

EAST PALESTINE VILLAGE COUNCIL 3/14/16 85 N. MARKET ST 7PM

Mayor Zuch called the meeting to order. Present was Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Todd, Mr. Tyger and Mr. Walker. Also present was Village Manager Pete Monteleone, Law Director Dave Powers, Finance Director Traci Thompson and Clerk Misti Martin. The Department Reports from Feb 2016 were approved on a motion by Mr. Elzer, seconded by Mr. Cohen. The minutes of the February 22 meeting were approved on a motion by Mr. Cohen, seconded by Mr. Walker. There were no agenda items.

CLERK: Clerk Misti Martin reminded everyone that the second meeting of the Charter Review Commission will be Tuesday March 15 at 6pm at the Municipal Building.

MAYOR: Mayor Zuch had no report but wanted to tell everyone about a museum that George Rockenberger has at his home at 49602 McClure Rd. in East Palestine. She said residents can call Mr. Rockenberger to set up a time to walk through and view the memorabilia which includes vintage items from town and several cars that he has rebuilt himself.

MANAGER: Manager Monteleone stated he had given Council a written report.

LAW DIRECTOR: Atty. Powers stated that one piece of legislation tonight is to update our codified ordinances and it is listed as an emergency. It comes that way from American Legal Publishing and it is up to council if they wish to do it as an emergency but he urged Council to pass it as emergency as they are state laws and Village ordinances/resolutions that have already passed and we want everything to be as accurate as possible. Monteleone stated he forgot to mention that when they switched the part time teamsters employees over to the non union "white book" they forgot to add in the "tanker endorsement" (.40 cents per hour increase) to the licenses. It was an oversight and after speaking to the auditors were told to mention the oversight in a meeting so council is made aware of it. In reference to the codified ordinances Mr. Cohen stated the library has a copy of the ordinances, he wondered when they were updated last if ever. Mr. Cohen said if they are going to keep the book for reference purposes we should tell them to keep it updated or not put it out. Atty. Powers stated that since it is now online the court doesn't even keep an updated paper version. Mr. Walker stated that not everyone can access the ordinances online and Mr. Cohen suggested they put a note on the book saying it isn't updated and should refer to the online version. In reference to the "white book" Mr. Todd asked if there was also an issue with the part time employees losing overtime and Monteleone said that was not an oversight. He said it was explained to them that they would not lose any of their base salary, that council had decided they were not going to pay overtime for over 32 hours to which Mr. Cohen agreed. Mr. Todd asked if there was an issue with some employees having more sick time than the contract allows and Monteleone said there is no issue. Monteleone there were 4 employees who had over the 1040 hours allowed and he implemented a plan to allow them to use to time over the 1040 hours without being penalized. Mr. Cohen said this was discussed in negotiations and it is what was agreed upon. Mr. Todd stated that it is not written down. Atty. Beagle stated it is important that the employees understand how it will work. Mr. Todd stated that he would like to see things on paper instead of a verbal agreement. Mr. Todd asked if there were issues with whom and who does not get longevity, Monteleone said no. Mr. Elzer said that the white book, the Teamsters and FOP are now all equal in reference to longevity.

STREET: Mr. Walker stated that Taggart St. where you come in from Pennsylvania is getting bad and asked if any repairs have been made. Monteleone said crews have been out as much as possible, weather and manpower permitting and that the State is scheduled to re pave it next summer. Mr. Elzer said SR 170 is being closed next week and there was discussion on the detour route, whether we should put signs up to keep traffic off of Main and Alice St. Atty. Beagle agreed signs at Main and Alice would be good to direct traffic to Taggart St. Mr. Cohen stated the closure would not be continuous. Mr. Elzer suggested coming up with a schedule for the streets downtown would be swept that way the sidewalks can be cleaned the night before. Mr. Elzer stated that at

the Sumner St. Bridge project the catch basins look like they are 18 inches below the road and the culvers stop short of the sidewalks. Building/Zoning Inspector John Simon said they may not have put the risers in yet but he would check into it.

S/P/R/C: Mr. Walker mentioned there are a lot of limbs down at the Park and that Monteleone told him it would be taken care of. Mr. Elzer said Rotary is doing a "Sip and Paint" fundraiser for the Dog Park on April 6. Rotary member John Davis confirmed the fundraiser and also that the trusses for the dog park will be put up the 27th and 28th and the fencing shortly after. He said they are planning on having it done by the end of May.

