

SEPTEMBER 17, 2007

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

The meeting was called to order at 7:00 PM. Mayor Truax 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 Gray, Robert Smith, Kenneth Byrd and Clerk-Treasurer Rice. Visitors included; Joe Kostic (Village Coordinator), Robert Cyperski (Village Solicitor), Dave Collier (East Sparta Vol. Fire Dept.), Karen Mundy (Press News), Barb Malavite (Sandy Valley Community Park), Dave Reader (U.S. Ceramic Tile), and Patricia Byrd.

Stelluto made motion to enter into Executive Session for the purpose of discussing personnel, seconded by Freitag. Roll call 6 Yea, 0 Nay, Executive Session entered at 7:01PM. Stelluto made motion to exit Executive Session, seconded by Freitag. Roll call 6 Yea, 0 Nay, session exited at 7:06PM.

Chief Hager presented the Police Report to Council. For August there were; 5 Traffic Arrests, 0 Juvenile Traffic, 0 DUI Arrests, 0 Crash Reports, 2 Misdemeanor Arrests, 0 Felony Arrests, 5 Reports, 0 Calls for service, and 0 Agency Assists.

Dave Collier addressed Council. Collier inquired to the status of fire protection for the Village with the tax levy failing to be placed on the November ballot. Mayor Truax read a press release explaining the error and assuring the residents and the fire department that there would be no interruption in service and if necessary the funds would be transferred from the General Fund to the Fire Fund to pay for the fire protection. Collier stated that the fire department wanted to also assure the residents that there would be no interruption in protection and that the fire department is willing to work with the Village in this matter. The Mayor thanked the fire department for their cooperation.

Dave Reader addressed Council. Reader stated that he was attending the meeting to clarify the situation with Adams Fabricating. Reader stated that Adams has been receiving water through the Tile Plant for many years and for the last five has not paid for the water. When the plant closed, Reader approached Adams, A&R Machine and Slats and Nails about the water. They were informed that the plant was closing and if the companies wished to continue receiving the water, they needed to agree to annexation. A&R and Slats and Nails agreed as did Adams. Adams later changed his mind and was told by Reader that he had until August 20th to reach a final decision about annexation, and if no annexation the Tile Plant would turn off the water. On August 20th, Adams informed the plant that he would not agree to annexation and Reader asked Kostic to turn the water off to Adams. As the Tile Plant owned the line, this was their right to do so. Reader apologized

about the bad press the Village had received and stated it was his decision to turn off the water.

The minutes of the August 20th meeting were read. Byrd made motion to accept the minutes as read, seconded by Smith. Roll call 6 Yea, 0 Nay, motion carried.

The minutes of the Special meeting of September 15th were read. Caudill made motion to accept the minutes as read, seconded by Stelluto. Roll call 4 Yea, 0 Nay Byrd and Freitag abstained.

The Clerk-Treasurer presented the Financial Reports to Council. The reports included; Warrant Register, Receipt Register, Bank Reconciliation, Fund Status, Revenue Status and Appropriation Status. Byrd made motion to pay the bills totaling \$26,189.57, seconded by Gray. Roll call 6 Yea, 0 Nay, motion carried.

The Mayor presented the Mayor's Cash Report to Council. There was \$276.00 collected with \$72.00 going to the state. Byrd made motion to accept the report as presented, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

O-9-07-8 second reading of ordinance approving Solicitor to act as prosecutor for Tuscarawas County for the Village.

O-10-07-9 ordinance clarifying the establishment of landfills. Smith made motion to suspend three readings, seconded by Stelluto. Roll call 6 Yea, 0 Nay, rule suspended. Smith made motion to accept the ordinance as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, ordinance passed.

O-11-07-9 ordinance listing services to be provided by Village to annexed properties. Freitag made motion to suspend three readings, seconded by Gray. Roll call 6 Yea, 0 Nay, rule suspended. Freitag made motion to accept the ordinance as presented, seconded by Gray. Roll call 6 Yea, 0 Nay, ordinance passed.

R-12-07-9 resolution establishing public records policy for the Village. Freitag made motion to suspend three readings, seconded by Stelluto. Roll call 6 Yea, 0 Nay, rule suspended. Freitag made motion to accept the resolution as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, resolution passed.

R-13-07-9 resolution accepting records retention schedule as approved by the Ohio Historical Society as the schedule for the Village. Smith made motion to suspend three readings, seconded by Freitag. Roll call 6 Yea, 0 Nay, rule suspended. Smith made motion to accept the resolution as presented, seconded by Freitag. Roll call 6 Yea, 0 Nay, resolution approved.

