

2600 Easton St. NE  
Canton, OH 44721

September 27,

2022

REGULAR MEETING

OPENING: The regular meeting was called to order at 6:00 p.m. with the pledge of allegiance

ATTENDANCE:

Scott Haws, John Sabo, Brook Harless, Chief Shalenberger, Lisa Campbell, Eric Williams, JP Neff, Thomas Ferrara, Rob Steinberg, and Thomas Wolf.

Media: None

AGENDA: Chief Shalenberger ,Fire item #1 edited as read.

UNFINISHED BUSINESS:

1. Amend Resolution 22-491 Pavlis  
#22-515 Motion by Mr. Haws,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend resolution #22-491, the contract with St. Clair/Pavlis Group Inc for the construction of the **township amphitheater to reflect the change in Section 5.1.3 as follows “If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than thirty (30) days after the Architect receives the Application for Payment.”**

BE IT FURTHER RESOLVED, to authorize the Administrator, Lisa Campbell to execute the change with the date and her initials along with the initials of John Pavlis.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

2. Amend Resolution 22-399 Austin Drain

#22-516 Motion by Mr. Haws,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend the attached resolution #22-399 to change the amount to \$4500.00.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

SHERIFF'S REPORT: None

NEW BUSINESS:

1. Agreement with Mannik Smith Group  
#22-517 Motion by Mr. Haws,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached agreement with Mannik Smith Group to complete an ASTM International Phase 1 Environmental Site Assessment on the property located at 1920 Schneider Street NE.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

2. Payment to Austin Drain Cleaning for Pipe Replacement

#22-518 Motion by Mr. Sabo,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve payment to Austin Drain Cleaning to replace cast iron pipe outside the administration building in an amount not to exceed \$5,800.00 to be taken from fund# 1000-110-500-0000.

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.



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Pursuant to Section 5747.53 and Chapter 5747 of the Ohio Revised Code, which authorizes the County Budget Commission to apportion the Undivided Local Government Fund under an alternative method or on a formula basis, the Board of Trustees of Plain Township hereby approves the Alternative Method for apportioning the Stark County Undivided Local Government Fund by means of the formula approved for consideration and approval by the SCOG General Membership on September 6, 2022 and attached to this resolution and noted as Exhibit A. Approval is further granted for the Stark County Budget Commission to apportion the 2023 through 2027 Stark County Undivided Local Government Funds according to the Alternative Method; and,

BE IT FURTHER RESOLVED, that the Fiscal Officer, as Clerk of this Board, is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this RESOLUTION, and is further authorized, in conjunction with the advice of additional Legal Counsel, to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this RESOLUTION, during or after the pendency or passage of this RESOLUTION. Corrected copies are to be sent to all official recipients; and,

BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

Trustee Sabo seconded the motion and upon a roll call the vote resulted as follows:

Vote: Mr. Haws Yes; Mrs. Harless Yes; Mr. Sabo Yes

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**FISCAL OFFICER’S REPORT:**

1. Pending Warrants  
#22-521 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 \$ 184,981.66 as attached hereto and  
made a part of these minutes.

Seconded by Mrs. Harless  
MEMBER VICE-CHAIRMAN CHAIRMAN  
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

2. Regular Payroll  
#22-522 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 \$250,000.00.  
Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN  
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

3. Medical Claims  
#22-523 Motion by Mrs. Harless,  
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 Mutual Health  
Services and Aultcare:

DATE	WARRANT	AMOUNT
09/16/22	2388-2022	\$ 1,402.27
09/16/22	2389-2022	\$29,120.81
09/22/22	2508-2022	\$33,015.76

Seconded by Mr. Haws  
MEMBER VICE-CHAIRMAN CHAIRMAN  
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

4. Fire Escrow Payment  
#22-524 Motion by Mr. Haws,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to  
authorize the release of insurance proceeds being retained for a loss caused by fire on September  
21, 2021, at 1209 34<sup>th</sup> St. NE., in the amount of \$22,500.00. The check is to be made payable to  
Steven A. Smithberger and will be picked up by Steven A. Smithberger at township hall when  
available, authorized by Fire Chief Charles Shalenberger.

Seconded by Mrs. Harless  
MEMBER VICE-CHAIRMAN CHAIRMAN  
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

**ADMINISTRATOR:**

1. Payment to Carnes Office Supply for Desk and Credenza in Zoning Department  
#22-525 Motion by Mr. Haws,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to  
approve payment to Carnes Office Supply for a desk and credenza for the zoning administrative  
assistant in an amount not to exceed \$3,549.98 to be taken from fund #1000-110-500-0000.

