

East Palestine Village Council-Thursday December 27, 2012- Community Center

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Figley and Mr. Tyger. Mrs. Wisser was absent. Mr. Elzer had a correction for the minutes of the December 10 meeting. Under the "Development Committee Report" of the minutes it states "Mr. Elzer stated the Chamber along with the Development committee is going to do a push for the dining facilities in town, they have already put up a few signs". It should have said "they are doing a push for dining facilities and local merchants and have already put up a few signs". With the correction to be noted with the minutes of tonight's meeting, the minutes of the 10th were approved on a motion by Mr. Elzer, seconded by Mr. Tyger. All in favor. There were no monthly reports, agenda items or clerks report.

MAYOR: Mayor Zuch stated that Council would be appointing the new Library Board member tonight, and she suggested that they go into executive session at the end of the regular meeting to discuss it.

MANAGER: Village Manager Pete Monteleone asked if anyone had questions on his written report and also stated that he wanted set a Utility Committee meeting to go over the SCADA System at the WWTP and also a Development Committee meeting to go over some questions on annexation and for the members to contact him with their availabilities. Mr. Elzer asked about the Natureworks grant. He said it stated it says \$2200 is the Villages part in it that will include in kind labor and asked what that meant. Monteleone said it simply means that the Village will do part of the labor. Mr. Elzer asked if the drug testing program was still on track and Monteleone said it was. He also asked if the newsletter was still on track. Monteleone said it was and that we had information from the Police, Fire, Water, and Finance. He also stated we are going to be diverse in how they are distributed, looking at doing an insert in the newspaper, putting on the website, and distributing them to businesses around town on a quaterly basis and hoping to have the first one done by the end of January.

LAW DIRECTOR: NO REPORT

STREET: NO REPORT Mayor Zuch asked if when they plow the park if they could lift the plows a little higher down by where the kids sled ride. Mr. Cohen asked how the plowing went after the snow. Mr. Elzer and Manager Monteleone said it went great. Monteleone said there were a few new guys out plowing but it went very well, minus a few mailboxes, and those will be taken care of in the spring. Mr. Cohen said he didn't receive any complaints. Mayor Zuch said with the amount of snow that came down, they did great and Mr. Elzer stated he had someone tell him they knew when they reached the city limits because it was clear here.

SAFETY/PARK/REC/CEMETERY: NO REPORT

DEVELOPMENT: Mr. Elzer congratulated everyone on a great year that the difference between the Village today and a year ago is incredible with the roads, the cameras at the park, the police dog, and the new businesses.

UTILITY: (MRS. WISSER -ABSENT) Mr. Elzer asked if Monteleone had heard back from Mr. Turner from Ohio Edison and Monteleone said he had not.

FINANCE: NO REPORT

At this point, Mayor Zuch explained there were four pieces of legislation for tonights meeting. The first is an emergency ordinance for supplemental appropriations, the second is a resolution for an employment agreement for the Village Manager, the third is a resolution for an employment agreement with the Law Director, and the last is a resolution for the Nature Works grant. Mr. Tyger suggested Finance Director Traci Thompson give a brief summary of the Supplemental Appropriations. Thompson stated section 1 is to increase revenues from the estimates, section 2 is increasing expenses from what was appropriated, section 3 is in reference to the general fund.

NO COMMENTS ON CURRENT LEGISLATION

VISITORS: Katie Schwendeman, Mary Anne Tyger, Carolyn Wilkovich, Steve Hill, John & Bonnie Davis, Peg Brittain, Dianna Elzer, Shirley Wilson, Brent Wilson and Dan Scott.