Rice advised Council that he has initiated the process to place the fire levy on the March ballot. As the old levy has expired, this would have to be a new levy at today's rates. After speaking to the County Auditor, Rice was advised to send several requests for certification to the Auditor so that Council will have the information to place the new levy on the ballot at the same tax rate for the residents.

R-8-07-9 resolution asking for certification of 1.0 mill. Freitag made motion to suspend three readings, seconded by Caudill. Roll call 6 Yea, 0 Nay, rule suspended. Freitag made motion to accept resolution as presented, seconded by Caudill. Roll call 6 Yea, 0 Nay, resolution passed.

R-9-07-9 resolution asking for certification of 1.25 mills. Smith made motion to suspend three readings, seconded by Gray. Roll call 6 Yea, 0 Nay,

rule suspended. Smith made motion to accept the resolution as presented, seconded by Gray. Roll call 6 Yea, 0 Nay, resolution passed.

R-10-07-9 resolution asking for certification of 1.50 mills. Byrd made motion to suspend three readings, seconded by Freitag. Roll call 6 Yea, 0 Nay, rule suspended. Caudill made motion to accept the resolution as presented, seconded by Smith. Roll call 6 Yea, 0 Nay, resolution passed.

R-11-07-9 resolution asking for certification of 1.75 mills. Smith made motion to suspend three readings, seconded by Freitag. Roll call 6 Yea, 0 Nay, rule suspended. Caudill made motion to accept the resolution as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, resolution passed.

Rice informed Council that at the next meeting Council will have the information to decide the proper millage and can then submit the question to the Stark County Board of Elections well before the filing deadline of December 20th.

The Mayor opened the sealed bids for the proposed paving of Maple St. north of the tracks, Cleaview St., Hilltop St., Shirley Ave., Paradise St., Reynolds and Neuman Sts.

1. Central Allied bid - \$66,950.00
2. Superior Paving Bid - \$66,644.00
3. Northstar bid - \$65,960.00
4. Vasco bid - \$90,914.00
5. J.D. Mining bid - \$59,994.30

Smith made motion to award the paving project to J.D. Mining, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

Kostic addressed Council. Kostic reported that he had received two bids for paving the fire department lot. Kostic reminded Council that the Village had dug up the sink hole at the request of the fire department for a water leak. The problem was later discovered to be a down spout problem and not a water leak. The Village emptied almost \$900.00 of stone and packed it down. The hole has set for two months to allow for settling. The bids received are;

1. Vasco bid - \$5,331.00
2. J.D. Mining bid - \$2,000.00

Stelluto made motion to have the hole paved contingent upon the fire department informing Kostic if all work has been done and is ready for paving and asked Cyperski to write to the fire department requesting a 50/50 split with the Village and the fire Dept. for the cost of paving and the stone used, seconded by Byrd. Roll call 6 Yea, 0 Nay, motion carried.

Kostic asked about cleaning storm sewers. With the tax levy failure, if the money will need to be transferred from the General Fund, Council decided to table the cleaning until spring 2008. Kostic asked about striping Main St., Walnut and Chestnut Sts. Byrd stated that he would approach the County to seek help in striping as the County has offered assistance in the past.

Stelluto reported that a work day had been performed for records retention. The work resulted in approximately 50% of the boxes gone through. They should finish the project soon and will be able to destroy approved records and keep them in order.

Stelluto reported the disaster committee had met and decided to send a flyer to all residents with the water meter reader asking for information about "special needs" residents. In time of emergency, these residents need our attention first. Hager stated that Magnolia has designed an "official id" for

Village representatives and maybe Council should do the same for security. Council agreed this was an excellent idea and should be done in conjunction with maintaining the information of “special needs” residents.

Malavite presented the Park Board minutes to Council.

The Water Board minutes were presented to Council.

The Mayor stated that Boo I the Park will be October 20th this year and is asking for help once again to make sure the kids all have a good time. More info will be forth coming.

Trick or treat was set for October 31st from 6-7 PM for the Village this year.

Byrd addressed Council about possibly purchasing a decibel meter to help enforce the noise ordinance. Byrd and Chief Hager will do further investigation.

Byrd also stated that he has spoken with the Civic Association concerning the security for the Homecoming. The Village took a jump of almost \$1,200.00 for Police Protection during the month of the Homecoming. Byrd believes that the Civic Association and the Fire Department should be liable from this point forward for the security. Council agreed and further negotiations will be taking place for future events.

Smith made motion to adjourn, seconded by Freitag. Meeting adjourned 8:47 PM.

Mayor

Clerk-Treasurer