

# RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10/148

Held

20

## RECORD OF PROCEEDINGS

### 23<sup>RD</sup> REGULAR COUNCIL MEETING

DECEMBER 12, 2023

The 23<sup>rd</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.

Motion to approve the Minutes of the 2024 Alternate Budget Hearing held November 28, 2023 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve the Minutes of the 22<sup>nd</sup> Regular Council Meeting held November 28, 2023 was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Motion to approve the financial statement for the month of November was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Motion to approve bills totaling \$ 254,751.58 for the month of November was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Administrator: Mr. Gunderson announced the hiring of Police Chief, Mr. McDorman. We will formalize that in early January.

Service Director: Street Dept.: Bucket Truck repaired Northern Mobile, had an electrical issue (stuck solenoid) to engage PTO. Christmas decorations installed on High St. 2 rounds of leaves picked up, spot checking village and responded to calls. Received 4 proposals for geotechnical engineering work required for Grant St. bridge project, proposals under review. Grant St. bridge project letter for environmental work sent to property owners in the area of the bridge. Received cross county state championship signs. Will be installed.

Water Dept.: Bids for N. Market St. Phase II received and reviewed. 6" water main break 11/29 on W. High St., 75,000 gallons water loss. Assisted by Park Dept. 4" water main break 11/30 on N. Main St., 120,000 gallons water loss. Assisted by Park Dept. 6" water main break 12/2 700 block Stafford St., 170,000 gallons water loss. Assisted by Park and Street Depts. Completed registration for the Fifth Unregulated Contaminant Monitoring Rule (UCMR 5) for the US EPA for sample analysis requirements for 2024. 6" water main break 12/11 Lynwood Dr. @ McDaniel, 150,000 gallons water loss. Assisted by Park Dept.

Wastewater Dept.: Court mediation meeting with Minerva Dairy. Searching and compiling records for public records request. Working on revising NPDES permit application at request of OEPA.

Still dealing with phone issues, Frontier and ECMSI are working together on the situation.

Park Dept.: Pressure washed Park building. Set up and cleaned up 2<sup>nd</sup> Friday. Weekly Community Building rentals.

Zoning: Received letter in support of alley vacate for Attorney James Tsangeos for the estate of James VanPelt (attached). Nuisance: 185 cases YTD. See activity and summary report.

Permits: 100 YTD. 615 N MARKET ST – Planning Commission 100 W LINCOLN WAY- Sign 518 EAST ST- Accessory structure. 300 W. LINCOLN WAY – Road Use (5k run)

Law Director: No report

Mayor: No report

Old/New Business

Motion to move to Executive Session @ 7:39PM inviting Legal Counsel and the Service Director to discuss pending litigation was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Motion to reconvene to regular Session @ 7:57 PM with no action being taken was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Ordinance No. 75-23 an Ordinance amending Section 2 of Ordinance No. 71-23 to establish compensation rates for full-time and part-time employees of the Village of Minerva. Second read.

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Motion to hear second reading of Ordinance No. 75-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Motion to approve second reading of Ordinance No. 75-23 was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Motion to have third reading by title only and for passage of Ordinance No. 75-23 was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Ordinance No. 78-23 an Ordinance vacating an unimproved alley by West Plain Street and an unnamed alley. First read

Motion to hear first reading of Ordinance N. 78-23 was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

Motion to approve first reading of Ordinance No. 78-23 was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Ordinance No. 81-23 an Ordinance for the described project: Systematic 2-lane sign replacement on US-30 from the W. Corp Limit to just West St and on SR-183 from N. Market St to the N. Corp Limit in the Village of Minerva. Declaring an Emergency.

Motion to hear first reading of Ordinance No. 81-23 was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Motion to approve first reading of Ordinance No. 81-23 was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Motion to suspend statutory rules and have second and third readings by title only and for passage was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Ordinance No. 82-23 an Ordinance accepting the bid of Wenger Excavating, Inc. for the Village of Minerva North Market Street Phase II Waterline Replacement Project, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 82-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve first reading of Ordinance No. 83-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to suspend statutory rules and have second and third readings by title only and for passage of Ordinance No. 82-23 was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Resolution No. 83-23 a Resolution requesting the Director of the Ohio Department of Transportation to determine and declare a reasonable and safe prima-facie speed limit within the Village of Minerva and Declaring it an Emergency.

Motion to hear first reading of Resolution No. 83-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve first reading of Resolution No. 83-23 was made by Councilman Boldizar seconded by Councilwoman Jordan. All voted yea.

