

2600 Easton St. NE
Canton, OH 44721

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November 24, 09

GAMETIME WORK SESSION

The work session was called to order at 6:20 p.m. In attendance were Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams and Trustee-Elect Scott Haws. Mr. Alexander introduced David Williams from the GameTime Equipment Company for playground equipment who had put together a proposal for the Schneider Park property. He gave out a color brochure and handout which is attached to these minutes. The playground is designed to be eligible for 2 to 12 year olds and is handicap assessable and it can handle 70 to 80 children at one time. The total cost of the playground equipment is \$148,000 approximately with the grants and matching grants it will cost the Township approximately \$47,000. There were questions and answers regarding various additional equipment to be added to the playground and this will be discussed during the regular session at 7 p.m. Mr. Williams said he would be available for that time under New Business.

EXECUTIVE SESSION:

#09-639 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:47 p.m. from this regular meeting of November 24, 2009 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
1. (f) compensation of a public employee or official
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.

#09-640 Motion was made by Member Bossart to return to public session at 7:04 p.m.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:04 p.m. by President Giavasis who led the pledge of allegiance.

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley, Steve Peroz and Trustee-Elect Scott Haws. Media present: **Betty O'Neil**-Roderick, Akron Beacon Journal and Edd Prichard, Repository.

AGENDA: The following change was made to the agenda: Administration #2 was moved to Bicentennial Update #2 – Purchase of Commemorative Plaque. The agenda was accepted.

SHERIFF'S REPORT:

No Report

UNFINISHED BUSINESS:

NEW BUSINESS:

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1. Purchase of Play Ground Equipment
This was discussed and some additions were added to increase the cost to \$115,737.46.

#09-641

Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustee was awarded a grant through the Natureworks Local Grant Program for the purchase of playground equipment at the new Schneider Street Park as agreed to at the October 27, 2009 meeting (Resolution #09-621);
AND WHEREAS, a quote was received from David Williams & Associates, Inc. for the equipment, surfacing and installation based on using a price from U.S. Communities along with a GameTime Grant for a total cost of \$115,737.46;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the quote from David Williams & Associates, Inc. and to authorize payment in an amount not to exceed \$115,737.46 with reimbursement when project is completed in the amount of \$59,320.00 from the Ohio Natureworks Local Grant Program for a total cost of \$56,417.46.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

#09-642

2. 2010 Ohio Township Association Winter Conference
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Trustees, Fiscal Officer, Administrator and Department Heads to attend the Ohio Township Association Winter Conference in Columbus February 17-20, 2010; and to authorize payment of \$40.00 pre-registration fee, lodging, reimbursement for food, mileage and parking according to the Plain Township Travel Policy for those attending.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

#09-643

3. Winter Newsletter
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to Pinnacle Press in the amount of \$2,300.00 from fund #1000-4110-344-0000 for the printing of the Plain Township Winter Newsletter.
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to the United States Postal Service in an amount not to exceed \$2,300.00 from fund #1000-4110-342-0000 for postage for the Plain Township Winter Newsletter.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

3. Liquor Permits
Mrs. Campbell informed the Trustees notice has been received that all permits to sell alcoholic beverages in Plain Township will expire on February 1, 2010 and the Township can object to any renewal and request a public hearing.

BICENTENNIAL UPDATE:

1. Update of Events – Mr. Campbell went over the upcoming events for year end of the Bicentennial Celebration. There will be a tree lighting ceremony on Saturday and they have 30 barrels available that could have approximately 300 seated around them to stay

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warm. There will be a wood and ice carvers at 6 pm to 9 pm. Music, crafts for children and vendors. The Board extended a heartfelt thanks to Rick for his time and effort for planning the bicentennial for us this year.

2. Purchase of Commemorative Bicentennial Plaque
This purchase was discussed with no action taken.

FISCAL OFFICER’S REPORT:

1. Pending Warrants

#09-644 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 \$87,174.87 as attached hereto and made a part of these minutes.
Seconded by Member Leno.
Vote: Chairman Giavasis, yes; Member Leno, yes; Member Bossart, yes.

