

RECORD OF PROCEEDINGS

Minutes of Hartville Village Council Meeting

Held on December 15, 2009 at 7:00 P.M.

CALL TO ORDER BY MAYOR TUCKER.

ROLL CALL

Mr. Beltz	P
Ms Billings	P
Mr. Currie	P
Mr. Hough	P
Mr. Sullivan	P

Council Member Hough moved to excuse Mr. Bohaychyk. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough read a letter from Council Member Bohaychyk.

To the Mayor and Hartville Village Council,

It is with deep regret that I again cannot be with you tonight. The demands of my position have dictated that I be in Chicago tonight.

As my tenure on the Hartville Village Council has now come to an end, I find myself looking back and wondering how the time went by so quickly.

Regretfully, the demands of my job have taken me away over the past several months. I am certainly glad to be one of those people today that has a good job so that I can provide for my family, but I do regret that I could not be in attendance more regularly. A bright spot in all of this is that if, what I am working on does come to fruition, I will be able to be in front of the council asking for a place to put my new manufacturing plant. I cannot yet say for certain, however, I am working toward that end.

It has been a distinct pleasure working with all of you over the past years. I recall the times of struggle, times of trials both personally as well as a body. But even as I do look on those times, I see what the product of that truly is. Progress...we as a collective body have been able to move the Village forward...and in looking back, that's what we have been elected to do.

I see progress on a new Waste Water Treatment Plant, I see roads being paved, and I see an overall attitude of the people of this Village improving. We have come through some trying times, however, we have moved ahead and I believe will continue to move ahead. I consider it a distinct privilege to have worked with each of you. I see that each of us brings our own skills, personality, and knowledge and that we have as a group combined those items into a cohesive body that can and will accomplish whatever task is set in front of us.

I feel very proud to have been part of this group of extraordinary individuals and consider it a pleasure to stand shoulder to shoulder with each of you. It is my hope that in the future to play some roll again as my travels will lighten as my sales team grows, and I will be able to participate in person more often.

Again, I cannot express my deep respect for each of you and my appreciation for the friendships we have built, and the support I have received from you. I do hope the people of Hartville understand what each of you does for the Village, what sacrifices you make and continues to put their trust in you.

I wish you all well, and wish you all a Merry Christmas.

Thank you for the privilege of serving with you. Sincerely, Scot Bohaychyk

INVOCATION: Pastor Hough

PLEDGE OF ALLEGIANCE

CITIZENS COMMENTS (Agenda Matters Only)

No one spoke.

FISCAL OFFICER

Council Member Sullivan moved to accept the November 17, 2009 Council minutes. Council Member Hough seconded, and passed by all in attendance.

Council member Sullivan moved to accept the December 1, 2009 Council minutes. Council Member Hough seconded, and passed by all in attendance.

Fiscal Officer presented the Cash Flow Report to Council.

Council Member Hough moved to accept the Cash Flow Report for November, 2009. Council Member Sullivan seconded, and passed by all in attendance.

Fiscal Officer asked for a motion to accept the bills. Council Member Beltz moved to accept the bills. Council Member Sullivan seconded, and passed by all in attendance.

