

**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 OCTOBER 20, 2008.**

The meeting was called to order at 7:00pm by Mayor Truax. 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, Chris Freitag, Marlene Gray, Kenneth Byrd, David Naus and Clerk-Treasurer Rice. Absent was Council Member Michael Caudill. Stelluto made motion to accept absence of Caudill, seconded by Freitag. Roll call 5 Yea, 0 Nay, motion carried.

Visitors included; Joe Kostic (Village Coordinator), Robert Cyperski (Village Solicitor), Richard Himes, Scott Muir, Karen Mundy (Press News) and Barb Malavite (Sandy Valley Community Park).

Chief Hager presented the Police Report to Council. For September there were; 4 Traffic Arrests, 0 Juvenile Traffic, 0 DUI Arrests, 0 Crash Reports, 1 Driving under suspension, 2 Misdemeanor Arrests, 0 Felony Arrests, 1 Call for Service and 7 Agency Assists.

Richard Himes addressed Council. Mr. Himes stated that he had received some information regarding the Community Center that he would like to be built on the grade school property. Himes would like to hold several Town Meetings at the Community Building. Himes was informed that permission to use the building would need to come from the Civic Association as they rent the building. The Mayor informed Himes that she has plans to form a committee to study what the grade school property should be used for. The Mayor invited Himes to be on that committee which he stated that he would like to be included. The Mayor stated that she wanted input from all residents to determine the best use for the property.

Scott Muir addressed Council. Muir stated that he was upset about some remarks a Council Member told Muir that Chief Hager had made at the Towne Pump. A heated discussion ensued between Muir and the Chief. At the conclusion of the discussion, Muir was informed that if he has problems concerning law enforcement issues he needs to call the police department. Muir stated that he would call the police department if he has concerns.

The minutes of the September 15<sup>th</sup> regular meeting were read. Stelluto made motion to accept the minutes as read, seconded by Freitag. Roll call 5 Yea, 0 Nay, motion carried.

The minutes of the September 29<sup>th</sup> special meeting were read. Byrd asked for one word to be changed concerning the fire department. Naus made motion to accept the minutes as amended, seconded by Stelluto. Roll call 5 Yea, 0 Nay, motion carried.

The Financial Reports were presented to Council. The reports included; Receipt Register, Bank Reconciliation, Fund Status, Revenue Status, Appropriation Status and Warrant Register. Stelluto made motion to pay the bills totaling \$20,412.06, seconded by Freitag. Roll call 5 Yea, 0 Nay, motion carried.

R-16-08-10 Rice informed Council that he needed a resolution for a Then and Now Purchase Order in the amount of \$4,300.00 payable to May's Cabinets for repair of the sand filter. Freitag made motion to suspend three readings, seconded by Gray. Roll call 5 Yea, 0 Nay, motion carried. Freitag made motion to accept the resolution as presented, seconded by Gray. Roll call 5 Yea, 0 Nay, motion carried.

Rice informed Council that he had been contacted by Marathon on using the Sandy Valley Community Park for disaster training. Marathon has used the park for this purpose in the past. Freitag made motion to allow the training, seconded by Stelluto. Roll call 5 Yea, 0 Nay, motion carried.

The Mayor presented the Cash Report to Council. There had been \$60.00 collected from Canton Muni Court. Freitag made motion to accept the report as presented, seconded by Naus. Roll call 5 Yea, 0 Nay, motion carried.

O-17-08-10 Police Contract – tabled until November meeting.

R-14-08-10 resolution directing Mayor to secure loan from the Bank of Magnolia in the amount of \$50,000.00 at the request of the BOPA for test wells and engineering expenses. Freitag made motion to suspend three readings, seconded by Naus. Roll call 5

Yea, 0 Nay, motion carried. Freitag made motion to accept resolution as presented, seconded by Stelluto. Roll call 5 Yea, 0 Nay, motion carried.

O-19-08-10 1<sup>st</sup> reading of Solicitor contract.

O-20-08-10 1<sup>st</sup> reading of Village Prosecutor contract.

R-15-08-10 resolution accepting amounts and rates set forth by the Stark County Budget Commission. Freitag made motion to suspend three readings, seconded by Stelluto. Roll call 5 Yea, 0 Nay, motion carried. Freitag made motion to accept resolution as presented, seconded by Stelluto. Roll call 5 Yea, 0 Nay, motion carried.

