

**MINUTES OF REGULAR MEETING OF COUNCIL OF THE
VILLAGE OF EAST SPARTA, COUNTY OF STARK, STATE OF
OHIO HELD IN THE MUNICIPAL BUILDING ON APRIL 20, 2009.**

The meeting was called to order at 7:00pm. 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 Gray, Kenneth Byrd, David Naus and Clerk-Treasurer Rice. Visitors included; Joe Kostic (Village Coordinator), Robert Cyperski (Village Solicitor), Barbara Malavite (Sandy Valley Community Park), Robert Easterday (BOPA), Linda Brothers (BOPA Clerk), Thomas Hudy and Patricia Byrd.

Chief Hager presented the Police Report to Council. For March there were; 6 Traffic Arrests, 0 Juvenile Traffic, 0 DUI Arrests, 0 Crash Reports, 0 Misdemeanor Arrests, 0 Felony Arrests, and 6 Calls for Service. Chief Hager addressed a log he had received from a Village resident. Chief Hager stated that the log does not match the call and dispatch tapes. Police Officers have responded to each and every call which is reflected by the tapes. Chief Hager stated that he will transfer the tapes to a CD if any member of Council wants to listen to the tapes. Chief Hager stated that the resident has also asked not to be contacted by Officers on several occasions. Chief Hager stated that the bill for Police Protection was almost \$4,000.00 this month due to the numerous frivolous calls by one Village resident and the four wheeler situation. In conjunction with the Police Report, Cyperski stated that he had contacted the attorney for Christopher Himes regarding the numerous complaints of reckless driving in the Village. Cyperski received a letter from Himes' attorney stating that his client was confused of the timing of the letter since he has had no contact with the Police Department since a couple of months ago and is not aware of any further problems. Cyperski presented copy of letter to Chief Hager for his files. Council did inform Cyperski that the Himes situation seems to have abated somewhat.

Thomas Hudy addressed Council. Hudy stated that he would like to erect a fence on his property and would like to erect the fence on the property line. Hudy presented a letter from his neighbor approving of the fence. Hudy was advised that he needs to contact the Zoning Board and obtain a variance for the fence.

The minutes of the March meeting were read. Caudill made motion to accept the minutes as read, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

The Financial Reports were presented to Council. The reports included; Bank Reconciliation, Fund Status, Warrant Register, Receipt Register, Revenue Status and Appropriation Status. Caudill made motion to pay the bills totaling \$23,464.08, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

The Mayor presented the Cash Report to Council. There was \$132.00 received from Canton Municipal Court. Caudill made motion to accept the report, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried.

O-5-09-4 ordinance requesting an Amended Certificate and Supplemental Appropriations for the park fund reflecting the \$50,000.00 grant received

from the landfill and the EPA. Freitag made motion to suspend three readings, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to accept the ordinance as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.

O-6-09-4 ordinance approving advertising for bids for Deetz property. The Mayor stated that she had received a request to purchase the property. To sell the property the Ohio Revised Code requires the Village to advertise for bids once a week for five consecutive weeks. Freitag made motion to suspend three readings, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried. Freitag made motion to accept the ordinance as presented, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried. In conjunction with the property, the Mayor stated that she would like to sell the filing cabinets in the hallway. Per the ORC, items valued less than \$1,000.00 must be advertised at least two times and not more than four times. The advertising would probably exceed the value of the cabinets. Council inquired of Cyperski if they could donate the cabinets to the Police Department. Cyperski will investigate and inform Council of the results.

The Mayor stated that representatives for the census are in town doing GPS work. They have to get a GPS reading for each home in the Village for the census.

The Mayor stated that she and Stelluto would like to attend the Local Government Conference at a cost of \$175.00 each. Naus made motion to send the Mayor and Stelluto to the training at a cost of \$350.00, seconded by Caudill. Roll call 6 Yea, 0 Nay, motion carried.

Cyperski addressed Council. Per the Mayor's request Cyperski has been looking into the formation of the Park Board. Cyperski stated that the Village is not required to have a park board to run the park, but may establish one if desired. Cyperski also stated that the rules governing the appointment need to be updated to follow the ORC.

The Mayor stated that the Zoning Book needs updating. The Zoning Committee will meet on April 29th to address the issue.

The Mayor stated that Clean-Up Day will be April 25th. The dumpsters will be placed at the site of the school this year and trash bags are available at the Municipal Building. The Clean-up will run from 8:00am to noon.

