

RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 644-224-3338 FORM NO. 10748

Held

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3RD REGULAR COUNCIL MEETING

FEBRUARY 13, 2024

The 3rd 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: Police Chief Dale McDorman, Chief Deputy Larry Gardner, Marvin Jackson-Clever Cookie & Creamery, John McDermott, Denise Freeland, Aaron Stoller, Emily Gardner, Karen Gardner, Halle Wright, Hayden Stiner, Michael Clunen, Zachary Sanford.

Mr. McDermott addressed Council regarding possible placing a crosswalk in the vicinity on RT. 30 near Rite Aid. Mr. McDermott stated on December 14, 2023 he was trying to cross the road and looked the driver right in the eye and the driver slowed down, I was trying to get to the other side of the street. The next thing I know, I kind of got knocked out because I don't remember anything. I was on all fours with a pain in my side! I said Oh My God, He Hit Me! I got hit by Rite Aid. I am asking Council to place a crosswalk in that area. What are you guys going to do to fix this? Mayor Tarbet asked what do you want us to do? I think you should put a crosswalk in. The officer took it to Alliance and the Prosecutor said I was at fault cause I did not use a crosswalk. How was I to use a crosswalk when there is none? Councilman Boldizar asked are you talking a crosswalk from Rite Aid? Mr. McDermott stated you know where the stop sign is at Gotschalls? There, there is none! Councilman Kishman stated John, the issue with that is the traffic buildup. If a light and crosswalk is put there it would congest the area. Mayor Tarbet stated they will not let us put a light or crosswalk there. ODOT will not allow that. John asked if signs could be placed. Mayor Tarbet asked JT his thoughts. It stated we could possibly look into caution pedestrian signs. Mr. Gunderson stated if we want a crosswalk that would require a traffic study. That would determine if that would be feasible. I would presume they would say there is a crosswalk a block up or another by the pool you could use. Mr. Gunderson stated we can reach out to ODOT to see if it could be recommended. John asked if you guys are going to do nothing, what are you going to do when the next time it could be fatal and you may have a law suite on your hands? Councilman Boldizar stated I don't think we would have a lawsuit! You are at fault, right? That's what the prosecutor said stated John. I was trying to get across the street, how can he say I was at fault? There was no crosswalk. Councilman Boldizar stated the law would say you have to go to the light and cross there where there is a crosswalk. The cop that made the report told me people fly 80 miles per hour through that area at night! What are you going to do about that? How are you going to slow it down? Councilman Boldizar stated its 35 mph, right? John stated again the cop told him they go 80 mph at night! You guys didn't know that? Councilman Meadows stated hopefully if they are going 80 our guys are picking them up! Mr. Gunderson stated we have a very proactive police department! Mayor Tarbet stated here is what I think we can tell you. We can take a look at it. We will see if its feasible. We will make a call to ODOT, it is a State Rt, to see if it is allowable, but I can't guarantee anything. They are probably going to come back and tell us use the existing crosswalk, but I am willing to have somebody to look into it. I was told you do not have many policemen on duty. Mayor Tarbet stated we have two a shift. Why don't you hire more asked John. Mayor Tarbet if you would like to see that in action stick around. Behind you is our new Police Chief and also is the newest hire on the department. Do we have as many as we want no stated Mayor Tarbet. We can only afford to have two on a shift at a time. The police department is over 50% of our operating budget per year stated Mayor Tarbet! John said you are going to have to do something because someone is going to get killed! Mayor Tarbet stated I am assuring you we will look into these things. We know where to find you and we will let you know stated Mayor Tarbet. Mayor Tarbet stated when ODOT says no they mean no. John stated then it okay if someone gets hit and killed. Mayor Tarbet stated I am not saying that. Councilman Boldizar stated you cant cross there! Accidents happen stated Mayor Tarbet. Its not intentional. We can only ask that you be careful. If you would have gone to the legal crosswalk you would not have been hit stated Mayor Tarbet. John replied exactly! Mayor Tarbet stated I am not judging you in any manner, we will make some phone calls to the state. I was told after therapy and when I healed up to tell the city. I hope to God you do something with it! Don't you think this is more important than fixing up the park? There all sorts of different levels of priorities. We have no control over what the State will do stated Mayor Tarbet.