Bills Paid 1st Half of December, 2009

GEORGE DRAGOVICH	\$500.85	INTL ASSOC.	\$102.00
JOHN T. NORMAN	\$1,084.72	INDEPENDENCE BUS. SUP	\$514.97
JEFFREY IGLEHEART	\$1,186.01	LEVINSON'S UNIFORMS	\$49.49
JAMES D. WELCH	\$930.61	SHERIFF TIMOTHY SWANSON	\$1,700.00
RYAN DERHAMMER	\$927.36	VERIZION WIRELESS	\$349.45
MARK LOIUDICE	\$777.89	UNIONTOWN ELECT	\$442.93
LAWRENCE DORDEA	\$1,405.00	GIANT EAGLE	\$900.00
BRIAN PITTMAN	\$925.27	TREAS STATE OF OHIO	\$32.50
JENNIFER LINT	\$777.89	PRINCIPAL LIFE	\$50.85
NATHAN MILLER	\$631.70	SANISERV INC	\$70.10
RAY WITTENSOLDNER	\$855.98	SAND ROCK MINERAL RADIOLOGY ASSOC OF CANTON	\$15.75 \$304.00
BRIAN KEISER	\$891.57	RENT WEAR INC	\$145.61
CHERYL MARCELLI	\$862.69	LANDMARK DISPOSAL	\$131.53
LOREEN PALUMBO	\$691.40	PERRIN ASPHALT	\$4,750.00
LORI QUINN	\$487.07	PITNEY BOWES	\$257.00
GARY WENZEL	\$964.31	OHIO POLICE & FIRE	\$14,066.27
EDSEL TUCKER	\$552.05	NUVOX	\$651.15
PHYLLIS WISE	\$82.55	CHERYL MARCELLI	\$36.30
MICHAEL RINGER	\$542.42	M & K ENGRAVING	\$11.50
HUNTINGTON BANK	\$2,320.32	LIGHTNING LUBE	\$145.80
HUNTINGTON BANK	\$253.12	AT & T	\$16.63
STARK CREDIT UNION	\$680.00	HARTVILLE AUTO REP	\$547.73
OHIO DEFERRED COMP	\$895.00	HARTVILLE AUTO REPAIR	\$93.00
OHIO WITH HOLDING	\$1,526.94	HARTVILLE HARDWARE	\$315.95
VILLAGE OF HARTVILLE	\$269.08	GOVERNMENT ACCT SOL	\$160.00
NUVOX BRECKENRIDGE FINANCIAL	\$787.35 \$22.89	GRAPHIC ENTERPRISES	\$368.99
WORKMAN'S AUTO PTS	\$30.81	JACK DOHENY SUPPLIES	\$174.00
HARTVILLE ELEVATOR	\$872.51	M/DEAN DAHL	\$175.00
EVAN'S SUPPLY	\$106.46	COUNTRY CLEAN CAR WASH	\$8.91

DOMINION EAST OHIO	\$330.65	BARLEY'S HEAT & AIR COND	\$69.95
STARKEY LAW FIRM	\$2,350.00	LEXIS NEXIS	\$50.00
OSSA TECH SOL.	\$229.99		
		TOTAL	\$52,459.82

The Fiscal Officer updated the members on the Magistrate search. Advertisements were circulated in the Suburbanite, Hartville News, and the Akron Legal News. As of this date, one resume has been received.

MAYOR

The Mayor reported on the Planning meeting held on December 11th. The Board accepted the rezoning of Lots 643 & 631. A Public Hearing needs to be set up.

Council Member Beltz moved to accept a Public Hearing date of January 5, 2010 at 6:30 p.m. for the rezoning of Lots 643 & 631, from "M-1" Light Industrial to "B-2" General Business. Council Member Hough seconded, and passed by all in attendance.

Mayor Tucker informed everyone that the Monarch Building will be demolished within the next week.

Council Member Billings presented a brief report on the Evening in the Village.

Mayor Tucker thanked all the Volunteers who helped with this event.

OLD BUSINESS

None at this time.

LAW DIRECTOR

THIRD READING OF ORDINANCES:

RESOLUTION 2.09-15 authorization for the Village of Hartville to enter into an agreement as a plan of dissolution and transfer of assets of Mt. Peace Cemetery to Lake Township Board of Trustees.

Council Member Hough moved to accept. Council Member Sullivan seconded, and passed by all in attendance.

SECOND READING OF ORDINANCES:

None at this time.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE NO. 1-09.29, amends Ordinance 1-09.27, authorizing the Fiscal Officer of the Village of Hartville, Ohio to make temporary annual appropriations from certain funds of the Village for current expenses and other expenditures of the Village for the three month period beginning January 1, 2010 through March 31, 2010, and declaring the same to be an emergency.

Council Member Hough moved to accept. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Sullivan seconded, and passed by all in attendance.

ORDINANCE NO. 1-09.30 amending existing Ordinance 1-97.09 Section 904.09, titled Bonding and License Required for Sewer Workers and declaring the same to be an emergency.

Council Member Hough moved to accept. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Beltz seconded, and passed by all in attendance.

ORDINANCE NO. 1-09.31 amends Ordinance 1-09.15 establishing for calendar year 2010, the user charges for each lot, parcel of land, or premises having a connection to, and discharging to, the Village's Sanitary Sewer System and the surcharge rates for users who discharge higher than normal domestic strength waste into the Village Sanitary Sewer System.

Council Member Hough moved to accept with the understanding that this will be one year behind until meters are installed on commercial only. This rate will go up about 22% for 2010 – commercial only. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Beltz seconded, and passed by all in attendance.

