

RECORD OF PROCEEDINGS

Meeting

Minutes of

GOVERNMENT FORMS & SUPPLIES 844-224-5535 FORM NO. 10148

20

Held

RECORD OF PROCEEDINGS

22ND REGULAR COUNCIL MEETING

November 28, 2023

The 22nd 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, Aaron Stoller and Patti Willoughby.

Denise Freeland reported the Roxy has shown four movies and the best attendance has been nine. We are rethinking what we are going to do with the movies for 2024. She announced future events. The installation of the surround system is complete. Denise said the sound is really really good, so come out and watch a movie! The Christmas Parade will be December 2 along with Winter Wonderland Celebration with the theme as the Polar Express and we are encouraging everyone to come in their pajamas. The village tree is located in Mayors Park.

Motion to approve the Minutes of the 21st Regular Council Meeting held November 14, 2023 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

Administrator: No report

Service Director: Street Dept.: Christmas decorations and lights put up. Bucket truck has an electric PTO issue, scheduled for repair XXXX. Received a complaint about parking on E. Line St. (parking is permitted) east on Bonnieview during school traffic. Received 4 proposals for geotechnical engineering work required for Grant St. bridge project, proposals under review. Grant St. bridge project letter for environmental work prepared that will be sent to property owners.

Water Dept.: Completed asset management screening with OEPA, have to address condition assessments on assets (NOV issued 11/27/2023 as the village lacked a condition assessment for every waterline and water treatment plant asset. OAC 3745-87-03 requires each asset to have a name, install date, status, location, condition, maintenance history, estimated remaining useful life, and a prioritization based on criticality and condition assessment. Please ensure that each water treatment plant and distribution asset have its condition evaluated and formally documented. Name, install date, status, location, condition, maintenance history, estimated remaining useful life, and a prioritization based on criticality and condition assessment. Ensure that each water treatment plant and distribution asset have its condition evaluated and formally documented. **Working on correcting this issue.** Bids received for meter replacement project, received bids from Neptune and Sensus (Core and Main), Neptune was low bid however bids are under review to confirm technical criteria has been met. Bids for N. Market St. Phase II due 12/1 at noon. 6" water main break 11/25 400 block S. Market St, 120,000-gallon water loss.

Wastewater Dept.: Plant is still operating very well with dairy compliance. Met with CTI Engineers to begin press replacement study. Certified thermometers being installed in equipment as requested in EPA

Park Dept.: Mulching leaves at parks. Removed volleyball nets for winter. Community Christmas tree picked up and placed at Mayor's Park.

Zoning: Nuisance: 183 cases YTD. See activity and summary report. Permits: 100 YTD. W. Line St. (Frontier) - Road Use. 9088 E. Southview St. - Demolition. Penn St. (Planning Commission) - Lot Split

Law Director: No report

Mayor: No report

Motion to enter Executive Session @7:43 PM inviting the law Director & the Administrator to consider appointment, employment dismissal, discipline, promotion, demotion or compensation of a public employee was made by Councilman Kishman seconded by Councilman Boldizar. All voted yea. Mayor Tarbet stated we will probably take some action afterwards. We will let you know.

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Motion to reconvene to Regular Session @ 8:40 PM was made by Councilwoman Jordan seconded by Councilman Kishman. All voted yea.

Old/New Business:

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. First read

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

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

Ordinance No. 77-23 an Ordinance to make appropriations for Current Expenses and other Expenditures of the Village of Minerva, State of Ohio, during the fiscal year ending December 31, 2024, and declaring it an emergency.

Motion to hear first reading of Ordinance No. 77-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to approve first reading of Ordinance No. 77-23 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

Motion to suspend statutory rules, and have second and third readings and for passage of Ordinance No. 77-23 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Ordinance No. 79-23 an Ordinance creating a Moratorium against Medical and Recreational Marijuana Dispensaries, or other forms of Medical and Recreational Marijuana Cultivators, Processors, Retailers, or other Medical and Recreational Marijuana Sales, in the Village of Minerva, Ohio, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 79-23 was made by Councilman Kishman seconded by Councilwoman Jordan.

Mr. Gunderson stated this was a recommendation by the Planning Commission. This will allow the village to evaluate the zoning code, because this is a new use that is now allowed. This allows the Planning Commission and staff internally to figure out what zoning districts we would like this to be allowed and with the laws changing short term we want to ensure that we get the complete picture before allowing something like this to enter into the zoning district. This is not prohibiting it forever just prohibiting until we address it in the zoning code.

All voted yea.

Motion to approve first reading of Ordinance No. 79-23 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

Motion to suspend statutory rules and have second and third readings by title only and for passage of Ordinance No. 79-23 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 80-23 an Ordinance establishing the position of Deputy Police Chief in the Village Police Department and establishing the rate of compensation thereof. First read

Motion to hear first reading of Ordinance No. 80-23 was made by Councilman Meadows seconded by Councilman Kishman.

Mr. Gunderson stated this is a newly created position in the police department.

All voted yea.

Motion to approve first reading of Ordinance No. 80-23 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

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Held

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Motion to waive second and third readings and for passage of Ordinance No. 80-23 on a non-emergency was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

A Motion is in order to accept a donation of \$500.00 from the Veterans of Foreign Wars Post 4120 to the Minerva Police Department was made by Councilman Boldizar seconded by Councilwoman Jordan. All voted yea.

A Motion is in order to authorize the Village Administrator to purchase a Western V-Plow, controller and extra plow blades from Cross Truck Equipment in an amount not to exceed \$11,000.00 was made by Councilman Kishman seconded by Councilwoman Jordan. All voted yea.

A Motion is in order to authorize payment to Baker Dublikar for legal services in the additional amount of \$3,475.00 over the amount previously authorized was made by Councilman Meadows seconded by Councilman Kishman.

Mr. Gunderson stated this is related to an active lawsuit the village has. We allocated \$20,000 as an amount, but this will be over my allowed limit.

All voted yea.

A Motion is in order to change the December 26, 2023 meeting to December 19th, 2023 due to the holiday schedule was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Attorney Battista stated Carrollton rescheduled their meeting to the 19th also.

Mayor Tarbet announced December 5th @ 6:30 PM a public meeting will be held at the Roxy to further discuss the future plans for the Community Building.

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

The next Regular Council Meeting will December 12, 2023.

Brenda Albaugh Clerk of Council

Timothy N. Tarbet Mayor