

PUBLIC HEARING

September 14, 2011

The Public Hearing was called to order by Council President Rick Patrick with Mayor Craig Moser, Steve Hadzinsky, Bob Matson, Jeff Kaiser, Chuck Klamer, Rick Patrick, Karen Clyde, Valorie McCullough, Tom Russell, Chirs Gerez from the Villager, Cecelia Watson, Solicitor Michele Stuck, Becky Harrington, Karen Krenzel, Jackie Rinearson, members, parents, coaches of the JAG softball team, and Linda Hartman for Clerk Nancy Baldwin.

Ordinances 2011-37 through 2011 41 were not read. Thirty days' notice was not given therefore Ordinances 2011-37 through 2011-41 will be placed on Public hearing for November 9th at 7:30.

Public Hearing was closed.

REGULAR COUNCIL

The meeting was called to order by Mayor Moser with Rick Patrick, Steve Hadzinsky, Bob Matson, Jeff Kaiser, Chuck Klamer, Rick Patrick, Karen Clyde, Valorie McCullough, Tom Russell, Chirs Gerez from the Villager, Cecelia Watson, Solicitor Michele Stuck, Becky Harrington, Karen Krenzel, Jackie Rinearson, members, parents, coaches of the JAG softball team, and Linda Hartman for Clerk Nancy Baldwin.

Moved by Kaiser, seconded by Hadzinsky to approve the August 10, 2011 minutes as presented by the Clerk.

VOTE AYES-Hadzinsky, Matson, Kaiser, Klamer, Patrick
ABSTAIN- Clyde

Moved by Clyde, seconded by Patrick to pay the bills.
VOTE AYES-Unanimous

Revenue, Expenditure, Cash Balances, Income Tax reports were reviewed.

Mayor Moser presented Resolution 2011-49 to the Garfield JAGS softball team for winning the OGSO state competition again.

Ordinances 2011-37 through 2011-41 were all tabled for the November 9, 2011 Council Meeting at 7:30.

Ordinance 2011-36 and Ordinance enacting Section 1191.02(m) of the Codified Ordinances in order to provide regulations relating to large portable signs with in the Village, was placed on third reading and will be added to the Public Hearing agenda for November 9, 2011.

Moved by Kaiser, seconded by Matson to table as written Ordinance 2011-45 an Ordinance enacting Section 949.02 of the Codified Ordinances of the Village of Garrettsville relating to use of Village Athletic fields will be placed on third reading for the October 12, 2011 council meeting.
VOTE AYES-Unanimous

Resolution 2011-50 a Resolution authorizing a request to the Ohio Bureau of Workers' Compensation for coverage of unpaid reserve police officers, authorizing the Mayor of the Village of Garrettsville to enter

into any necessary contracts to effect said coverage, and authorizing the Clerk-treasurer to pay any increased premiums. Read on second reading.

Moved by Clyde, seconded by Klamer to suspend the rule that Resolutions be fully and completely read on three different days and that Resolution 2011-51 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Clyde, seconded by Kaiser to enact Resolution 2011-51 a Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor.

VOTE AYES-Unanimous

Moved by Klamer, seconded by Hadzinsky to suspend the rule that Ordinances be fully and completely read on three different days and Ordinance 2011-52 be placed on second reading and passed.

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

NAYES-Clyde

Moved by Patrick, seconded by Kaiser to enact Ordinance 2011-52 an Ordinance enacting Chapter 159 of the codified Ordinances of the Village of Garrettsville in order to establish guidelines for Urban Renewal Plans.

VOTE AYES-Hadzinsky, Kaiser, Klamer Patrick

NAYEs-Clyde, Matson

Moved by Matson, seconded by Kaiser to suspend the rule that Resolutions be fully and completely read on three different days and Resolution 2011-53 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Matson, seconded by Kaiser to enact Resolution 2011-53 a Resolution authorizing the filing of a petition pursuant to Ohio Revised code 5723.01(A)(3), and other actions necessary to obtain title of property located at 8143 Main Street in the village of 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 Resolution 2011-54 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Kaiser to enact Resolution 2011-54 a Resolution declaring a nuisance and directing the owner of real property located at 11097 Brosius Road, in the Village of Garrettsville, Ohio, to remove obstructions from ditches and culverts on his property, making repairs or replacements as necessary, pursuant to the authority conferred by the Ohio Revised Code Section 715.47.

VOTE AYES-Unanimous

The clerk was asked to forward a copy of this Resolution to the property owner.

Moved by Matson, seconded by Hadzinsky to suspend the rule that Resolutions be fully and completely read on three different days and Resolution 2011-55 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Matson to enact Resolution 2011-55 authorizing the Clerk-treasurer of the Village of Garrettsville to initiate an Internet Auction lasting ten days for the sale of a 2002 Ford Explorer SUV VIN: 1FMZU73E32ZA86247.

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 Resolution 2011-56 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Kaiser to enact Resolution 2011-56 a Resolution authorizing the Clerk-treasurer of the Village of Garrettsville to initiate an internet auction lasting ten days for the sale of a 2000 Honda Accord 2-door VIN: 1HGCG 2248YA003398.

VOTE AYES-Unanimous

Moved by Klamer, seconded by Matson to accept a donation for the Bailey family for use of the Village Parks.

VOTE AYES-Unanimous

Ordinance 2011-48 an Ordinance amending Section 155.02 of the codified Ordinances of the village of Garrettsville regarding the Village Community Reinvestment areas. Placed on Second reading.

Moved by Matson, seconded by Kaiser to suspend the rule that Ordinances be read fully and completely on three different days and Ordinance 2011-47 be placed on second reading and passed.

