

EAST PALESTINE VILLAGE COUNCIL 10/24/2016 85 N. MARKET ST. 7PM

Mayor Zuch called the meeting to order. Present was Mr. Cohen, Mr. Todd, Mr. Tyger, Mr. Walker & Mr. Yokley. Mr. Elzer was out of town. Also present was Village Manager Pete Monteleone, Law Director Dave Powers, Finance Director Traci Thompson and Clerk Misti Martin. The minutes of the Oct. 10 Development Committee and Regular meeting were approved on a motion by Mr. Walker seconded by Mr. Cohen. All in favor. Mayor Zuch noted it was the second meeting of the month however there were two department reports for approval, the water consumption report and a police zoning violation report. Both were approved on a motion by Mr. Cohen seconded by Mr. Walker. All in favor. There were no agenda items.

CLERK: Clerk Misti Martin stated a public hearing will be held on November 14 at 6:30pm prior to the regular council meeting. The hearing will be held in reference to Ord. 20-2016, allowing chickens in residential areas.

MAYOR: Mayor Zuch stated the evaluations for employees of council are to be completed by the 31st of October and she still does not have them all turned in. She also stated that in Section 2 of Ord. 9-2016 (Evaluations for Employees of Council) it states that the "completed forms should be returned to the Mayor (Mayor Zuch) in sealed envelopes, the Mayor shall then deliver the unopened envelopes to the president of council" (also Mayor Zuch). She stated she and Mr. Cohen feel that the ordinance should have said give completed forms to President Pro Tem, not President of Council. Mayor Zuch stated with Council's approval she would do the evaluations this time with Mr. Cohen (current Mayor Pro Tem) until the wording can be corrected. Mr. Cohen agreed saying he feels the wording is incorrect and should have said to have the mayor give the sealed evaluations to the Mayor Pro Tem and then review them with one council person (Mr. Elzer had volunteered). Law Director Powers stated a new ordinance correcting the wording would be needed. Mayor Zuch stated they do not have Mr. Elzer's evaluations yet and he was currently out of town. Mayor Zuch stated council received the recommendation letter from the Planning Commission in reference to the chicken ordinance. There was discussion as to the need for a $\frac{3}{4}$ vote of council to pass the ordinance if the PC recommendations differ from the ordinance at which time Clerk Misti Martin (also PC Secretary) stated that technically the letter from the PC is "without recommendation" meaning neither for or against the ordinance.

MANAGER: Manager Monteleone said he gave Council a written report stating there are meetings with MS and LSSE scheduled for Thursday this week and also with OMEGA to go over funding opportunities. There is a meeting scheduled with EPA, Todd Surrena and their legal department on November 21 to give an update on where things stand with the WW project. He stated we advertised for qualifications for engineers and received info from 7 firms, the panel that reviews the information consists of the Manager, the Mayor, the WW Superintendent and Utility Committee Chair and they would need to set a meeting to do so. He said the wage reopener with the FOP and Teamsters will be Thursday at 6 & 7, he said he needs two council members to go with him and Mr. Cohen has volunteered so they just need one more. He reminded everyone of the Police Levy coming up. The spec house at Leslie Run is coming along well. Monteleone stated Kevin Buettner from OMEGA was there to explain the LWCF grant (50,000.00 matching grant) for the Tennis Courts. He said the tennis courts and the swimming pool will need massive repairs in the upcoming years, the courts have huge cracks, we tried filling them but they need major repairs. Monteleone said he intends to speak to the School Superintendent, for the grant we need to show partnership with other agencies and also ask for assistance with funding for repairs. Mr. Walker said he feels it's important to make the repairs to the court to which Mr. Cohen agreed saying between the Nash Foundation donation, the estimates and the matching grant it would give us the biggest bang for our buck. Monteleone stated the deadline for the grant application is Nov 15 so we have a very short window of opportunity; he said he also plans to approach the school about to see if they would be willing to help with the funding. Mr. Buettner stated the minimum that could be requested is \$50,000.00; he said the matching portion could be in cash or in kind work including labor or machinery used. He said the grant is through ODNR and is awarded every two years and

