

RECORD OF PROCEEDINGS

Minutes of Hartville Village Council Meeting

Held on June 16, 2009 at 7:00 P.M.

CALL TO ORDER BY MAYOR TUCKER.

ROLL CALL

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

Motion made to excuse Scot Bohaycyk by Mr. Hough, second by Mr. Beltz and passed by all in attendance.

INVOCATION BY Pastor Tom Hough of Sixteen Saint John's Church

PLEDGE OF ALLEGIANCE

CITIZENS COMMENTS (AGENDA MATTERS ONLY):

FISCAL OFFICER

Motion made by Mr. Sullivan to accept the minutes from June 2, second by Mr. Hough and passed by all in attendance.

Motion made by Mr. Beltz to accept the Cash Flow report, second by Ms Billings and passed by all in attendance.

Bills pad 1st half June 2009 Council:

George Dragovich	\$973.74	Reusable Rubber	\$1,999.90
John T. Norman	\$984.72	Bryan's Enterprises	\$2,594.91
Jeffrey Igleheart	\$1,350.49	J & B Fleet Ind.	\$158.29
James D. Welch	\$1,014.89	Workman's Auto Pts.	\$251.96
Ryan Derhammer	\$1,051.20	Sand Rock Mineral	\$21.00
Aaron Bardwell	\$637.56	Rentwear Inc.	\$104.65
Mark Loiudice	\$181.15	Medtronics	\$146.82
Erik Carlson	\$983.10	Mathie Suupply	\$326.56
Christopher M. Clark	\$611.13	Metker E.C.H. Inc.	\$228.00
Lawrence Dordea	\$1,312.31	Miller & Co.	\$436.83
Michael Gunias	\$454.40	Landmark Disposal	\$230.20
Nathan D. Miller	\$675.17	Hartville Hardware	\$982.98
Ray Wittensoldner	\$855.98	Varney Fink	\$2,726.00
Brian Keiser	\$891.57	Evan's Supply Dominion	\$167.46
Cheryl A. Marcelli	\$867.92	East Ohio	\$225.67
Loreen F. Palumbo	\$736.14	D & G Uniforms	\$394.53
Lori M. Quinn	\$499.88	Giant Eagle	\$25.52
Gary A. Wenzel	\$964.31	Postmaster	\$100.00
Edsel R. Tucker	\$552.05	Country Clean Car Wash	\$90.47
Phyllis Wise	\$171.45	Aultman Hospital	\$357.00
Paul Sommers	\$19.40	Betty L. Atkinson	\$75.00
Michael Ringer	\$618.46	Susan Marlow	\$100.00
Huntington Bank	\$2,389.16	Darcel Piporo	\$100.00
Ohio Dept. of Taxation	\$2,752.75	Pam Jacobs	\$50.00
Ohio Deferred Comp	\$895.00	Omer Thorpe Jr.	\$100.00
Village of Hartville	\$283.93	Karen Gergon	\$100.00
Stark Fed. Credit Union	\$680.00	Marc Glassman, Inc.	\$57.33
Jerry Kidd	\$370.76	Knowles Press	\$26.00
Lora Brown	\$64.48	Central Allied Ent.	\$149.85
Lori Cumo	\$32.24	Gates McDonald	\$2,675.00

Huntington Bank	\$267.05	CID Solutions	\$300.00
M/Dean Dahl	\$175.00		
Sherrie Gantz	\$346.58		
		TOTAL	\$39,965.89

Motion made by Mr. Hough to accept payment of said bills, second by Ms Billings and passed by all in attendance.

Motion made by Mr. Hough to authorize the Mayor to enter into an agreement with the Stark County Engineer for the improvement at the intersection of Market Street and Woodland Street, second by Mr. Sullivan and passed by all in attendance.

Said improvement will not cost the Village of Hartville any monies.

