

2600 Easton St. NE
Canton, OH 44721

July 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- (excused absence), John Sabo, Brook Harless, Chief Shalenberger. Lisa Campbell, Eric Williams, JP Neff, Thomas Ferrara, Rob Steinberg- (excused absence) and Thomas Wolf.
Media: None

AGENDA: No changes made to the agenda.

UNFINISHED BUSINESS:

1. A cut Above Tree Service
#23-384 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize and pay, A Cut Above Tree Service, for the tree service work that needs done at, 2855 Easton St NE, (see attached) in the amount not to exceed, \$2,300.00, and to be paid from fund, #1000-760-730-0000.
Seconded by Mrs. Harless
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Mrs. Harless, Yes Mr. Sabo, Yes

NEW BUSINESS:

1. August 8th Trustee Meeting to be Held at Central Fire Station due to the special election.

Sheriff's Report:

1. Monthly Report

FISCAL OFFICER'S REPORT:

1. Pending Warrants
#23-385 Motion by Mrs. Harless,
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 \$106,311.03 as attached hereto and made a part of these minutes.
Seconded by Mr. Sabo
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Mrs. Harless, Yes Mr. Sabo, Yes

2. Regular Payroll
#23-386 Motion by Mr. Sabo,
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, Mrs. Harless, Yes Mr. Sabo, Yes

3. Medical Claims
#23-387 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 Aultcare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
06/29/23	1670-2023	\$ 15,302.18
07/06/23	1672-2023	\$ 5,745.70

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

4. Financial Report
5. Investment Report

ADMINISTRATOR:

FIRE DEPARTMENT:

1. Monthly Report
2. 4212 34th St. To Declare Insecure, Unsafe Property
#23-388 Motion by Mr. Sabo
WHEREAS, the Board of Trustees of Plain Township has identified the real property located at 4212 34th St.

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NE., Parcel #52-00215 as insecure, unsafe, or structurally defective; and WHEREAS, the Plain Township Zoning Official, the Plain Township Fire Department has conducted an on-site inspection of the property located at 4212 34th St. NE., Parcel #52-00215 and has determined that the building located on said property is insecure, unsafe, structurally defective, or unfit for human habitation.

NOW THEREFORE, BE IT RESOLVED, that this Board of Township Trustees for Plain Township finds that the building on the real property located at 4212 34th St. NE., Parcel #52-00215 is insecure, unsafe, and structurally defective and as a result are unfit for human habitation.

BE IT FURTHER RESOLVED that this Board authorizes the above referenced building in pursuant to Ohio Revised Code 505.86

ADDITIONALLY, BE IT RESOLVED, that at least thirty (30) days prior to the removal of the identified building, certified mail notice will be given to all holders of legal or equitable liens of record upon the real property and to all owners of the record of property. If the addresses of the owners and/or lien holders are unknown and cannot be ascertained, this thirty (30) day notice requirement will be published one time in a newspaper of general circulation within the township.

Seconded by Mrs. Harless

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

3. Ambulance Purchase from Pfund

#23-389

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment of one 2023 Chevrolet 5500 4x2 Life Line "Highliner" Ambulance including the standards and options from, PFUND Superior Sales under Ohio State Term Schedule #800884 - Index # STS233 in an amount not to exceed \$315,000.00, per the attached quote, to be paid from account:

#2281-760-740-0000

Seconded by Mr. Sabo

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

4. EMS Grant

ROAD DEPARTMENT:

- 1. Monthly Report
- 2. Temporary Parking for Hall of Fame

#23-390

Motion by Mrs. Harless,

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: Clarendon Ave. N.W. between 17th St N.W. and Fulton Rd. N.W., Broad Ave N.W. between 17th St. N.W. and Fulton Rd. N.W., 17th St. N.W. between Clarendon Ave N.W. and Lakeside Ave N.W., 19th St. N.W. between Clarendon Ave. N.W. and Broad Ave. N.W., 21st St. N.W. between Clarendon Ave. N.W. and Demington Ave N.W., 22nd St. N.W. Clarendon Ave. west to the cul-de-sac., 25th St. N.W. between Clarendon Ave. N.W. and Broad Ave. N.W., Helen Pl. N.W. between Clarendon Ave. N.W. and Lakeside Ave. N.W., Clarendon Ave. N.W. between Helen Pl. N.W. and 17th St. N.W., Joseph St. N.W. between Clarendon Ave. N.W. and Broad Ave. N.W., 16th St. N.W. between Clarendon Ave. N.W. and Broad Ave. N.W. The above temporary "No Parking" signs will be posted on August 2, 2023, and removed August 8, 2023. This will be for all H.O.F. proceedings.

