

PUBLIC HEARINGS

SEPTEMBER 13, 2006

The Public Hearing was called to order by President Bob Matson with Teri Eiermann, Dave Kirk, Chuck Klamer, Jeff Kaiser, Karen Clyde, Mayor Craig Moser, Solicitor Mark Manlove, Clerk Nancy Baldwin, Chad Harris, Valorie McCullough, Rich Hoffman, Mike and Belinda Porter, Pete Kepich, John Porter, William Schwan, Don Harvey, Dale Gillespie, Jody Schroath from the Villager and other guests.

Ordinance 2006-23, An ordinance adding Section 1132.02 to the Codified Ordinances of the Village of Garrettsville in order to adopt the Garrettsville Village Plan as part of the Villages Zoning Code.

No Comments.

Ordinance 2006-24, An ordinance adding Section 1181.02(b)(6) to the Codified Ordinances of the Village of Garrettsville to conditionally permit indoor Sports Arenas in the Industrial District.

No comments.

Ordinance 2006-25, An ordinance adopting Section 1149.05(o) of the Codified Ordinances of the Village of Garrettsville providing for Indoor Sports Arena and facilities in the Industrial District.

Judy Toth asked why in the Industrial Park? Bob Matson said because Schwan owns the property and he wants to put the arena there. What about sidewalks? Will the Village install them? Mayor Moser said sidewalks have been discussed but there is no resolution. There is concern for the kids that may walk to arena. Mike Porter said he is really no concerned about sidewalks, most kids drive. Porter said he does business out in the Industrial area on Saturday and Sunday and it is pretty quiet most parents will probably take their kids. Judy Toth said she feels the Village should do something to protect the kids. Teri Eiermann asked if most businesses close at 5:00. Mayor Moser said no there are some places that are running two shifts. Solicitor Mark Manlove said we might want to do something with streetlights.

Ordinance 2006-26, An ordinance adding Section 179.02(b)(7)(a) to the Codified Ordinances of the Village of Garrettsville to conditionally permit Gas/Service stations in C-2.

No Comments.

Ordinance 2006-27, An ordinance adding Section 1149.05 (n) of the Codified Ordinances of the Village of Garrettsville to provide for specific conditions allowing Gas/Service stations in the C-2 Districts.

Chad Harris wanted to know what the conditions were. Bob Matson read the conditions. Chad Harris said he does not want a gas station in his backyard. Chad Harris said he has problems with the lighting during the winter. Judy Toth said that the creek has never been

fixed right, it is a mess back behind Poters. Chad Harris brought up the Planet Aid drop off containers and said they are a mess. Mike Porter said those are not his. Tom Mikulski owns the property and he allowed them to be placed there. Chad Harris asked the hours of operation. Chad Harris said he has also had a problem with the kids from Porter's throwing tin cans in his pond. He has gone to Mike Porter and talked to him but nothing has been done. Dave Kirk said the hours of operation in a C-2 are 24 hours and we can't change it for just one business. If this ordinance passes it will apply to all of C-2. Mike Porter asked about a variance. Mark Manlove said there would be no variance. Mike Porter said we are not spot zoning. Mark Manlove said no this would be for all of the C-2 Districts. Mike Porter said he has been working on this since March and he knows the process. Porter said he wants to move forward he is running out of time. Mark Manlove told Mike Porter that the ordinance would have to pass by two thirds of the members of Council, if not passed on emergency it will take another thirty days to become effective. Bob Matson asked if there were any more comments. Judy Toth said we do not need another gas station. John Porter said we only have two gas stations and we should be fighting to keep businesses in town. Rich Hoffman and Mike Porter said we are fighting to compete with the Wal Marts of the world.

Bob Matson asked if anyone else had any more comments. There were no comments.

Moved by Matson, seconded by Kirk to close the Public Hearings and begin Regular Council.

VOTE AYES—Unanimous

REGULAR COUNCIL

The meeting was called to order by Mayor Craig Moser with Teri Eiermann, Bob Matson, Dave Kirk, Chuck Klamer, Jeff Kaiser, Karen Clyde, Solicitor Mark Manlove, Clerk Nancy Baldwin, Chad Harris, Valorie McCullough, Rich Hoffman, Mike and Belinda Porter, Pete Kepich, John Porter, William Schwan, Don Harvey, Dale Gillespie, Jody Schroath from the Villager and other quests.

Moved by Matson, seconded by Eiermann to approve the minutes of the August 9, 2006 Special meeting and Council meeting as presented by the Clerk.

VOTE AYES—Unanimous

Moved by Clyde, seconded by Kaiser to pay the bills.

VOTE AYES—Unanimous (Before the bills were approved Karen Clyde had questions on the voice body packs, street lights and the bushes that were purchased for the Recycle Center on Water Street.)

Revenue, Expenditure and Cash balance reports were reviewed.