Lt. Dordea thanked the Council for allowing the purchase of two brand new Crown Victoria police cruisers. They were built yesterday, so the timing of my arrival tonight is fortuitous because it takes about a week for the assembly line to reach the originating dealership and we were fortunate enough to get those cruisers through Spitzer. They came in at the State cooperative purchase pricing and I went up to Spitzer and talked to the General Manager up there and asked if they would interested in matching the State cooperative bid price and they were. We really actually saved some money there because the closest we could've got them, other than Spitzer, would probably be a dealership in Wooster. We would've had to go to Wooster and pick them up or they would have delivered them at a cost. They should be there I would say within 10 days, generally they get in within a week but I am confident they will be here by the end of the month. Now they come off the assembly as a police vehicle. When they get here, we turn them into a police cruiser and that means they get the exterior markings and the interior equipment to become a Hartville Police cruiser and that stuff is expensive and that is what I attached to my letter to all of you this evening. Just for comparison purposes, the last couple of pages that came from Fallsway Equipment was an unsolicited bid, but they did send us one because they are trying to break into the market of outfitting police cruisers. As you can see, they are from Akron, so they are a near by company. If you look at the first six items on their list, basically all that is parts of a light bar. If you look at the Hall Public Safety bid, he has one line for the light bar and if you add all these in the Fallsway bid it appears to be a little less than what Hall would get except Hall has seven lights on the light bar and Fallsway is offering us five. Hall is very local. He has been in the business for a long time, very good reputation. He turns a cruiser around in about 30 hours. Also in the bid price from Hall, he is willing to strip the two cruisers that we are going to take and there is some equipment we are going to use out of the old cruisers, but they will strip them for \$125 each. That is a great price to get that done.

I come to you tonight, I am not sure what the actual rule is, but we need about \$10,217 per car to turn these police vehicles into police cruisers and what we will have then is basically a very efficient car. One of our cruisers outside that we are currently using has a shot gun rack that was not designed for the shot gun that it is holding and it is not very safe in that it flops all around. It's not going to go off or anything but it could bump the officer's head or something if there was an accident, so you will see on the price one shot gun rack, it's because we only have one that's not the same as the rest, so we could use one. The mobile vision cameras are VCR and they are not the state of the art, but they are refurbishable and if we would get new systems they would be about \$5,000 each, so I think for about \$1,500 we could fix all of them in the fleet and get cameras rolling on each one. The thing that we don't have now, that we will have if you allow it, is lap top computers in the two new cruisers and those lap top computers will allow LEADS access to the officers at their finger tips. LEADS is the law enforcement automated data system. That means they can run your license plate or your drivers license from their car. At this moment we're making a radio communication to Stark Com and we're waiting for the Stark County Sheriff's office to respond to us with that information. Now they're still going to do that when they make a traffic stop but we could make a judgment call and make a safety call before we pull that car over and long before we get the response back from Stark Com on what that license plate is. For example, if you have a concealed carry permit, it's on your license plate, it's attached there. If we pull you over, we call in Stark Com and tell them we're going to pull you over, we're out of the car, we're dealing with

you and then finally they call and say hey that guy has a CCW. Well, it's good to know but it would be a lot better to know before we got out of the car, so we could be prepared just in case and literally if you lie to us about who you are, we can look at the Bureau of Motor Vehicle's photo on the lap top so we can compare your picture of you to the reality of you in the car. So, what I'm hoping for tonight, what I came here to do, first of all, is answer any questions you might have and I'm hoping you will authorize in whatever fashion that would be necessary to give the Mayor and Fiscal Officer to give me permission tomorrow to contact these entities and say, get us the stuff because generally it takes about three weeks to get everything in to outfit a cruiser and there is no sense in starting and then stopping. Even if you authorize it tonight and I order tomorrow, we're going to be three weeks, so there will be about a week of down time for the cruisers, but still we could have these cruisers on the road by the 15th of the July. They're going to look slightly different on the outside. They are Crown Victorias, currently we are driving Impalas out here. They are about the same color, but I think you will like the new look. There is also \$1,000 on this bid. That is \$500 each for the graphics on the outside of each car. Any questions?

Discussion pursued concerning cameras and lap tops.

Motion made by Mr. Hough to accept the proposal presented by Lt. Dordea for the outfitting of the new cruisers, second by Mr. Sullivan and passed by all in attendance.

MAYOR

Old Business

The assessments on West Maple are where they were two weeks ago. I just spoke with Kelly at the Auditors office today and they are very busy and she started now, so I hope we can get that straightened up soon. As far as the other assessments down here, I think Finance is going to report on that.

The additional Village parking, if you noticed at Dave Varner's, we've got the lot cleaned up, trees trimmed. Nat took the poles out, filled the holes and the only thing we are waiting on now is the street sweeper. We're going to clean it and put some stripping in it and get our public parking signs up. There is more land available if necessary.

Discussion concerning our web site pursued.

LAW DIRECTOR

There is just one resolution that is on the Agenda and if Council will take notice it is supposed to be passed by emergency and look at the last paragraph there is a fair justification for passage by emergency because it you have to respond immediately to some noxious weeds and grass growing on lots. Typically a resolution or a regulation of this kind, a classic example where you want to give people free readings so they can come in and dispute anything, but it is my understanding that this Resolution doesn't do anything different other than instead of two times a year to five times a year.

