

**CALL TO ORDER BY MAYOR TUCKER.**

**ROLL CALL**

Mr. Beltz, Ms Billings, Mr. Bohaycyk, Mr Currie, Mr. Hough and Mr. Sullivan.

**INVOCATION BY PASTOR MARK HADINGER**

**PLEDGE OF ALLEGIANCE**

**CITIZENS COMMENTS (AGENDA MATTERS ONLY)**

**FISCAL OFFICER**

Motion made by Mr. Hough to accept the minutes of March 3<sup>rd</sup> meeting, second by Mr. Sullivan, unanimously passed except for Mr. Bohaycyk who abstained due to his absence at the last meeting.

Also in front of you is the Cash Flow statement that shows through February year to date.

Motion made by Mr. Bohaycyk to accept Cash Flow statement, second by Mr. Beltz and unanimously passed.

**Bills paid 1<sup>st</sup> half March 2009 Council:**

George Dragovich	\$973.74	Dominion East Ohio	\$1,271.48
Ronald Coontz	\$1,277.36	Wheeling & Lake Erie Rail	\$150.00
John Norman	\$995.00	A-1 Communication	\$55.00
Daniel Stiles	\$1,287.97	Country Clean Car Wash	\$44.06
Jeffrey Igleheart	\$1,215.26	Sand Rock Mineral	\$31.50
James Welch	\$930.61	Truck Sales & SVC	\$1,049.47
Ryan Derhammer	\$927.36	Graphic Enterprises	\$332.79
Aaron Bardwell	\$243.85	Ohio Edison	\$670.60
Erik Carlson	\$520.67	Central Allied Ent.	\$770.00
Christopher M. Clark	\$651.61	Landmark Disposal	\$99.60
Laverne Wittmer	\$1,280.79	Workman's Auto Parts	\$424.35
Nathan D. Miller	\$523.15	Ohio LTap Center	\$110.00
Ray Wittnesoldner	\$906.82	Cargill Salt	\$3,767.40
Brian Keiser	\$884.14	Rentwear Inc.	\$142.89
Cheryl A. Marcelli	\$890.23	Sheriff Timothy A. Swanson	\$1,700.00
Loreen F. Palumbo	\$652.91	Giant Eagle	\$3.17
Lori M. Quinn	\$481.41	Saniserv	\$70.10
Gary A. Wenzel	\$964.31	Bairs, Inc.	\$48.50
Edsel R. Tucker	\$552.06	M/Dean Dahl	\$175.00
Michael Ringer	\$71.24	Hartville Elevator	\$507.80
Betty L. Atkinson	\$75.00	Hartville Hardware	\$752.18
Principal Life	\$103.58		
Post Master	\$2.92		
Ohio Dept of Tax Admin.	\$38.00		
Marc Glassman Inc.	\$35.11		
J & B Fleet Ind.	\$85.96		
Knowles Press	\$218.00		
American Red Cross	\$286.50		
AT & T	\$616.71	<b>TOTAL</b>	<b>\$30,098.15</b>
Akron Air Products	\$230.00		

Motion made to accept the bills for payment by Mr. Beltz, second by Mr. Currie and unanimously passed.

One last item not on the Agenda, I just want to follow up on something from the last Council meeting, I quoted a NuVox estimate savings at approximately \$4,500 to switch from AT & T, and over the last two weeks we have discussed that number with NuVox and they realized an error on their part. So the monthly charges will be the same as AT & T, there will be no cost savings from month to month, strictly as billing goes, however, the benefits to switch still outweigh anything AT & T could give us. I have condensed those benefits unto a single page document here if anybody is interested in having that document, please see me after the meeting and I will be glad to give you one. Thank you.

## **MAYOR**

### **Discussion of Old Business**

Has everyone read the Ordinance 1-08.27 on the income tax, because what I have here is quite a few forms here, but this is just to let you know that Cheryl had got these ready from different Villages and all we have to do really is choose the one that we like the best that they have to turn their information in as far as the subcontractors and there is a couple real good ones here and we will just decide which one we want. So we're pretty much ready to go on that

Motion made by Mr. Bohaycyk to untable said Ordinance 1-08.27, second by Mr. Hough and unanimously passed.

The next thing I will discuss very briefly with you, the letter from Heritage of Ohio organization that we have belonged to for a couple of years and have spent a lot of money on and it is up for renewal and I am not in favor of renewing it. We have spent a lot of money and we have absolutely nothing to show for it.

Question from Mr. Sullivan wanting to know how much is the renewal and what do you mean we have nothing to show for it?

All we have to show is \$10,000.

Further discussion pursued regarding the Evenings in the Village.

The Mayor has agreed to turn over the Heritage of Ohio decision should be made by the merchants of Hartville. Village Council is in full support of anything that the merchants want to do.

I would like to at this point announce that Laverne Wittmer officially has retired and his last day will be a week from today and on behalf of the Village of Hartville, we want to wish him all the luck in his retirement, he is looking forward to it, he is in excellent health. He is one excellent man and we really appreciate all he has done for the Village. Along with that his right hand man, Nate Miller has been with him in the Village for over 20 years, so I have promoted him to Laverne's position which will take effect April 1<sup>st</sup>.

One other thing that Cheryl has prepared for us is the Ordinance on the permit costs. I think the last Ordinance was in 2006 and she has prepared a new one and compared it with a lot of other Villages. We have the Ordinance here and do you think it would be a good idea to have one meeting on these costs and go over them and even with some of the comparisons from the other Villages and that way we will decide on these.

Discussion with Cheryl concerning the permit costs.

## **LAW DIRECTOR**

There are two Ordinances on the agenda, the first Ordinance is the second reading of Ordinance No. 1-09.07 authorizing and directing the Mayor to enter into an agreement for the provision of backup building inspection services for the Village of Hartville.

Motion made by Mr. Bohaycyk to accept said reading, second by Mr. Hough and unanimously passed.

First reading of Ordinance No. 1-09.08 making annual appropriations for the current expenses and other expenditures of the Village for the fiscal year ending December 31, 2009, and declaring an emergency.

The Fiscal Officer stated that the BPA last night reviewed, edited and approved the Enterprise Fund Annual Appropriation for 2009 and is recommending to the Council to adopt it as revised.

Motion made by Mr. Bohaycyk to accept the reading of Ordinance No. 1-09.08 to pass by emergency, second by Mr. Beltz and unanimously passed.

Motion made to suspend the rules by Mr. Bohaycyk, second by Mr. Hough and unanimously passed.

Motion made by Mr. Bohaycyk to pass by emergency, second by Mr. Hough and unanimously passed.

## **ENGINEER**

Rob isn't here tonight so very briefly the grant status for WWTP expansion is going along very well. We have some very positive feed back on it and until we have a couple more meetings with the USDA, but it looks very positive that we are going to get a very good grant to start with from them and that is not part of the stimulus.

On the Kent Avenue, Rob wants a Street and Drainage Committee meeting as soon as possible because we are going to have to get started on that by May.

I'll let Ron go over this very briefly on the status for N. Prospect because he and Rob worked on a small grant. We just got word from Stark County Regional Planning that we got every penny of the CDBG grant money that we were going after for the North Prospect Street project and that was a \$155,000 grant that we were awarded. We hope this is the first of many to come.

An individual from Wenger called and I conferenced with Rob Graham and it is about the \$12,956 that the Village still hold in retainage for that front of the Wyndham Bridge and he is asking if any amount can be released. Rob and I talked and Rob e-mailed me and we did talk about the swell and he is comfortable with Council agreeing to releasing \$11,000 of that \$12,956.22, leaving \$1,956 remaining in retainage and \$2,300 holding back from CT Consultants, in addition to that there is still a maintenance bond too. The only issue that is left is grass being planted. The grass has already been planted, it is just waiting on the weather to change for it to grow.

Motion made by Mr. Beltz to release \$11,000 to Wenger for Wyndham Bridge project, second by Ms Billings and passed by all except for Mr. Bohaycyk who abstained.

## **COUNCIL**

Ms Billings states that she was talking with a couple of the downtown merchants and every month the Chamber of Commerce has that Business After Hours event and their event on May 19<sup>th</sup> will be a walking tour of the downtown and at the end of it they will have a concert in the pavilion over here and we thought it would be nice if we had the Village Hall open where they could come in and look at the Chambers and use the rest rooms. Ron had offered to stay and I can also stay.

## **REPORTS OF COUNCIL COMMITTEES**

### **FINANCE**

Finance committee had a meeting on March 6<sup>th</sup> to discuss the ballfields and the cost to the Village of upkeep of the fields, the portable toilet service, the trash pickup, the receptacle and we began a process of gathering what all the costs are for that and also have begun to reach out to those who are involved. This committee kind of rolled over onto the Recreation Committee and Cindy will talk more about that, but for the Finance committee we are in the process of determining the exact cost to the Village of those services and getting quotes and I want to thank Nate for getting me the information. I would like to schedule the next Finance committee meeting for March 31<sup>st</sup> at 5:30 p.m.

### **STREET & DRAINAGE**

There is nothing to report, but we would like to schedule a meeting to discuss the Kent Avenue project and other matters of the general interest. Meeting scheduled for Monday, March 30<sup>th</sup> at 7:00 p.m.

### **SAFETY**

There is nothing to report at this time, but there will be a hearing sometime tonight.

### **RECREATION**

We are going over the ball field stuff and I will set up a meeting at the next one to go over the tennis courts.

### **COMMERCE**

At the last meeting a question was raised regarding our website and how that is being updated and we authorized the Fiscal Officer to research and go out after bids and he has received or is in process of receiving quotations from various interested parties and once that is settled then we will bring it to Council.

### **TREE BOARD**

The Tree Board met on March 5<sup>th</sup> and the Arbor Day celebration in the Village of Hartville will be Saturday, April 25<sup>th</sup> at 10 A.M. in Memorial Park. There is a poster contest and those contest posters are due Friday, April 3<sup>rd</sup>. The information has been given to the elementary and Lake grade schools and thank you to Cheryl for helping us again this year getting that out to the schools. We will have to review the posters and pick a winner. There will be a \$25.00 savings bond given to the winner from each grade and I would like to schedule that meeting for before the April 7<sup>th</sup> Council meeting at 6:00 p.m. on April 7<sup>th</sup>.

## **ZONING BOOK**

The Zoning Book committee met this evening right before Council and we were able to get through the R3 which pretty much finishes the residential district and also reviewed B1 and B2. We're working toward completion and we are hoping to have something for Council by the end of this year.

## **SEWER RATES**

We had a meeting on the 12<sup>th</sup> and we got through just a small portion and I think we obviously need to schedule another meeting. It is going to take some time to muddle our way through that. It will probably this one and maybe one more to get through all of this and then we will report what we have to Council at that point which is going to impact that Ordinance as well. Meeting scheduled for Monday, March 23<sup>rd</sup> at 8:00 a.m.

The Mayor would like to add that they have gotten the forms back out that were filled out with the restaurants for the fixture counts and Tom Graber and I are going out at 7:30 on Friday and we are going to back out to each of the restaurants and make sure that what we have is still the same and what I had Lori do, she is starting to break down, the churches, the car washes and it will make it a little easier for us this time, plus we'll have all the fixture counts right up to date.

## **PERSONNEL/HANDBOOK**

We have not met, but need to set up another meeting and we have received some recommendations for language changes from the Village Solicitor and I think we'll wait until the next meeting to set up a meeting.

## **MISCELLANEOUS BUSINESS**

We are going to have a public meeting regarding Officer Aaron Bardwell and it is part of this meeting and when that meeting is over, we will have Citizens Comments.

Has there been a date set up yet to do a like a clean up day downtown Hartville. We have a lot of events coming up and it would be a good idea if maybe Friday, April 24<sup>th</sup> and Saturday, April 25<sup>th</sup> have a clean up day. That is just a proposed day for that, wash windows, clean up the downtown, there is going to be a lot of activities taking place in the Village, people coming in from out of town and I didn't know if anything had been scheduled as yet.

Barb stated to Council that the downtown merchants' concerns are, we know that there are buildings that need painted or in repairs but we're not even talking about that, we're talking about weeds, gravel, making the sidewalks presentable. We don't know whose responsibility that is to do that or how to go about doing that. A merchant just came on to somebody else's property and sprayed their weeds and it seems that every year we're sitting here with the same thing and we want to know how to go about doing it, how all the groups can mesh together and get this done. Can we put our ideas together, we just don't know who will do it. This is just a small thing that leads to bigger things.

Discussion followed.

Turned over to the Public Hearing regarding Officer Bardwell (see attached).

Motion made by Mr. Bohaycyk that the council agrees with the five day suspension of Officer Bardwell and one year probation, and a review date be set up for 6 months from the date of the incident, July 8, 2009 and if no other infractions have been

recorded that this probation will be lifted at that time, second by Mr. Hough and unanimously passed.

Discussion pursued regarding hours for part time officers.

It was stated that there definitely appears to be a the lack of communication in the police department between the officers and Chief, and this should be addressed.

Motion made by Mr. Bohaycyk to adjourn, second by Mr. Sullivan and unanimously passed.

---

MAYOR EDSSEL TUCKER

---

FISCAL OFFICER