

WORK SESSION**ATTENDANCE:**

Louis Giavasis, Scott Haws, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, and Chuck Kegley. Residents in attendance were Mr. and Mrs. Molnar along with another couple who did not give their name. This work session was called to order at 6:00 p.m. regarding the Beverly and Stonewall discussion. There was general discussion around the maps with Mr. Iacino. It was decided to hold another meeting with the other residents. Mr. Haws felt it was important the Board hear the input from all the residents in the area.

EXECUTIVE SESSION:

#10-041 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:35 p.m. from this regular meeting of January 26, 2010 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
(d) discipline of a public employee or official
4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Mr. Haws.

Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

#10-042 Motion was made by Mr. Giavasis to return to public session at 6:58 p.m.

Seconded by Mr. Leno.

Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

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, Scott Haws Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, and Chuck Kegley. Steve Peroz was ill. Media present: **Betty O'Neil-Roderick**, Akron Beacon Journal.

AGENDA: The agenda was accepted as presented.

SHERIFF'S REPORT:

1. Speeding Starcliff/Radford area
Mr. Iacino reported speeding on Starcliff and Radford in the **area around Bob O'Link.**
2. Bob Brenneman – 4133 Plain Center NE
Inquired as to why the speed limit between Plain Center and Martindale Road was 45 miles per hour. It was explained to him that speed limits are set by the State as to housing density, etc. Mr. Iacino said he would make note of this and possibly put this down for a speed study at the annual meeting at the **Stark County Engineer's office in April.**

UNFINISHED BUSINESS:

1. Lydford Street
Therese Esmont of 8201 S Thornham Circle NW was present. She said she purchased her home in August of 2001 and is concerned because that portion of her street is not being taken care of by the Township. It was explained to her that both residents that owned the two homes in question vacated that street in May 2001 and that it is not legal for a Township to plow snow on private property. Presently, that is considered a driveway. Mr. Iacino explained there is an alteration agreement between Plain Township and Lake Township and every other year, one of the other plows the area. It could have been plowed in the past as Lake Township might not have been aware of the vacation. Once the Township is made aware of the vacation, they can not by State law do any plowing or maintenance on that portion of that road. After discussion, it was decided that Mrs. Esmont contact the Commissioners office. Mr. Williams will also look to see if there is a possible reversal of a vacated street and if the Commissioners would award that street to Plain Township once again.

#10-043

2. BYR#15 – Coffee
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of coffee for Plain Township officers, employees, and other persons present at Township buildings.
Seconded by Mr. Haws
Discussion: It was discussed that the various department heads have been contacted and they are willing to manage their own coffee fund. They will be purchasing commercial type coffee makers for each department. Mr. Haws pointed out that though the Parks concession purchased \$1100.00 worth of coffee, this was a revenue generating operation. The Township still spent \$4100 on coffee and this money could be better spent on a project within the Township.
Vote: Mr. Leno, yes; Mr. Haws, no; Mr. Giavasis, no.

NEW BUSINESS:

#10-044

1. SCRPC/Tax Incentive Review Council
Motion by Mr. Leno,
WHEREAS, Plain Township currently is a participant in an enterprise zone with other jurisdictions; and
WHEREAS, the Ohio Revised Code requires a tax incentive review council to organize and review existing tax incentive agreements and recommend changes to the Ohio Department of Development; and
WHEREAS, two members are required to be appointed from each township within the zone;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that Louis Giavasis and Scott Haws be appointed to represent Plain Township on the Tax Incentive Review Council; and
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Mrs. Campbell as alternate member to the Tax Incentive Review Council.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

#10-045

2. Schneider Street Park Development/Phase I
Motion by Mr. Giavasis,

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Canton, OH 44721

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached agreement with Hammontree & Associates, Ltd. for the additional services listed below for the Schneider Park Development/Phase I in an amount not to exceed \$12,000.00 to authorize payment from fund #4904-4990-730-0000 and to authorize Lisa Sabina-Campbell to execute the attached memorandum.