2. Regular Payroll

#09-645 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

#09-646 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>
11/10/09	16838	\$33,417.04
11/17/09	16843	11,000.76
11/18/09	16859	14,472.45
11/24/09	16937	18,171.78

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

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

5. Transfer of Funds

#09-647 Motion by Member Leno,
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>
Administration		
1000-4120-730-0000 – Imp Of Sites	1000-4120-710-0000 – Land Purchases	\$ 32,000.00
1000-4210-370-6100 – Cont 20,903.00	1000-4210-740-0000 – Machinery	
- Police		
1000-4120-599-0000 – Other	1000-4110-211-0000 – OPERS	2,000.00
1000-4120-190-9170 – Salaries	1000-4120-190-9060 – Salaries-OT	500.00

Police Fund		
2081-4210-381-0000 – Insur	2081-4210-314-0000 – Property Tax	400.00

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Capital – Park Development Fund

4904-4990-930-0000 – Park 4904-4990-730-0000–Imp of Sites
105,000.00

Fire Fund

2111-4760-740-0000 – Mach 2111-4220-420-3040 – Supplies \$ 671.57
- Tires

2111-4760-740-0000 – Mach 2111-4220-213-0000 – Medicare 3,500.00
Seconded by Chairman Giavasis.

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

6. Public Records Meeting – December 8, 2009 at 6:50 p.m.

7. EMS Refund

#09-648

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>
Allstate All Ohio Claims (for Kara Rossio)	\$ 50.00

Seconded by Member Leno.

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

7:30 P.M. PUBLIC HEARING:

1. Lighting District – Martindale

#09-649

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 21, 2009 and was
presented to the Plain Township Trustees on October 27, 2009
(Resolution #09-606); 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 November 24, 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 Martindale NE at Wynterhall for
one light of 9,000 lumens and to be located on the pole at the
intersection; 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 the property owners to the
Stark County Auditor and to authorize American Electric Power
Company to install the correct light and approve the additional
installation cost of up to \$300 for the wiring which will be
assessed to the property owners.

Seconded by Member Bossart.

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

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ADMINISTRATOR:

1. Purchase of Police Cruiser
#09-650 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a 2010 Ford Crown Victoria from Statewide Ford Lincoln Mercury and to authorize payment in an amount not to exceed \$20,903.00 from Fund #1000-4210-740-0000.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

FIRE DEPARTMENT:

1. Reimbursement – Rob Ramey and Steven Ash
#09-651 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to reimburse Rob Ramey \$349.80 and Steven Ash \$350.00 for their Health Care Memberships according to Provision 37 of the Collective Bargaining Agreement to be taken from account #2111-4220-599-0000.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.
2. Purchase of Life Pak
#09-652 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of four (4) Medtronic Lifepac 15 Monitor/Defibrillator and accessories from Physio-Control Inc. off of the State of Ohio Contract #7765200508 in an amount not to exceed \$107,708.80 to be taken from Fund #2281-4230-740-0000. This purchase price will include a trade in of Lifepac Heart Monitor/Defibrillators Serial #11893132, 11893129 and 11893131.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.
3. Purchase of Modems
#09-653 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of seven (7) Medtronic Verizon Wireless Modem-800/1900 from Velocitorsolutions in an amount not to exceed \$4,000.00 to be taken from Account 2281-4230-740-0000.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.
4. Purchase of Personal Protective Equipment
#09-654 Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase and shipping for Firefighter Personal Protective Equipment from The Fire House per the attached quote in an amount not to exceed \$50,000.00 to be taken from Account 2111-4220-420-3100.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.
5. Fuel Purchase
#09-655 Motion by Member Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of

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gasoline, oil and diesel fuel at a cost not to exceed \$7,500.00 to be taken from Account #2111-4220-420-3070.

Seconded by Member Bossart.

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

- #09-656 6. Waive Tent Fee – Bicentennial
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED BY the Plain Township Board of Trustees, Stark County, Ohio to waive the two (2) tent permit fees from Mountain Tarp/A Wastequipment Co. of \$25.00 each for the Plain Township Christmas Tree Lighting & Celebration presentation on November 28, 2009.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

ROAD DEPARTMENT:

- #09-657 1. **Temporary “No Parking” – Playoffs**
Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the posting of **temporary “No Parking” signs on both sides on the following streets:**
17th Street between Broad and Lakeside
Broad Ave NW from Fulton Road NW to 17th Street NW
Clarendon Ave NW from the City Limits to Fulton Rd NW
Clearview Ave NW from the City Limits to Fulton Rd NW
Blake Ave NW from the City Limits to Fulton Rd NW
Barr Avenue NW from the City Limits to Fulton Rd NW
All of Woodward Place NW
25th Street NW from Clarendon Ave NW to Broad Ave NW
21st Street NW from Blake Ave NW to Broad Ave NW
19th Street NW from Broad Ave NW to the Stadium
17th Street NW from Broad Avenue NW to the parking lot
21st Street NW Broad to Demington
The above “No Parking” signs will be posted on December 3rd, 2009 and removed on December 7th, 2009.
Seconded by Chairman Giavasis.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