DEVELOPMENT: NO REPORT

UTILITY: Mr. Todd stated council had legislation tonight to change the Teamsters contract to hire a Class 3 Operator. The figures that council had in the last executive session weren't quite accurate. He said he wanted council to be aware that the cost would be around \$25,000.00. and Monteleone said that number includes modifications made for Denny Griffith. Mr. Todd said contract employee will not be there as much and his \$16,000.00 cost does not offset the new cost of the new operator. Mr. Cohen said the intention was never to completely offset the cost. Atty. Beagle stated she appreciated Mr. Todd making sure that council is informed and that having "checks" in the system is important. Mr. Elzer asked if we have gotten feedback from the engineers and Monteleone they have not reported findings as of yet. In reference to the sewer rate increase he felt the money was to go towards correcting the I&I problem but in discussion with the Manager he said Monteleone feels the money can be used for maintenance also and he didn't think that was councils understanding. Mr. Cohen disagreed saying he specifically asked if the money was going into a certain fund or ear marked for a specific purpose and the Manager and Finance Director told him it is not for anything specific and all goes into the enterprise fund, Monteleone stated the increase would not cover the cost of the entire project, it was a baby step to increase funds and also so we didn't have to hit everyone with a giant increase all at once.

FINANCE: NO REPORT

VISITORS COMMENTS ON CURRENT LEGISLATION: John Davis asked if the payments on the backhoe would be for five years. Monteleone said they would be for four.

VISITORS: Chief Josh Brown, Mary Anne Tyger, John & Dot Herbert, Jerry Coblenz, Terri Ward, Dan Scott, John Davis, Kent Chapman, John Simon, Mary Beth DiCello, Dianna Elzer, Brian Moore, Katie White

LEGISLATION: Atty. Beagle introduced Res. 4-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution designating Huntington National Bank, a financial institution located in and doing business within the Municipality of East Palestine, Columbiana County Ohio as a public depository.** Atty. Beagle called for a vote on Res. 4-2016. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y. 6 yes to pass. Atty. Beagle introduced Res. 5-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution to provide for the deposit of the active, inactive and interim funds of the Municipality of East Palestine, Ohio.** Atty. Beagle called for a vote on Res. 5-2016. Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Atty. Beagle-y. 6 yes to pass. Atty. Beagle introduced Ord. 2-2016 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Municipal manager to enter into a financing agreement with Tax Exempt Leasing Corp and authorizing him to execute on behalf of the Village all finance documents as required by Tax Exempt Leasing Corp to secure financing in the principle amount of \$94691.00 with interest at the rate of 2.84% per annum, for the purchase of a model 430f2 hrc backhoe loader.** Atty. Beagle called for a vote on Ord. 2-2016. Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Atty. Beagle-y, Mr. Cohen-y. 6 yes to pass. Atty. Beagle introduced Ord. 3-2016 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Ohio CAT for the purchase of a**

model 430f2 backhoe loader. Atty. Beagle called for a vote on Ord. 3-2016. Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y. 6 yes to pass. Atty. Beagle introduced Ord. 6-2016 and made a motion that it be read by title only seconded by Mr. Cohen. Atty. Beagle introduced Ord. 4-2016 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending Chapter 248.03 of the Codified Ordinances of the Municipality of East Palestine, Ohio to reflect a new rate structure for building permits.** Atty. Beagle introduced Ord. 5-2016 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Municipal Manager to advertise for bids for the planning, repair and repaving of East and West North Ave. and West North Ave. Circle.** Atty. Beagle introduced Ord. 6-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance adopting and ratifying an amendment to the current contract with Teamsters Local 377 affiliated with the international Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and Declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y. 6 yes to pass. Atty. Beagle called for a vote on Ord. 6-2016. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y. 6 yes to pass. Atty. Beagle introduced Ord. 7-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the hiring of , and setting the salary for the position of Superintendent for the Department of Public Service Division of Water & Sewer.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr .Tyger-y, Mr.Walker-y, Atty. Beagle-y. Atty. Beagle called for a vote on Ord. 7-2016. Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Atty. Beagle-y, Mr. Cohen-y. 6 yes to pass. Atty. Beagle introduced Ord. 8-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances: providing for the adoption of new matter in the updated and revised codified ordinances; repealing ordinances and resolution in conflict therewith; and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. Mr. Todd-y, Mr .Tyger-y, Mr .Walker-y, Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y. Atty. Beagle called for a vote on Ord. 8-2016. Mr .Tyger-y, Mr .Walker-y, Atty. Beagle-y, Mr .Cohen-y, Mr. Elzer-y, Mr. Todd-y. 6 yes to pass. Atty. Beagle introduced Ord. 9-2016 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance adopting a procedure for the evaluation of employees of council.**

ADJOURN: Mr. Cohen made a motion to adjourn, seconded by Mr. Walker. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MARGO ZUCH MAYOR