

RECORD OF PROCEEDINGS

Minutes of Hartville Village Council Meeting

Held on February 17, 2009 at 7:30 P.M.

CALL TO ORDER BY MAYOR TUCKER.

ROLL CALL

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

Motion made by Mr. Sullivan to excuse Mr. Bohaycyk and Mr. Hough, second by Mr. Currie and unanimously passed.

INVOCATION BY PASTOR DAN FAIR

PLEDGE OF ALLEGIANCE

CITIZENS COMMENTS (AGENDA MATTERS ONLY)

Mr. Sullivan ~ Mayor, I know this is not where this falls, but I wanted to start by all of you have received the e-mail. I apologize for the Safety Committee meeting that had been changed and not correctly publicized. If you recall, at the last meeting it was stated that the Safety Committee would meet at 6:30 on February 10th to allow the personnel involved more time to gather the information they needed. It was moved to February 26th at 7:00 p.m. I made many members aware of it but I failed to let the Village Hall Office approved and get it publicized. I apologize to Council and anyone that showed up at the wrong time.

Apology accepted.

FISCAL OFFICER

Any corrections to the minutes?

Motion made by Mr. Beltz to approve the minutes for February 3rd, second by Ms Billings and passed by all members in attendance.

You already received a cash flow statement for December, 2008 so that is marked wrong in the agenda. I do not have one for January because it was included with some February expenses, so it doesn't make any sense trying to look at the cash flow at this time, so it will be better in early March to look at February's and you will get a clearer look at it.

BILLS PAID 1ST HALF OF FEBRUARY, 2009 COUNCIL

George Dragovich	\$952.90	Ikon Office Solutions	\$12.00
Ronald Coontz	\$1,245.56	Sheriff Timothy Swanson	\$1,700.00
John Norman	\$961.66	Hartville Locker Service	\$600.00
Daniel Stiles	\$1,162.85	Wheeling & Lake Erie	\$800.00
Jeffrey Igleheart	\$1,181.92	Workman's Auto Parts	\$502.78
James Welch	\$906.61	Verizon Wireless	\$471.03
Ryan Derhammer	\$919.83	Uline	\$48.55
Aaron Bardwell	\$153.91	Staples Credit Plan	\$196.27
Erik Carlson	\$490.87	Saniserv Inc.	\$70.10
Christopher M. Clark	\$532.04	Sand Rock Mineral Water	\$26.25
Lawrence dordea	\$476.89	Rentwear Inc.	\$133.53
Laverne Wittmer	\$1,007.13	Purchase Power	\$472.91
Nathan D. Miller	\$440.99	Office Max Inc.	\$69.99
Ray Wittnesoldner	\$895.13	Ohio Edison	\$1,161.03
Brian Keiser	\$885.51	Landmark Disposal	\$179.50

Cheryl A. Marcelli	\$789.05	Love Insurance Agency	\$4,043.00
Loreen F. Palumbo	\$657.32	Knowles Press	\$1,064.50
Lori M. Quinn	\$446.78	Central Allied Ent.	\$450.00
Gary A. Wenzel	\$932.41	Hartville Hardware	\$859.93
Edsel R. Tucker	\$522.25	Hartville Elevator	\$1,800.51
Michael Ringer	\$17.80	Goodyear St. & Hwy Supply	\$188.00
Thomas Erb	\$62.30	First Energy Claims Dept.	\$1,857.32
Sherrie Gantz	\$233.74	Dominion East Ohio Gas	\$411.01
Lori Cumo	\$80.60	D & G Uniforms	\$338.70
Betty L. Atkinson	\$75.00	CID Solutions	\$450.00
Brian Keiser	\$50.00	Country Flowers & Herbs	\$50.88
Postmaster	\$24.28	Cargill Salt	\$9,298.51
Dominion East Ohio	\$1,931.42	Country Clean Car Wash	\$127.88
Joanne Price	\$16.12		
Adelman's Truck Parts	\$25.00		
UL	\$42.00		
J & B Industrial Supply	\$455.00		
Integrity Print Solutions	\$1,130.80		
Speedway Super America	\$1,617.25		
Independence Bus. Supply	\$233.04		
Levinson's Uniforms	\$65.90		
		TOTAL	\$49,005.94

Motion made to accept bills as stated by Mr. Sullivan, second by Mr. Beltz and passed by all members in attendance.

