

August 09, 2004
Council Meeting
Called to order: 8:04

Roll Call: Don Champney, Dave Stahr, Sharon Bierman, Pam Park-Curry, Brian Downey, Ron Yarano. Mayor Eisentrout, Suzanne Coulter-Treasurer.

Minutes: Regular meeting: July 12, 2004-Pam Park-Curry moved to approve the minutes as written.

2nd Sharon Bierman
All ayes.

Fire:

1. Waiting on grant money before we purchase our new vehicle.

Engineering:

1. Minerva Lake Road-Draining this week, main asphalt next week. Aug 16,17th for milling, Paving on Aug 19,20.

Ron Yarano-can we put up signage "no parking this week" for Minerva Lake Road.

Legal:

1. Lakewood-assisted living house.

Narcus T. asked that the citations that the chief had made up, not be sent out. We are not sure why- Mayor Eisentrout. Narcus gave his blessing to send out the citations at the last meeting on several zoning violations. Narcus feels that the federal courts do not allow us to issue citations against this home, due to the fact it is an assisted living home. You can not require them to have permits or treat it like a business. Epicenter of Steubenville 929 federal suplimit 845, federal court 1996 VS Steubenville. Other cases-supreme court ruling-73US432-Clayburn living center. City of Westerville- Ohio supreme court- R1 suburban resident- home was allowed for assisted living. Narcus feels that we would have lost our case in Franklin County Court. Federal- we dare not file anything against the Fair Housing Act, which includes mentally retarded homes-we would have not only lost the case but could have punitive damages filed against us. \$60,000.00 could be filed. Narcus feels that we should not file these citations. If one of the residents violates a law- we can enforce those against the person. Narcus' recommendation- we are not sure that this home is properly licensed. Under the public records act-we should request of MRDD the license for this home. Find out about the last inspections of MRDD on the home. Look into lack of proper supervision and ages of men allowed in the home.

Dave Stahr: We do not know if this home is for mentally retarded men.

Lynn Eisentrout: The man who was taken in last night was only 17, underage? I would like to go after this as a citizen, not Mayor. I think we should abide by our legal counsels ruling, and so we need to look into other Avenues. I will speak with the case worker for this child and to people in MRDD.

Brian Downey: They may be hiding under a protective umbrella that prohibits action by the Village.

Adam Beach: The last three were placed from Franklin County Children's services. All are on medication for depression.

Planning and Zoning:

none

Civic:

1. Founders Day August 14th- no beer
2. Bee Hulbert- passed away a few days ago. She helped with Voting and Community association. They would like to plant a tree in honor of Bee.

Mayor's Report:

1. AEP: I met with them because of our frequent outages on Wildwood and Minerva Lake Road- find out why it happens. Tim Wells 740-369-7139.
2. AEP forester 523-7964- we are not on the tree trimming schedule this year. They have helped with the alley behind the businesses.
3. 2802 North Bay Dr.- sheriff's auction- sheriff- will get owners zoning violations. Owner was here tonight- looking at Sept. or Oct to fix up.
4. Pool - having problems financially this year due to cool weather.
Don Champney- I would like to see them at the meetings every month to report their financials.

Community:

Please come to founder day.

Streets:

1. Wildwood , Woodley and North Bay we would like to see mill and filled.
2. We are getting about \$63,000.00 from Franklin County to help with Minerva Lake Road. This is license plate money. It has to be used for Minerva Lake Road, our throughway.

Service:

1. Trash bids were received. Rumpke and Local Waste bid. Local Waste Services had the lower bid. CeCe Ungrid- Local Waste Services- changing pick up day to Monday. Local Waste is trying to purchase bins from Rumpke so that people can keep them. Local Waste will replace with ours later. Local Waste will put something in the mail to everyone. Local Waste offers an option to offer a large container that we bill for each month to the resident.
2. Leaf collection- the Village of Minerva Park is accepting proposals for this year. We will do this at the Sept. meeting.

Finance:

1. Don Champney moved to approve the warrants paid for July 2004.

2nd Pam Park-Curry

all ayes.

2. Don Champney motioned to approve then and now PO for the general liability insurance.

2nd Pam Park-Curry

All ayes.

Safety:

1. Bricker and Eckler bills. We placed a cap of \$5000.00 on these bills. They exceeded by \$235.00 on this bill. We have a 2nd bill for \$4000.00- earthen dam- research. I think we need to discuss these bills. Lynn Eisentrout will look into these bills.

2. Buckeye Landscaping- \$1200.00 to remove 8 trees. Suzanne Needs PO for this.

3. Tuition reimbursement- \$2000.00 for Eric Johnson.

Dave Stahr motioned to reimburse Eric Johnson for tuition for EMS training.

This money will come out of the Special Revenue Fund= EMS Medic.

2nd Ron Yarano

all ayes

4. Fire Hydrants- 2 damaged in accidents. \$2625.00 in damage to be billed to two parties.

Dave Stahr motioned to make payment to Don Lathem of \$2625.00 for hydrants.

2nd Ron Yarano

all ayes.

Legislation:

Ordinance 03-2004 Zoning

Pam Park-Curry moved for acceptance of the third reading of Ordinance 03-2004.

2nd Brian Downey

all ayes.

Pam Park-Curry moved for passage of Ordinance 03-2004.

2nd Dave Stahr

Roll: Don Champney aye, Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye,

Brian Downey aye, Ron Yarano aye.

Passed

Ordinance 04-2004 Zoning 3rd reading

Pam Park-Curry moved for acceptance of third reading of Ordinance 04-2004

2nd Brian Downey

All ayes.