Seconded by Mrs. Harless  
MEMBER VICE-CHAIRMAN CHAIRMAN  
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

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#22-526 2. Corefit Healthier Through The Holiday Program  
 Motion by Mr. Haws,  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached service agreement for the Plain Township Wellness Program with COREFIT, Healthy Through the Holidays,  
 BE IT FURTHER RESOLVED to pay \$1,750.00, for program design, marketing, signups, printed materials, and 3 lunch and learns, and to pay up to \$100 per participant up to 50 participants and or \$85 per participant for over 50 participants to be paid from fund #1000-110-500-0000.  
 Seconded by Mrs. Harless  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

FIRE DEPARTMENT:

#22-527 1. Hire a Full Time Firefighter  
 Motion by Mr. Sabo,  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to promote Ryan Clevenger from part time status to a full time Firefighter/Paramedic Class I, effective October 2, 2022 at 0700 as he has successfully completed the Ohio Police and Fire medical physical. Wages and benefits are to be in accordance with the collective bargaining agreement.  
 Seconded by Mr. Haws  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

#22-528 2. Accept Resignation of Zachary Shier  
 Motion by Mr. Haws,  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Zachary Shier as a Plain Township Part-Time Firefighter/Paramedic effective September 28, 2022, at 0700 am.  
 Seconded by Mrs. Harless  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-529 3. Payment Intake Valves and Misc. from QDCIP Fire, LLC  
 Motion by Mr. Haws,  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment of Intake valves, adapters and misc. from QDCIP Fire, LLC per the attached quote in an amount not to exceed \$5,000.00 to be taken from fund #2111-760-740-0000.  
 Seconded by Mr. Sabo  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

ROAD DEPARTMENT:

#22-530 1. Payment to Graphic Enterprises for a Color Copier  
 Motion by Mr. Haws,  
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to Graphic Enterprises for a new Konica Minolta Bizhub C360i Color Copier with Service Agreement. Not to exceed \$8,247.00 from fund 2021-330-430-0000  
 Tools & Equipment  
 Seconded by Mrs. Harless  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

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#22-531 2. Purchase of a New Water Softener  
 Motion by Mr. Haws,  
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase, installation, and payment to Clearwater Systems for a new Kinetico Commercial Water Softener. Not to exceed \$7,744.64 from fund 2141-760-720-0000 Buildings.  
 Seconded by Mrs. Harless  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes  
 Thank you to Mrs. Balderson and Plain Local IB Visual Arts Program

ZONING DEPARTMENT:

1. Nuisance Abatements  
 a. 3009 Willowrow Ave NE  
 #22-532 Motion by Mr. Haws,  
 WHEREAS, a public hearing was held on 9/27/22 by the Board of Trustees regarding the property conditions at 3009 WILLOWROW AVE NE, Stark County, Ohio (Parcel # 5218188) and  
 WHEREAS, ROBERT & AMY BOLAN, has 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;  
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:  
 High grass and/or weeds Ohio Revised Code Section 505.87 pertaining to the accumulation of vegetation, garbage, refuse, and other debris constituting a nuisance on property within Plain Township and  
 •The nuisance(s) shall be abated or removed according to the procedures outlined in ORC Section 505.871, and  
 Notice of this decision will be provided to the property owners.  
 Seconded by Mrs. Harless  
 MEMBER VICE-CHAIRMAN CHAIRMAN  
 Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes  
 b. 3525 Easton St NE  
 #22-533 Motion by Mr. Haws,

WHEREAS, a public hearing was held on 9/27/22 by the Board of Trustees regarding the property conditions at 3525 EASTON ST NE, Stark County, Ohio (Parcel # 5207993) and  
 WHEREAS, JESSICA MORRIS & DIANE KAMBRICK, has 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;  
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:  
 • High grass and/or weeds Ohio Revised Code Section 505.87 pertaining to the accumulation of vegetation, garbage, refuse, and other debris constituting a nuisance on property within Plain Township and  
 •The nuisance(s) shall be abated or removed according to the procedures outlined in ORC Section 505.871, and  
 Notice of this decision will be provided to the property owners.

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Seconded by Mrs. Harless  
MEMBER                      VICE-CHAIRMAN      CHAIRMAN  
Vote: Mr. Haws, Yes;    Mrs. Harless, Yes;    Mr. Sabo, Yes

PARKS:

#22-534      1.      Amend Resolution #14-627 Parks Job Description  
Motion by Mr. Haws,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to accept the following job description for Parks, Grounds and Facilities Maintenance.  
BE IT FURTHER RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio that resolution #14-627 be amended to include this job description effective August 21, 2022.