ORDINANCE NO. 1-09.32 authorizing the Fiscal Officer of the Village of Hartville, Ohio to make appropriations from certain funds of the Village for current expenses and other expenditures of the Village during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

Council Member Sullivan moved to accept. Council Member Hough seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Beltz seconded, and passed by all in attendance.

RESOLUTION NO. 2-09.17 authorizing the transfer of funds from the General Fund to the Income Tax Fund and Street Construction, Maintenance & Repairs Fund, and declaring an emergency.

Council Member Sullivan moved to accept. Council Member Hough seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Currie seconded, and passed by all in attendance.

Council Member Sullivan moved to put Resolution No. 2-09.14 on the agenda. Council Member Hough seconded, and passed by all in attendance.

RESOLUTION NO. 2-09.14 directing the Village Solicitor to re-certify the special assessments passed and certified by the Village in Ordinance No. 1-03.26.

Council Member Hough moved to accept. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Currie seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Beltz seconded, and passed by all in attendance.

Resolution No. 2-09.18 directing the Village Solicitor to certify to the Stark County Auditor unpaid assessments regarding the annexation of property into the Village of Hartville.

The Solicitor explained that this has an emergency clause and declaring the same to be an emergency. This needs to be recorded with the Auditor as soon as possible in order to get the revenue for this.

Council Member Hough noted some typographical errors that need to be corrected.

Council Member Hough moved to amend the changes in the Resolution. Council Member Sullivan seconded, and passed by all in attendance.

Council Member Hough moved to accept with the understanding that a few word changes be made. Council Member Currie seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Sullivan seconded, and passed by all in attendance.

RESOLUTION NO. 2.09-19, authorizing the Mayor of the Village of Hartville to execute a Release of the Open-end Mortgage agreement entered into by and between the Village of Hartville and The Hartville Church of Christ, and declaring the same to be an emergency.

Council Member Beltz moved to accept. Council Member Currie seconded, and passed by all in attendance.

Council Member Hough moved to suspend the rules. Council Member Beltz seconded, and passed by all in attendance.

Council Member Hough moved to pass by emergency. Council Member Beltz seconded, and passed by all in attendance.

The Law Director asked for an executive session to update on litigation, at the end of the meeting.

ENGINEER:

Village Engineer is absent this evening. No report to give.

REQUESTS OF COUNCIL MEMBERS

Council Member Beltz reported to Council that there will be fundraising dinner at Congress Lake Club on January 15th from 6:00 to 9:00 p.m. This will focus on former U.S. President William McKinley, and this area being used as a Trail to Freedom that was utilized by fugitive slaves. Tickets are \$75/per couple.

Council Member Hough recognized Council Member Mike Sullivan for his time spent on Council and committees the last four years.

REPORTS OF COUNCIL COMMITTEES

Finance ~ Nothing to report at this time.

Street and Drainage ~ Nothing to report at this time.

Safety- Nothing to report at this time.

Recreation ~ Nothing to report at this time.

Commerce Development ~ Nothing to report at this time.

Tree Board ~ Nothing to report at this time.

Zoning Book ~ Council Member Sullivan reported that the committee met on December 3rd, and will forward to the Solicitor to be read at the first of the year, information on signage and fencing. Our current zoning book addresses all zoning classifications using the same restrictions for signage and fencing. We want each zone to have its own restrictions for these two subjects.

Sewer Rate ~ Council Member Hough commented that it was voted on earlier this evening.

Personnel Committee ~ Nothing to report at this time.

MISCELLANEOUS BUSINESS

Council Member Sullivan thanked everyone and expressed that giving to your community is important and ask that the people in the Village take the time and serve on Council. We would be that much better as a community.

Council Member Sullivan did express that he would like to continue as a member on the Zoning Book Committee.

CITIZENS COMMENTS (Not on the Agenda):

Mr. Jim Sullivan resigned his position on the Zoning Board of Appeals.

Council Member Sullivan moved to adjourn to executive session. Council Member Currie seconded, and passed by all in attendance.

Council Member Beltz moved to reconvene from executive session. Council Member Hough seconded, and passed by all in attendance.

ADJOURNMENT:

Council Member Beltz moved to adjourn. Council Member Currie seconded, and passed by all in attendance.

MAYOR EDESEL TUCKER

FISCAL OFFICER