

EAST PALSTINE VILLAGE COUNCIL MONDAY AUGUST 25, 2015 7PM 85 N. MARKET ST.

Mayor Zuch called the meeting to order, present were Mr. Elzer, Mr. Figley, Mr. Cohen, Mr. Tyger and Mrs. Wisser. (Atty. Beagle was absent). Also present was Village Manager Pete Monteleone, Law Director Dave Powers, Finance Director Traci Thompson, and Clerk Misti Martin. The minutes of the August 10 Regular meeting and August 12 Utility Committee meeting were approved on a motion by Mr. Cohen, seconded by Mr. Figley.

AGENDA: JOHN HERBERT-ENVIRONMENT Mr. Herbert stated that he had given council a copy of an article from the Sierra Club about the environment which stated that the Pope is on board with the global agenda. There was no clerks or Mayor's report.

MANAGER: Monteleone stated he gave council a written report. He said the numbers for the end of the season at the park are very impressive, pool receipts for the year were around \$59,000.00 and the number of swimmers this was 18,570. He said he would put together a report for council with the numbers and also showing the diversity from other areas that bought pool passes here. He said the construction on West St. for the SRTS grant is moving along.

LAW DIRECTOR: Atty. Powers stated he had been working with the Finance Director on the required changes to the income tax ordinance and they are hoping to have a draft submitted to council by the September 28 meeting. He said most of the changes will provide consistency between communities in enforcing the laws but a bigger change will be that C Corporations will be able to receive credit for loss carryovers. He also said that at the end of 2015 the ordinance that allowed us to delay payments to the electric trust fund expires so we will either need to account for repayment in the budget or come up with a plan on how to handle it. Mr. Elzer said he feels the Electric trust is ridiculous, he the manager should have the option to use that money as he sees fit. Elzer also asked powers the rule on annexation if it wasn't 100% and Powers said not off the top of his head, Elzer asked if it would have to go on the ballot in that case and Powers said he didn't think so. In reference to the dogs in the park issue he said there is an ordinance prohibiting dogs and horses in the park so if changes are to be made we need a new ordinance. He also said council should address the issue of farm animals inside the village. In reference to chickens Atty. Powers said he researched and found nothing that prohibits residents from having them. Mayor Zuch said we do need guidelines and Elzer agreed. Mr. Elzer asked if council was allowed to discuss what was said in executive session outside of executive session and Atty. Powers said yes, they can talk about anything that was said. Mr. Cohen agreed saying there is nothing to prohibit discussing it but it is commonly understood that you don't do it.

STREET: Mr. Figley said he has had numerous calls on zoning regulations in reference to high grass and houses falling down and that the building inspector, John Simon, doesn't have enough hours at only five hours a week. Atty. Powers said the villages hands are tied from a legal perspective, he said we can file a complaint and fine them \$150. Our ordinances say that every day is a violation but the judges say you have to do a separate charge for each day. He said the only other option is to take civil action in common pleas court to try to get an enforcement order but that involves a lot of time and expense. He said he and the Manager discuss this frequently and are trying to come up with a workable solution. Mr. Figley said he also has an issue with semi trucks coming down a residential street and then backing across the street and blocking traffic. He said he has spoke to the Police Chief and the Manager and was told there was nothing that could be done and that if there is no ordinance prohibiting backing up on city streets that we need to make one. He also said he doesn't feel you should be allowed to park a semi on a residential lot.

S/P/R/C: Mr. Cohen said at the last Park Board meeting there was discussion about replacing the windows in the bathhouse. He said he, the Manager and Larry Wales met with a contractor. He gave them an estimate to replace the round windows that was decent. Manager Monteleone said the brick wall on the boy's side of the bathhouse is falling out so repairs to that wall are included in this project. The Park Board has agreed to give around \$1800.00 towards the project. Mr. Cohen said the window estimate was around \$2400.00 (for replacing all of the windows around the bathhouse) so the village would only have to pick up \$600 to \$700.

DEVELOPMENT: Mr. Elzer said he has received some interest from residents on the outskirts of the village about annexing in. He said he has been working with Denny Griffith from the water dept. and Fire Chief Brown is doing some research for him in reference to fire hydrants.

UTILITY: Mrs. Wisser stated that Mr. Elzer met with LSSE and wanted to know his opinion. Mr. Elzer said they have a good reputation and they have done good work in the past but he does have concerns about the speed in which they will proceed. They told him they would do the background research free of charge. Mr. Figley stated that when they gave their presentation to council they made a lot of good points, he thinks they are the way to go and that they will do things the way council wants. Monteleone said there is a big chance they will have to redo the flow studies even if we give them the ones from MS. Mr. Figley said he would like to see a timeline and estimates from LSSE. Mr. Cohen made a motion to authorize the Law Director to prepare an ordinance to hire Lennon, Smith, and Souleret Engineers (LSSE) for the sanitary sewer improvement project, seconded by Mr. Elzer. All in favor. In reference to required hours at the plant and John Jurjavic being off for surgery/hiring of a temporary operator, he asked how many hours the operator was required to be at the plant and Monteleone said 40 but that since Denny is now a Class 1 operator they have recently applied for a reduction of hours. He was told it could be reduced to 30 hours and he is waiting on a response from the EPA. Mr. Figley said he lives close to the plant and he sees them there at night but never in the day. Monteleone said they only have to get the 40 hours, that it doesn't matter if its day or night. Mr. Figley asked when Jurjavic would be back to work and Monteleone said Aug 31.

FINANCE: Mr. Tyger stated he is concerned what the new state tax regulations will do to our tax collection and that they are waiting on a response from RITA about that. Mr. Cohen said the regulations change how C Corporations deal with loss carryover and he feels that could cut into our tax revenue quite a bit. Atty. Powers said he can only think of maybe four or five C Corporations that are in the village.

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

VISITORS: John & Dot Herbert, John Martin, John Simon, Chief Josh Brown, Dan Scott, Mark Walker, Rick & Karen Gorby, John Davis, Kent Chapman, Chief Kevin Dickey, Terri Ward, John Jurjavic, Brock Jurjavic, Mary Anne Tyger, Dianna Elzer, Pam Figley, Brett Todd, Zach Gorby and Katie White.

LEGISLATION: Mayor Zuch introduced Ord. 16-2015 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 an agreement with the Ohio Department of Transportation to provide bridge inspection program services.** Mayor Zuch called for a vote on Ord 16-2015. Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. 5 yes to pass. Mayor Zuch introduced Ord. 17-2015 and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village manager to advertise for bids and to enter into an agreement with a contractor for the complete repairs to the ultra violet disinfections system at the villages wastewater treatment plant and declaring an emergency.** Mayor Zuch made a motion to suspend the rules and declare an emergency. Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. Mayor Zuch called for a vote on Ord. 17-2015. Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. 5 Yes to pass. Mayor Zuch introduced Res. 14-2015 and made a motion that it be read by title only seconded by Mr. Cohen. **A resolution authorizing the Village manger to make application and enter into a water pollution control loan fund (wpclf) agreement with the Ohio Environmental Protection Agency (OEPA) for a planning loan in the amount of \$200,000.00 for sanitary sewer system and wwtp improvements.** Mayor Zuch made a motion to suspend the rules and declare an emergency. Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. Mayor Zuch called for a vote on Res. 14-2015. Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. 5 YES to pass.

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