LEGISLATION: Atty. Beagle introduced **ord 28-2012** 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, 2012 and declaring an emergency.** Atty. Beagle made a motion

to suspend the rules and declare an emergency, seconded by Mr. Cohen. All in favor. Atty. Beagle called for a vote on **ord. 28-2012**. Atty. Beagle-y, Mr. Elzer-Y, Mr. Figley-y, Mr. Tyger-y, Mr. Cohen-y. Motion carried. Atty. Beagle introduced **res. 23-2012** and made a motion that it be read by title only, seconded by Mr. Tyger, all in favor. **A resolution authorizing the Mayor of the Village of East Palestine to execute an employment agreement with Peter Monteleone as village manager for The Village of East Palestine Ohio and establishing the compensation of said officer.** Mr. Elzer said there is no term in the contract, that it is open ended on both sides and asked if that is because of the Charter. Law Director Shirley Smith stated that termination is pursuant to the Charter. Mr. Elzer asked what if he decided to quit and Smith said we would accept his resignation. Mr. Figley then asked Atty. Smith who wrote the Charter and when it was written. Atty. Steve Hill from the audience was on the original committee and said it was written in 1992. It was stated that the Charter review committee meets every 5 years to go over it. Mr. Cohen said he believed it is a standard charter that most surrounding communities use but with certain areas adapted specifically for East Palestine. Mr. Figley asked if anything had been changed in the Charter since it was written. Atty. Smith stated there was a change on last years ballot in reference to the Police and Fire Chiefs. Mr. Figley asked if 5 years between reviews was too long. Mr. Figley asked what had to be done to increase the frequency of Charter review, and Atty. Smith said she would research it. Mr. Elzer stated it is an extensive process to make changes. Atty. Hill said any recommended changes are brought before Council and have to be put on the ballot. Dianna Elzer asked if there was a change that needed made in the interim years, could it be brought to council and put on the ballot. Atty. Smith said she would have to research it to see if it could be done by ordinance. Atty. Beagle called for a vote on **res. 23-2012**. Atty. Beagle-y, Mr. Elzer-y, Mr. Cohen-y, Mr. Figley-y, and Mr. Tyger-y. All in favor. In reference to **res. 24-2012** a motion was made by Mr. Elzer to amend the passed on date from 2013 to 2012. Motion seconded by Mr. Tyger, all in favor, motion carried. Atty. Beagle introduced **res. 24-2012** and made a motion that it be read by title only. All in favor. **A resolution authorizing the Village Manager to enter into a contract with Shirley J. Smith, as the Law Director for the Village of East Palestine, Ohio and establishing the compensation thereof for a period from January 1, 2013 until December 31, 2013.** Atty. Beagle called for a vote on **res.24-2012**. Atty. Beagle-y, Mr. Elzer-y, Mr. Cohen-y, Mr. Figley-y and Mr. Tyger-y. All in favor, motion carried. Mr. Cohen stated that Council had asked all employees to "hold the line" on wage increases and thank Atty. Smith for doing the same. Atty. Smith thanked Mr. Cohen and stated she also waived the additional hourly fee for the first year and good portion of the second year and she appreciates the opportunity to serve the Village. Atty. Beagle introduced **res. 25-2012** and made a motion that it be read by title only, seconded by Mr. Cohen. All in favor. **A resolution of authorization -natureworks grant.** Atty. Beagle called for a vote on **res. 25-2012**. Atty. Beagle-y, Mr. Cohen-y, Mr.Elzer-y, Mr. Figley-y, Mr. Tyger-y. All in favor, motion carried. Mr. Cohen made a motion to go into executive session for the purpose of selecting the new member to the Library Board, inviting the members of the library board that were present, the Village Manager, Law Director and Mayor. Seconded by Mr. Elzer. All in favor. Meeting adjourned to executive session. Mayor Zuch called the meeting back to order after executive session. Mr. Cohen nominated Mr. Jim Wilson as new member of the Library Board, seconded by Mr. Elzer. Atty. Beagle-y, Mr. Elzer-y, Mr. Figley-n, Mr. Cohen-y, Mr. Tyger abstained as his sister in law was one of the appllicants. 3 yes to pass. Mr.Tyger made a motion to adjourn, seconded by Atty. Beagle, all in favor. Meeting adjourned.

MAYOR MARGO ZUCH

MISTI J. MARTIN CLERK