

## PUBLIC HEARING

AUGUST 11, 2010

The Public Hearing was called to order by President Rick Patrick with Mayor Craig Moser, Bob Matson, Jeff Kaiser, Chuck Klamer, Karen Clyde, Clerk Nancy Baldwin, Solicitor Michele Stuck, Don Harvey, Tom Russell, Cindy Matson, Valorie McCullough, Shirley Cline and Jackie Rinearson.

Tom Russell said he is concerned about the safety of the building. Tom Russell said it would probably be better to tear the building down and start all over. Don Harvey asked if they had a developer in hand Mayor Moser would like to have someone ready.

Michele Ward Clayton was sent certified mail about the meeting but the certified mail was returned.

Moved by Patrick, seconded by Klamer to end the Public Hearing and begin Regular Council  
VOTE AYES—Unanimous

Steve Hadzinsky enters the meeting.

## REGULAR COUNCIL

AUGUST 11, 2010

The meeting was called to order by Mayor Moser with Steve Hadzinsky, Bob Matson, Chuck Klamer, Jeff Kaiser, Rick Patrick, Karen Clyde Solicitor Michele Stuck, Clerk Nancy Baldwin, Don Harvey, Tom Russell, Cindy Matson, Valorie McCullough, Shirley Cline and Jackie Rinearson.

Moved by Matson, seconded by Patrick to approve the minutes of the July 14, 2010 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.

Shirley Cline was present to discuss the Mill Run Condominium's residents; they are requesting that the condominium street 10571 White Street be dedicated as a village street. Bob Matson said that the cul-de-sac is not large enough for the fire truck and the road needs to be wider. He is not in favor of dedicating the street. Karen Clyde asked if the Village could help in anyway. Mayor Moser suggested that Shirley look up the

zoning code and see how close the street is to the code and come back to Council for more discussion.

Solicitor Michele Stuck told Council that all the Resolutions for sidewalk, water and sewer assessments have to have the emergency clause in them to be in effect for the September 1, 2010 deadline to the County Auditors Office.

Moved by Matson, seconded by Kaiser to insert the emergency clause in all resolutions for sidewalk, water and sewer assessments.

VOTE AYES—Unanimous (Resolution 2010-38 thru 2010-43, Resolution 2010-46 thru Resolution 2010-51).

VOTE AYES—Unanimous

Moved by Matson, seconded by Patrick to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-38 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Matson, seconded by Patrick to approve Resolution 2010-38, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$159.81 to the Portage County Auditors Office to be placed as an assessment on Parcel number 19-001-00-00-144-000 owned by Robert & Sharon Charvat for delinquent final water/sewer bill located at 8140 Center Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Klamer, seconded by Clyde to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-39 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Kaiser to approve Resolution 2010-39, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$544.44 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-002-00-00-138-000 owned by Kathleen Roberts for delinquent final water/sewer bill located at 10681 Freedom Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Matson, seconded by Hadzinsky to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-40 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Kaiser to approve Resolution 2010-40, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$155.68 to the Portage County Auditors Office to be placed as an assessment on parcel number

19-016-00-00-023-000 owned by Mary Ritenour for delinquent water/sewer bill located at 10624 Freedom Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Matson, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-41 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Klamer to approve Resolution 2010-41, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$1185.32 to the Portage County Auditors Office to be placed as an assessment on the parcel number 19-016-00-00-080-000 owned by Anthony Tosi for delinquent final water/sewer bill located at 8061 French Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Matson, seconded by Hadzinsky to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-42 placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Matson to approve Resolution 2010-42, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$326.74 to the Portage County Auditors Office to be placed as assessment on parcel number 19-002-00-00-100-001 owned by Daneen Townsend for delinquent final water/sewer bill located at 8166 Atwood Place in Garrettsville.

VOTE AYES—Unanimous

Moved by Matson, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-43 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Kaiser, seconded by Matson to approve Resolution 2010-43, A resolution authorizing Nancy Baldwin Clerk-Treasurer of the Village of Garrettsville to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement on behalf of the Village of Garrettsville for Planning, Design and/or construction of Wastewater Facilities; and designating a dedicated repayment source for the loan.

VOTE AYES—Hadzinsky, Matson, Kaiser, Klamer, Patrick

NAY—Clyde ( Karen Clyde said after nine years and no penalties she feels there is no need to expand the Wastewater Treatment Plant.)

Moved by Matson, seconded by Clyde to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-44 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Clyde to approve Resolution 2010-44. A resolution commending the James A. Garfield Schools for three consecutive years of an excellent academic rating for the 2009-2010 school year.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Patrick to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-45 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Matson to approve Resolution 2010-45, A resolution commending the Garden Club for their beautiful flower baskets, planters and wonderful flower garden at the clock tower.

VOTE AYES—Unanimous

Solicitor Michele Stuck told Council that all resolutions for assessments should say Clerk of the Village not Clerk of the Board of Public Affairs.

Moved by Clyde, seconded by Klamer to have all assessment resolutions say Clerk of the Village of Garrettsville not Clerk of the Board of Public Affairs.

