

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:05 p.m. by President Giavasis who dispensed with the pledge of allegiance.

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Eric Williams, Todd Alexander, Joe Iacino and Jo Ellen Reikowski. Claude Shriver, Lisa Campbell, John Sabo, Chuck Kegley and Steve Peroz were absent. Media present: **Betty O’Neil**-Roderick, Akron Beacon Journal and Edd Pritchard, Repository.

FISCAL OFFICER PRO TEM:

#09-532 Motion by Chairman Giavasis,
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: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

AGENDA: The agenda was accepted as presented.

SHERIFF'S REPORT:

- 1. Traffic Concerns
Sgt. Curry said deputies have been patrolling Peachmont when they are available. Chairman Giavasis said there have been similar issues on Burkey with speeding and residents not noticing cruisers in the area. Sgt. Curry said deputies are given directives in the morning and when they are not on other calls, they will cruise the neighborhoods. They will be switching to 12 hour shifts at the end of September which will help make them more visible during the daytime hours.

UNFINISHED BUSINESS:

- 1. Liquor Permit – The Barrel Room
No objections have been received so a hearing will not be requested.

NEW BUSINESS:

- 1. Joint Plain Township Trustees/Plain Local School Board Meeting
This joint meeting will be held on Wednesday, October 21st at 7 p.m. at Barr Elementary School. It will be a regular meeting for the School Board and a Special Meeting for the Trustees. Any items for the agenda must be given to Mrs. Campbell. This is an open meeting for the public.

FISCAL OFFICER’S REPORT:

- 1. Pending Warrants

#09-533 Motion by Member Bossart,
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 \$418,574.52 as attached hereto and made a part of these
minutes.
Seconded by Chairman Giavasis.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

2600 Easton St. NE
Canton, OH 44721

Page 2 of 9
September 22, 09

2. Regular Payroll

#09-534

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

3. Medical Claims

#09-535

Motion by Member 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 Medical Mutual:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
09/15/09	16427	\$ 16,717.26
09/17/09	16433	6,714.98

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

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

#09-536

5. EMS Refund
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of
Trustees, Stark County, Ohio to authorize a refund as follows for
overpayments for Emergency Medical Services as requested by
Ohio Billing, Inc.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
AultCare (for Jamie Caudwell)	\$ 481.50

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

#09-537

6. Transfer of Funds
Motion by Member Bossart,
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 Exp	1000-4110-599-7050 – Work- Place Safety	\$ 500.00
1000-4110-599-0000 – Other Exp	1000-4120-341-0000 – Telephone	5,000.00
1000-4110-599-0000 – Other Exp	1000-4120-352-0000 – Water & Sewer	500.00
1000-4110-599-0000 – Other Exp	1000-4130-211-0000 – Employer OPERS	2,500.00
1000-4110-599-0000 – Other Exp	1000-4420-370-0000 – General Health District	6,100.00
1000-4110-599-0000 – Other Exp	1000-4610-352-0000 – Water & Sewer	250.00
<u>Police Dept</u>		
2081-4210-323-0000 – Repairs	2081-4210-314-0000 – Property Tax Collection Fees	\$ 500.00
<u>Fire District</u>		
2111-4760-740-0000 – Machinery	2111-4220-322-0000 – Garbage/Trash	\$ 1,000.00
2111-4760-740-0000 – Machinery	2111-4220-323-0000 – Repairs/Maint	5,000.00
2111-4760-740-0000 – Machinery	2111-4220-341-0000 – Telephone	5,000.00
<u>Road District</u>		
2141-4330-740-0000 – Machinery	2141-4330-314-0000 – Property	\$ 1,500.00

2600 Easton St. NE
Canton, OH 44721

Page 3 of 9
September 22, 09
Tax Collection Fees

Medical Insurance

6001-4990-599-0000 – Medical 6001-4990-221-0000 – Contracts \$
45,000.00

Claims

Seconded by Chairman Giavasis.

Discussion: Mrs. Reikowski said these transfers were to covered expenses that were under budgeted for 2009. Some are expenses deducted by the Stark County Auditor from our Real Estate tax settlements.

