

2600 Easton St. NE
Canton, OH 44721

April 11, 2023

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: The agenda stands as presented.

SHERIFF'S REPORT:
1. Monthly Report

UNFINISHED BUSINESS:

NEW BUSINESS:
1. Tonya Rogers - Astro Retail
Tonya Rogers from Baker, Dublika came and outlined the settlement agreement regarding the Township being a defendant in a Federal Lawsuit with Astro Retail. She discussed the criteria for adult oriented materials and that 10% of these items could be sold at the establishment.

FISCAL OFFICER'S REPORT:

1. Pending Warrants

#23-205 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 \$128,416.96 as attached hereto and made a part of these minutes.

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

2. Regular Payroll

#23-206 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 Mrs. Harless
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

3. Medical Claims

#23-207 Motion by Mr. Haws,
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 Aultcare and MHS:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
03/30/23	757-2023	\$ 10,342.27
04/07/23	891-2023	\$ 13,710.45

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

4. Investment Report

5. EMS Refunds

#23-208 Motion by Mr. Sabo,
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>
United Healthcare MC	\$274.80
Tricare For Life	97.89

Total \$ 372.69

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

#23-209

6. OTARMA Renewal
Motion by Mr. Haws,

WHEREAS, Plain Township Board of Trustees, Stark County, Ohio has property, casualty and vehicle insurance with Ohio Township Association Risk Management Authority (OTARMA);
AND WHEREAS, OTARMA is offering a CDL and MVR credit to Plain Township in the amount of \$400.00 and \$540.00 respectively;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept OTARMA Insurance renewal rates for Plain Township’s Property, Casualty and Vehicle Insurance package with a \$10,000,000 Liability Limit for the period of May 5, 2023, through May 4, 2024, in the amount of \$150,350 with options of

___ an \$11,000,000 Liability Limit for \$994 additional for a total cost of \$151,344.00 or

___ a \$12,000,000 Liability Limit for \$1,988 additional for a total cost of \$152,338.00 or

___ a \$13,000,000 Liability Limit for \$2,982 additional for a total cost of \$153,332.00

AND BE IT FURTHER RESOLVED to authorize payment to OTARMA % OTARMA Service Center – 315 S. Kalamazoo Mall, Kalamazoo, MI 49007 to be distributed as follows:

Administration	9.7%	Fund 1000-110-381-0000
Road Department	28.9%	Fund 2031-330-381-0000
Fire Department	37.2%	Fund 2111-220-381-0000
Parks Department	14.4%	Fund 2901-610-381-0000
Police Department	8.4%	Fund 2081-210-381-0000
Zoning Department	1.4%	Fund 2181-130-381-0000

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

ADMINISTRATOR:

#23-210

1. CDW Printers for Sheriff Cruisers

Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve and authorize payment to CDW Government, in the amount not to exceed \$15,334.22, for Patrolincar Printers for the 2023 sheriff cruisers and to be paid from fund, #2081-760-740-0000.

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

FIRE DEPARTMENT:

#23-211

1. Monthly Report
2. Purchase of a TIC

Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment for one Thermal Imaging Camera w/access. to (MES) Municipal per the attached quote in an amount not to exceed \$3,000.00 from Fund #2111-760-740-0000.

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

#23-212

3. Motorola Solutions

Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the

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purchase and payment of Link Layer Authentication updates from Motorola Solutions in an amount not to exceed \$8,500.00 to be taken from account:

#4902-760-740-0000.

Seconded by Mrs. Harless

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

4. ACE Hardware Smoke Detectors

#23-213

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment of funds for Combination Carbon monoxide/Smoke Detector equipment from Ace Hardware in the amount not to exceed \$ 53,718.00. Plain Township will be reimbursed -5.00% for the purchase of Carbon Monoxide/Smoke Detector Equipment from the Fema Fire Prevention & Safety Grant. To be taken from fund: #2111-760-740-0000.

Seconded by Mrs. Harless

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

5. B & C Communications

#23-214

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase and payment to B&C Communications for Radio Tuning, Batteries and Software Updates, in an amount not to exceed \$9,500.00 to be taken from fund:

#4902-760-740-0000.

Seconded by Mrs. Harless

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

ROAD DEPARTMENT:

1. Monthly Report
2. Payment to the Morf Corporation for the Yearly User License

#23-215

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to The Morf Corporation for the Yearly User License on Build A Form Engineer Report System. Not to exceed \$2,880.00 from fund 2021-330-360-0000 Contracted Services.