Denise reported on past and upcoming events at the Roxy. The Roxy Committee has met twice to discuss future events. State of the Village Luncheon was attended by 43 people! A luncheon is schedule for February 22 honoring the members of the Minerva Community Association Board. They will be receiving the Bright Star Award which is given by Northern Ohio Area Chambers of Commerce. Homecoming Meetings are taking place. The next meeting will be February 26th @ 5:30 in Council Chambers. Downtown Wonderland Committee has met and set the theme for this year. Chamber Dinner will be held early May. Events for summer is being worked on. Possibly a plant walk and a bird walk! The Band Boosters will be handling the Jazz Festival. Denise met with Josh Bixler and Dan Moeglin from Stark Parks to discuss the trail that runs almost by Edgewater Golf. Josh would like

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people to be able to access the trail from Edgewater. They offer primitive camping and other events and if they would like to use the trail. Edgewater wants to be more involved with the village. Denise and Benjamin met with Jim Hall to discuss the car show and um I am working on attendance numbers and budget numbers in the attempt to apply for a grant through Visit Canton.

Motion to approve the Minutes of the 2nd regular Council Meeting held January 23rd, 2024 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

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

Motion to approve bills for the month of January totaling \$231,622.38 was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Administrator: No report

Service Director: Street Dept.: Mike Hodge received class A&B Underground Storage Tank (UST) operator certification. Repaired meter poles in Mill lot. Replaced damaged street signs 2nd St. at Bridge St. Removed traffic lights on Main St. Cleaned ditch on Random Rd. Replaced suction tube on street sweeper.

Water Dept.: Met with RCAP for service line mapping project. OEPA submission required October 2024. Prepared maps for Columbia Gas for replacement design project Valley St. to E. Lincoln Way. Replaced two leaking skimmer baskets and piping at pool. Received meters for replacement project. Will need to add all meters to AMP mapping.

Wastewater Dept.: No Minerva Dairy surcharge for November 2023 as compliance was achieved. Drained 47,000-gallon sludge holding tank for repairs, 491,000 gallons of storage still online. Plant running exceptionally well.

Park Dept.: New Kubota RTV in service. Met with Vasco about Brock tennis/pickleball improvements.

Zoning: Nuisance: See activity and summary report. Chronic Violator letters for High Grass have been sent out to property owners per 521.11 (required to be sent out by March annually). 59 TYD, 22 closed, 36 open, 1 unfounded (new cases were started for high grass chronic violators for record keeping purposes). Jerame Patterson the new nuisance Inspector has been a busy bee!

Permits: See Permit Report 9 YTD

Miscellaneous: Miller Pipeline and Columbia Gas finishing up replacement project in N. Market St./East St. area. Clean up/restoration crew will follow. US Census Boundary and Annexation reporting requirements: first BAS deadline March 1, 2024, Final BAS deadline May 31, 2024.

Law Director: No report

Mayor: Mayor Tarbet swore in new Police Chief Dale McDorman & Deputy Chief Larry Gardner. A Proclamation was read in honor of Deputy Chief

Old/New Business:

Resolution No. 1-24 Authorizing the interfund transfer of interest earned proportionately from specific accounts from the general fund back to the respective accounts generating said interest earnings. Third reading

Motion to approve third and final reading of Resolution No. 1-24 and for passage was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

Resolution No. 2-24 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 the State of Ohio and the Ohio Revised Code. The approval of such allowable transfers is for fiscal year 2024. Third reading

Motion to approve third and final reading of Resolution No. 2-24 and for passage was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Ordinance No. 3-24 authorizing the Village Administrator to advertise and receive bids for the milling of various municipal streets. Third reading

Motion to approve third and final reading of Ordinance No. 3-24 and for passage was made by Councilman Kishman seconded by Councilman Meadows. All voted yea.

Ordinance No. 4-24 authorizing the Village Administrator to advertise and receive bids for material/and or labor for resurfacing of village streets and other municipally owned properties. Third reading

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Motion to approve third and final reading of Ordinance No. 4-24 and for passage was made by Councilwoman Jordan seconded by Councilman Boldizar. All voted yea.