Seconded by Mr. Sabo

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

3. OHM

#23-391

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize OHM Advisors to make application, on behalf of Plain Township, to the OPWC (Ohio Public Work Commission) to assist in the funding of Orion St. N.W. Storm Sewer Outlet Project. The infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

THEREFORE, BE IT FURTHER RESOLVED by the Plain Township Board of Trustees to authorize payment

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of \$5,000 to OHM Advisors for their professional services. This fee to be taken from fund 2021-330-360-0000 Contracted Services.

Seconded by Mr. Sabo

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

#23-392

4. Mechanic Bay Roof Repair

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase of material, installation, and payment of \$6,500.00 to Advanced Industrial Roofing for repair of roof over mechanics garage bay, see photos attached. Payment to be taken from fund 2141-760-720-0000 Buildings.

Seconded by Mr. Sabo

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

#23-393

5. Western Branch Diesel

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment of \$4,500.00 to Western Branch Diesel for service, repair, parts, and labor on unit 5, 2004 Sterling Dump Truck, from fund 2141-330-323-0000 Repairs & Maintenance.

Seconded by Mrs. Harless

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

#23-394

6. Road Levy

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF THE REPLACEMENT OF A TAX WITH AN INCREASE IN EXCESS OF THE TEN-MILL LIMITATION IN AND FOR THE PLAIN TOWNSHIP ROAD DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO FOR THE PURPOSE OF PROVIDING FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE PLAIN TOWNSHIP ROAD DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO.

RESOLUTION NO. 23-394

The Board of Trustees of Plain Township, Stark County, Ohio met in regular session on the 11th day of July 2023, with the following members present:

Scott Haws
 John Sabo X
 Brook Harless X

Mr. Sabo moved the adoption of the following resolution:

WHEREAS, upon due investigation and consideration, the Plain Township Board of Trustees, Stark County, Ohio has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for said Plain Township Road District, Plain Township, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount for the necessary requirements for said Plain Township Road District, Plain Township, Stark County, Ohio for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio; and

WHEREAS, by reason thereof, this Board has determined that it will be necessary for the replacement of an existing 1.5 mills levy with an increase of 0.5 mills for a total levy of 2.0 mills per \$1 of taxable value, which amounts to \$70 for each \$100,000 of the county auditor's appraised value, for a period of five (5) years, commencing tax years 2023, 2024, 2025, 2026, 2027 first due in the calendar year 2024, for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio; and

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WHEREAS, on May 9, 2023, this Board adopted a Resolution declaring it necessary to submit to the electors of the District the question of a replacement and increase of a tax in excess of the ten (10) mill limitation as

described below, a copy of which Resolution was certified to the Auditor of the County of Stark; and

WHEREAS, the County Auditor of the County of Stark has certified to this Board that the dollar amount of revenue that would be generated by the rate of 2.0 mills for each one dollar of taxable value is \$2,014,811.

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

SECTION 1. This Board hereby determines to proceed with the submission to the electors of Plain Township at an election to be held on November 7, 2023, the question of the replacement and increase of the tax, in excess of the ten-mill limitation at the rate of 2.0 mills per \$1 of taxable value, which amounts to \$70 for each \$100,000 of the county auditor's appraised value, for a period of 5 years, tax years, 2023, 2024, 2025, 2026 and 2027. It is currently estimated by the Stark County Auditor that the rate of 2.0 mills for each \$1 of taxable value will generate \$2,014,811.

SECTION 2. The Fiscal Officer is authorized and directed to certify to the Stark County Board of Elections copies of this Resolution and the Resolution of this Board, and the Certificate of the County Auditor referred to in the preambles hereto on or before August 9, 2023. This Board hereby requests that the Board of Elections prepare the ballot forms and make the other necessary arrangements for the submission of this question to the electors of Plain Township, all in accordance with the law.

SECTION 3. The ballot language contained herein has been updated in order to match the current version of Ohio Revised Code Section 5705.19(G).

SECTION 4. BE IT FURTHER RESOLVED that the form of the ballot cast at such election shall be:

**PROPOSED TAX LEVY – (REPLACEMENT TAX AND INCREASE)
PLAIN TOWNSHIP ROAD DISTRICT, PLAIN TOWNSHIP, STARK COUNTY
(A majority Affirmative Vote is Necessary for Passage)**

"A replacement of 1.5 mills of an existing levy and an increase of 0.5 mills, to constitute a tax for the benefit of the Plain Township Road District, Plain Township, Stark County, Ohio, for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio, that the county auditor estimates will collect \$2,014,811 annually, at a rate not exceeding 2.0 mills for each \$1 of taxable value, which amounts to \$70 for each \$100,000 of the county auditor's appraised value, for five (5) years, commencing in 2023, first due in calendar year 2024.

