

Held JULY 6,2010**INVOCATION:** Ron Beltz**PLEDGE OF ALLEGIANCE****CALL TO ORDER:**

Mayor Ed Tucker called to order the Council Meeting of July 6, 2010 at 7:00 P.M. at the Hartville Village Hall, 202 West Maple Street, Hartville, Ohio.

ROLL CALL:

CM Beltz	P
CM Billings	P
CM Currie	P
CM Hough	A
CM Ries	P
CM Sullivan	P

CM Sullivan moved accept CM Billings to sit in for the absent Fiscal Officer. CM Beltz seconded, and passed by all in attendance.

CM Beltz moved to excuse CM Tom Hough from this evening's meeting. CM Currie seconded, and passed by all in attendance.

CITIZENS COMMENTS (Agenda Matters Only)

No one spoke from the audience.

FISCAL OFFICER:

CM Billings reported that she and CM Beltz signed the vouchers, but did not have anything to present in order to approve the bills. Therefore, approval of the bills will be done at the next meeting.

CM Beltz moved to accept the minutes of June 15, 2010. CM Ries seconded, and passed by all in attendance.

CM Ries moved to accept the minutes from the Special Council meeting held on June 23, 2010. CM Beltz seconded, and passed by all in attendance.

CM Sullivan had corrections to the June 24th minutes. 1) After roll call, CM Sullivan made the motion to appoint CM Billings as interim clerk in Gary's absence and CM Beltz seconded. 2) CM Sullivan made a motion of CM Hough's presence and CM Currie seconded.

CM Sullivan moved to accept the minutes from the Special Council meeting held on June 24, 2010, with those following changes. CM Beltz seconded, and passed by all in attendance.

MAYOR:

The Mayor addressed Council with a group of artists that want to set up displays within the Village. This will be set for the month of September.

CM Sullivan moved to accept the artists to display their art work in the Village. CM Beltz seconded, and passed by all in attendance.

CM Billings reported to Council in regards to the Zoning Board of Appeals meeting held on July 1st. This meeting was for two 15' sign variance requests by the Wireless Store going into the Blockbuster building. One of the signs is to go on the back of the building. The Zoning Board of Appeals recommends that Council grant the two sign variance requests

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CM Currie moved to approve the variances of both signs. CM Sullivan seconded, and passed by all intendance.

CM Currie moved to approve the sign on the rear of the building. CM Beltz seconded, and passed by all intendance.

The Mayor discussed the Diversity Proclamation to Council. He asks for a motion to move forward with the Proclamation.

CM Hough submitted a letter stating why he is opposed to this request:

Re: the invitation to adopt legislation from Morehead University proposed by "Coming Together" of Stark County, Ohio.

The letter dated June 23, 2010 encouraging us to "celebrate diversity and to make a public commitment to promote inclusion" rankles me to my very core.

The Bill of Rights put in place by our Founding Fathers and the Constitution of these United States of America guarantees that every citizen stands equally before the law, and encourages every American Citizen to participate in the governing of this land.

Our greatness is not based on group identity, on dependent status before a "benevolent government nanny state" nor on victim status according to the latest victimized list.

No! Our greatness is based on the belief that no matter what our family's nation of origin, we choose to call ourselves Americans, and we choose to stand to defend our God-given rights as defined in our Bill of Rights and in our Constitution.

In the pell-mell rush toward the supposed all-encompassing utopia of diversity, it occurs to me that our nation has been splintered by this new "god" of diversity.

It pleases me to see people of every ethnicity shopping, driving, talking to one another in lines etc. and to be getting along as AMERICANS; not as diverse splinter groups who each lives isolated in his own enclave.

So, NO! I will not put my name to any piece of legislation celebrating the further splintering and tearing of the very fabric of this great nation. The United States of America has been touted as the "melting pot" of the world NOT because we are identifiably diverse, but RATHER BECAUSE we by choice are IDENTIFIABLY the same - we are all Americans.

Sincerely,

Councilman Thomas Hough

CM Currie moved to accept the adoption of this Proclamation for Diversity. CM Sullivan seconded, and passed by all in attendance.