Additional Services:

1. Offsite easement survey, map and legal descriptions.
2. Prepare plans for bidding and construction for Phase I, including quantity takeoffs and opinion of construction cost for Phase I and overall cost.
3. Add other site details for construction (gate, fencing, seeding, water meter housing, etc.).
4. Redesign SW detention pond to oversize as recommended by County.

Seconded by Mr. Haws.

Discussion: Mr. Alexander showed the Board maps concerning different details regarding Phase I.

Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

3. Canton Towing

The owner of Canton Towing gave a presentation offering to put together a program whereby he would provide free roadside service to all Plain Township vehicles within a 20 mile radius to include plugging of tires, removal of stuck vehicles to include fire department and all road apparatus. After several questions from Mr. Kegley and the Board, the Board said they would take this under consideration.

FISCAL OFFICER’S REPORT:

#10-046 1. Pending Warrants
Motion by Mr. Haws,
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 \$282,187.69 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

#10-046 2. Regular Payroll
Motion by Mr. Haws,
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: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

#10-047 3. Medical Claims
Motion by Mr. 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 Benefit Services:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
1/19/10	17249	\$ 5,613.35
1/26/10	17329	10,134.39

Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

4. Investment Report – was given and accepted by the Board with

ZONING DEPARTMENT:

No Report

PARKS & FACILITIES:

#10-053

- 1. JSWMD Grant
Mr. Alexander displayed some photos he had taken of the truck taking material from out sites to the Kent State drop-off site. This was a result of the grant we received.

- 2. Park Reservation Rules – Revisions
Motion by Mr. Haws,
WHEREAS, the Plain Township Board of Trustees has determined that there should be regulations for the reservation and use of the Alpine Park Shelters, the Diamond Community Room and Schneider Street Park;
NOW, THEREFORE BE IT HEREBY RESOLVED that the following Alpine Park shelters and Diamond Community Room regulations, Chapter 500, shall be amended to the following:
SECTION 501(B) RESERVATION OF ALPINE PARK SHELTERS RECREATIONAL FACILITIES:

- 1. The Alpine Park shelters are available for public use.
- 2. Completion of the permit application and the Plain **Township Parks & Facilities Director’s approval of the** permit request are required before reservation of either of the Alpine Park shelters. Events at the shelters that could exceed 100 people in attendance are prohibited. Use of the shelters and related public areas that exceed the maximum attendance levels cannot be safely accommodated by the available space.
- 3. The permit holder may be required to contact a Stark **County Sheriff’s Deputy for events at either shelter as** determined by the Parks & Facilities Director.
- 4. Submission of proof of liability insurance requirements may be required for the shelter events or recreational activities if so determined by the Parks & Facilities Director.
- 5. Execution of a release of claims is required by participants in the shelter events or recreational activities as determined by the Parks & Facilities Director.
- 6. The permit holder shall be responsible for all trash pickup or cleanup at the shelter site.
- 7. Attached hereto and incorporated herein are the following forms: Shelter Permit Application, Park Shelter Permit and Liability Insurance Requirement.

SECTION 501(C) VIOLATIONS OF PARK FACILITY USAGE PERMITS:

- 1. The purpose of the Park Facility Usage Permits (**“Permits”**) are to guarantee permit holders a time, date and place for their activities and to maximize the availability of Park facilities for all. No other people shall use a facility or field that is being used by a permit holder.
- 2. Organizations shall not use a Park facility that usually requires a permit, such as picnic shelters, without a permit issued by the Parks & Facilities Director.
- 3. No individual or organization shall impede another permit **holder’s use of any Park facility.**
- 4. In the event of violation of any of the conditions of the

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Permits or Parks regulations, the following procedures shall be used: Upon written notification by the Parks & Facilities Director of any violation, the permit holder or a representative thereof shall be required to attend a hearing to review the circumstances surrounding the violation and the penalty, if any, to be imposed by the Plain Township Board of Trustees. Penalties for any violation by the permit holder may include a written warning, fine, reduction in permit privileges, cancellation of the permits for the year in question, or permanent revocation of all Park privileges. The decision as to the penalty to be imposed, if any, shall be made by the Board of Trustees after allowing the permit holder or representative ample opportunity to discuss the alleged violation.