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

- #09-538 7. Lighting District Certifications
Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to certify the lighting districts established in Plain Township and as shown on the attached list for the year 2009 to the Stark County Auditor for a period of one year.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.
- 8. Department of Liquor Control
 - a) Rite Aid – 3010 Whipple Avenue NW
 - b) Rite Aid – 3030 Market Avenue NE
 These will be held to the next meeting for comments.

ADMINISTRATOR:

No report

FIRE DEPARTMENT:

No report

ROAD DEPARTMENT:

- 1. Pro Football Hall of Fame
Mr. Iacino said he asked Kenneth Groves with the Hall of Fame to put their request for temporary no parking signs for the neighborhood surrounding the Hall of Fame in writing to him. He will have a resolution for the Trustees at their next meeting.

ZONING DEPARTMENT:

- 09-539 1. Annual Planning and Zoning Workshop
Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of \$85.00 per **person to the APA Cleveland’s 21st** Annual Planning and Zoning Workshop for attendance by any Zoning Department Staff, Law Director, members of the Board of Trustees, members of the Plain Township Board of Zoning Appeals, and members of the Plain Township Zoning Commission on Friday, November 13, 2009 at the LaCentre Conference & Banquet Facility in Westlake in an amount not to exceed \$1,700.00.
Seconded by Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.
- 2. Nuisance Payments
 - a) Vacant Lot #64 & #65 on Dorothy Avenue NE
#09-540 Motion by Chairman Giavasis,

2600 Easton St. NE
Canton, OH 44721

Page 4 of 9
September 22, 09

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at Vacant Lot #64 & #65 on Dorothy Avenue NE (Parcel #52-17219) to abate the nuisance on this property (Resolution #09-495) 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 \$275.61; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$211.28;

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 \$486.89 to be placed on the **property owner's tax duplicate.**

Seconded by Member Bossart.

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

#09-541

b) 2748 Englewood Drive NE

Motion by Chairman Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2748 Englewood Drive NE (Parcel #52-02537) to abate the nuisance on this property (Resolution #09-496) 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 \$413.78; 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 \$670.83 to be placed on the **property owner's tax duplicate.**

Seconded by Member Bossart.

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

#09-542

c) Vacant Lot on Millvale Avenue NE

Motion by Chairman Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at Vacant Lot on Millvale Avenue NE (Parcel #52-16404) to abate the nuisance on this property (Resolution #09-497) 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 \$266.97;

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 \$484.82 to be placed on the **property owner's tax duplicate.**

Seconded by Member Bossart.

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

2600 Easton St. NE
Canton, OH 44721

Page 5 of 9
September 22, 09

- #09-543 d) 3521 Millvale Avenue NE
Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3521 Millvale Avenue NE (Parcel #52-16400) to abate the nuisance on this property (Resolution #09-498) 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 \$240.85; 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 \$458.70 to be placed on the **property owner's tax duplicate**.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.
- #09-544 e) 3223 Regent Avenue NE
Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3223 Regent Avenue NE (Parcel #52-03204) to abate the nuisance on this property (Resolution #09-499) 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 \$300.39; 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 Abatement of a Nuisance certifying the total cost of \$529.44 to be placed on the **property owner's tax duplicate**.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.
- #09-545 f) 2020 26th Street NE
Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2020 26th Street NE (Parcel #52-07630) to abate the nuisance on this property (Resolution #09-500) 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 \$394.24; WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$113.00; 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 \$507.24 to be placed on the **property owner's tax duplicate**.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.
- g) 2315 26th Street NE

2600 Easton St. NE
Canton, OH 44721

Page 6 of 9
September 22, 09

#09-546 Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2315 26th Street NE (Parcel #52-03509) to abate the nuisance on this property (Resolution #09-501) 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 \$161.58; WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$234.65; 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 \$396.23 to be placed on the **property owner's tax duplicate**.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

#09-547 h) 2701 26th Street NE
Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2701 26th Street NE (Parcel #52-04114) to abate the nuisance on this property (Resolution #09-502) on September 8, 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 \$317.19; WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$223.45; 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 \$540.64 to be placed on the **property owner's tax duplicate**.
Seconded by Member Bossart.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

PARKS & FACILITIES:

1. Advertisement Proposal
2. Mosquito Treatment
Todd said he worked with the Stark County Health Department and this year did not have to treat all catch basins. The mosquitoes were not bad this year and they plan to do the same each year.

