

## PUBLIC HEARING

April 13, 2011

The public hearing was called to order by President Rick Patrick with Bob Matson, Karen Clyde, Mayor Craig Moser, Steve Hadzinsky, Chuck Klamer, Jeff Kaiser, Solicitor Michele Stuck, Tom Collins, Karen Donnley Hayes, Casey Everett, Tom Russell, Sherry Collins, Roger Angel, Iva Walker and members of the quiz masters team, Jackie Rinearson, Jeff Rinearson, Kevin Goodwin and Clerk Nancy Baldwin present.

Ordinance 2011-06 An Ordinance amending Section 1163.07 of the Codified Ordinances of the Village of Garrettsville in order to address a conflict with the fee schedule set forth in the Codified Ordinances section 1139.03.

No comments

Ordinance 2011-11 An Ordinance amending section 1179.02(a) of the Codified Ordinances of the Village of Garrettsville in order to permit internet sweepstakes cafes. Roger Angel requested that Council change the hours of operation. There was also much discussion regarding the distance these establishments must be from liquor permit premises. Audience members felt that to require 1000 feet would prevent the cafes from being permitted just about anywhere in the village.

Ordinance 2011-12 An Ordinance amending section 1149.05(m) of the Codified Ordinances of the Village of Garrettsville in order to clarify regulations pertaining to livestock and poultry.

No comments.

Ordinance 2011-13 An Ordinance enacting a new chapter 733 of the Codified Ordinances of the Village of Garrettsville regulating computerized sweepstakes/internet device cafes. Karen Donnelly Hayes had questions as she currently has chickens in the Village.

Ordinance 2011-14 An Ordinance enacting section 1135.01(a)(47.1) of the Codified Ordinances of the village of Garrettsville in order to provide a definition for "poultry".

Ordinance 2011-15 An Ordinance enacting section 1163.08 of the Codified Ordinances of the Village of Garrettsville in order to provide regulations relating to the keeping of chickens within the Village.

No comments.

Moved by Matson, seconded by Patrick to close the Public Hearing and begin regular council.  
VOTE AYES-Unanimous

## REGULAR COUNCIL

April 13, 2011

The meeting was called to order by Mayor Moser with Rick Patrick, Bob Matson, Karen Clyde, Steve Hadzinsky, Chuck Klamer, Jeff Kaiser, Solicitor Michele Stuck, Tom Collins, Casey Everett, Tom Russell, Sherry Collins, Roger Angel, Iva Walker and members of the quiz masters team, Jackie Rinearson, Jeff Rinearson, Kevin Goodwin and Clerk Nancy Baldwin present.

Moved by Matson, seconded by Kaiser to approve the minutes as presented by the clerk.  
VOTE AYES-Hadzinsky, Matson, Kaiser, Patrick, Clyde  
ABSTAIN-Klamer

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

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

A Finance meeting will be scheduled for May 11, 2011 at 6:45 (prior to Council meeting).

Mayor Moser and Council congratulated the James A Garfield High School Quiz Masters members and Iva Walker on their recent win on the WEWS Academic Challenge program. The Mayor presented a plaque to those in attendance and pictures were taken.

Moved by Patrick, seconded by Clyde to place on third reading and pass Ordinance 2011-06 An Ordinance amending section 1163.07 of the Codified Ordinances of the Village of Garrettsville in order to address a conflict with the fee schedule set forth in the Codified Ordinances section 1139.03.  
VOTE AYES-Unanimous

Moved by Patrick, seconded by Matson to suspend the rule that ordinances be fully and completely read on three different days and that Ordinance 2011-11 be placed on second reading and passed.  
VOTE AYES-Unanimous

Moved by Kaiser, seconded by Matson to approve Ordinance 2011-11 amending section 1179.02(a) of the Codified Ordinances of the Village of Garrettsville in order to permit internet sweepstakes cafes. Ordinances 2011-11 will be activated in 30 days (May 11, 2011).  
VOTE AYES-Unanimous

Moved by Patrick, seconded by Matson to table Ordinance 2011-12 An Ordinance amending section 1149.05(m) of the Codified Ordinances of the Village of Garrettsville in order to clarify regulations pertaining to livestock and poultry.  
VOTE-AYES Matson, Kaiser, Klamer, Patrick, Clyde  
NAYS-Hadzinsky

Moved by Patrick, seconded by Matson to suspend the rule that ordinances be fully and completely read on three different days and that Ordinance 2011-13 be placed on second reading and passed.  
VOTE AYES-Unanimous

Moved by Matson, seconded by Patrick to approve as amended Ordinance 2011-13 an Ordinance enacting a new chapter 733 of the Codified Ordinances of the Village of Garrettsville regulating computerized sweepstakes/internet device cafes. Amending 1000 feet to 250 feet in sections B and C.  
VOTE AYES-Matson, Kaiser, Klamer, Patrick, Clyde, Hadzinsky

Moved by Matson, seconded by Kaiser to table and place on first reading Ordinance 2011-14 an Ordinance enacting section 1135.01(a) (47.1) of the Codified Ordinances of the Village of Garrettsville in order to provide a definition for "poultry".  
VOTE AYES-Matson, Kaiser, Klamer, Patrick, Clyde  
NAYS-Hadzinsky

Moved by Matson, seconded by Kaiser to table and place on first reading Ordinance 2011-15 an Ordinance enacting section 1163.08 of the Codified Ordinances of the Village of Garrettsville in order to provide regulations relating to the keeping of chickens within the Village.  
VOTE AYES-Matson, Kaiser, Klamer, Patrick, Clyde  
NAYS-Hadzinsky

Moved by Matson, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2011-17 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Matson, seconded by Klamer to approve Resolution 2011-17 a Resolution recognizing three James A Garfield Wrestlers for their outstanding performances at the Ohio High School Athletic Association 2011 Wrestling Championships.