One other thing our Electrical Inspector, Bob Martz, would like to attend and become a member of the local chapter of Electrical Inspectors. The dues for that is \$102.00 and he is requesting permission to apply for that. With that he gets a bi-monthly newsletter that gives updates on electrical codes and he also is capable of attending free meetings both from a chapter level and sectional level so it would be quite beneficial for \$102.00.

Motion made to approve Bob Martz to join the local chapter of the Electrical Inspectors for \$102.00 by Mr. Currie, second by Ms Billings and passed by all members in attendance.

MAYOR

If you will notice under the Mayor's heading, the Discussion of Old Business, and also it goes along with the Council Agenda that we have made up, I would like a motion to approve this to be changed in the manner we have it set up here because it would be much easier to read.

Discussion pursued.

Before Agenda can be changed, we need to find the existing Ordinance regarding the set up of the Agenda before it can be changed.

If there is no Ordinance, why can't we make the change to the Agenda without an Ordinance?

Does the Village need an Ordinance to establish an Agenda? Council is the one who decides on the structure of the Agenda, that is statute.

We will wait for Tom to return and see what he has.

We tabled an Ordinance, Ordinance No. 1-08.27, the ordinance on the outside contractors coming in to Hartville. What stopped us from going on with that?

Sullivan ~ You and I were supposed to find out how other municipalities were gathering the subcontractors information, versus the way it was written where we had it written the contractors within the Village were to surrender their subcontractor list to us. And you and I were at different opinions as to whether it was their responsibility or our responsibility and how else could we gather it and we were going to find out from different municipalities how they did that.

Mayor ~ Yes, you are right and at the next meeting we will put them in your mailboxes and that way by the next meeting we can get this through at this point here, we haven't had any contractors to be concerned about, but we would like to be prepared and we did get that information. It will be in your mailbox at the next meeting.

Chief Dragovich ~ There is nothing to report from the department, but just wanted to make Council aware of the fact that we have promoted, upon my recommendation, the Mayor has promoted Larry Dordea as a Lieutenant on the department and that took affect as of when he was sworn in last week and I believe we need to discuss his salary range and it falls under the salary limits and that is part of what we are doing tonight. He is part time at this time as a Lieutenant in charge of the patrol division.

Mayor ~ His salary, we have a senior Sgt. salary and a Chief's salary, he had no problems at all of going in at the senior sergeant's salary and as far as part time, it goes down by the hour as long as he is part time, he will be paid by the hour.

Discussion pursued regarding salary.