Malavite presented the Park Board minutes to Council. The Park Board is requesting to purchase a new ice cream machine, slushy machine, cash register, pool drain covers and new roof for Cable shelter. The funds would be drawn from the grant money. Stelluto made motion to purchase the ice cream machine at a cost not to exceed \$13,000.00, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried. Naus made motion to purchase a slushy machine not to exceed a cost of \$1,300.00, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried. Naus made motion to purchase a cash register at a cost not to exceed \$300.00, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried. The Council decided to table the request for the roof pending receipt of another estimate for the roof. Byrd made motion to purchase the pool drain covers at a cost not to exceed \$3,000.00, seconded by Freitag. Roll call 6 Yea, 0 Nay, motion carried. New solar covers are needed but no estimate has been obtained as of yet.

The Mayor stated that the Tri Division and Fire Dept run reports were received. The ambulance report was taped to Freitag's back door instead of being delivered to the Mayor's office.

The Water Board minutes were presented to Council.

Caudill made motion to enter Executive Session to discuss personnel issues, seconded by Naus. Roll call 6 Yea, 0 Nay, session entered at 8:11pm.

Stelluto made motion to exit Executive Session, seconded by Naus. Roll call 6 Yea, 0 Nay, session exited at 8:49pm. Council requested Kostic to have Jerry Boston attend the next Council meeting to discover Boston's intentions for his summer hours and retirement in October.

Kostic addressed Council.

1. Garbage trucks are ruining the pavement in several Village alleyways. The alleys in question are A. runs North and South between Maple and Oak, B. runs East and West between Pine and Ash. Naus made motion to have Kostic notify the garbage companies and residents that the trucks will no longer be permitted on the alleyways and the residents will need to place their trash for pick-up on the main roadway, seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.
2. The semi trucks that park at the "Y" are breaking the pavement. The trucks enter on Westbrook and then go North on Main to enter the parking area causing the problems. Byrd made motion to direct Chief Hager to issue an exemption for those few drivers parking at the "Y" to enter directly onto Main versus Westbrook, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried. Byrd made motion to have Kostic inform the property owner of the parking area that some form of covering is needed to protect the roadway (i.e. gravel, stone, etc.), seconded by Stelluto. Roll call 6 Yea, 0 Nay, motion carried.
3. Kostic requested Council to have streets swept before Homecoming. Stelluto made motion to sweep the streets at a cost of \$190.00 for the initial two hours and \$90.00 an hour thereafter not to exceed \$800.00, seconded by Caudill. Roll call 6 Yea, 0 Nay, motion carried.
4. Paving should start in the next two to three weeks.

Byrd addressed Council. Byrd inquired the time needed to place an issue on the November Ballot. Byrd was informed that everything needs filed by August to place an issue on the November Ballot. Byrd stated that the Council should place a .75 mill levy on the ballot for fire protection and a 2.0 mill levy to subsidize the police protection.

R-6-09-4 resolution requesting the Stark County Auditor to certify a .75 mill levy for fire protection. Byrd made motion to suspend three readings, seconded by Freitag. Roll call 5 Yea, 1 Nay, motion carried with Caudill casting the lone dissenting vote. Byrd made motion to accept the resolution as presented, seconded by Stelluto. Roll call 5 Yea, 1 Nay, motion carried with Caudill casting the lone dissenting vote. Caudill addressed Council stating that in the past Council has asked the fire department for an accounting of their finances and have only received a hand written report. Caudill states that until the department can show why they need the money and what they are doing with the extra money they are already receiving, he believes the department should NOT receive any more money.

R-7-09-4 resolution requesting the Stark County Auditor to certify a 2.0 mill levy to subsidize the police protection. Stelluto made motion to

suspend three readings, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried. Stelluto made motion to accept the resolution as presented, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried. The Mayor informed Council that the more levies that are placed on the ballot the harder it will be to get them passed. The Council is already placing a 3.0 replacement levy on the ballot for the general operation of the Village. Stelluto stated that Council will just need to educate the residents of the need.

The Mayor stated that she would like to appoint Stacey Kramer to the Park Board. Stelluto made motion to accept the appointment, seconded by Naus. Roll call 6 Yea, 0 Nay, motion carried.

Stelluto made motion to adjourn, seconded by Freitag. Meeting adjourned 9:21pm.

Mayor

Clerk-Treasurer