SECTION 501 (D) RESERVATION OF DIAMOND COMMUNITY ROOM RECREATIONAL FACILITIES:

1. The Community Room is available for public use.
2. Completion of the permit application and the Plain **Township Parks & Facilities Director's approval of the** permit request are required before reservation of the Community Room. Events at the Community Room that could exceed 46 people in attendance are prohibited. Use of the Community Room and related public areas that exceed the maximum attendance levels cannot be safely accommodated by the available space.
3. The permit holder may be required to contract a Stark **County Sheriff's Deputy for events at the Community Room** as determined by the Township Parks & Facilities Director.
4. Submission of proof of Liability insurance requirements may be required for the Community Room events or recreational activities if so determined by the Parks & Facilities Director.
5. Execution of a release of claims is required by participants in the Community Room events or recreational activities as determined by the Parks & Facilities Director.
6. Attached hereto and incorporated herein are the following forms: Community Room Permit and Liability Insurance Requirements.
7. A \$25.00 deposit must be placed to pick up a key at the Plain Township Hall. The deposit will be returned when the key is returned.
8. Permit holders shall be responsible for locking up the facility at the end.
9. The Community Room will be closed on all holidays recognized by the Township. The Community Room may be booked from 8:00 p.m. to 10:00 p.m. seven days a week, except holidays.
10. Permit holders will be responsible for any damages done to the facility while their group is present at the facility. The indoor soccer field is off limits unless the permit holder is renting the field. If the field is rented, an employee will be present.
11. The Community Room must be left in the same condition it was when the permit holder arrived. Trash must be removed and placed in the dumpster and tables and chairs must be left clean. Lights must be turned off. Violation of this policy will result in the permit holder not being allowed to use the Community Room in the future.

SECTION 501(G) "NO SHOWS" TO RESERVED RECREATIONAL FACILITIES:

If a permit holder reserves any of the recreational facilities for

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multiple dates but fails to show up for two reservations, whether to the Diamond Community Room or the Alpine Shelters, that permit holder will not be permitted to reserve any of the recreational facilities for a period of twelve months after the second offense.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

LAW DIRECTOR:

#10-054 1. Easement – Darlene Fraleigh
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to execute the attached construction easement agreement documents with Darlene D. Fraleigh.
Seconded by Mr. Haws.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

#10-055 2. Marquardt Street Sidewalk Project
Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into an agreement with Jane Eleanor Olinger per the attached purchase agreement for the **“Marquardt Street Sidewalk Project” in an amount not to exceed \$1,525.00** and to authorize payment from Fund 1000-4330-790-0000.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

CENTRAL MAINTENANCE:

No Report

COMMUNICATIONS:

- 1. Efficient GovNow
Information on grants that can be applied for but they need a minimum of two local partners. Lisa offered several ideas to create interest and possibly capture Plain Township to be a grantee in the future.
- 2. Community Christmas – Thank You
This was to Plain Township for their participation in the 2009 Coats for Christmas program.

CONCERNS OF CITIZENS:

None

CONCERNS OF TRUSTEES:

None

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

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- #10-056 1. Regular Meeting January 12, 2010
Motion by Mr. Haws,
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 January 12, 2010 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 January 12, 2010 as presented.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #10-057 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:20 p.m. from this regular meeting of January 26, 2010 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
(d) discipline of a public employee or official
- 4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Mr. Haws.

Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

- #10-058 Motion by Mr. Leno to return to public session at 8:48 p.m.
Seconded by Mr. Haws.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

ADJOURNMENT:

- #10-059 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:50 p.m.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Haws, yes; Mr. Giavasis, yes.

Scott Haws
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer