

EAST PALESTINE VILLAGE COUNCIL MAY 28, 2013 PARK COMMUNITY CENTER 7 PM

Mayor Zuch called the meeting to order, present were Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Figley, Mr. Tyger and Mrs. Wisser. The minutes of the May 13, 2013 meeting were approved on a motion by Mr. Cohen, seconded by Mr. Tyger. All in favor. There was no one on the agenda.

CLERK: Clerk Misti Martin stated that the Park Pool will begin water aerobics classes on June 18th. They will be on Tuesdays and Thursdays from 6 to 6:45 at a cost of \$4.00 per session and swimming lessons will begin on July 8th and run for four weeks at a cost of \$4.00 per session.

MAYOR: Mayor Zuch thanked the American Legion and the VFW for holding the Memorial Day services held at the cemetery and they do a wonderful job. The Rotary Club installed 12 new flags on both sides of the entrance of Glenview Cemetery and will be flown on all patriotic holidays and they are also going to purchase 2 Japanese weeping cherry trees to be planted near the chapel. On June 5 at 6PM the Fire Department will hold its annual Memorial Service which is open to the public.

MANAGER: Village Manager Monteleone stated the paving on East and West Clark St. has been completed along with the Neely Manor area. They are getting ready to do the alleys downtown off of Market St and the chip & seal program is to begin the first part of July which includes the oval at the Park. The pool opened this week and the weather didn't cooperate so it was very busy. He thanked everyone who helped make the Street Fair a great success including John & Lisa Hamner for all of their help keeping it clean and the Fire Department for spraying the streets down after the fair. We received approval for an additional \$341,000.00 on the Safe Routes to School Grant. He stated that Chief Dickey has been working on the high grass issues, about a month ago he started out with over 40 yards that needed addressed and it has been whittled down to 7 that all got written notices. If no one responds, the Village has them mowed and places the cost from that as a lien on the property.

LAW DIRECTOR: NO REPORT

STREET: Mr. Figley stated there had been an article in the paper stating that the Village was looking for funding to replace the Sumner St. Bridge because it had failed, he stated that was incorrect. The bridge didn't fail, the sidewalk failed. He stated that is a very controversial issue and asked who put the load rating on the bridge. Village Manager Monteleone stated the Village put the load rating on and that there was never a mandate to have it load rated. Mr. Figley stated that a year ago they were going to spend \$600,000.00 from the Street Levy money to do the Park bridge and that was stopped and then we were going to spend \$36,000.00 on Sumner St. but it was inspected and found to be sound and then it's in the paper that it partially failed and we should get a new bridge. He stated he is against the whole thing that it never should have been closed at all and then it gets opened because of the street fair. Monteleone stated that the bridge inspectors came and the engineers looked at it and got conflicting information and that's why he closed it. Monteleone stated the bear loading section of the bridge was not compromised, only the curb lawn section caved in. Mr. Figley stated the other side of the curb lawn needs fixed and Monteleone said he was aware of that. Mr. Figley stated that for the last year he has said that the other culvert at Liberty St. needs addressed, there is nothing wrong now but soon there will be, he has shown several people what needs done and it isn't done and the street is going fail. Mr. Figley stated he inspected the culvert himself, there nothing wrong with pipe itself but the bulkheads are being washed out, the hole on the street is getting worse and nothing is being done with it. Monteleone stated that the Liberty St. issue is going to be dealt with and is written down in his plans to take care of. Monteleone said they removed the collapsed section of curb lawn on Sumner St. and the inspector came back and said that they could re open the bridge. The inspector said the because of the way the curb lawn sits on both sides with the slabs, that they hold water there and that's why they deteriorated. Mr. Figley asked if there was a new slab placed on the old one and Monteleone said he would have to do a core sample to be able to call it new, but there are two slabs and they are both very old. Monteleone said he did go to the County to request grant money. Mr. Figley said he doesn't want to waste money on a bridge when there are other streets, curbs, and sidewalks that need done. Mr. Elzer stated he looked at the bridge once the curb lawn was removed and that was a design flaw, the water sat in the hole where the grass grew for a long time. He has never seen another bridge that has grass growing on it. Monteleone said the inspector stated the bear loading section was fine and that it could be reopened but he would leave the 5 ton rating on it. Mr. Figley said he thought it was 8 tons and he doesn't think that needs to be on there. Mr. Cohen asked what can go across it for the 8 tons and Mr. Figley said that any truck that goes over it is over 5 tons. He said that a bridge over 20 feet is required to be load rated and we only have 2, Main St. and Park Dr.

SAFETY/PARK/REC/CEM: Mr. Cohen stated that he took a tour of the cemeteries with Manager Monteleone and they really look nice, especially Glenview.