Resolution No. 02-09.05 directing the Mayor to serve written notice on the owners, lessees, agent or tenants of certain properties that noxious weeds or overgrown grass are growing on, and that such must be cut and destroyed five times a year during the months of May, June, July, August and September pursuant to Hartville ordinance Chapter 93, and declaring it to be an emergency.

Motion made by Mr. Hough to pass by emergency Resolution No. 02-09.05, second by Ms Billings and passed by all in attendance.

Motion made by Mr. Hough to suspend the rules, second by Mr. Beltz and passed by all in attendance.

Motion made by Mr. Hough to pass by emergency, second by Mr. Beltz and passed by all in attendance.

ENGINEER

Our Engineer is not present tonight, but there is a preconstruction meeting scheduled for June 24th and if anybody would like to go, that's fine, the Mayor and Rob will be going.

The N. Prospect street design field survey has been completed.

COUNCIL

Motion made by Mr. Hough to amend the Agenda regarding the first reading of Ordinance No. 1-09.15 concerning the sewer rates, second by Mr. Beltz and passed by all in attendance.

First reading of Ordinance No. 1-09.15 establishing the calendar year 2009 the user charges of each lot, parcel land, for premises having a connection to the Village of Hartville's sanitary sewer system and the surcharge rates for users who discharge higher than domestic strength waste into the Village sanitary sewer system.

Motion made by Mr. Hough to accept the first reading of Ordinance no. 1-09.15, second by Mr. Currie and passed by all in attendance.

REPORTS OF COUNCIL COMMITTEES

Finance

We had a meeting on June 9th to discuss the Wyndham Bridge and the Hampton Courts sewer assessments and in that meeting we reviewed the ORC and what their definition of each unit, as a separate parcel for taxation and assessment purposes. We also reviewed all of the numbers associated with these and we came up with the total assessment and what was the correct way to break that down to do these initial assessments. So with the Hampton Court high rise condos, the assessment is based on 123.7 feet of frontage multiplied by the pre-established assessment rate of \$82.52 per foot, which would be \$10,331.42. Currently there is one 14-unit building there now and there are two 12 unit buildings proposed, so there will be a total of 38 units, so we took the \$10,331.42 and divided it by the 38 units and came up with an assessment of \$271.88 per unit. So the 14 existing owners would be billed that assessment each of \$271.88 and then we would bill the Guardian Property Management, Inc. for the remaining 24 proposed units which would be 24 times the \$217.88 for a bill of \$6,525.12, so that is what the Finance Committee proposes to assess the Hampton Court high rise condos.

Then, for the Wyndham Bridge condos, there are two parcels there with a total assessment that would be \$42,575.16. One parcel is owned by the Wyndham Bridge Condominiums association, which is made up of all the individual owners. It has frontage of 162.88 feet which would equate to a total assessment of \$13,603.74. The second parcel owned by Guardian Property Management is undeveloped at this point. It has 346.88 feet of frontage which would be an assessment of \$28,971.42. Now upon completion, as far as what is proposed, there will be 25 four unit buildings and one 2 unit building for a grand total of 102 units. We took the \$42,575.16 divided by 102 units and each unit would be assessed \$417.40. So the Finance Committee recommends that we bill the individual owners that assessment at \$417.40 and then the remaining balance would be billed to Guardian Property Management to total up the assessment we need for the Wyndham Bridge Condominiums based on the combined frontage of both parcels which would be \$42,575.16. That is the recommendation of the Finance Committee, that we move forward with these assessments.

Discussion pursued regarding payment of said assessments.

Motion made by Mr. Beltz to move forward with these assessments, second by Ms Billings, passed by all except Mr. Currie who abstained.

Street and Drainage

We met on Thursday, June 4th, we had several things to discuss. The first thing was the cul de sac at the north end of Cornerstone in the Cornerstone allotment, on the north east portion of that cul de sac there is a four inch downspout that comes out to the street that has water running pretty much constantly. It is okay now but in the winter that water just comes down to the street, builds up as ice and becomes a skating pond and there is some settling and sinking in some areas. There is a section of curb that is sinking so Nat was going to get some bids about repairing that. It seems as though that cul de sac does not have sufficient storm sewers.

Market Avenue, the sinking in front of the Wyndham Bridge condos seems resolved but we're keeping an eye on that, Nat is.

