

**MINUTES OF REGULAR MEETING OF COUNCIL OF THE
VILLAGE OF EAST SPARTA, COUNTY OF STARK AND STATE
OF OHIO HELD IN THE MUNICIPAL BUILDING ON AUGUST 20,
2007.**

The meeting was called to order at 7:00 PM. The Mayor led Council and visitors in reciting The Lord's Prayer and the Pledge of Allegiance.

Roll call was taken with the following members present; Mayor Jackie Truax, Council Members Charlene Stelluto, Michael Caudill, Chris Freitag, Marlene Grey, Robert Smith, Kenneth Byrd and Clerk-Treasurer Rice. Visitors to the meeting included; Joe Kostic (Village Coordinator), Robert Cyperski (Village Solicitor), Barbara Malavite (Sandy Valley Community Park), Karen Mundy (Press News), Dave Collier (East Sparta Volunteer Fire Department), Police Chief Hager and Wayne Wood.

Chief Hager presented the Police Report to Council. For July there were; 5 Traffic Arrests, 0 Juvenile Traffic, 1 DUI Arrest, 0 Crash Reports, 1 Misdemeanor Arrest, 0 Felony Arrests and 9 Complaints. For July there were 180 paid officer hours, 6.5 grant hours and 47.25 auxiliary hours.

Collier addressed Council. Collier stated that he was in attendance as a follow-up on the Fire Contract. Cyperski answered Collier and stated that he had the contract after the corrections being made and would provide a copy for the Fire Department to sign. Collier also asked Council if the Fire Department could hang their yellow sign from the fence in front of the water tower. Smith made motion to allow the sign providing the BOPA had no objections, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

The minutes of the July 16th meeting were read. Freitag made motion to accept the minutes as read, seconded by Stelluto. Roll call 4 Yea, 0 Nay and Smith and Caudill Abstained, motion carried.

The Clerk-Treasurer presented the Financial Reports to Council. The reports included; the Warrant Register, Bank Reconciliation, Receipt Register, Revenue Status, Fund Status and Appropriation Status. Stelluto made motion to pay the bills totaling \$23,610.61, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

R-6-07-8 Rice reported that he needed an Amended Certificate and Supplemental Appropriations in the amount of \$580.00 to reflect donations for fireworks insurance and Bridgebuilders reimbursement for Health Fair give-aways. Freitag made motion to suspend three readings, seconded by Grey. Roll call 6 Yea, 0 Nay, rule suspended. Freitag made motion to approve request for Amended Certificate and Supplemental Appropriations in the amount of \$580.00, seconded by Grey. Roll call 6 Yea, 0 Nay, motion carried.

R-7-07-8 Rice reported that the Council needed to approve the Contract between the Village and the Bank of Magnolia appointing the bank as the Village Depository. Freitag made motion to suspend three readings, seconded by Smith. Roll call 6 Yea, 0 Nay, rule suspended. Smith made motion to approve the Bank of Magnolia as Village Depository, seconded by Caudill. Roll call 6 Yea, 0 Nay, motion carried.

Mayor Truax presented the Mayor's Cash Report to Council. There was \$168.00 collected with \$48.00 going to the state. Freitag made motion to

accept the report as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

O-8-07-6 ordinance approving one year fire contract between the Village and the East Sparta Volunteer Fire Department. Byrd made motion to suspend three readings, seconded by Smith. Roll call 6 Yea, 0 Nay, motion carried. Smith made motion to accept the contract and back date effective date to January 1, 2007, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

R-5-07-7 Rice stated that Council needed to place the renewal 2.0 mill Fire Levy on the November ballot. Freitag made motion to suspend three readings, seconded by Stelluto. Roll call 6 Yea, 0 Nay, rule suspended. Freitag made motion to place levy on November ballot, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

Mayor Truax announced that the annexation papers for the U.S. Ceramic Tile annexation would be signed tomorrow August 21, 2007. The papers would be signed by both she and representatives from the Tile Plant.

Cyperski reported that the Village had received 2 requests for public records. Cyperski has responded to both requests. Cyperski also reported that he recently handled a cemetery deed transfer for the Village. Cyperski reported that he has been in contact with Attorney Hall from Pike Township regarding the CEDA. Cyperski has forwarded the changes Council requested and Hall will review and present to Pike Township.

Stelluto reported that Council would be taking a NIMS test on August 24th at 3:00 PM in the Mayor's Office. Stelluto reported that an RC-3 form needed to be finalized and the boxes of records gone through, sorted and categorized to initiate the final step of destroying obsolete records. Stelluto reported the Disaster Committee had met and organized an informational card to be disbursed to residents by the water meter reader. The card would inquire of residents to register with the Village those residents with "special needs" in case of a disaster or emergency. The card would also explain what the different siren blasts indicated. The Disaster Committee would next meet at 6:00 PM Sept. 17th prior to Council.

Kostic addressed Council. Kostic reported that Council should rescind the motions made at last Council to pave the roads and begin the process again. There had been some question of the process. Freitag made motion to rescind motion to pave Hilltop St., seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to rescind motion to pave Shirley St., seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to rescind motion to pave Maple St. North of the railroad tracks, seconded by Grey. Roll call 6 Yea, 0 Nay, motion carried. Stelluto made motion to rescind motion to pave Clearview, seconded by Grey. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to rescind motion to pave Paradise St., seconded by Grey. Roll call 6 Yea, 0 Nay, motion carried. Stelluto made motion to rescind motion to pave Reynolds St., seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to rescind motion to pave Neuman St., seconded by Grey. Roll call 6 Yea, 0 Nay, motion carried. Stelluto made motion to rescind motion to perform pavement milling, seconded by Grey. Toll call 6 Yea, 0 Nay, motion carried. Kostic reported that the Village would be accepting sealed bids for the 2007 paving project until September 17th when the bids would be opened, reviewed and the winning bid would be awarded at the Council Meeting.

The Clerk-Treasurer will have the ads placed in the Repository and the Press News.

Caudill made motion to enter into Executive Session to discuss possible litigations with the Solicitor, seconded by Byrd. Roll call 6 Yea, 0 Nay, Executive Session entered at 7:36 PM. Smith made motion to exit Executive Session, seconded by Freitag. Roll call 6 Yea, 0 Nay. Executive Session exited at 7:57 PM.

Kostic continued his report. Kostic asked Council about cleaning the storm sewers this year at a cost of \$4,000.00. Byrd suggested that the Village should not clean the storm sewers until late October or November to allow the leaves to drop from the trees prior to cleaning so that the storm sewers would become clogged with leaves. Council decided to table request until September meeting, which will also allow Clerk-Treasurer to make sure the funds are available.

Barbara Malavite read the Park Board Minutes to Council. Malavite also asked Council to approve expenditure to install heat exchanger for pool heater at a cost of \$750.00. Byrd made motion to approve expenditure, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

The Water Board minutes were read to Council.

Stelluto made motion to enter into Executive Session to discuss personnel, seconded by Freitag. Roll call 6 Yea, 0 Nay, Executive Session entered into at 8:13 PM. Smith made motion to exit Executive Session, seconded by Freitag. Roll call 6 Yea, 0 Nay, Executive Session exited at 8:19 PM. Smith made motion to hire Solicitor Cyperski to act as Village Prosecutor for all legal issues that may arise in the Village and in Tuscarawas County after the annexation of the Tile Plant, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

O-9-07-8 1st reading of ordinance to approve contract between Solicitor and the Village for prosecutor services in the Village and Tuscarawas County.

Freitag made motion to adjourn, seconded by Grey. Meeting adjourned at 8:21 PM.

Mayor

Clerk-Treasurer