Pam Park-Curry moved for passage of Ordinance 04-2004.

2nd Sharon Bierman

Roll: Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye, Don Champney aye.

Passed

Ordinance 05-2004 Zoning third reading

Pam Park-Curry moved for acceptance of Ordinance 05-2004.

2nd Brian Downey

All ayes.

Pam Park-Curry moved for passage of Ordinance 05-2004

2nd Ron Yarano

Roll: Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye,

Ron Yarano aye, Don Champney aye, Dave Stahr aye.

Passed.

Ordinance 06-2004 Zoning

Pam Park-Curry moved for acceptance of third reading of Ordinance 06-2004.

2nd Brian Downey

all ayes.

Pam Park-Curry moved for passage of Ordinance 06-2004

2nd Ron Yarano

Roll: Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye, Don Champney aye,

Dave Stahr aye, Sharon Bierman aye

Passed.

Thank you to Brian Downey and Planning and Zoning for these Ordinances.

Resolution 2004-17: Trash contract

Pam Park-Curry moved to suspend the rules and waive the three readings of Resolution 2004-17 as an emergency.

2nd Dave Stahr

Roll: Brian Downey aye, Ron Yarano aye, Don Champney aye, Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye.

Pam Park-Curry moved for passage of Resolution 2004-17 as an emergency.

2nd Brian Downey

note: make changes to contract for Monday Pick up and that they can begin at 7:30 AM.

Roll: Ron Yarano aye, Don Champney aye, Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye.

Passed.

Resolution 2004-18: Minerva Lake Road accepting \$ from OPWC.

Pam Park-Curry moved to accept the money for Minerva Lake Road reconstruction project from OPWC and to suspend the rules and waive the three readings of Resolution 2004-18.

2nd Sharon Bierman

Roll: Don Champney aye, Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye.

Pam Park-Curry moved for passage of Resolution 2004-18 as an emergency.

2nd Ron Yarano

Roll: Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye, Don Champney aye.

Passed.

Resolution 2004-19: Fifth Third Deposit of Monies

Pam Park-Curry moved for acceptance of the first reading of Resolution 2004-19.

2nd Dave Stahr

all ayes.

Rules of Council

Special Council Aug. 23, 7PM- leaf contract and any other matters that may come before council.

Citizens:

1. Nuisance response fines? Applied evenly to all residents. 2576 Lakewood. Has anyone been disturbed by the paper Dispatch at 4:30 AM, car and lights coming in driveway.

Linda Cramer- Dispatch 496-1224 manager.

2. Calla Sue- 2816 Lakewood- shift changes at group home and newspaper have been a nuisance. Each of the case laws - I have read- over a year ago. Were these specifically to a Village and or to a non-licensed home? Ohio Medicaid Program- this home. Franklin County MRDD and Children's services- have jurisdiction to this home. I thought ages were 19-21. Thanks to the police department for protection. Please publish all calls to the location in the Villager.

Narcus- began to mention case law again- Calla Sue- I am very displeased that it has taken you two years to begin to study the case law on this house-I view it with disgust.

Old Business:

Ordinance to tax levy: do we pass the ord. before the res. to put on BOE on ballot.

Correct ord number on the Res..

New Business: Choice One

Records Commission-date Monday Aug 30th, 7PM

adjourned

Suzanne Coulter

Special Council Meeting

08/23/2004

7:05PM

Don Champney, Dave Stahr, Sharon Bierman, Pam Park-Curry, Brian Downey, Ron Yarano.

Leaf Proposals: Brian Downey

We received two proposals- Tim Rannebarger and John Mckinney.

Mckinney- \$17,500.00 less \$1000.00 for rental.

Rannebarger- \$18500.00- \$1000.00 for rental. We need to make sure that Tim Rannebarger's coverage for his insurance continues through out the whole project. Brian Downey's recommendation is for Rannebarger. Don Champney- I think we ought to get in writing what his schedule would be. John Mckinney - proposal does not have the BWC, proof of property tax paid.

Brian Downey motions that the leaf contract be awarded to Tim Rannebarger, with the contingencies that he provide proof that his insurance will continue through-out the whole project, and a written schedule for leaf pick up. Date- beginning no later than October 18, 2004- to December 13, 2004, with final approval of the service committee. Pam Park-Curry 2nd.

Roll: Don Champney aye, Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye.

Legislation: Pam Park-Curry

Resolution 2004-20: Leaf Contract 2044 as an emergency.

Pam Park-Curry moved that we suspend the rules and waive the three readings of Resolution 2004-20.

2nd Sharon Bierman

Roll: Dave Stahr aye, Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye, Don Champney aye.

Pam Park-Curry moved for passage of Resolution 2004-20 as an emergency.

2nd Dave Stahr

Roll: Sharon Bierman aye, Pam Park-Curry aye, Brian Downey aye, Ron Yarano aye, Don Champney aye, Dave Stahr aye.

Passed.

Resolution 2004-21: Rules of Council for 2005.

Pam Park-Curry moved for acceptance of the first reading of Resolution 2004-21.

2nd Ron Yarano

all ayes.

Ordinance 02-2004: Redefining the Mayor's Benefits Package.

Pam Park-Curry moved for the acceptance of the 1st reading of Ordinance 02-2004.
2nd Ron Yarano
all ayes.

Ordinance 08-2004: Salary for Treasurer

Pam Park-Curry moved for acceptance of the first reading with corrections
of Ordinance 08-2004.

Executive session – Pam Park-Curry, Brian Downey second. Roll Call - all aye
2nd Brian Downey
all ayes.

Golf Course: Discussion