VOTE AYES—Unanimous

Moved by Matson, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-46 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Clyde to approve Resolution 2010-46, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$88.20 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-001-00-00-013-001 owned by George & LaDawn Cramer for 2008 sidewalk installation bill located at 8159 High Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-47 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Kaiser to approve Resolution 2010-47. A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$466.20 to the

Portage County Auditors Office to be placed as an assessment on parcel number 19-001-00-00-011-000 owned by Kristen Barnett for 2008 sidewalk installation bill located at 8155 High Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Matson, seconded by Clyde to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-48 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Kaiser to approve Resolution 2010-48, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$544.20 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-001-00-00-009-000 owned by Jay Blehi for 2008 sidewalk installation bill located at 8145 High Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Kaiser to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-49 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Kaiser to approve Resolution 2010-49, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$1373.40 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-001-00-00-158-000 owned by Donald Rowinsky for 2008 sidewalk installation bill located at 8136 Maple Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Klamer, seconded by Kaiser to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-50 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Clyde to approve Resolution 2010-50, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$1812.09 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-001-00-00-182-000 owned by JTC Management Inc. for 2008 sidewalks installation bill located at 8097 Main Street in Garrettsville.

VOTE AYES—Unanimous

Moved by Klamer, seconded by Matson to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-51 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Matson to approve Resolution 2010-51, A resolution authorizing the Clerk of the Village of Garrettsville to certify the sum of \$218.40 to the Portage County Auditors Office to be placed as an assessment on parcel number 19-012-00-00-020-000 owned by Michael & Laura Young for 2008 sidewalk installation bill located at 8432 Center Street in Garrettsville.

VOTE AYES—Unanimous

Britton Gallagher put the Village dental insurance out for bid and Lincoln Financial was the lowest bidder. The provisions will not change but the new policy will save the Village approximately \$7000.00 per year and life insurance would be included which will save on the Village healthcare.

Moved by Patrick, seconded by Matson to approve Lincoln Financial to be the Village provider for dental and life insurance.

VOTE AYES—Unanimous

Resolution 2010-52 A resolution authorizing the Mayor and Clerk-Treasurer of the Village of Garrettsville to take all actions necessary to effect the repair of the insecure, unsafe and structurally defective building located at 8143 Main Street in the Village of Garrettsville. No action taken.

Jackie Rinearson asked Council what would happen if the Village did nothing to the building. Who is liable if something were to happen? Solicitor Michele Stuck said the property owner would be liable. There was discussion on what repairs should be done. The cost of these repairs can be put on the taxes as an assessment and if the property were to sell the Village may get the money back. After a lengthy discussion Council decided to authorize the Mayor and Clerk to contact local contractors to look at the building and give estimates for the repairs. More discussion at the next meeting.

Moved by Matson, seconded by Patrick to authorize the Mayor and Clerk to contact local contractors to look at the building and give estimates for the repairs.

VOTE AYES—Unanimous

There was discussion on a new dump truck for the Street Department. Council will look at this at a later date.

The Board of Public Affairs is recommending that Council approve Resolution 2010-53 for the Wastewater Treatment Expansion.

Moved by Klamer, seconded by Matson to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2010-53 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Matson, seconded by Kaiser to approve Resolution 2010-53, A resolution authorizing the Mayor and the Clerk-Treasurer of the Village of Garrettsville to execute

an agreement authorizing Arcadis US Inc. to provide engineering services related to the Wastewater Treatment Plant Expansion Project in an amount not to exceed \$449,000.00.

VOTE AYES—Hadzinsky, Matson, Kaiser, Klamer, Patrick

NAY—Clyde (Karen said after nine years and citations from the EPA I don't feel we need to do this.)

Chief Tony Milicia is recommending that Council remove Keith Whan from probation. He has successfully completed his six months of probation.

Moved by Patrick, seconded by Matson to remove Keith Whan from probation.

VOTE AYES—Unanimous

Council has received notices from residents about tree removal. If a tree is in the right of way the Village will remove the tree at a cost of \$200.00 per tree for residents.

Moved by Clyde, seconded by Matson to approve \$10,000.00 for the 2010 Tree Removal Project.

VOTE AYES—Unanimous

Mayor Moser asked Council to enter into Executive Session for reasons of personnel.

Moved by Matson, seconded by Kaiser to enter into Executive Session for reasons of personnel.

VOTE AYES—Unanimous

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

VOTE AYES—Unanimous

Moved by Patrick, seconded by Kaiser to suspend the rule that resolutions be fully and completely read on three different days and the Resolution 2010-54 be placed on first reading and passed.

VOTE AYES—Unanimous

Moved by Patrick, seconded by Matson to approve Resolution 2010-54, A resolution approving an additional twenty-eight (28) day paid leave of absence for Police Patrolman Lance Gorby pursuant to Section 5.8 of the Village of Garrettsville, Portage County Employee Handbook.

VOTE AYES—Unanimous

Moved by Matson, seconded by Patrick to adjourn.

VOTE AYES—Unanimous

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Mayor

ATTEST:

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Clerk