Ordinance 2006-23, An ordinance adding Section 1132.02 to the Codified Ordinances of the Village of Garrettsville in order to adopt the Garrettsville Village Plan as part of the Village's Zoning Code.

VOTE AYES—Kirk, Klamer, Kaiser

NAY-Eiermann, Matson, Clyde

Mayor Moser voted yes to break the tie and Ordinance 2006-23 passes.

Karen Clyde said that the Village should look at the Village Plan and choose which parts to be included as the zoning code. Bob Matson did not agree with the Ordinance he feels it makes no sense to include this with the zoning code this is just a vision of what could happen.

Moved by Klamer, seconded by Eiermann to approve Ordinance 2006-24, An ordinance adding Section 1181.22(b)(6) to the Codified Ordinances of the Village of Garrettsville to conditionally permit Indoor Sports Arenas in the Industrial District.

VOTE AYES—Eiermann, Kirk, Klamer, Kaiser, Clyde

NAY—Bob Matson

Bob Matson was concerned about foot traffic. It is a safety concern and this will be a magnet for children and there are trucks and cars on that street

Karen Clyde said the facility should have adequate outside lighting and that walking traffic be added to the impact study and Council agreed.

Moved by Kirk, seconded by Clyde to approve Ordinance 2006-25, An ordinance adopting Section 1149.05(o) of the Codified Ordinances of the Village of Garrettsville providing for Indoor Sports Arenas and facilities in the Industrial Park.

VOTE AYES—Unanimous (passed with changes suggested by Karen Clyde.)

Moved by Matson, seconded by Kaiser to suspend the rule that ordinances be fully and completely read on three different days and that Ordinance 2006-26 be placed a second reading and passed.

VOTE AYES—Eiermann, Kirk, Klamer, Kaiser Clyde

NAY—Matson

Moved by Eiermann, seconded by Clyde to approve Ordinance 2006-26, An ordinance adding Section 1179.02(b)(7)(a) to the Codified Ordinances of the Village of Garrettsville to conditionally permit Gas/Service station in C-2 Districts.

VOTE AYES—Eiermann, Kirk, Klamer, Kaiser, Clyde

NAY--Matson

Moved by Klamer, seconded by Kaiser to suspend the rule that ordinances be fully and completely read on three different days and that Ordinance 2006-27 be placed on second reading and passed.

VOTE AYES—Unanimous

Moved by Matson, seconded by Kaiser to approve Ordinance 2006-27, An ordinance adding Section 1149.05(n) of the Codified Ordinances of the Village of Garrettsville to provide for specific conditions allowing Gas/Service stations in the C-2 Districts.

VOTE AYES—Unanimous

Moved by Kirk, seconded by Clyde to approve Resolution 2006-27, A resolution honoring Donald Harvey's long and dedicated service to the Village of Garrettsville as Council person, Design Review Board Member, Planning Commission Member and Board of Zoning Appeals Member spanning 20 years and expressing Council, Mayor and Village Officials sincere gratitude.

VOTE AYES—Unanimous

Mayor Craig Moser presented Don Harvey with the Resolution and thanked him for his service to the Village of Garrettsville. Don Harvey told the Mayor and Council he appreciated the opportunity to serve the Village and hopes that Council will look into Joint Economic Development he said business and industry pay the bills.

Moved by Eiermann, seconded by Kirk to approve Resolution 2006-35, 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 Matson to approve Resolution 2006-36, A resolution authorizing the Mayor and Clerk/Treasurer of the Village of Garrettsville to enter into an agreement with Gates McDonald Company for a term running from September 1, 2006 until August 31, 2007 which is renewed annually until cancelled to represent the Village of Garrettsville in Worker's Compensation matters at the initial cost of \$1022.00 per year.

VOTE AYES—Unanimous

Karen Clyde said she would like the proposal from Arcadis G&M to review before approval. Solicitor Mark Manlove will review and approve contract.)

Resolution 2006-37, An agreement for Engineering Services between the Village of Garrettsville and Arcadis G&M of Ohio inc. for the design phase of the New Wastewater Treatment Plant.

VOTE AYES—Unanimous (Pending review from Solicitor Mark Manlove.

There was discussion on the Tree Removal Project for 2006. Council agreed to spend \$10,000.00 to remove trees in the right of way. Residents will be charged a \$200.00 fee for the removal. Anyone wanting to have trees removed should send a letter to the Clerk's Office.

Chuck Klamer updated Council on the new Village signs. Two main signs should be ready by October 1, 2006 and small ones should be ready by November 1, 2006.

Mayor Craig Moser said anyone wanting to join the tax levy committee is welcome to contact him.

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

VOTE AYES—Unanimous

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

VOTE AYES—Unanimous

Moved by Eiermann, seconded by Matson to adjourn.

VOTE AYES—Unanimous

Mayor

ATTEST:

Clerk