VOTE AYES-Unanimous

Moved by Hadzinsky, seconded by Klamer to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2011-18 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Clyde to approve Resolution 2011-18 a Resolution commending the James A Garfield Varsity Boys bowling team for placing third at the Ohio High School 2010-2011 Boys State Bowling Championships.

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 2011-16 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Matson, seconded by Clyde to approve Resolution 2011-16 a Resolution recognizing Charles C. (Chuck) Klamer for twenty years of outstanding service to the James A Garfield School District, the Village of Garrettsville, and the community as a whole.

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

ABSTAIN-Klamer

Moved by Patrick, seconded by Clyde to enter into Executive Session for reasons of personnel and property negotiations.

VOTE AYES-Unanimous

Moved by Matson, seconded by Clyde to return to regular Council.

VOTE AYES-Unanimous

Moved by Hadzinsky, seconded by Clyde to suspend the rule that Ordinances be fully and completely read on three different days and that Ordinance 2011-19 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Hadzinsky to approve Ordinance 2011-19 an Ordinance naming Michele Stuck Attorney at Law as Solicitor for the Village of Garrettsville and fixing her compensation for the period of May 1, 2011 to April 30, 2012 at \$29,500 plus 15% of the delinquent income tax collections.

VOTE AYES-Hadzinsky, Klamer, Patrick, Clyde

NAYS-Matson, Kaiser

The Board of Public Affairs thanked Michele for all she does for them.

Moved by Patrick, seconded by Matson to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2011-20 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Kaiser, seconded by Matson to approve Resolution 2011-20 a Resolution approving the bid of Utility Service and Supply Inc. to provide three hundred radio read water meters, and authorizing the Mayor and Clerk-Treasurer to enter into an agreement with Utility Service and Supply Inc. at a cost not to exceed \$53,700.00.

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 2011-21 be placed on first reading and passed.

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

NAYS-Clyde

Moved by Klamer, seconded by Matson to approve Resolution 2011-21 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 for planning the influent screening system as part of the WWTP expansion project at a cost of \$38,100.

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

NAYS-Clyde

Moved by Klamer, seconded by Clyde to suspend the rule that resolutions be fully and completely read on three different days and that Resolution 2011-22 be placed on first reading and passed.

VOTE AYES-Unanimous

Moved by Matson, seconded by Klamer to approve Resolution 2011-22 a Resolution rescinding Resolution 2010-30 and authorizing the mayor of the Village of Garrettsville to enter into an agreement with Neighborhood Development Services, Inc. to administer the Village revolving loan funds, and setting forth the terms and application procedures for such loans.

VOTE AYES-Unanimous

Moved by Matson, seconded by Patrick to remove Patrolman Firtik from Probation and promote him to full time Patrolman.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Hadzinsky to approve the expenditure not to exceed \$2765.00 for the removal and repair of lighting at the Police Department.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Matson to approve the expenditure not to exceed \$4,692.47 for five new desk top computers for the Village Clerk, Income Tax clerk, Zoning Inspector, BPA clerk, and the Water /WW Superintendent.

VOTE AYES-Unanimous

The Board of Public Affairs will share the cost for the computers at the Water/WW superintendent office and for the BPA Clerk.

Moved by Kaiser, seconded by Patrick to approve the expenditure of \$6899.00 for a new mower for the Street department from S and K Sales.

VOTE AYES-Unanimous

Chuck Klamer has been obtaining quotes for sidewalks on Liberty St. from Center to Water and then Water to Windham St. At this time the bridge on Liberty St closest to Center St is closed as well as the walking path on the curve near Water St. Chuck recommends that this project be placed on hold temporarily until those areas become accessible.

Two visitors to the Village of Garrettsville have submitted to Council quotes for vehicle damage sustained by hitting a pot hole on the West end of State St. at the entrance of the Village. Council declined their payment requests.

Moved by Matson, seconded by Clyde to follow the recommendation of the Village Insurance Agent and decline payment of damages for the two vehicles.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Klamer to accept the proposal from Sun Life to donate the Paul's Lumber property to the Village of Garrettsville as long as a free and clear title can be obtained. Discussion included a comment by Jackie Rinearson; a representative of Curtain's Up Theater, requesting council to carefully consider accepting the donation as they might be interested in the property also.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Matson to ask Solicitor Stuck to provide a resolution to approve the expenditure of \$5000.00 for the cost of title work and other fees associated with the transfer of the title for the Paul's property from Sun Life.

VOTE AYES-Unanimous

Moved by Patrick, seconded by Klamer to approve an expenditure not to exceed \$17,186.00 for lighting the Boardwalk as quoted by Scotchman Electric to be completed in three phases. Phase I in the amount of \$5246.32; Phase II; \$11939.68 and Phase III \$6732.00. Phase III was not accepted at this time.

VOTE AYES-Klamer, Patrick, Kaiser, Clyde

PRESENT-Hadzinsky, Matson

Moved by Clyde, seconded by Patrick to approve an expenditure not to exceed \$23,000.00 for the cost of crack sealing various roads throughout the Village as quoted by Al Garcia.

VOTE AYES-Unanimous

The June meeting will be moved to June 15<sup>th</sup>, 2011 at 7:30.

Moved by Patrick, seconded by Clyde to adjourn.

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Mayor

ATTEST:

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Clerk