The Mayor addressed council that each one should have received a letter dated June 22, from myself, as to the appointment of Larry Dordea to Chief of Police and has successfully completed his probationary period. You received that? Now as you know in our laws of this Village, we have this residency clause that within 6 months somebody has to move into the Village, or you as council have to make the exception that they do not. If I'm not mistaken, it has already been knocked down by the State of Ohio that this is no longer the law. Because Akron, Canton and Cincinnati, I believe, fought it and took it through the courts and lost. But anyways, it is on our books and we need to approve or disapprove the fact of him living in this Village. And naturally he owns a home where he is at and plans on staying there at this point. I will say this; we do not have any head

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of any department in the Village of Hartville that lives in the Village of Hartville. We do not have anybody in our office, any employee in our office that lives in the Village of Hartville. We don't have anybody, Mike do you live in the Village of Hartville? He answered: Lake Township. The Mayor continued: we don't have anybody in the Street Department lives in the Village of Hartville; we don't have any Sewer Plant employees that I know of, that live in the Village of Hartville. To my knowledge, I don't know that we have an employee that lives in this Village.

CM Currie: So what's your point Ed?

CM Beltz: Well the Fiscal Officer.

Mayor: I forgot about him.

CM Currie: Did Chief Dordea, has his probationary period come and gone?

Mayor: It's gone, that is what the letter is referring to. He's done an excellent job, and that he has brought a lot of new ideas here. He's done a terrific job with this police department so far. We're getting a lot of comments from our people out on the streets. He has started working with the school district and setting up programs with them. It's really going good, him as Chief.

CM Currie: So you are requesting a decision about his residency.

Mayor: I recommend a formal permanent appointment, and then I recommend that you make a motion that we uh....

CM Currie: Are those two separate motions?

Mayor: Yeah, it would almost have to be, I believe, won't they?

CM Billings: Yeah, I think so.

CM Currie: I make a motion to approve his permanent employment as Chief of Police, Larry Dordea as Chief of Police.

CM Beltz seconded, and passed by four yes votes.

CM Sullivan: May I ask a question first? He is planning on sticking around? Because every time I talk to him, he seems to be on the way out.

Mayor: That's odd, because I talk to that man every day. Two to three times a day, and this conversation never comes up. The only conversation that ever comes up is that he ran for Sheriff once. A lot of people want to know whether he is going to run for Sheriff again. He is very happy here, but that does not say that he won't run. But he has already turned down two mammoth Police Chiefs jobs in Stark County, that pays anywhere from \$20,000 to \$30,000 a year more than he is paid here, and he turned them both down. One was right after he took this job here. So as far as him every day, not seeming to know where he is going – if the man decides to move up to Sheriff, and he and I have had very serious talks about this, he would run for it because it's a totally different level of the police work that he is in, and has been in. As far as if he does not run or if he ran and lost; and if he does not run, he has no intentions on going anywhere but Hartville. He and his wife looked at real estate over here in the beginning. And now whether he runs for Sheriff or not, then I don't know. I do not believe that he will leave Hartville for any other Chief's job. The only reason he would leave Hartville, would be to run for Sheriff. And I agreed in the very beginning that I understood that, and that we would go from there.

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CM Sullivan: In a couple conversations I had with him, or even within the safety meeting he indicated some other positions. I just think that he is using this as a stepping stone. So I'll vote no.

CM Currie: I would also make a motion to waive any residency requirement that the Village might have that he could maintain his current residence in Alliance.

CM Beltz seconded, and passed by four votes yes.

CM Sullivan voted no.

OLD BUSINESS:

None at this time.

LAW DIRECTOR:

THIRD READING OF ORDINANCES:

None at this time.

SECOND READING OF ORDINANCES:

None at this time.

INTRODUCTION AND FIRST READING OF ORDINANCES:

RESOLUTION NO. 2-10.16 establishing and creating a policy to ensure compliance with the Americans with Disabilities Act ("ADA") as it relates to Title II of the act and the provision of services, programs, and activities in the Village of Hartville ("Village").

CM Beltz moved to accept this reading. CM Ries seconded, and passed by all in attendance.

