

2600 Easton St. NE
Canton, OH 44721

May 10, 2022

REGULAR MEETING

WORK SESSION: 5:20 P.M. Fire Scholarship Winners

SESSION:

OPENING: The regular meeting was called to order at 6:00 p.m.

PUBLIC HEARING: 6:15 p.m. Short Term Rentals

ATTENDANCE:

Scott Haws, Brook Harless, Chief Shalenberger, Lisa Campbell, Eric Williams, JP Neff, Thomas Ferrara, Rob Steinberg and Thomas Wolf. John Sabo joined the meeting via ZOOM and Brook Harless will be the acting Board President.

Media: None

AGENDA: Administrator added Administrator #3 – Drug Free Workplace Training Services

SHERIFF'S REPORT:

Monthly Report

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Survey Proposal-Hammontree & Associates

#22-234

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached survey proposal with Hammontree & Associates, Limited in an amount not to exceed \$2,200.00 to be taken from fund #1000-110-500-0000.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

FISCAL OFFICER'S REPORT:

1. Pending Warrants

#22-235

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 \$ 358,574.38 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

#22-236

Motion by Mrs. Harless,

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. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

3. Medical Claims

#22-237

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 Mutual Health Services:

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DATE	WARRANT	AMOUNT
04/27/22	1065-2022	\$ 18,771.07
05/06/22	1193-2022	\$ 7,004.97

Seconded by Mrs. Harless

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

- 4. Financial Report
- 5. Set Public Hearing for Lighting District
 - a. Fountains at Edgewood Phases 1, 11, & 111

#22-238

Motion by Mr. Haws.

WHEREAS, a petition for a lighting district has been filed with the Plain Township Fiscal Officer for a new lighting district at Fountains at Edgewood, Phases I, II and III

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Tuesday, June 14, 2022 at 6:15 pm for creation of a lighting district as petitioned by the property owner, Lemmon Development for Fountains at Edgewood I, II and III and authorize the Plain Township Fiscal Officer to make the necessary notification to the property owners and to publish a legal ad in the Repository of the hearing.

Seconded by Mr. Sabo

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

- b. Lakes at Kings Creek, Section 15, SW Section

#22-239

Motion by Mrs. Harless.

WHEREAS, a petition for a lighting district has been filed with the Plain Township Fiscal Officer for a new lighting district at Lakes at Kings Creek.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Tuesday, June 14, 2022 at 6:15 pm for creation of a lighting district as petitioned by the property owner, for the Lakes at King's Creek, section 15, SW Quarter and authorize the Plain Township Fiscal Officer to make the necessary notification to the property owners and to publish a legal ad in the Repository of the hearing.

Seconded by Mr. Haws

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

- 6. Amended Certificate for Capital Funds

#22-240

Motion by Mr. Haws

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Fiscal Officer to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for \$ 50,000.00:

2111-Fire District	2111-910-910-0000 Operating transfers out	\$50,000.00
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AND BE IT HEREBY FURTHER RESOLVED, by the Plain Township Board of Trustees, upon certification by the Stark County Auditor to appropriate these funds as follows:

4911-760-740-0000 – Capital Projects – Fire & EMS Equipment and Vehicles \$50,000.00

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

ADMINISTRATOR:

#22-241 1. Payment to the State of Ohio UST for the Underground Storage Tank Fees
Motion by Mr. Haws.

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve and authorize payment to the State of Ohio UST Fund for the 2022 Underground Storage Tank Fees, in the amount of \$2,200.00 from the following funds:

2171-610-599-0000	\$533.33	Parks
2031-330-599-0000	\$533.33	Road
2111-220-599-0000	\$1,133.34	Fire

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-242

2. Payment to Canton Data Print for the 2022 Summer Newsletter
Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Canton Data Print for the *printing and postage* of the 2022, 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	\$3,000.00
Road	2031-330-599-0000	\$3,000.00
Park	2901-610-599-0000	\$3,000.00
Zoning	2181-130-599-0000	\$3,000.00
Fire	2111-220-599-0000	\$3,000.00

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-243

3. First Connect Corporate Services
Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached agreement with First Connect Corporate Services for DFWP training services in the amount not to exceed \$2,090.00 to be taken from fund #1000-110-

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500-0000.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

FIRE DEPARTMENT:

- 1. Monthly Report
- 2. Warren Fire-Breathing Air Supply Hose

#22-244

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 Breathing Air Supply Hose to (MESD) Warren Fire Equipment per the attached quote in an amount not to exceed \$3,000.00 from Fund #2281-760-740-0000.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

- 3. Hiring of Fire Safety Inspector

#22-245

Motion by Mrs. Harless.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire John Forberg and Amy Hohenberger for the position of Fire Safety Inspector, pending satisfactory completion of the Ohio Police and Fire medical physical and background check. Wages and benefits are to be in accordance with the current firefighters collective bargaining agreement.

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

- 4. Resignation of Tristin Hamilton

#22-246

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Tristin Hamilton as a Plain Township Part-Time Firefighter/Paramedic effective May 22, 2022, at 0700 am.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

ROAD DEPARTMENT:

- 1. Monthly Report
- 2. Payment to McIntosh Oil for Gasoline, Oil and Diesel

#22-247

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize purchase and payment to McIntosh Oil for gasoline, oil, and diesel fuel at a cost not to exceed \$35,000.00 from fund 2021-330-420-0000 Operating Supplies.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

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3. Enter into an Agreement with OHM Advisors for the OPWC Funding Application for Orion St NW

#22-248

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into agreement with OHM Advisors for the Geotechnical Investigation, Surveying Boring Locations and OPWC Funding Application Assistance for Orion St. N.W. Not to exceed amount of \$18,600.00 from fund 2021-330-360-0000 Contracted Services.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

4. Permission to Register with Info Tech Inc. for online/Electronic Solicitation of Bids

#22-249

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Highway Superintendent, on behalf of all Plain Township Departments, to register with Info Tech Inc. (Bid Express) for online/electronic solicitation of bids.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

5. MD Solution Order

#22-250

Motion by Mr. Haws

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to MD Solutions Inc. for various road signs, brackets, and hardware. Not to exceed amount \$6,461.50 from fund 2141-330-420-0000 Operating Supplies.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

6. Fuel Pump Replacement

#22-251

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase, installation and payment to Collins Equipment Corp., Inc. for new fuel system and software. Not to exceed \$36,741.00 from fund 2141-760-720-0000 Buildings.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

7. Gledhill Winter Snowplow Package

#22-252

Motion by Mr. Haws

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase, payment, and installation of a 2022 Snow and Ice Package from Gledhill Road Machinery Inc. Under the ODOT Cooperative Purchasing Program, STS#800852, INDEX #STS515, this includes Bed, Plow, Spreader, Spreader Controls, Hydraulics, Light System and Pre-wet Systems. Not to exceed \$88,489.00 to be taken from fund 2021-330-430-0000 Tools & Equipment.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

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ZONING DEPARTMENT:

1. Monthly Report
2. Abatement
 - a. 6770 LAVONNE AVE NE

#22-253

Motion by Mr. Haws,
WHEREAS, a public hearing was held on 05/10/2022 by the Board of Trustees regarding the property conditions at 6770 LAVONNE AVE NE, Stark County, Ohio (Parcel # 5203329) and

WHEREAS, RAYMOND OTT JR, 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 Mr. Sabo
Vote: Mr. Haws, Yes; Mrs. Harless, ; Mr. Sabo, Yes.

#22-254

b. 4212 34th ST NE
Motion by Mr. Haws,
WHEREAS, a public hearing was held on 5/10/22 by the Board of Trustees regarding the property conditions at 4212 34th ST NE, Stark County, Ohio (Parcel # 5200215) and

WHEREAS, EDDY BERT E, 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:

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- 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 Mr. Sabo

Vote: Mr. Haws, Yes; Mrs. Harless, ; Mr. Sabo, Yes.

c. 1937 40th ST NE

#22-255

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 5/10/22 by the Board of Trustees regarding the property conditions at 1937 40th ST NE, Stark County, Ohio (Parcel # 5210024) and

WHEREAS, DAWN JONES-HARRINGTON, 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 Mr. Sabo

Vote: Mr. Haws, Yes; Mrs. Harless, ; Mr. Sabo, Yes.

3. Abatement Pays

a. 1937 40th ST NE

#22-256

Motion by Mr. Haws,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of the property located at 1937 40th ST NE, (Parcel #5210024) to abate the nuisance on this property (Resolution #15-271) on 03/23/2022; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement though the services of Plain Township Maintenance Department at a cost of \$145.50; and

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WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$33.99;

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 \$179.49 **to be placed on the property owner's tax duplicate.**

Seconded by Mrs. Harless

Vote: Mr. Sabo, Yes; Mr. Haws, Yes; Mrs. Harless,

PUBLIC HEARING: 6:15 p.m. Short Term Rentals

No one spoke in favor or opposition of the Short Term Rentals. The Hearing was adjourned.

4. Resolution - STR

#22-257

Motion by Mr. Haws

A RESOLUTION ENACTING REGULATIONS GOVERNING SHORT TERM RENTAL OF RESIDENTIAL PROPERTIES

The Plain Township Board of Trustees finds and declares as follows:

WHEREAS, Plain Township Board of Trustees wishes to reconcile the many different land use interests and concerns that are involved in the short term rental of residential properties.

WHEREAS, Short term rentals can provide a community, and even a state-wide benefit, by expanding the number and type of lodging facilities available, and they can assist owners of homes by providing revenue which may be used for maintenance upgrades and deferred costs.

WHEREAS, However, short term rental of residential dwellings can also cause difficulty where the character of the use takes on a more transitory and commercial character akin to a motel or similar use. The transitory and for-profit nature of the short term rental of residential homes can often be inconsistent with the traditional intended use of residential dwellings and neighborhoods.

WHEREAS, Investor-owned short term rentals in residential areas has been shown to hurt enrollment in public schools, transform neighborhoods into districts of mini hotels, and in some cases contributed to housing shortages. Short term rentals can also have detrimental impacts on the character of residential neighborhoods by leading to excessive noise and safety concerns, and by monopolizing available parking. Plain Township has a responsibility to mitigate these impacts.

WHEREAS, In addition to the residential character concerns, there is the fact that to date, a number of residential properties in the Township are dependent upon septic systems and not sanitary sewers, and Plain Township has environmental concerns associated with the **over-occupancy of a residential dwelling's septic system.**

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WHEREAS, It is the purpose of this regulation to protect and promote the health, safety, and general welfare of all the citizens of Plain Township by requiring the registration and certification of short term rentals within the Township. It is also the intent of Article VI Section 603.16, to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from rental of a dwelling to help maintain the dwelling.

NOW, THEREFORE, BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to Chapter 504 of the Ohio Revised Code, and within the authority of Limited Self Government, to hereby adopt with modifications the recommendation of the Plain Township Zoning Commission for approval of text amendment 580-22, to the Zoning Resolution.

(Amendment # 580-22, effective Date, June 10, 2022)

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

PARKS:

- 1. Monthly Report
- 2. Payment to Midstates Recreation for Playground Equipment

#22-258

Motion by Mr. Haws

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve purchase and payment to Midstates Recreation for playground equipment at Veterans Park in an amount not to exceed \$5,046.13 to be taken from fund #2171-610-323-0000.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

- 3. Payment to A Cut Above Tree Service for tree and Stump Removal

#22-259

Motion by Mr. Haws

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve payment to A Cut Above Tree Service for removal of trees and stump grinding at Al Leno Park in an amount not to exceed \$2,600.00 to be taken from fund #2171-610-599-0000.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

- 4. Payment to Pioneer Athletics for Field Paint

#22-260

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve purchase and payment to Pioneer Athletics for field paint in an amount not to exceed \$3,620.00 to be taken from fund #2171-610-599-0000.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

- 5. Field Usage Agreement - Randy Hahn

#22-261

Motion by Mrs. Harless

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio,

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to accept and enter into the attached agreement with Randy Hahn for baseball field rental, effective May 25th, 2022.

Seconded by Mr. Haws

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

LAW DIRECTOR:

- 1. 2525 Clearview Ave. Annexation

COMMUNICATIONS:

PUBLIC SPEAKS: Dennis Day, 3141 Forestview, Canton, Oh 44721. Concerned about the traffic and safety of pedestrians. Asking for a 4 way stop sign at corner of Forestview and Pinetree.

CONCERNS OF TRUSTEES:

CONCERNS OF FISCAL OFFICER:

APPROVAL OF MINUTES:

#22-262

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive the reading of the minutes held April 26, 2022 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 April 26, 2022 as presented.

Seconded by Mr. Haws

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

APPROVAL OF SPECIAL MINUTES:

#22-263

Motion by Mrs. Harless

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive the reading of the special minutes held May 3, 2022 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 special minutes of the meeting held May 3, 2022 as presented.

Seconded by Mr. Haws

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

EXECUTIVE SESSION:

ADJOURNMENT:

#22-264

Motion by Mrs. Harless ,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 6:38 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