Motion to suspend statutory rules and have second & third readings by title only and for passage of Resolution No. 83-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 84-23 an Ordinance accepting the bid of Neptune Equipment Co. for the Village of Minerva Water Meter Replacement project, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 84-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve first reading of Ordinance No. 84-23 was made by Councilwoman Jordan seconded by Councilman Kishman. All voted yea.

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Motion to suspend statutory rules and have second & third readings, by title only and for passage of Ordinance No. 84-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 85-23 an Ordinance approving the amendment of the employment contract with the Village Administrator, Benjamin W. Gunderson. First read.

Motion to hear first reading of Ordinance No. 85-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve first reading of Ordinance No. 85-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to waive second & third readings and for passage of Ordinance No. 85-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 86-23 An Ordinance amending Ordinance No. 50-22 (annual appropriation ordinance) in order to make appropriations for expenditures of the Village of Minerva, Ohio during the current fiscal year ending December 31, 2023, and Declaring it an Emergency

Motion to hear first reading of Ordinance No. 86-23 was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Motion to approve first reading of Ordinance No. 86-23 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

Motion to suspend statutory rules and have second & third readings by title only and for passage of Ordinance No. 86-23 was made by Councilman Meadows seconded by Councilman Boldizar. All voted yea.

Ordinance No. 87-23 Amending Codified ordinances of Minerva, Ohio Section 183.012 entitled purposes of Tax; Rate, and Declaring an Emergency.

Motion to table Ordinance No. 87-23 was made by Councilman Meadows seconded by Councilman Kishman.

Mr. Gunderson stated after further discussions internally with council and a couple public input sessions we decided not to put on the ballot for income tax increase. We are going to table it in the event we decide this is a feasible option and it makes the most sense to the village and at that time we can pick it up, but what we are going to do now is instead of asking for an income tax increase we are going to for the next 30 days discuss this internally and come up with an action plan and discuss thereafter.

All voted yea.

Resolution No. 88-23 A Resolution directing the Stark County Board of Elections to conduct an Election at the Primary Election on March 19, 2024 for the purpose of providing the electors of the Village of Minerva, Stark, Carroll and Columbiana Counties, Ohio with the opportunity to approve or disapprove an Ordinance providing for a proposed increase in the Village of Minerva, Stark, Carroll and Columbiana Counties, Ohio Income Tax Ordinance of One-Fourth of one percent (0.25 Percent) for a period of five (5) years effective for collection commencing January 1, 2025 and until December 31, 2029 for the purpose of Constructing a New Community Building or Rehabilitating the existing Community Building for the Village of Minerva, and Declaring it an Emergency.

Motion to table Resolution 88-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 89-23 an Ordinance approving the Rules & Regulations of Cemeteries in the Village of Minerva, Ohio.

Motion to table Ordinance No. 89-23 was made by Councilman Boldizar seconded by Councilwoman Jordan.

Mayor Tarbet this was tabled so the changes can be reviewed.

All voted yea.

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Motion to allow Village Administrator, Benjamin W. Gunderson, to apply for the Appalachian Community Grant Program through the Great Lakes Community Action Partnership for the purposes of facilitating economic development efforts in the downtown area was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

A Motion is in order to take the months of March, June, July & September 2024 as premium holidays from the Jefferson Health Plan was made by Councilman Meadows seconded by Councilman Kishman.

Mr. Gunderson stated each month the village pays a premium for the health insurance for full-time employees. We have built up a reserve bank that allows us to take moratoriums, so what this will allow us to do is next year it will reduce the cost for each of the departments which the premium was taken out of.

Councilman Boldizar stated we started taking these that the money was to be earmarked for special projects. I don't love the fact, I totally understand why we take them, I understand that, but just putting it into the General Fund is something I wish that we would do something different with that money. Mr. Gunderson stated we take out of the general, street all of the other funds so. Councilman Boldizar stated I understand that it goes into the departments, you know what I am saying as far as projects and different things like that. I know there is a need for that, I understand that money is just sitting there and not being used, so we need to use it, I just wish we could earmark that money for different projects. Mayor Tarbet stated I think we will be focused on the projects we need to do. We are just not specking them now. Mr. Gunderson stated the five- year plan will do a good job on laying out the future projects. Short term for example is the backhoe purchase for the street department. This allowed for this purchase.

All voted yea.

Councilman Meadows stated Planning Commission will meet Thursday @ 6PM. Councilman Meadows provided a Chamber report.

Mayor Tarbet thanked everyone who volunteered and the street department for all their help.

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

The next Regular Council Meeting will be December 19<sup>th</sup>, 2024.

Attest:

Brenda Albaugh Clerk of Council

Timothy N. Tarbet Mayor