DEVELOPMENT: Mr. Elzer stated the Coffee Stop is open in what used to be the Shamrock, they opened on the morning of the Street Fair and it was very busy. This is the fourth meeting in a row where they have announced another new business opening downtown and this will continue. A few times a year the Chamber has business development meetings that are closed to the public, however on Friday June 14 at 10am that is open to the public because one of the businesses that want to move in is a hotel and they are looking for investors so anyone who is interested can come to the meeting. The Street Fair went very well, and he thanked everyone for all of their help. At this point Mr. Elzer stated that Lisa Hamner had information on the recycling program. Mrs. Hamner stated that the curb side recycling program will begin on June 3rd on the South side of the tracks and June 17 on the North side of the tracks. CSI customers must call them to request the bins and this is at no cost to the customer. Mr. Elzer asked if the bins in the parking lot would stay there and Mrs. Hamner said yes. Manager Monteleone stated he had a meeting with the Solid Waste District this week and they have two interns from YSU and they will be doing some recycling research and coming up with ideas for the Village.

UTILITY: Mrs. Wisser stated she had no report for utilities but she wanted to let everyone know she is going to be offering free business portraits Village Employees, Police and Fire Departments the week of June 3rd.

FINANCE: Mr. Tyger stated they need to go over the midterm budget and suggested a Finance Committee meeting. He would like it to go three readings and be made an emergency at the final reading so they can meet the deadline at the County. He also said the supplemental appropriations had its first reading at the last meeting and they would like that to go the full three readings and also be made an emergency at the final reading. Mr. Tyger suggested the meeting at 6pm on the 10th before the next regular meeting. Mrs. Wisser stated she will not be at the next council meeting. Mr. Elzer brought up the Electric Trust fund, it was discussed about getting rid of it and now we are talking about putting money into it. That needs to be addressed. Mr. Tyger stated that is by ordinance. Atty. Smith stated that it was tabled, but sooner or later it will have to be addressed for budgetary purposes, we would have to repeal legislation requiring payments, suspend the payments or make the payments. Mr. Elzer said that we can do more with the money than put it into a fund that we can't use. Atty. Smith said it can be used; it just has to be used for Capital Improvements. Mr. Elzer asked Finance Director Traci Thompson if there was approximately \$30,000.00 in it and she said there was \$41,000.00. Mr. Elzer said with an additional \$30,000.00 to be put in, it would be better to have it in an account without restrictions and it needs to be addressed. Mr. Tyger said he agrees and disagrees; we need to clean up what's there or take that line item out. Finance Director Traci Thompson stated that the payments going into the Trust are the \$12,000.00 from the sale of a lot at Leslie Run and that's by ordinance and with the lift station, that any tap in fees have to go back into the Trust. Atty. Smith stated that you don't have to do anything, but if you do nothing you have to make the payments. Mr. Elzer stated we should have a rainy day fund but the Trust has restrictions and Atty. Smith said again that it only has to be a capital improvement. Mr. Figley said we do have a rainy day fund and it's the Electric Trust. Mr. Elzer said they have all agreed that money has been taken out of it that wasn't originally intended for and Mr. Figley asked what he was talking about, he said Leslie Run. Mr. Figley and Atty. Smith said that is a capital improvement and so is the sweeper and everything that has been taken out. Mr. Elzer said as long as everyone is saying the money can go in an out he's fine with it. Traci Thompson stated that Council has to approve any money that would come out of there. Mr. Figley stated that everything Mr. Elzer wants to do is done, we have the fund, and we owe the fund so we put the money back and then if there is a project to be done council votes on it. Atty. Smith said it should be designated as opposed to the general fund.

At this point Mayor Zuch gave an overview of tonight's legislation and there were no comments on current legislation.

VISITORS: Katie Schwendeman, Dan Scott, Mary Ann Tyger, Dianna Elzer, John & Dot Herbert, John Bosley, Kip Reeves, Patti Bosley, Tyler Strohecker, Jon Rettig jr., Charles Treece, John & Lisa Hamner, Jim Mackall, Officer Don Johnson, John Martin, and Traci Thompson.

LEGISLATION: Atty. Beagle introduced **Ord. 15-2013 for a second reading** and made a motion that it be read by title only, seconded by Mr. Cohen. All in favor. **An ordinance authorizing the Finance Director to make supplemental appropriations for the Village of East Palestine, Ohio for the Fiscal year beginning January 1, 2013.** Atty. Beagle introduced **Ord. 16-2013 for a second reading** and made a motion that it be read by title only, seconded by Mr. Cohen. All in favor. **An ordinance providing for the authorization of the Municipal**

Manager to advertise for public bid the construction of the Harding Water Well replacement project and to further award and enter into a contract with the lowest and best bidder, as relates to the contract, pursuant to the specifications and bidding requirements. Atty. Beagle introduced **Ord. 17-2013** for a second reading and made a motion that it be read by title only, seconded by Mr. Cohen. All in favor. **An ordinance creating a reserve police unit.** Atty. Beagle introduced **Ord. 19-2013** for a first reading and made a motion that it be read by title only, seconded by Mr. Cohen. All in favor. **An ordinance adopting the budget and estimated resources for the City of East Palestine, Ohio for the fiscal year beginning January 1, 2014.**

Mr. Elzer made a motion to adjourn, seconded by Mr. Tyger. All in favor, meeting adjourned.

MAYOR MARGO ZUCH

MISTI J. MARTIN CLERK