

# RECORD OF PROCEEDINGS

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

## RECORD OF PROCEEDINGS

### 2<sup>nd</sup> REGULAR COUNCIL MEETING

JANUARY 26, 2021

The 2<sup>nd</sup> Regular Council Meeting was called to order by Mayor Timothy N. Tarbet after the Lord's Prayer & The Pledge of Allegiance were said.

All Council Members present.

Guests: Denise Freeland announced the Chamber is offering the Roxy for private movie rentals at a fee of \$75. This is for 20 people and the renter would provide their own DVD, popcorn is provided. The Chamber received a donation from Annette & Stuart Mapes and State Farm Insurance. State Farm sponsors a program where the Mapes made a donation and State Farm matched the donation. The donation will be used towards organizational equipment and items for the concession stand. Upcoming events: March a Celtic Show & possibly live streaming a radio drama at some point this spring. The next play will be in February 2022. The Jazz Fest will be planned, but will be altered. A new insurance & financial service agent that would like to relocate to Minerva. Green Carbon International are working on their financing. Plan discussion with Mark Hollingshead rep Green Carbon and Raphael from Stark Economic Development Board and a rep from Team NEO. Mark presented his plan and discussion took place regarding the financing that was available for the project.

Motion to approve the Minutes of the 1<sup>st</sup> Regular Council Meeting held January 12, 2021 was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

Administrator: Mr. Turske announced the Police Department will be applying for The Ohio Attorney General Body Armor Grant for fifteen sets of body armor. Mr. Turske stated he spoke with the sign company regarding reducing the price of the Minerva sign. If the village sets the footer and does the excavating it will reduce the price by \$10,000.00. Mr. Turske is in contact with other companies to receive quotes. Councilman Boldizar asked if we contacted Minerva Welding to see if this would be feasible.

Service Director: Street Department: repaired an access road to the Nigro Farm. HPM patching. Repaired 3 antique street lights. Repaired Grant Street sign at W. Lincoln Way. Called out for road conditions 1/15, 1/16, 1/18, 1/20. 629.4 tons of salt used for season to date. Repaired leaking cylinders on JD 310 Backhoe. Water Dept. Locating assets for GIS mapping. Telemetry updated/repared. 6" water main break 700 block McDaniel 1/14, assisted by Park Dept. Flushed Park Ave. hydrant 1/15 due to past complaints. Fire hydrant struck by truck at Bridge & Booth, report filed with PD. 6" water Main break 700 block of Allen Ave. 1/24, assisted by Park & Street Dept. AWIA Risk and Resilience Assessment continues. Waste water Dept. Slug discharge noted: 1/25 (grab sample obtained), 1/26 (composite sample obtained). Park Dept. Working on winter maintenance items.

Mayor Tarbet asked if the person that hit the hydrant was caught. JT. No he was not.

Law Director: No report

Mayor: No report

Ordinance No. 49-20 an Ordinance approving the Village of Minerva Investment Policy. Third reading

Motion to hear third and final reading and for passage of Ordinance No. 49-20 was made by Councilman Kishman seconded by Councilman Boldizar. All voted yea.

Resolution No. 1-21 authorizing the interfund transfer of interest earned proportionately from specific accounts from the General Fund back to the respective accounts generating said interest earning. Second reading.

Motion to hear second reading of Ordinance No. 1-21 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Motion to approve second reading of Ordinance No. 1-21 was made by Councilman Boldizar seconded by Councilman Hannen. All voted yea.

Resolution No. 2-21 authorizing the finance director to move monies from one line item to another within funds that are solely designated as allowable transfers by the Auditor of State of Ohio and the Ohio Revised Code. The approval of such allowable transfers is for fiscal year 2021. Second reading

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Motion to hear second reading of Resolution No. 2-21 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve second reading of Resolution No. 2-21 was made by Councilman Kishman seconded by Councilman Boldizar. All voted yea.

