

REGULAR COUNCIL

OCTOBER 11, 2006

The meeting was called to order by Mayor Craig Moser with Bob Matson, Dave Kirk, Chuck Klamer, Jeff Kaiser, Karen Clyde, Solicitor Mark Manlove, Clerk Nancy Baldwin, Chad Harris, Jack and Sherrie Silvis, Dale Gillespie, John Chambers, Monica Pitchure from Site Quest representing Alltel and Jody Schroath from the Villager.

Moved by Matson, seconded by Kirk to approve the minutes of the Public Hearing and Council meeting on September 13, 2006 as presented by the Clerk.
VOTE AYES—Unanimous

Moved by Klamer, seconded by Kaiser to pay the bills.
VOTE AYES—Unanimous

Revenue, Expenditure and Cash balance reports were reviewed.

Ordinance 2006-38, An ordinance adding Section 1167.02(b)(4) to the Codified Ordinances of the Village of Garrettsville to conditionally permit communication towers in the OC District. Read on first reading.

Ordinance 2006-39, An ordinance adopting Section 1149.05(q) of the Codified Ordinances of the Village of Garrettsville providing communication towers and facilities in the OC District.

Mayor Moser said he would like to have the Public Hearing at the November Council meeting. Council agreed.

Moved by Matson, seconded by Eiermann to hold the Public Hearings for Ordinance 2006-38 and Ordinance 2006-39 in November.
VOTE AYES—Unanimous

Mayor Moser said he didn't see any problems with the cell tower ordinances. Karen Clyde asked if there were any stipulations on how many cell towers would be allowed in the OC District? Bob Matson said Council would have control on where in OC these towers would go. Bob Matson said we are not obligated to have anymore. Karen Clyde asked how Council would control this? Solicitor Mark Manlove said that the ordinance could say that the towers have to be so many feet apart. Teri Eiermann asked about the OC District in town, Solicitor Mark Manlove said that with the standards in the ordinance towers would not be permitted in town. Karen Clyde said we have a month to think about this and we can address this at the next meeting.

Jack Silvis, Chad Harris and John Chambers were present to discuss the gas station at Porter's IGA. Jack Silvis asked Council how many readings did the ordinances have?

Silvis said he was not trying to impede on anyone's business. Mayor Moser said that the ordinance was passed on second reading. Jack Silvis asked Council if the notice was publicized. The Public Hearing was in the paper for three weeks. Jack Silvis asked Council if they had read the petition from the residents on Windham Street or if it was discarded? Mayor Moser said the petition was taken into consideration. Karen Clyde added there was also a petition for the recycling center Council did take it into consideration. John Chambers asked about the flooding problem? Bob Matson said this is a private storm sewer and we did clean it out John Chambers said we never had flooding problems until Porter's store and additional asphalt. John Chambers said adding more asphalt is going to make more flooding problems. Jack Silvis said adding gasoline to the flooding is going to make this problem even worse. Chad Harris said he has an on going trash problem. I have contacted Mike Porter and he had not done anything. What about the lights shining right in my house. What about the hours of operation will this be open all night? Manlove said that Mike Porter told them he would not be opened all night. We cannot control the hours of operation. Karen Clyde said this ordinance has more conditions then anything I have ever seen. All of the issues were discussed in a Public Hearing. This was discussed in Planning Commission for weeks. Dave Kirk said it was now out of the hands of Planning Commission and Council. Kirk told Jack Silvis to call the EPA with his complaints. Teri Eiermann said we had no legal right to turn Mike Porter down. Solicitor Mark Manlove said that Council really struggled with this, we listened and Council came to a decision. Jack Silvis said this should have had three readings Chad Harris asked if Mike Porter had asked for this to be expedited? Chuck Klamer said Planning Commission has been working on this for four to six months. Karen Clyde suggested it had been longer than that. Silvis asked Council if they had ever done this before. Mayor Moser said yes and we will do this for the cell towers. Jack Silvis said he felt that the Village showed favoritism. Teri Eiermann said there was no favoritism she would not know Mike Porter if she saw him. Jack Silvis told Council that they answered most of the questions to his satisfaction. Dave Kirk told Jack Silvis he would get him the numbers to the EPA and the name of the person he has been speaking to.

Bob Matson told Council that Safety Committee would like Council to suspend the rule and enact Ordinance 2006-40 due to some problems.

Moved by Matson, seconded by Kirk to suspend the rule that ordinances be fully and completely read on three different days and that Ordinance 2006-40 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Matson, seconded by Kirk to approve Ordinance 2006-40, An ordinance amending Section 523.01 of the Codified Ordinances of the Village of Garrettsville to provide for citing parents and/or children for the Village Curfew Ordinance.

VOTE AYES—Unanimous

Mayor Craig Moser set Trick or Treat for October 31, 2006 from 5:30 pm until 7:00 pm.

Dave Kirk asked that all political signs be kept out of the right of way or they will be removed. Planning Commission has rescheduled the November meeting it will be held on November 9, 2006.

Chuck Klamer said that the sidewalks are complete. Two of the Village signs will be coming within a week. These signs will be on Windham Street and South Street on the Kepich and Reynolds property all old signs will be removed. Discussion on Scrappers sign at the next meeting.

Jeff Kaiser discussed the Portage County Regional Planning Commission meeting and Population Projection Methodology for 2000-2030 done by the Portage County Regional Planning Commission.

Karen Clyde said she would like to review at the next meeting Conditional Use Restrictions for the Recycle Center.

Mayor Moser discussed the ¼% Income Tax Levy for the November 7th election. A special Question and Answer meeting will be held in Council chambers to address and questions from the residence on October 24th at 7:30.

Mayor Moser asked Council to enter into Executive Session.

Moved by Matson, seconded by Kirk to enter into Executive Session for reasons of employee compensation (healthcare).

VOTE AYES—Unanimous

Moved by Matson, seconded by Kirk to end Executive Session and return to Regular Council.

VOTE AYES—Unanimous

Moved by Kaiser, seconded by Klamer to adjourn.

VOTE AYES—Unanimous

Mayor

ATTEST:

Clerk