_____ FOR THE LEVY

_____ AGAINST THE LEVY

BE IT FURTHER RESOLVED that the Fiscal Officer of this Board be, and he hereby is, directed and authorized to proceed forthwith with the certification hereof to the Board of Elections of Stark County, Ohio Pursuant to the provisions of Sections, 5705.19(G), 5705.19, 5705.192, 5705.25 and other related statutes, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution;

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 adopted 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 the law, including Section 121.22 of the Ohio Revised Code;

SECTION 5. This Resolution shall be in full force and effective immediately upon its adoption.

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Mrs. Harless seconded the motion and upon roll call, the vote resulted as follows:

SCOTT HAWS	___ NA ___
JOHN SABO	___ Y ___
BROOK HARLESS	___ Y ___

ADOPTED: ___ July 11 ___, 2023

APPROVED AS TO FORM AND LEGAL SUFFICIENCY by Eric J. Williams, Law Director, Plain Township, Stark County, Ohio.

DATE: _____

ZONING DEPARTMENT:

- 1. Monthly Report
- 2. Nuisance Abatement
- a. 3515 21st St NW

#23-395

Motion by Mrs. Harless

WHEREAS, a public hearing was held on 07/11/2023 by the Board of Trustees regarding the property conditions at 3515 21st St NW, Stark County, Ohio (Parcel # 5202576) and
 WHEREAS, DAVID FRANCISCO Sr., 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 Mr. Sabo

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

PARKS:

- 1. Monthly Report
- 2. Deere and Company

#23-396

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to Deere & Company for a stand behind zero turn mower in an amount not to exceed \$7,665.37 to be taken from fund # 2171-760-740-0000.

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Seconded by Mrs. Harless

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

3. List Bids

#23-397

Motion by Mrs. Harless,

1. List Bids-2023 Diamond Park Barn Roof Replacement at Diamond Community Park. A bid was received from the following company: **Master Renovations**

Seconded by Mr. Sabo

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

4. Award Bids

#23-398

Motion by Mr. Sabo,

WHEREAS, the Plain Township Board of Trustees has advertised for bids for the Diamond Park Barn Roof Replacement (Res #23-346) and

WHEREAS, Rob Steinberg, Plain Township Parks Director, reviewed the bids.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to award the construction contract to

Master Renovations at a cost of \$231,236.00

And to authorize payment in an amount not to exceed \$231,236.00. _____
from fund #1000-760-730-0000.

Seconded by Mrs. Harless

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

5. Sign Contract

#23-399

Motion by Mr. Sabo,

WHEREAS, the Plain Township Board of Trustees has awarded a bid for the 2023 Diamond Park Barn Roof Replacement Bid to: Master Renovations

WHEREAS a contract has been prepared according to the terms and conditions of the bid specifications for 2023 Diamond Park Barn Roof Replacement Bids;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the execution of the contract for 2023 Diamond Park Barn Roof Replacement Bid, the language of which contract is incorporated by reference as if fully rewritten herein; and

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees to authorize payment to upon satisfactory performance of the terms of this contract and according to the following schedule set forth therein to be paid from fund# 1000-760-730-0000.

Seconded by Mrs. Harless

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

6. Authorize Parks Director to Sign Contracts

#23-400

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Parks Director to sign contracts for programming and concerts for the Plain Township Amphitheater.

Seconded by Mr. Sabo

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

7. Contracts with TSE Entertainment

#23-401

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached contracts with TSE Entertainment for concerts at the Amphitheater.

- a. 70's Rock Parade
- b. AM Gold Yacht Rock

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

#23-402

8. Rice's Landscape Redefined

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Rice's Landscapes Redefined for playground mulch at the Amphitheater in an amount not to exceed \$4,943.50 to be taken from fund # 2171-610-599-0000.

Seconded by Mr. Sabo

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

LAW DIRECTOR:

COMMUNICATIONS:

PUBLIC SPEAKS:

CONCERNS OF TRUSTEES:

Concerns of Fiscal Officer:

APPROVAL OF MINUTES:

#23-403

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 June 27, 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 June 27, 2023, as presented.

Seconded by Mrs. Harless

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

EXECUTIVE SESSION:

ADJOURNMENT:

#23-404

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 6:24 p.m.

Seconded by Mrs. Harless

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

John A. Sabo
Trustee

Brook Harless
Trustee

Scott Haws
Trustee

ATTEST:

Thomas Wolf
Fiscal Officer