Cyperski addressed Council. Cyperski stated that he had been approached by a Pike Township resident for representation against the EPA. Cyperski inquired if the Council had any dealings with a Mr. Alborn that may create a conflict of interest in this matter. None were noted.

The Mayor stated that she, Byrd, Stelluto and Cyperski had met with Charlie Hall and representatives from the Fire Department earlier in the day. At that meeting the fire department and Village tentatively agreed to a 5 year contract at \$12,000.00 a year (contingent on the passage of the levy) and that the fire department would start paying their sewer charges. The fire department would lend their support to passage of the levy going door to door to lend said support.

The Mayor stated that she had a handout that Council should distribute concerning the levy. After reading handout, Naus made motion to distribute, seconded by Freitag. Roll call 5 Yea, 0 Nay, motion carried.

The Mayor reported on the Fall Festival. This year the Festival was mostly unsuccessful, mainly due to postponement and short reschedule notice and the cool weather. The Civic Association wanted to thank everyone who participated and helped during the festival.

The Mayor stated that Trick or Treat would be October 31<sup>st</sup> from 6:00 to 7:00pm this year.

Kostic addressed Council.

1. Snow and ice control- Kostic stated that Pike Township has locked in salt at \$41.00 a ton this year. Kostic inquired if Council wished to continue to purchase the salt from Pike and also continue with mixing with ash. Rice informed Council that he had information from ODOT that there is a salt shortage this year and the state intends to not only use a mixture of salt and sand but also use more brine this year. Stelluto made motion to purchase the salt from Pike and for Kostic to use his discretion of when to use straight salt or a mixture depending on the weather, seconded by Freitag. Roll call 5 Yea, 0 Nay, motion carried.
2. Park- Kostic reported that the pool has now been closed. Whitmers had been there earlier in the day and completed the procedure.
3. The sand filter has been repaired. The insurance claim for the storm damage is still pending.
4. Kostic will be attending to the berms on Pine and Poplar streets this week.
5. Kostic will be moving equipment around getting ready for the upcoming winter season.

There were no minutes available from the Park Board. The Mayor informed Council that the park is tentatively receiving \$50,000.00 from the EPA Countywide Landfill fund. The Mayor stated that she had been contacted by the EPA and informed the funds were forthcoming.

The water board minutes were presented to Council.

Rice reported on Boo in the park. Rice reported that there were 260 in attendance with fun had by all. Over 320 items of food were collected to be donated to the local Helping Hands Organization. Rice stated that the hotdogs had been donated by Brian Lowery of Town & County IGA in Waynesburg and the potato chips by Frito Lay in Wooster. Steinecks bakery provided the buns and cookies at a reduced rate as did the IGA for the pop.

Byrd made motion to enter into Executive Session to discuss personnel, seconded by Naus. Roll call 5 Yea, 0 Nay, Executive Session entered 8:00pm. Byrd made motion to exit Executive Session, seconded by Stelluto. Roll call 5 Yea, 0 Nay, Executive Session exited 8:21pm.

O-18-08-10 Byrd made motion to grant Jerry Boston a raise of \$0.29 an hour for 2009, seconded by Naus. Roll call 5 Yea, 0 Nay, motion carried. 1<sup>st</sup> reading of 2009 pay ordinance.

O-21-08-10 Naus made motion to make the following changes to the Employee Handbook, seconded by Byrd. Roll call 5 Yea, 0 Nay, motion carried. 1<sup>st</sup> reading of handbook amendment.

1. Sick Leave – The current cap of 240 hours would be removed and no limitation on accumulation of sick leave would be instituted. The sick leave will continue to be accrued at a rate of 8.0 hours a month. There will be a cap of 240.0 hours available to be used per illness, with a break of 21 calendar days before an illness could be considered a new occurrence.

2. Upon retirement or termination without just cause, an employee would be entitled to cash out a maximum of 240.0 hours.

3. Vacation – 1 year of service = 1 week vacation; 2 years of service = 2 weeks vacation; 5 years service = 3 weeks vacation; years of service 6-10 = 3 weeks plus one day vacation capping at 4 weeks upon 10 years service.

Stelluto made motion to adjourn, seconded by Freitag. Meeting adjourned 8:45pm.

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Mayor

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Clerk-Treasurer