Seconded by Mrs. Harless  
MEMBER                      VICE-CHAIRMAN      CHAIRMAN  
Vote: Mr. Haws, Yes;    Mrs. Harless, Yes;    Mr. Sabo, Yes

#22-535      2.      Payment to Deere & Company for Two Zero Turn Mowers  
Motion by Mr. Harless,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve purchase and payment to Deere & Company for one (1) diesel zero turn and one (1) gas zero turn mower in an amount not to exceed \$44,961.78 to be taken from fund # 2171-760-740-0000.

Seconded by Mr. Haws  
MEMBER                      VICE-CHAIRMAN      CHAIRMAN  
Vote: Mr. Haws, Yes;    Mrs. Harless, Yes;    Mr. Sabo, Yes

#22-536      3.      Amend Home Rule Chapter 500-Parks Rules and Regulations  
Motion by Mr. Haws,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio amend resolution #16-180-Home Rule Chapter 500 (Revision)-Diamond Community Park Regulations to allow pets at all parks.

WHEREAS, Plain Township Board of Trustees, Stark County, Ohio, will be considering a home rule resolution dealing with Plain Township Park regulations; and

WHEREAS, ORC 504.10 permits **the Board upon a majority vote of it's members to authorize the** adoption of a home rule resolution upon its first reading;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to dispense with the requirement of the home rule resolution being read on two separate days and pursuant to ORC 504.10 and upon a majority vote authorize the adoption if warranted of the resolution upon its first reading.

Prohibited Activities

WHEREAS, the Plain Township Board of Trustees has determined that there should be regulations for the use of Diamond Community Park; and

WHEREAS, the Plain Township Board of Trustees adopted Chapter 500-Plain Township Park regulations by the authority vested in them pursuant to R.C. 504 on September 7, 1993; and  
WHEREAS, the Plain Township Board of Trustees has determined that amendments to Chapter 500, Plain Township Parks, are necessary;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the hereinbefore Plain Township Park regulations, Chapter 500, shall be amended to the following:

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SECTION 501 (F)-PROHIBITED ACTIVITIES-DIAMOND COMMUNITY PARK

The following activity is prohibited or otherwise regulated in the Diamond Community Park:

1. No motorized vehicles in the park except in designated parking areas.
2. No alcoholic beverages.
3. No driving, chipping, or hitting golf balls.

Seconded by Mr. Sabo

MEMBER	VICE-CHAIRMAN	CHAIRMAN
Vote: Mr. Haws, Yes;	Mrs. Harless, Yes;	Mr. Sabo, Yes

4. Increase Parking Fees

#22-537

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to increase the fee for parking violations to \$50.00 and if not paid within three (3) days the fee is hereby increased to \$75.00. Handicap parking violations shall be \$200.00 and if not paid within three (3) days, the price shall be \$250.00

BE IT FURTHER RESOLVED that the Fiscal Officer post this resolution in five (5) public places in the township for thirty (30) days, and a notice be published in the Canton Repository for three (3) consecutive weeks.

Seconded by Mrs. Harless

MEMBER	VICE-CHAIRMAN	CHAIRMAN
Vote: Mr. Haws, Yes;	Mrs. Harless, Yes;	Mr. Sabo, Yes

LAW DIRECTOR: None

COMMUNICATIONS: None

PUBLIC SPEAKS: None

CONCERNS OF TRUSTEES: None

CONCERNS OF FISCAL OFFICER: None

APPROVAL OF MINUTES:

#22-538

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive the reading of the minutes held September 13, 2022, 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 meeting held September 13, 2022, as presented.

Seconded by Mr. Harless

MEMBER	VICE-CHAIRMAN	CHAIRMAN
Vote: Mr. Haws, Yes;	Mrs. Harless, Yes;	Mr. Sabo, Yes

#22-539

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive the reading of the minutes held September 19, 2022, 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 special meeting held September 19, 2022, as presented.

Seconded by Mrs. Harless

MEMBER	VICE-CHAIRMAN	CHAIRMAN
Vote: Mr. Haws, Yes;	Mrs. Harless, Yes;	Mr. Sabo, Abstained

PLAIN TOWNSHIP BOARD OF TRUSTEES

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ADJOURNMENT:

#22-540

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 6:18 p.m.

Seconded by Mrs. Harless

MEMBER

VICE-CHAIRMAN

CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

\_\_\_\_\_  
John A. Sabo  
Trustee

\_\_\_\_\_  
Brook Harless  
Trustee

\_\_\_\_\_  
Scott Haws  
Trustee

ATTEST:

\_\_\_\_\_  
Thomas Wolf  
Fiscal Officer