Seconded by Mr. Haws

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

3. National Work Zone

#23-216

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, WHEREAS, National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through streets, roads and highway work zones; and WHEREAS, National Work Zone Awareness Week is a way to raise public awareness for work zones and those who work in them and that motorists are encouraged to slow to posted speed limits, eliminate distractions while driving and be watchful for roadway workers, their equipment, and vehicles on the side of the road in work zones; and

WHEREAS, the theme for the 2023 National Work Zone Awareness Week is

"You play a role in work zone safety. Work with us!"; and

WHEREAS, according to the National Highway Traffic Safety Administration, in 2020 there were 857 work zone fatalities in U.S., up from 762 in 2019; and

WHEREAS, on average, more than two persons per day were killed in work zones, in 2020; and

WHEREAS, estimates show a traffic crash occurred in a work zone every 5 minutes in 2020; and

WHEREAS, National Work Zone Awareness Week (NWZAW) 2023 is taking place April 17 - 21 and is a way to raise public awareness of work zone hazards; and

WHEREAS, solutions to keeping everyone safe in work zones and on our roadways is our collective responsibility; and

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THEREFORE BE IT FURTHER RESOLVED that April 17 - 21, 2023 be declared National Work Zone Awareness Week throughout all of Plain Township's jurisdictional boundaries.

Seconded by Mr. Sabo

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

#23-217

4. Purchase of a Tire Changer Machine

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to Myers Tire Supply for a Coats CHD-6330 Tire Changer. Not to exceed \$18,773.25. To be divided between two separate funds/dept's as follows.

Road Department- 2141-760-740-0000 Machinery & Equipment-\$9,386.63
Fire Department- 2111-760-740-0000 Machinery & Equipment-\$9,386.62

Seconded by Mrs. Harless

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

ZONING DEPARTMENT:

- 1. Monthly Report
- 2. Nuisance Abatement
 - a. 3628 Boettler St. NE

#23-218

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 4/11/2023 by the Board of Trustees regarding the property conditions at 3628 BOETTLER ST NE, Stark County, Ohio (Parcel # 5212968) and WHEREAS, GEORGE KENDRICK, 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 heard on this matter; NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that;

- Junk Motor Vehicle A Junk Motor Vehicle(s) constitute a nuisance under Ohio Revised Code Section 505.173 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 Mr. Sabo

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

PARKS:

- 1. Monthly Report

LAW DIRECTOR: None

COMMUNICATIONS: None

PUBLIC SPEAKS:

Lisa Parramore 8641 Scenicridge Ave. NW. Clinton, Ohio. She is the Communications Manager for Stark County Developmental Disabilities. She wanted to thank the Board for the Great Pumpkin Race and everything they have done to help the organization. She discussed Issue 21 (a 3.3 mil renewal for operation of community programs and services authorized by county boards of disabilities) that will be on the ballot May 2nd. She stated it is a renewal and will not cost taxpayers any additional money.

CONCERNS OF TRUSTEES: None

Concerns of Fiscal Officer: None

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APPROVAL OF MINUTES:

#23-219 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 March 28, 2023, 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 March 28, 2023, as presented.
 Seconded by Mr. Haws
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

EXECUTIVE SESSION:

#23-220 Motion by, Mr. Sabo: 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 4/11/2023, as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:

- (1)(c) the dismissal of a public employee or official
- (d) the discipline of a public employee or official
- (f) the compensation of a public employee or official
- (g) the investigation of charges or complaints against a public employee, official, licensee, or regulated Individual
- (2) the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, where premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest
- (3) a conference with the law director or other retained counsel concerning disputes involving the Township that are subject of pending or imminent court action

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

#23-221 Motion was made by Mr. Haws to return to public session at 7:52 p.m.

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

#23-222 Motion by Mr. Haws
 Be it hereby resolved by the Plain Township Board of Trustees to formally ratify the settlement agreement as outlined and presented by outside counsel in the Astro Retail Federal District Court litigation concerning the business at 8043 Cleveland Ave, known as Room 801.

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

#23-223 Motion by Mr. Sabo
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to authorize Lisa Campbell to sign all documents to effectuate purchase of property from Underdogs Property Management, LLC on behalf of the Plain Township Board of Trustees.

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

#23-224 Motion by Mr. Sabo
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to give all non-contract full time employees, except for the full-time fiscal office employees, but including part time employees Vince Aquino and Janet Garrison, a salary increase of 3.5% effective April 2nd, 2023, and to adjust all full time administrative/executive secretaries' hourly rate to \$24.71 effective April 2nd, 2023.

PLAIN TOWNSHIP BOARD OF TRUSTEES

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Seconded by Mr. Haws

MEMBER

Vote: Mr. Haws, Yes

VICE-CHAIRMAN

Mrs. Harless, Yes

CHAIRMAN

Mr. Sabo, Yes

ADJOURNMENT:

#23-225

Motion by Mr. Sabo

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 7:55 p.m.

Seconded by Mrs. Harless

MEMBER

Vote: Mr. Haws, Yes

VICE-CHAIRMAN

Mrs. Harless, Yes

CHAIRMAN

Mr. Sabo, Yes

John A. Sabo
Trustee

Brook Harless
Trustee

Scott Haws
Trustee

ATTEST:

Thomas Wolf
Fiscal Officer