Now, I will bring you up to date as briefly as I can, we were invited last Wednesday to attend a meeting in Columbus in regard to grants and through that short time frame, Rob had already had plans, Gary couldn't make it and Sherrie Loos couldn't make it, Tom Hough couldn't make and so I knew the rest of you work, so I went myself. This was a meeting of all of the agencies in the State, basically all of them on grants. The meeting started at 1:30 and this is where they bring in different Villages and Cities to present their case. They give you a certain amount of time to present your case and they either make their decisions or send you a decision as to whether or not they can help you or not. Well, I walked in there and they said here comes Hartville, I was the only one there other than the committees, so we had seven agencies setting at the time with 10 people. One agency was a complete committee and we took the complete hour and a half and they know as much about Hartville as we do and it was a very interesting meeting, it got very casual. We discussed almost 2 ½ pages of notes and we discussed everything that was highlighted and we started from sewer rates all the way through the debts we are in and they had suggestions, they had things that we should do and we just covered everything and anything you could cover on debts, sewer plants, engineering, we spent a lot of time on sewer rates, residential, commercial, the school, the way it is set up. I don't think there was a rock unturned by the time we left. We spent a lot of time on Scot Process and to the potential this plant can do and what it cannot do. I think that I'm going to make you a nice outline of this and Lois has taken all the notes for me. We're going to sit down and go over this and just itemize it out and get in to your mail boxes and then we can discuss it. It was a good meeting, but the ending of it was not what I went after. At this point, from what you are telling us, that this State that we as the agencies we cannot help you at this point. The main thing you need to do is diligently go after the federal stimulus money and with your condition of your plant and the capacity of your plant and the debt you are in, you should mix right in there with them and have as good a chance as anybody to get grants. They also said to go back to the Stark County Development Board as to Scot Mitchell building here and go in a combined help as a preparation for the land and also help for the sewer plant to get it to where we can make sure that it is capable of handling that particular company and others. Once you have everything covered about the rates and the businesses straightened out, if you want another meeting with us, we will have another meeting with you. We want to see what the Federal Government will do for you first. One of the men who was not at the meeting called me this afternoon and wanted to talk with me about a supplement that had been mentioned because of the \$500,000 loan that we have, and they asked what this is for, and I said our Engineering company has given us a quote of \$613,000 to do that side plant and I said we have a \$500,000 commitment that was made two years ago and we are paying on it. I am not in

favor of getting another \$100,000 on that commitment. I think it is time that we sit down at the table and negotiate. They said we didn't have to pay for this loan, they said we could quit. How can you quit paying for a loan, no with your debt, you need to save all the money you can or build up all your funds the best way you can and that is one you do not have to pay on. They will bill you every year, but you do not have pay it. You have to pay 1/40th of the principal once a year to hold it. Then when the time comes and you can get the Village better financially set, then we can go back on that loan or at the time incorporate it right into a plant loan.

LAW DIRECTOR

There are two Ordinances on the Agenda. The first reading of Ordinance no. 1-09.05 amending Ordinance No. 1-08.10 and previous salary and wage Ordinances fixing the salaries and wages of all elected officials and employees of the Village of Hartville, Ohio, in accordance with Section 731.13, Ohio Revised Code.

Motion made by Mr. Beltz to accept the first reading of Ordinance No. 1-09.05, second by Mr. Currie and passed by all in attendance.

Ordinance No. 1-09.06 approving, adopting and enacting American Legal Publishing's Ohio Basic Code, 2009 Edition, as the Code of Ordinances for the Municipality of this Village of Hartville, Ohio.

Motion made by Mr. Currie to accept the first reading of Ordinance No. 1-09.06, second by Ms Billings, and passed by all in attendance.

ENGINEER

First of all and it is not on the Agenda, but to just expand on what we have been looking at for funding at the treatment plant, the first issue is the stimulus package that the President signed today. The Ohio EPA, the same folks we have been meeting with Woodland and who are loans are with, are going to be divining out the stimulus monies in Ohio. We have been there in front of them with our hands out.

The next issue is fiscal year 2010 appropriations after the stimulus and we have done that work for Senator Voinovich, Senator Brown and Congressman Bocharrie's offices, so we fail at stimulus we still have a shot later in the summer for basically an ear mark.

Next, we talk with USDA World Development, we had some preliminary discussions with their Massillon Field Office and then also as the Mayor said Stark Development Board later on at the State level, Ohio Public Works where we got our Kent Avenue funding, so we are really looking under each and every stone to see what we can find.

Sunnyside, we also applied for stimulus funding through EPA for that because that is absolutely is shovel ready within 6 months even 3 to 4 months and the treatment plant is shovel ready in the next round which is 12 to 18 months basically. We do qualify under the stimulus and EPA has contacted me, obviously we are on the list.

Municipal Road Fund Application for Kent Avenue, Gary made we aware that we did indeed receive our \$15,000 from the Stark County Commissioners return of our 2008 license plate tax money. With that OPWC is now ready to move forward on their agreement since we have shown that we have secured all the local funding that we were asking for, so the next step, once that agreement comes, the Street and Drainage Committee meeting and make any final plan adjustments based on that meeting and regional planning will then sell the project for us.