that he feels this would be a good bet since the Village has a partnership with the high school and received the Nash donation. Dianna Elzer asked about the quote and Monteleone stated it came in around the high seventies which includes a complete redo (new nets, fence/poles, courts and sealants) and possible new LED lights. The issue with the lights is they may be owned by Ohio Edison. Mr. Cohen said in the 70's and 80's there was a very active tennis league in the area and they raised the money to have the lights put in. Mayor Zuch stated the city didn't pay to have the courts put in originally; they were bought and paid for by the residents through donations. Mr. Yokley agreed about the repairs to courts but he feels the big focus at the park should be Rainbow Dreamland, he said there are some dangers there that need repaired. Mr. Cohen stated there is money available to do repairs at the playground, Finance Director Traci Thompson stated there is around \$7000.00 in the fund for playground repairs, and Monteleone stated we could work on the playground going into winter.

LAW DIRECTOR: Atty. Powers stated the Village is occasionally named in foreclosure lawsuits because of loans issued; he said he does respond to those behind the scenes. He said we also have been successful in the second round of some unemployment claims.

STREET: Mr. Walker thanked the Manager and Street Superintendent as the streets and alleys look fantastic this year.

SPRC: NO REPORT. Mr. Walker stated the gutter on the Community Center needs addressed as it is pulling away from the building.

DEVELOPMENT: NO REPORT

UTILTIY: Mr. Todd stated there is a proposal on the table to replace the water meters and he feels it is very important to consider this. WW Superintendent John Jurjavic stated another company has contacted him and would like to give us another proposal to look at. Monteleone suggested a committee meeting after all of the proposals are in.

FINANCE: Mr. Tyger asked Finance Director Traci Thompson about the letter they received in the last packet about the issue with RITA, Thompson said it was taken care of and they were going to send a letter to the resident explaining everything.

VISITORS: Mary Anne Tyger, John Martin, Terri Ward, John Davis, Mark Rhodes, Kent Chapman, John Jurjavic, Chief Josh Brown, Chief Dickey, Dianna Elzer, Steve Baird, John Simon, & Katie White.

VISITORS COMMENTS ON CURRENT LEGISLATION: In reference to the chicken ordinance John Martin feels allowing chickens is opening a can of worms, he said there is so much progress and letting chickens in town is going backwards. He feels there will be enforcement issues (the police department shouldn't be dealing with chickens) and even though there is a trend, most communities do not allow chickens in residential areas. He said 3 local communities he checked with do not allow chickens and a 4th does allow them but there has to be a 150 ft radius around the chickens. Dianna Elzer said she thought this came about because there is currently nothing on the books. The Clerk stated this ordinance came about because we were getting phone calls as to whether they were allowed and we didn't have a concrete answer. Ms. Elzer stated since we don't have anything currently that means they are allowed to which Mr. Martin suggested an ordinance that does not allow them. Mr. Walker stated because there is no law against them doesn't mean they are permitted. Building Inspector John Simon stated the he reads the ordinance that you are not allowed to have livestock in residential areas unless it is zoned agricultural (he stated according the zoning map we don't have anything zoned agricultural) and that poultry is included in the definition of livestock. If this ordinance doesn't pass he feels anyone who does have chickens shouldn't and he will tell them to get rid of them. John Davis stated chicken droppings attract rats and the coyote population is on the rise.

LEGISLATION: Mr. Yokley introduced Ord. 20-2016 for a second reading and made a motion that it be read by title only seconded by Mr. Walker. **An ordinance adopting a new use regulation by the addition of Section 1252.03 (A) (7) of the Codified Ordinances of the Municipality of East Palestine, Ohio, related to the keeping of chickens in residential areas.** Mr. Yokley introduced Res. 14-2016 and made a motion that it be read by title only seconded by Mr. Cohen. **A Resolution of Authorization (LPWC grant for tennis court).** Mr. Yokley called for a vote on Res. 14-2016. Mr. Cohen-y, Mr. Todd-y, Mr. Tyger-y, Mr. Walker-y, Mr. Yokley-y. 5 YES to pass.

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

CLERK MISTI MARTIN

MAYOR MARGO ZUCH