- #09-658 2. Promotion – Dan Hall
Motion by Chairman Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio in accordance with the Progression Schedule agreed upon in the Utility Workers of America Local 561 to promote Dan Hall to an Operator/Laborer IV after successfully completing a 90-day probation period at a rate of \$17.50/hr retroactive pay starting November 16, 2009.
Seconded by Member Bossart.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

- #09-659 3. Kirby Avenue – Speed Zone Study
Motion by Member Bossart,
WHEREAS, a request has been made to this Board that the statutory vehicular speed limit established by Sec. 4511.21, Revised Code of Ohio is greater than that considered reasonable and safe on **Kirby Avenue** between Atlantic Boulevard (U.S. 62) and Columbus Road; and
WHEREAS, this Board has caused to be made an engineering and traffic investigation upon the section of road described above; and
WHEREAS, it is the belief of this Board that such investigation

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confirms the allegation that the statutory speed limit of 55 mph is unrealistic;

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

Section 1. By virtue of the provisions of Sec. 4511.21, Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation, and to determine and declare a reasonable and safe prima facie speed limit on Kirby Avenue between Atlantic Boulevard (U.S. 62) and Columbus Road, Plain Township, Stark County, Ohio.

Section 2. that when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the section of road described in Section 1 hereof, standard signs, properly posted and giving notice thereof will be erected.

Seconded by Chairman Giavasis.

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

ZONING DEPARTMENT:

No Report

PARKS & FACILITIES:

1. Naming of New Park
Mr. Alexander brought up again about naming the new park and **two of the Trustees felt that the “Schneider Community Park”** was satisfactory.

2. Program Fee Schedule
Mr. Alexander presented a fee schedule as recommended by the State Auditors. This is to be reviewed and will be presented at the next meeting with a resolution.

#09-660

3. Hometown Veterinary Proposal
Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the one-year advertisement agreement from Hometown Veterinary Services for \$600.00.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

#09-661

4. Soccer Excellence
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 Soccer Excellence for a soccer tournament on April 24-25 and August 21-22, 2010 at the Diamond Sports Complex.
Seconded by Chairman Giavasis.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

LAW DIRECTOR:

#09-662

1. Oil and Gas Lease
Motion by Chairman Giavasis,
WHEREAS, the Plain Township Board of Trustees have been involved in negotiations with Dover Atwood Corp. with regard to the assignment bill of sale for an oil and gas lease located on Township property at the Plain Township Road Garage;
WHEREAS, those negotiations have developed into an Assignment and Bill of Sale agreement which is attached hereto and

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incorporated herein by reference;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached Assignment and Bill of Sale agreement, and to authorize Lisa Sabina Campbell, as Plain Township Administrator, to execute the agreement on behalf of the Plain Township Board of Trustees.
Seconded by Member Leno.
Vote: Member Bossart, yes; Member Leno, yes; Chairman Giavasis, yes.

CENTRAL MAINTENANCE:

No Report

COMMUNICATIONS:

None

CONCERNS OF CITIZENS:

1. Mark Christoff – 615 Hamshire Road in Fairlawn was present with some pictures of properties he is involved in on the 700 block of Spangler Road with sidewalk problems. After discussion with Joe Iacino, who said in the past we have done entire blocks and the law director who suggested Joe go out and look at the situation as this might be apron problems. He will get back to Mr. Christoff with a possible solution.
2. Mark Ickes - 6768 Orchardtrail NE has an issue with a stop sign that had been taken down and had been replaced but there is no intersection and only choice is to go left. He has an issue with the stop sign being there. Our Law Director and Road Department will look into this.
3. Judith Pocock – 4207 Plain Center NE was present and is in favor of the lighting district and said it will be nice that it will illuminate the home in the area that the neighbors are still not happy with and still in ill repair at the corner of Plain Center and Martindale Road. This property has building materials stacked up in the back. Mr. Peroz said that it sits on a six acre flood plain and he will look into it. He feels they are taking a long time in getting the property back in order.

CONCERNS OF TRUSTEES:

None

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

1. Regular Meeting November 24, 2009

#09-663

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 November 24, 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 November 24, 2009 as presented.
Seconded by Chairman Giavasis.
Vote: Member Leno, yes; Member Bossart, yes; Chairman Giavasis, Yes.

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ADJOURNMENT:

#09-664 Motion by Member Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 8:12 p.m.
Seconded by Chairman Giavasis.
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