition for a lighting district on 36th Street NE between Market Avenue N and Beverly NE for three lights of 22,000 lumens and to be located on the poles on 36th Street NE; and
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees to authorize the Plain Township Fiscal Officer to certify this cost as a special assessment to property owners to the Stark County Auditor and to authorize American Electric Power Company to install the correct lights.
Seconded by Member Leno.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

ROAD DEPARTMENT:

4. Snow Equipment
#09-632 Motion by Member Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a **BOSS 7' 6" Super Steel Snowplow and choice of controller for Unit #101 from Terry's Truck & Trailer Equipment not to exceed \$3,675.00 from Fund # 2031-4330-740-0000.**
Seconded by Member Bossart.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

ZONING DEPARTMENT:

1. Monthly Report was given

PARKS & FACILITIES:

1. Monthly Report was given
2. Gutter Repairs
#09-633 Motion by Member Bossart,
WHEREAS, the Diamond Community Complex building experienced downspout damage; and
WHEREAS, this damage **will be covered by Plain Township's** insurance coverage with OTARMA except for the insurance deductible of \$1,0000; and
WHEREAS, the insurance claim adjuster with PERSO has

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authorized the repairs to be done by DLP Spouting and Construction LTD in the total amount of \$6,400.00 with payment to be made to Plain Township Trustees;

THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the repairs to the Diamond Community Complex downspouts by DLP Spouting and Construction LTD in the total amount of \$6,400.00 and to authorize a down payment in the amount of \$3,000.00 from fund #901-4610-323-000 with final payment due on completion.

Seconded by Chairman Giavasis.

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

- 3. Soccer Excellence Contract – removed from agenda
- 4. Conditional Approval – Schneider Park
The conditional approval from Stark County Regional Planning Commission for the Site Improvement Plan for Schneider Community Park was received by Hammontree & Associates Ltd.

LAW DIRECTOR:

- 1. No Report

CENTRAL MAINTENANCE:

- 1. Monthly Report was given

Lisa informed the Board one of our cruisers was totaled in an accident. The insurance company was going to pay out \$8,700 however, she was having Mr. Kegley look into the fact of having Mr. Kegley trying to buy the cruiser back for \$900 as there is a new transmission and some equipment that we could use and keep it down at our Road Garage. She will keep the Board posted as to costs of a new cruiser in the future.

COMMUNICATIONS:

- 1. Continuing Education – Contractors
A seminar will be held on December 10, 2007 at SWCD on Richville Drive in Massillon for new requirements for contractors regarding BMPs and water quality.

CONCERNS OF CITIZENS:

- 1. Holly Gardner of 7972 Peachmont – more detailed discussion continued from the Work Session. Mrs. Bossart said she lives on Peachmont and has never noticed any speeding however she did come up with an idea of painting lines on either side of the road and making like a bicycle or walking track. Debbie, the ME Consultant Engineer said that is a possibility. It would not be as **effective as the “speed tables”**; however, she did feel it would be a start. She felt the speed tables would be a better solution. The Board tended to agree overall the best solution would be to get the deputies out there and ticket people and get a pattern as **they do on Hills & Dales Road and in Avondale so people don’t understand when they will be there and when they won’t. But**

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to be able to ticket enough of the people in that area that are abusing the neighborhood by speeding and we will get the problem solved. The Board told the two parties in attendance that they are there to help them and if they would work with them all they could to get this solved. Holly volunteered to call other townships to find out if there is a township in Ohio that is presently using a speed table. Mr. Leno volunteered to sit in on a conference all with our Law Director, Administrator and Highway Superintendent to see how it is working out for that particular township.

CONCERNS OF TRUSTEES:

None

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

- #09-634
1. Regular Meeting October 27, 2009
Motion by Member 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 October 27, 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 October 27, 2009 as presented.
Seconded by Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, Absent; Chairman Giavasis, yes.

EXECUTIVE SESSION:

- #09-635
- Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:35 p.m. from this regular meeting of November 10, 2009 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
1. (b) employment of a public employee or official
(f) compensation of a public employee or official
 2. (a) the purchase of real, personal, tangible or intangible property
 4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees
- Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.
- #09-636
- Motion was made by Chairman Giavasis to return to public session at 9:02 p.m.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

ANNOUNCEMENTS:

1. Vacant Lot Purchase

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#09-637 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of
Trustees, Stark County, Ohio to enter into an agreement with
John Variola for the purchase of vacant property per the
attached vacant lot purchase agreement in an amount not to
exceed \$32,000.00 from Fund 1000-42120-730-0000 and to
authorize Lisa Campbell to sign on behalf of the Plain
Township Board of Trustees.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

ADJOURNMENT:

#09-638 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:02 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