Danbury Glen, there have been some holes appear in roadways both 2008 and again 2009 and it clearly is shoddy, improper installation of some pipe underneath the ground. The Committee wondered who is responsible for the inspection of those. Is that the Village Engineer?

The Mayor responded that he thought that CT Consultants was our Village Engineer and if they used their inspectors, then we need to have a conference with them.

Discussion pursued.

On Woodland, there is a manhole at the intersection of Geib and Woodland that Wengerd Construction needs to revisit.

Discussion pursued.

We also discussed several other things, some catch basins that need redone, five or six of those around the Village. Vandalism at the park, Memorial Park, graffiti on the back wall. We discussed painting the shelter with a graffiti resistant paint that might help. We also wondered if the Police Department could be extra vigilant perhaps in keeping an eye.

We talked about playground mulch up there, that rubberized playground mulch, playground equipment ordered in the amount of \$2,800 and Nat can save about \$500 of delivery charges by going to pick it up rather than having it delivered. Flags are up in the Village through July 4th. The rope on the open shelter in Memorial Park is going to need repaired some time soon. We still have the 2009 paving program in the amount of \$66,000 that is hanging in the balance. We already talked about the parking lot at Varner's. The bucket truck is out of service and then it was back in service.

Discussion pursued regarding Wengerd Construction.

Safety

Nothing at this time.

Recreation

Nothing.

Commerce Department

Nothing.

Tree Board

Nothing at this time.

Zoning Book

The Zoning Book Committee did meet on June 9th and discussed off premise signage which is signage or advertisement for businesses locate other than their own property.

We recommended that we should abide by our current zoning which does not permit off premise signage. We did, however, recognize the need to allow our Sunnyside businesses the ability to draw customers to Sunnyside, therefore, we thought the Village should consider giving a road right away in two or three locations that we picked out and if we give a road right away to the Sunnyside businesses, we would just provide the right away and we get the approval of the signs. They would have to pay for the signs and we would recommend some type of slider board, like we have out here where you can slide the business name in and if you have business changes or if you have additional businesses that want to participate, they can slide them in. The locations that we had discussed were here at 43 and 619, Grand Trunk and 619 and Market and 619. Grand Trunk and 619 does have a marquee style sign right now. That is our recommendation to Council to start allowing off premise signage.

Discussion pursued.

Sewer Rate

We had a meeting on the morning of June 5th just to finalize the numbers that were put in the Ordinance No. 1-09.15 that was read tonight.

Personnel Committee

We would like to schedule a meeting to discuss personnel. Meeting scheduled on Thursday, June 25th at 5:30 p.m.

MISCELLANEOUS BUSINESS

A quick update, there was a downtown merchants meeting on Wed., June 10th at the Frontier Restaurant and one of the events that is coming up this is of interest to the Street Department and the Police Department, the Pets on Prospect that we did last year that was very successful event is going to take place on Thursday, July 23rd from 6:30 to 8:30 p.m. The Lion's are going to be doing bbq chicken dinners starting at 6 o'clock. Last year they had 100 dinners and were sold out of them in about 20 minutes and so this year they are preparing 250 dinners to make available this year and the request from the merchants is that the roads are closed at 5:30 from the corner here down to Sunnyside and then also the alley beside Hartville Chocolate Factory because that is where all the animals and the kids line up for the Pet Parade and the alley right across here.

Discussion pursued.

Ms Billings mentioned that maybe we want to get our garage sale rules and regulations out to the public again.

CITIZENS COMMENTS ~ NOT ON AGENDA

Ron Williams, 219 W. Maple Street ~ I want to thank you today, Mayor, for doing what you did on Maple Street. Everybody on the street is very appreciative and we know that it was very difficult. I also want to thank you for the weed control you are trying and I wish you the best of luck on the blight on 1300 house on the corner. That is a blight and I know it is an expensive proposition and a challenge for you. On the garage sales, the property in question is 507, it is a chiropractor's office. It is an ongoing business entity, it is not a garage sale. The guy is out there seven days a week with the signs in the parking lot and I doubt seriously that he has a vendor's license, pays sales tax and if you're talking about signs, this guy has great cardboard ones all over the street and it needs to stop, we would really appreciate it. He is not even trying to run a business. I am a business owner myself. I pay my taxes, I do what I am supposed to do and I want everyone else to do the same. Thank you.

Motion made by Mr. Currie to adjourn, second by Mr. Hough and passed by all in attendance.

MAYOR EDSEL TUCKER

FISCAL OFFICER