

2600 Easton St. NE
Canton, OH 44721

May 23,

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: Mr. Haws stated concerns of the Trustees added POW/MIA. The agenda stands as edited.

SHERIFF'S REPORT:

UNFINISHED BUSINESS:

1. Amend Resolution #23-258
#23-279 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend resolution #23-258 authorize payment to Canton Data Print for the *printing and postage* of the 2023, Plain Township Summer Newsletter in an amount not to exceed \$15,000.00 and to authorize payment from the following funds:

Printing & Postage

Administration	1000-110-500-0000	\$6,000.00
Road	2031-330-599-0000	\$3,000.00
Park	2901-610-599-0000	\$3,000.00
Fire	2111-220-599-0000	\$3,000.00

Seconded by Mr. Sabo

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

2. Ronelle Cir NW Road Vacation

NEW BUSINESS:

Park Name
#23-280 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to name the park, Legacy Park located at Oakwood Square, located at the Oakwood Square, Amphitheater.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes Mrs. Harless, No Mr. Sabo, Yes

FISCAL OFFICER'S REPORT:

1. Pending Warrants
#23-281 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 \$1,298.508.19 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
#23-282 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
#23-283 Motion by Mr. Sabo,
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:

2600 Easton St. NE
Canton, OH 44721

May 23, 2023

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
05/11/23	1160-2023	\$ 13,377.44
05/19/23	1284-2023	\$ 32,713.52

Seconded by Mr. Haws

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

4. Amend 2023 Permanent Budget

#23-284

The Board of Trustees of Plain Township, Stark County Ohio met in Regular Session on the 23rd day of May, 2023 at the office of the Plain Township Trustees with the following members present:

Scott M. Haws
 Brook N. Harless
 John A. Sabo

Mr. Haws moved the adoption of the following Amending Resolution 23-082:

BE IT HEREBY RESOLVED by the Board of Trustees of Plain Township, Stark County, Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees, during the fiscal year, ending December 31, 2023, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year, as follows, viz:

*See attached

Mr. Sabo seconded the Amending of Resolution 23-082 and the roll being called upon its adoption the vote resulted as:

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

5. Transfer of Funds

#23-285

Motion by Mr. Haws,

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>SCBA</u> 4904-760-740-0000 Machinery	4904-910-910-0000 Transfers Out	\$246,342.37

Seconded by Mrs. Harless

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

6. Capital Fund Transfer

a. Capital Fund 4901

#23-286

Motion by Mr. Sabo,

WHEREAS Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a Capital Projects Fund for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of a subdivision.

WHEREAS, the Plain Township Trustees on February 10, 2015, established a Capital Fund for acquiring Fire Truck and Related Equipment (Resolution #15-075)

NOW THEREFORE BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that the Plain Township Fiscal Officer shall hereby be authorized to transfer the amount of \$96,850.62 from the Fire District Fund #2111-910-910-0000 into the Fire Truck and Related Equipment Capital Fund #4901-931-0000. The transfer of said funds shall be certified to the Stark County Auditor.

Seconded by Mrs. Harless

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

b. Capital Fund 4904

#23-287

Motion by Mr. Haws,

WHEREAS Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a Capital

2600 Easton St. NE
Canton, OH 44721

May 23,

2023

Projects Fund for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of a subdivision;

WHEREAS, the Plain Township Trustees on March 8, 2016, established a Capital Fund for acquiring Self Contained Breathing Apparatus equipment (Resolution #16-125);

WHEREAS the source of monies was from the Fire District Fund #2111 and a balance of \$291,342.37 remains in the Capital Fund account #4904;

NOW THEREFORE BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that the Plain Township Fiscal Officer shall hereby be authorized to transfer the amount of \$246,342.37 from the Capital Fund #4904-910-910-0000 into the Fire District Fund #2111-931-0000.

The transfer of said funds shall be certified to the Stark County Auditor.

Seconded by Mrs. Harless

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

#23-288

7. Fire Escrow Release

Motion by Mr. Sabo,

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 April 8, 2023, at 4404 Harmont Ave NE, Canton OH 44705 in the amount of \$8,000.00. The check is to be made payable to David Jeffries and will be picked up at township hall when available, authorized by Fire Chief Charles Shalenberger.

Seconded by Mr. Haws

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

#23-289

8. Audio Upgrades to Township Hall

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment of audio equipment upgrades and installation for Township Hall from EKO Solutions in the amount not to exceed \$18,712.00 with 25% of total due upon acceptance, to be paid from fund #1000-760-740-0000.

Seconded by Mrs. Harless

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

ADMINISTRATOR:

#23-290

1. Accept the Proposal from Environmental Support Network, Inc.

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept and pay the attached proposal for the Phase One Environmental Site Assessment for parcel No. 10001341, and for the scope of the work, in the amount not to exceed, \$3,250.00, and to be paid from the fund, # 1000-760-730-0000.

Seconded by Mrs. Harless

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

#23-291

2. Approval of Change Order#7 and payment to St. Clair Pavlis

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize and pay the attached change order No.7, for the Amphitheater, and to authorize payment to St. Clair Pavlis Group, in the amount not to exceed, \$39,701.00,

Seconded by Mr. Sabo

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

FIRE DEPARTMENT:

#23-292

1. Amend Resolution #23-214

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #23-214 for 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:

2600 Easton St. NE
Canton, OH 44721

May 23,

2023

#2111-220-599-0000.

Seconded by Mrs. Harless

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

2. Hiring One Full Time Firefighter

#23-293

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to promote Nathaniel Devis from part time status to full time Firefighter/ Paramedic Class I, effective June 11, 2023, at 0700 as he 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

3. Knox Boxes

#23-294

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase, payment and shipping for thirty KeySecure Knox Boxes and accessories from the Knox Company in an amount not to exceed \$8,000.00 to be taken from donations made by the Rotary Club of Plain Township Foundation. Fund # 2111-220-599-0000.

Seconded by Mrs. Haws

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

4. Payment to Coblentz Roofing, LLC

#23-295

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 Coblentz Roofing, LLC. for the installation of shingles, drip edge and misc. roofing repairs at St. #2, 3625 Middlebranch Ave. N. in the amount not to exceed \$38,200.00 per the attached quote to be taken from fund:

#4903-760-720-0000.

Seconded by Mrs. Harless

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

ROAD DEPARTMENT:

1. Payment to Don Parker Sales Inc.

#23-296

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize services and payment to Don Parker Sales Inc. for repair of the heavy-duty vehicle lift. Not to exceed \$5,500.00. To be divided between two separate funds/dept's as follows.

Road Department- 2141-330-323-0000 Repairs & Maintenance- \$2,750.00

Fire Department- 2111-220-323-0000 Repairs & Maintenance- \$2,750.00

Seconded by Mrs. Harless

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

2. Contract with NorthStar Asphalt Inc.

#23-297

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to contract with NorthStar Asphalt Inc. for the pavement planing and asphalt resurfacing of Maple St. N.E. Not to exceed \$24,980.00. Payment to be taken from fund 2021-330-360-0000 Contracted Services.

Seconded by Mrs. Harless

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

2600 Easton St. NE
Canton, OH 44721

May 23, 2023

3. Paving Update

ZONING DEPARTMENT:

- 1. Nuisance Abatement
 - a. 2605 31st St NE

#23-298

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 05/23/2023 by the Board of Trustees regarding the property conditions at 2605 31st St NE, Stark County, Ohio (Parcel # 5205115) and
 WHEREAS, IVAN TROYER, 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:

- Trash and/or debris 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. 2508 31st St NE

#23-299

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 05/23/2023 by the Board of Trustees regarding the property conditions at 2508 31st St NE, Stark County, Ohio (Parcel # 5208096) and
 WHEREAS, CHRISTOPHER JETER, 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
- Trash and/or Debris 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

- c. 3820 Roosevelt Ave NE

#23-300

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 05/23/2023 by the Board of Trustees regarding the property conditions at 3820 ROOSEVELT AVE NE, Stark County, Ohio (Parcel # 5204361) and

2600 Easton St. NE
Canton, OH 44721

May 23,

2023

WHEREAS, ALBERT & LUCILLE DEARMITT, 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

PARKS:

#23-301

1. Payment to Sol Harris/Day Architecture
Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve payment to Sol Harris/Day Architecture for Professional Fees for the Diamond Park Barn Project in an amount not to exceed \$2,800.00 to be taken from fund # 2901-610-599-0000.

Seconded by Mrs. Harless

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

LAW DIRECTOR:

A discussion was held about starting paperwork for the Levy process.

COMMUNICATIONS:

PUBLIC SPEAKS:

CONCERNS OF TRUSTEES:

Mr. Haws discussed POW/MIA. A discussion was also held about the conversation he had with the President of Rolling Thunder Ohio Chapter 2.

Concerns of Fiscal Officer:

APPROVAL OF SPECIAL MEETING MINUTES:

APPROVAL OF MINUTES:

#23-302

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 May 9, 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 May 9, 2023, as presented.

Seconded by Mr. Haws

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

2600 Easton St. NE
Canton, OH 44721

May 23,

2023

EXECUTIVE SESSION:

#23-303 Motion by, Mr. Sabo: BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn to executive session at 6:37 p.m. from this regular meeting of 5/23/2023, as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:

- (1) (b) the employment of a public employee or official
- (3) a conference with the law director or other retained counsel concerning disputes involving the Township that are the subject of pending or imminent court action.

Seconded by Mrs. Harless

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

#23-304 Motion was made by Mr. Haws to return to public session at 7:21 p.m.

Seconded by Mr. Sabo

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

#23-305 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached settlement agreement and mutual release between Astro Retail Inc. and Plain Township.

Seconded by Mr. Haws

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

ADJOURNMENT:

#23-306 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 7:22 p.m.

Seconded by Mr. Haws

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