ORDINANCE NO. 1-10.18 giving the Hartville Police authorization for the impounding and storage of vehicles in the Village of Hartville ("Village").

The Solicitor is reviewing for some possible clarifications.

CM Currie moved to accept this reading. CM Beltz seconded, and passed by all in attendance.

ORDINANCE NO. 1-10.19, enacting an Ordinance for the Village of Hartville ("Village") to establish an emergency snow parking ban during adverse weather conditions.

CM Beltz moved to accept this reading. CM Ries seconded, and passed by all in attendance.

ENGINEER:

Schumacher Wetland Update – Davey Tree has completed their report and had a meeting with the Engineers from Stark Parks, Stark County, Army Corps, Davey Tree and myself. There will be a few changes to the construction plans based on the geo-technical results. The trail and embankment will be set back further away from the ditch. They will also look at some of their construction details. Then the next step will be another public hearing with the Corps of Engineers.

Update on the North Prospect Street Improvement Design, the VOH Engineer has been in contact with the utility companies. Dominion East Ohio Gas is going to have some extensive relocations of their main gas line. They would like to design their facilities sometime late July, early August.

AT&T have a few telephone poles on the east side that need relocated. There are several trees that are going to have to come out. We need to get two trees

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out of there before construction begins. Mayor asked the VOH Engineer to get a few quotes from companies that cut trees down.

REQUESTS OF COUNCIL MEMBERS:

CM Currie had a few questions regarding the letter that Mr. Ellis Erb submitted to the administration. Has his issue been resolved?

CM Beltz answered: No, I will present something to council later under the sewer rates committee report.

REPORTS OF COUNCIL COMMITTEES:

Finance ~ *Beltz, Billings, Hough
Nothing to report at this time.

Street and Drainage ~ Beltz, *Currie Ries
Nothing to report at this time.

Safety ~ Beltz, *Billings, Currie
The next meeting is scheduled for Thursday, July 22nd at 6:00 p.m.

Recreation & Parks (Tree) ~ *Billings, Ries
Nothing to report at this time.

Commerce Development ~ Currie, *Hough, Ries
Nothing to report at this time.

Zoning Book ~ Hough, *Sullivan, Ries
Nothing to report at this time.

Sewer Rates ~ *Beltz, Hough, Sullivan
CM Beltz reported that the new sewer rate ordinance needs to be in place, so that we can adopt a new sewer rate increase sometime this year. BPA is working with the Fiscal Officer, to develop a permit for the installation of commercial meters. I should have something to present within the next month.

Also discussed during the meeting was the letter from Ellis Erb. The Solicitor reviewed our current ordinance and gave his recommendations and interpretations of the way it is worded. The Solicitor explained that if the business ceases to exist or operate within the Village, then the bill should also stop.

There was further discussion regarding vacancies in commercial buildings and the way they are billed.

CM Beltz moved to terminate sewer billing for all businesses that have ceased doing business within the Village. CM Sullivan seconded, and passed by all in attendance.

CM Currie continued reading Mr. Erb's letter. The letter informs the Village Office that as of June 20th, water meters have been installed on the outside of his business properties. CM Currie asked "who does the meter reading." The Mayor answered that he does.

Mr. Erb is expecting to be reimbursed for the billings that have been incurred since the new ordinance has been in effect.

CM Sullivan commented that in the Sewer Rates meeting discussed this part of the letter, and will direct it to the Solicitor for interpretation also.

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Personnel/Handbook (Grievance) ~ Billings, *Currie, Sullivan
CM Currie informed Council that the personnel handbook will soon be revised. Two issues did come up - OSHA requirements and position of Safety Director. The committee will discuss these two items at the next scheduled meeting.

The next meeting scheduled will be Thursday, July 22nd at 7:00 p.m.

Planning ~ *Beltz
Nothing to report at this time.

MISCELLANEOUS BUSINESS:
Nothing at this time.

CITIZENS COMMENTS (Not on the Agenda):
No comments at this time.

ADJOURNMENT: CM Sullivan moved to adjourn. CM Ries seconded, and passed by all in attendance.


MAYOR EDESEL TUCKER


PRESIDENT PRO-TEM