Ordinance No. 3-21 authorizing the Village Administrator to advertise and receive bids for milling of various municipal streets. Second reading

Motion to hear second reading of Ordinance No. 3-21 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Motion to approve second reading of Ordinance No. 3-21 was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

Ordinance No. 4-21 authorizing the village administrator to advertise and receive bids for material and/or labor for resurfacing of village streets and other municipally owned properties. Second reading

Motion to hear second reading of Ordinance No. 4-21 was made by Councilman Kishman seconded by Councilman Boldizar. All voted yea

Motion to approve second reading of Ordinance No. 4-21 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Ordinance No. 5-21 an ordinance authorizing the Village of Minerva, Ohio to sell personal property not needed for public use, obsolete or unfit for use, by internet auction pursuant to ORC Section 721.15. Second reading

Motion to hear second reading of Ordinance No. 5-21 was made by Councilman Meadows seconded by Councilman Boldizar. All voted yea.

Motion to approve second reading of Ordinance No. 5-21 was made by Councilman Meadows seconded by Councilman Hannen. All voted yea.

Resolution No. 9-21 A Resolution adopting the Carroll County Multi-Jurisdictional Hazard Mitigation Plan, and Declaring it an Emergency.

Motion to hear first reading of Resolution No. 9-21 was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Motion to approve first reading of Resolution No. 9-21 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to suspend statutory rules and have second & third readings by title only and for passage of Resolution No. 9-21 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Ordinance No. 10-21 An Ordinance approving a settlement agreement with the Minerva Dairy Parties to resolve a pending lawsuit, and declaring it an Emergency.

Motion to hear first reading of Ordinance No. 10--21 was made by Councilman Boldizar seconded by Councilman Kishman. Councilman Kishman voted nay. 4 yeas 1 Nay.

Motion to approve first reading of Ordinance No. 10-21 was made by Councilman Boldizar seconded by Councilman Kishman. Councilman Kishman voted nay. 4 Yeas. 1 Nay

Motion to suspend statutory rules and have second and third readings by title only of Ordinance No. 10-21 was made by Councilman Meadows seconded by Councilman Boldizar. Councilman Hannen voted nay. 4 Yeas. 1 Nay

Motion to approve second & third readings for passage of Ordinance No.10-21 was made by Councilman Boldizar seconded by Councilman Kishman. Mayor Tarbet & Councilman Hannen voted nay. 3 Yeas. 2 Nays.

Mayor Tarbet asked Atty. Battista at what time can a village resident see the specifics of the settlement as public record. Atty. Battista stated once this is approved, I will be notifying our litigation attorneys tomorrow and once that ordinance is passed and in into the record book it will become a public record. And once it is executed by both parties and once, we have an executed agreement we will then have a public record. Mayor Tarbet so is that public record available for the general public to look at through

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the court system as an attachment to this case? Atty. Battista stated I don't believe it would be filed with the court request. They would have to submit a record request. Councilman Boldizar asked Atty. Battista is it still considered pending litigation? Atty. Battista stated once this agreement is executed the case will be dismissed and that will take some time for the dismissal to be filed. Councilman Boldizar stated then until that time it is still considered pending? It would be a pending case, Yes, but we would have settlement agreement executed.

Mayor Tarbet stated this case has nothing too do with the odor. This is two separate cases.

Motion to authorize the expenditure of an amount not to exceed \$13,089.00 for the purchase of fifteen sets of body armor for the Minerva Police Department, and authorizing the Village Administrator to make an application for reimbursement of 75% of the cost through the Ohio Attorney General 2020 Body Armor Grant was made by Mayor Tarbet seconded by Councilman Boldizar. All voted yea.

Councilman Meadows do we have an idea of when Dollar Tree will be opening? Mayor Tarbet stated I know they are filling their shelves. From my retail background experience I would guess the first of March stated Mayor Tarbet.

Motion to adjourn was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

The next Regular Council Meeting will be February 9, 2021.

Attest:

\_\_\_\_\_  
Brenda Albaugh Clerk of Council

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Timothy N. Tarbet Mayor