VOTE AYES-Unanimous

Moved by Matson, seconded by Klamer to accept the amendments to Ordinance 2011-47 striking the language in the second paragraph of 921.01(d) "Existing bulk water accounts may not be assigned or transferred", and adding a third paragraph to say: a temporary water use permit may be granted at the discretion of the Water Superintendent for any special event or activity of limited duration (less than one month and less than 5,000 gallons per day). All applicants must set up a billing account with the Village Clerk, fill out a bulk water use permit and pay all applicable fees. All temporary water usages shall be metered at the bulk station or by a water meter supplied by the Village. Temporary uses are subject to bulk rates and are payable at the next monthly billing cycle. All applications exceeding one month's duration or 5,000 gallons per day shall require Board of Public Affairs approval. All temporary permits may be revoked at the discretion of the Water Superintendent.

VOTE AYES-Unanimous

Moved by Matson, seconded by Klamer to enact Ordinance 2011-47 and Ordinance amending Section 921.01(d) of the Codified Ordinances of the Village of Garrettsville.

VOTE AYES-Unanimous

Mayor Moser received correspondence from a company requesting the village permission to do seismic testing within the Village limits. After definition of what procedures were involved with seismic testing, Council respectfully declined.

Moved by Matson, seconded by Clyde to expend not to exceed \$10,000 for tree removal within the Village of Garrettsville.

VOTE AYES-Unanimous

Moved by Matson seconded by Kaiser to approve the recommendation from the BPA to allow Arcadis to provide engineering services related to the cost and design of the elevated support system and walkway for the water main located under the Liberty Street Bridge near Water Street.

VOTE AYES-Hadzinsky, Kaiser, Klamer, Patrick

NAYES-Matson, Clyde

Moved by Patrick, seconded by Clyde to approve the recommendation from the BPA to allow the Clerk to make written request to Mike McCormac from the Division of Mineral Resources Management for copies of drilling permit applications located within the Village limits as they occur and provide the DMRM with a proper e-mail address (water @garrettsville.org) for such correspondence.

VOTE AYES-Unanimous

Karen Krenzel was present to express her concern about the water coming from a catch basin near 10676 Liberty Street that was channeling water into her pasture. Ms. Krenzel claimed she had spoken to the Board of Public Affairs in the spring and President Byrne referred Karen to the Street Department Superintendent and Council as Storm water was not a Board issue. Karen claimed she had spoken to both Water/Sewer Superintendent Jeff Sheehan and Street Superintendent Mike Heyd and both had agreed that the drainage issue was a Village mistake and should be corrected by the Village. Karen then contacted several contractors for resolution to her drainage issue and found that there were two options. First to remove the take out the drainage pipe and route it elsewhere and second, to have an excavator look at the situation and provide another option. Ms. Krenzel claimed she had spoken to several contractors with only one providing an adequate option. George Gibson Excavating recommended to Ms. Krenzel that digging a ditch through her pasture would solve the problem of water draining onto her pasture and ruining the feed for her livestock. Karen gathered cost from George Gibson to dig the ditch, along with additional cost to brush hog the pasture to prepare it for a delivery of lime and then asked the village to purchase the seed needed to re-seed the pasture which Ms. Krenzel said she would plant herself. Total cost of all labor and materials came to approximately \$975.00. Ms. Krenzel also asked for a maintenance agreement with the Village to maintain the ditch. Based on this information from Ms. Krenzel, Mayor Moser asked Council to remedy the situation on Ms. Krenzels property by first asking Village Solicitor Michele Stuck to draft a maintenance agreement for Ms. Krenzel which Solicitor Stuck advised Ms. Krenzel to have her own legal representative review once complete. Second that Council accepts responsibility for Ms. Krenzels drainage issue and considers the cost to remedy the situation taking Ms. Krenzels estimates and approving an amount not to exceed \$1100.00.

Moved by Clyde, seconded by Klamer to ask Solicitor Stuck to draft a maintenance agreement for the drainage ditch, approve an amount not exceed \$1100.00 for the drainage ditch, lime, brush hog, and seed for the property at 10676 Liberty St. (Karen Krenzel).

VOTE AYES-Unanimous

Moved by Matson, seconded by Hadzinsky to draft a Resolution in support of the Portage County Library's one mill five year operating levy which will appear on the November 8th, 2011 ballot.

VOTE AYES-Unanimous

During roundtable Bob Matson reported the Fire Department storage building that will house the older vehicles is coming along nicely. Jeff Kaiser reported that Community EMS had been struck by lightning during the last storm. Chuck Klamer on behalf of the James A Garfield School Board thanked Planning Commission for waiving the fee for the new ticket booth at the High School football field. Chamber of

Commerce Business showcase is October 20th in the High School Gym from 5-8PM. September 27th the railroad bridge abutment will be painted by art student from Libby Frato-Sweenys High School art class. Mayor Moser reported the opening of the new Robinson Memorial Health Center building opened on September 19th, 2011. The street Department will be pressure washing the bridge abutment preparing it for painting. The Street Department was also cleaning the boardwalk. Mayor Moser mentioned that the James A Garfield School District was once again rated excellent. Mayor Moser requested a resolution and plaque be drafted and prepared for presentation to the school at the October Council meeting. Rick Patrick reported that he had not received a date for the installation of the bridge marker near the Windham St Bridge and the lights had yet to be fixed. Mr. Patrick reported also that Save A Lot was still interested but had still not committed to moving into the old Giant Eagle building in the Garfield Plaza. Karen Clyde asked what the status of a leaf vacuum she had requested earlier this year. Rick Patrick and Jeff Kaiser had both gathered information and prices but council had not yet decided which direction to proceed.

Trick or Treat has been scheduled for October 31, 2011 from 6-7:30PM.

Moved by Clyde, seconded by Klamer to adjourn.
VOTE AYES-Unanimous

Mayor

ATTEST:

Clerk