Woodland Sewer Punch List, still pretty much status quo. I actually got a look at it the other day with the snow that has melted, there is definitely going to be some grading and a little bit of ponding of the water there, but that was to be expected. I have spoken with our contractor already and they will get in this spring and do it, of course, we have about 13,000 reasons why they will do it.

The last thing not on the Agenda, I received a letter from the Ohio EPA regarding our MPDES storm water permit to discharge our storm water to the waters of the State. As you know we have been doing, passing ordinance and what not to remain in compliance with the first five years, the permit we operated under, that permit has expired and we need to apply for a new permit at the cost of \$200.00 with an on line form.

Motion made by Mr. Currie to approve the payment of \$200.00 to renew permit, second by Mr. Beltz and passed by all in attendance.

COUNCIL

No requests of Council Members.

REPORTS OF COUNCIL COMMITTEES

- A.** Finance ~ There will be a finance committee meeting on Monday, March 2nd at 8:00 p.m. immediately following the BPA meeting that will take place here that night and we will be discussing some miscellaneous items that the Village will fund and one of them in particular will be the cost of maintaining our ball fields and making them ready to have games including trash pick up, porta-potties and the mowing, so we are discussing the cost of that and other miscellaneous items.
- B.** Street & Drainage ~ Nothing to report.
- C.** Safety ~ Meeting scheduled for February 26th at 7:00 p.m. to discuss personnel matter as well as get the Chief's recommendation for a part time and full time officer to be on the Safety Committee.
- D.** Recreation ~ We had a real quick meeting right before this one, and mostly just to discuss some of the stuff we paid for for the ball field. We also got our Memorial Day service set up for May 23rd at 10:00 and we will be meeting in the Hartville Elementary parking lot.
- E.** Commerce Development ~ Nothing to report.
- F.** Tree Board ~ The Village of Hartville will be holding an Arbor Day celebration on Saturday, April 25th and part of what we were waiting on came in the Village of Hartville was named Tree City USA by the Arbor Day Foundation, it is the 14th year that Hartville has received the national recognition. I do have a press release for anyone who is interested. Now that we know the date of our Village celebration, we typically tie in a coloring contest with the Hartville Elementary and the Lake Grade School, so I need to set up a Board meeting, Tom is not here, so if we could schedule it and I will contact Tom. Discussion regarding planting a tree on Arbor Day.
- G.** Zoning Book ~ We are meeting this Thursday, February 19th at 7:00 p.m.
- H.** Sewer Rates ~ Nothing to report at this time. The Mayor would like a meeting to start going over the retail and he will have the brackets all set up by then and Lori's working on them now and at least the ones that we will have we can start laying them out.
- I.** Personnel/Handbook Committee ~ Meeting scheduled for March 3rd at 5:30 p.m.

MISCELLANEOUS BUSINESS

The Mayor prepared the letters for the assessments down here on the Maple Street Extension and they were given to Cheryl and she printed each one of them out. What this letter is it is informing them that it came to our understanding that the assessment letters had never been sent out and so we took each property owner and showed them what their assessments were and we explained that they will be also get a ordinance and also within two weeks of receiving that letter, you will get an assessment letter. I didn't want to send an assessment letter with no explanation or anything. What I want to do with one exception, the gentleman lives in Canal Fulton, I have already talked with him, and I'm going to take these letters and ordinance in their envelopes out to each one of them and present them personally and try to explain to them what happened.

CITIZENS COMMENTS ~ NOT ON AGENDA

No response.

Motion made by Mr. Currie to go into Executive Session, second by Mr. Sullivan and passed by all in attendance.

Motion made by Mr. Sullivan to come out of Executive Session, second by Mr. Currie and passed by all in attendance.

Motion made by Mr. Sullivan to adjourn, second by Ms Billings and passed by all in attendance.

MAYOR EDSSEL TUCKER

FISCAL OFFICER