Ordinance No. 5-24 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 Third reading

Motion to approve third and final reading of Ordinance No. 5-24 and for passage was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Resolution No. 8-24 A Resolution to Certify to the Stark County Auditor Various matters pursuant to ORC 5705.03. Second reading

Motion to hear second reading of Resolution No. 8-24 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Motion to approve second reading of Resolution No. 8-24 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 11-24 an Ordinance authorizing the Village of Minerva, Ohio to join the Community University Education Purchasing Council of Governments, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 11-24 was made by Councilman Boldizar seconded by Councilwoman Jordan. All voted yea.

Motion to approve first reading of Ordinance No. 11-24 was made by Councilwoman Jordan seconded by Councilman Boldizar. All voted yea.

Motion to suspend statutory rules and have second and third readings by title only and for passage of Ordinance No. 11-24 was made by Councilman Meadows seconded by Councilman Kishman. All voted yea.

Ordinance No. 12-24 an Ordinance approving an agreement with the City of Alliance Law Department to prosecute criminal and traffic offenders from the Village of Minerva on the Alliance Municipal Court, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 12-24 was made by Councilman Boldizar seconded by Councilman Meadows. This contract has expired warranty the emergency passage.

All voted yea.

Motion to approve first reading of Ordinance No. 12-24 was made by Councilman Meadows 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. 12-24 was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

Ordinance No. 13-24 an Ordinance establishing the position of Utility Meter Reader in the Village of Minerva, establishing the rate of pay, and declaring it an Emergency.

Motion to hear first reading of Ordinance No. 13-24 was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Motion to approve first reading of Ordinance No. 13-24 was made by Councilman Kishman seconded by Councilman Boldizar. All voted yea.

Motion to suspend statutory rules and have second and third readings by title only of Ordinance No. 13-24 and for passage was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Ordinance No. 14-24 an Ordinance authorizing the Village Administrator to apply for Recreational Trails Program and Clean Ohio Trails Fund Grant Funding, and Declaring it an Emergency.

Motion to hear first reading of Ordinance No. 14-24 was made by Councilman Meadows seconded by Councilman Boldizar. All voted yea.

Motion to approve first reading of Ordinance No. 14-24 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 of Ordinance No. 14-24 and for passage was made by Councilman Boldizar seconded by Councilman Meadows. All voted yea.

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Motion to request a Public Hearing on the transfer of a Liquor Permit from Ohio Mart Group LLC DBA Ohio Mart Minerva 726 Lincoln Way E Minerva Oh 44657 to Minerva Food Mart INC DBA Minerva Food Mart 726 Lincoln Way E Minerva Oh 44657 was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to allow Village Administrator, Benjamin W. Gunderson, to apply for Ohio Senate Capital Funds for Stark and Carroll Counties was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Motion to allow Village Administrator, Benjamin Gunderson, to apply for the Appalachia Community Innovation Center Program Grant was made by Councilwoman Jordan seconded by Councilman Kishman. All voted yea.

Motion to allow Sandy Valley to rent the Minerva Community Pool on May 29th, May 30th, and May 31st, from 9:30 – 1:30 PM at an amount not to exceed \$200 per day was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

Motion to designate September 1st and September 2nd as Community Appreciation Day at the Minerva Pool and to set the admission rate at \$1 per person was made by Councilman Meadows seconded by Councilwoman Jordan. All voted yea.

Motion to designate September 7th & 8th as Doggy Day at the Minerva Pool at a price not to exceed \$5 per dog was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea. Village Administrator stated Water Superintendent Steve couch will be the Lifeguard on duty! ☺

Motion to amend the agenda to include a motion under V. was made by Councilwoman Jordan seconded by Councilman Meadows. All voted yea.

Motion to allow the Village Administrator to engage with Vasco to complete the court restoration at Brock Park to convert the Tennis Courts into Pickleball Courts at a price not to exceed \$44,000.00 and just note that we will be working aggressively to offset that cost through private donations and or working with private organizations was made by Councilman Boldizar seconded by Councilman Kishman. All voted yea.

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

The next Regular Council Meeting is February 27th.

Attest:

Brenda Albaugh Clerk of Council

Timothy N. Tarbet Mayor