#09-549 3. Internationals Tournament Contract
Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached contract with the International Soccer Club for a soccer tournament on October 24-25, 2009 at the Diamond Sports Complex.
Seconded by Chairman Giavasis.
Discussion: Todd said the fee is \$85 per team and he added a clause to the contract regarding severe weather.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, yes.

#09-550 4. Bothwell Cup Tournament Contract
Motion by Member Leno,

2600 Easton St. NE
Canton, OH 44721

Page 7 of 9
September 22, 09

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached agreement with the Ohio Youth Soccer Association North for a soccer tournament on October 16-18, 2009 at the Diamond Sports Complex.

Seconded by Chairman Giavasis.

Discussion: Todd said most teams will attend this tournament. Ohio North is the host league and so far 132 teams are registered. Mr. Leno said this league is very picky where they play and that Todd is being very humble. He has maintained Diamond Park so well, keeping it well-kept and very clean making it an attraction. Todd said that the executive director came to a meeting at Diamond and was impressed. They had 105 teams registered in 2008. Mr. Leno stated he is very proud of you and the work the parks do.

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

LAW DIRECTOR:

No Report

CENTRAL MAINTENANCE:

No Report

COMMUNICATIONS:

1. Plain Local Schools
Steve Monte with Plain Local Schools called requesting use of safety cones and barricades for events at the school. Joe Iacino said he told Mr. Monte he needed to make the request to the Board of Trustees as he has had a hard time getting all the cones and barricades back. He has told them they need to replace the cones **they don't return. He** now makes them sign for them. Eric will take a look at this form.

CONCERNS OF CITIZENS:

None

CONCERNS OF TRUSTEES:

None

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

2600 Easton St. NE
Canton, OH 44721

Page 8 of 9
September 22, 09

1. Regular Meeting September 8, 2009

#09-551

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 September 8, 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 September 8, 2009 as presented.
Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, Yes.

2. Special Meeting of September 15, 2009

#09-552

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 special meeting held September 15, 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 special meeting held September 15, 2009 as presented.
Seconded by Member Leno.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, Yes.

EXECUTIVE SESSION:

#09-553

Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:41 p.m. from this regular meeting of September 22, 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
(f) compensation of a public employee or official
- 2.(a) the purchase of real, personal, tangible or intangible property
3. a conference with the law director or other retained counsel concerning pending or imminent court action
4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees

Seconded by Member Bossart.

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

#09-554

Motion by Chairman Giavasis to return to public session at 8:25 p.m.

Seconded by Member Bossart.

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

ANNOUNCEMENTS:

#09-555

1. Utility Workers Union of America, AFL-CIO Local 561 Contract
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the negotiated contract with and between the Plain Township Board of Trustees and the Utility Workers Union of America, AFL-CIO Local 561 having its effective dates from April 1st, 2009 to March 31st, 2012 as made a part of this record.

Seconded by Member Leno.

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

2600 Easton St. NE
Canton, OH 44721

Page 9 of 9
September 22, 09

#09-556 2. Kelly Boggs Contract
 Motion by Chairman Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of
 Trustees, Stark County, Ohio to enter into a contract with Kelly
 Boggs at \$15.00 per hour effective immediately to perform tasks
 such as the Plain Township Newsletter and flyers/brochures for
 the Parks Department.
 Secoded by Member Leno.
 Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, Yes.

#09-557 3. Medical Leave of Absence
 Motion by Chairman Giavasis,
 WHEREAS, Rick Foss is an employee of Plain Township;
 WHEREAS, Resolution #09-465 has granted Rick Foss an
 excused medical leave of absence, without pay, up to and
 including October 1, 2009;
 NOW, THEREFORE BE IT HEREBY RESOLVED to extend Rick
Foss' medical leave of absence, without pay, up to and including
 October 18, 2009. Rick Foss will return to work on October 19,
 2009 with no limitations.
 Secoded by Member Leno.
 Vote: Member Leno, yes; Member Bossart, no; Chairman Giavasis, Yes.

ADJOURNMENT:

#09-558 Motion by Member Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to adjourn at 8:30 p.m.
 Secoded 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: _____
 Jo Ellen Reikowski
 Fiscal Officer Pro Tem