

EAST PALESTINE VILLAGE COUNCIL 10/10/16 85 N. MARKET ST. 7PM

Mayor Zuch called the meeting to order. Present was Mr. Cohen, Mr. Elzer, Mr. Todd, Mr. Tyger, Mr. Walker and Mr. Yokley. Also present was Law Director Dave Powers, Finance Director Traci Thompson and Clerk Misti Martin. Manager Monteleone was on vacation. The minutes of the September 26 meeting were approved on a motion by Mr. Walker seconded by Mr. Cohen. All in favor. The September department reports were approved on a motion by Mr. Cohen seconded by Mr. Walker, all in favor.

AGENDA: Atty. Powers stated he was told to amend the square footage for Ord. 13-2016 (Accs. Buildings) from 2400 sq ft to 1200 sq ft and that since the change is less restrictive than what was approved by Planning Commission it does not need to go back to them. He stated that if Council chooses to do so they may amend the agenda to add Ord. 13-2016 for a third reading tonight. He stated he also drafted a new section 1244.02 which is in reference to the Powers of the Zoning Board of Appeals (allowing variances for oversize accessory buildings). He said Mr. Cohen suggested some modifications and he would look to the rest of Council for additional suggestions before it is put into ordinance form. Mr. Elzer asked about the chicken ordinance. Clerk Misti Martin stated the PC had met to review the ordinance however council had not received their letter of recommendation yet. PC Chairman John Turner stated that the PC is returning the ordinance to Council "without recommendation" as they feel there a quite a few issues that need to be addressed for example should the ordinance be specific to chickens or should it include other birds among other issues. Building Inspector John Simon stated this brought up because we get questions as to whether chickens are allowed, and a lot of times the question isn't limited to just chickens, there are people in town with horses. Mr. Elzer asked if they should pass the ordinance as it is to put the chicken issue to bed or should we try to cover all other animals and flying things all at once (he feels it should be passed as is). Clerk Martin stated that John Martin was at the PC meeting and after doing research he found that Lisbon, Leetonia and Columbiana do not allow them at all and Salem does allow them but requires at 150 ft radius around the property that has them so as to avoid nuisance situations. Mr. Elzer stated that all around the country cities are writing legislation to allow chickens in residential areas and he feels if we go the opposite direction an prohibit them would be ridiculous. Mr. Cohen stated chickens are noisy and if people don't stay on top of the upkeep of them there could be an odor problem. Atty. Powers stated the ordinance addresses the concentration of chickens. Mr. Yokley stated we discussed citizens not wanting a business right next to them in a residential area, he said he doesn't want to have chickens "staring him down" if he's trying to do yard work. He also stated that Canfield and Poland addressed this a while ago saying under no circumstances are chickens allowed, he said he understands that it is the new craze to bring everything back to natural if we are trying to bring businesses in he doesn't feel chickens will help our cause and he is against it. Mr. Elzer said he doesn't think they would hurt the village in terms of business. **There were no Clerk's, Mayor's, Manager's or Law Directors Reports.**

STREET: Mr. Walker stated the streets look fantastic and that we are currently working on alleys.

SAFETY/PARK/REC/CEM: Mr. Cohen stated there is a Police Levy coming up for renewal, he said it does not increase taxes and we need everyone to vote for it. Chief Dickey stated the levy is critical for the operation of the PD. Mr. Walker stated it is for upgraded equipment and uniforms. Mr. Cohen stated there is legislation tonight regarding a donation to the Park from the Nash Foundation. There has been discussion of using the money to revamp the tennis courts as they are in bad shape but if anyone has other ideas as to capital improvements at the Park to let the Manager know. He said the courts would probably take more money than the donation but the Manager is speaking to OMEGA for additional funding options but it is all in preliminary stages. Mr. Walker stated the school also received a donation from the Nash Foundation and said that the Manager is going to ask them to give part of their donation to help defray the cost of the courts. Mr. Cohen also stated the Haunted Trail is currently open on the weekends thru the end of October. In reference to the Nash Foundation donation Mr. Tyger stated the backstops at the ball fields, especially the girl's softball field, need extensive work. He also feels that since the school ball

teams use the fields they should help with the cost. There was discussion about the rumor of a commercial ball complex being constructed outside of town and the school teams moving their games there, we would need to confirm the rumors before any substantial monetary commitment is made to the fields. Mr. Yokley said we need to continue to grow and make the fields presentable to keep the teams there. Mr. Cohen said it will cost a significant amount of money to fix the fields up and we don't want to do that and then have the teams leave, we need a commitment from the school and the city. Mr. Elzer stated that no matter what happens we should keep the facilities nice. Mr. Walker stated Manager Monteleone had a discussion with someone about extending the dugouts and safety fences at the ball fields.

DEVELOPMENT: NO REPORT

UTILITY: Mr. Todd stated OMEGA will be in for a meeting on Oct. 27 along with MS Consultants and LSSE to discuss grants with the Water & Wastewater improvement projects. He stated W/W Superintendent John Jurjavcic received the new NPDES Permit and there were no serious changes. Mr. Todd also stated the Village received an invitation to a meeting with the EPA and their legal team in Twinsburg on November 21 to review our progress in correcting the waste water problems. He also stated the Water Dept., Finance Director and Manager met with Neptune Equipment in reference to replacing water meters with updated technology which would eliminate the need to send people out to read the meters. Jurjavcic stated the meters could be read right from the office and hourly readings would also be available which would help with leak detection and people who want to dispute the consumption of a water bill. Todd said the Finance Director has the finances worked out so we hopefully won't have to have a rate increase to fund the project.

FINANCE: NO REPORT

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

VISITORS: Mary Anne Tyger, John F. Turner, John Simon, Terri Ward, John Jurjavcic, Chief Kevin Dickey, John Davis and Katie White.

LEGISLATION: Mr. Cohen made a motion to amend the agenda to add Ord. 13-2016 seconded by Mr. Walker. All in favor. Mr. Yokley introduced Ord. 13-2016 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending Chapter 1252.09 a 2 of the codified ordinances of the Municipality of East Palestine Ohio.** Mr. Yokley called for a vote on Ord. 13-2016. Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-Abstain, Mr. Tyger-y, Mr. Walker-y, Mr. Yokley-y. 5 YES to pass. Mr. Yokley introduced Ord. 17-2016 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. . **An ordinance repealing the current provisions of title two, Chapter 1020 of the Codified Ordinances of East Palestine, and adopting new sections 1020.01 through 1020.09 as set forth in exhibit A.** Mr. Yokley called for a vote on Ord. 17-2016. Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Mr. Yokley-y, Mr. Cohen-y. 6 YES to pass. Mr. Yokley introduced Ord. 21-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Municipal Finance Director to establish a fund pursuant to restrictive donations of funds by the Nash memorial foundation Inc. and any other donations for the Park Capital Improvement and declaring an emergency.** Mr. Yokley made a motion to suspend the rules and declare an emergency. Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Mr. Yokley-y, Mr. Cohen-y, Mr. Elzer-y. Mr. Yokley called for a vote on Ord. 21-2016. Mr. Tyger-y, Mr. Walker-y, Mr. Yokley-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y. 6 YES to pass.

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