

MINUTES

OHIOVILLE BOROUGH

COUNCIL MEMBERS

REGULAR MEETING

September 1, 2020

The Ohioville Borough Council met in regular session on September 1, 2020 at the Ohioville Volunteer Fire Department Fire Hall. The meeting was called to order by the President, Robert J. Ward Jr. at 7:32 P.M.

The Pledge of Allegiance to the Flag was led by Mr. Ward.

ATTENDANCE:

COUNCIL MEMBERS:

Robert J. Ward Jr.
Denise Cox
Nickolas Girting
Richard Decker
Lucas Hill
Sherri Zibaila
F. John Szatkiewicz

Mayor Kevin Chaffee

BOROUGH PERSONNEL:

Brenna Boyde, Borough Secretary/Treasurer
Paul A. Steff, Borough Solicitor
John Klein, Borough Engineer

ACTION ON MINUTES:

On a motion by Mr. Hill and seconded by Ms. Cox it was moved to approve the minutes of the July 7, 2020 meeting. All answered yes to a roll call vote. The motion was carried.

BIDS:

None

PUBLIC COMMENTS:

Mary Fedorchak of 163 Wildwood Rd.

- Noted the wrong date was used to approve the previous meeting minutes
- Asked about getting a detailed report of what was spent on Zoning and asked if she sent in a letter if she could get that information. She also asked if the budget for last year and current year were going to be published on the website as they were previously.

AMEND ACTION ON MINUTES:

On a motion by Mr. Hill and seconded by Mr. Girting it was moved to amend the motion approving the July 7, 2020 minutes to instead approve the minutes of the August 18, 2020 meeting. All answered yes to a roll call vote. The motion was carried.

PUBLIC COMMENTS Cont'd:

Mike Daniels of 480 Smiths Ferry Rd. asked the reason that the moment of silence had been removed from the beginning of Council meetings.

George Peters of 140 Westwood Dr. asked for Council to lower their masks when speaking so he can lip read due to his hearing disability.

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

Mr. Ward – Reported

- Started hauling anti-skid, shooting for 800 tons
- Fixed mowers
- Put new blades on the Ferris
- New Debris chains and gear head on boom mower
- Roadside mowing was completed throughout Borough
- Cleaned Fire Department for Council Meeting
- Mowed Fire Department, Cemeteries, Parks
- Removed trees from storms
- Serviced the loader
- Need new cutting edge on the bucket of the loader

MOTION TO PURCHASE LOADER BUCKET EDGE:

On a motion by Mr. Hill and seconded by Mr. Girting it was moved to purchase a loader bucket edge in the amount of \$860.42. All answered yes to a roll call vote. The motion was carried.

MOTION TO PURCHASE BOOM MOWER REAR TIRES:

On a motion by Mr. Girting and seconded by Ms. Cox it was moved to purchase rear tires for the boom mower in the amount of \$530.00. All answered yes to a roll call vote. The motion was carried.

- Mr. Ward reported that the Liquid Fuels amount received by the state is already anticipated to be \$15,000 less in 2021 than it was in 2020.

FINANCE / OFFICE COMMITTEE:

Mr. Hill-

- Reported the amount of the Minimal Municipal Obligation for 2020/20201 is needed in the amount of \$48,100
- Reported that the Unemployment Rate for 2021 will not change from the current rate

MOTION TO APPROVE MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLAN:

On a motion by Mr. Hill and seconded by Ms. Cox it was moved to approve payment for the Minimum Municipal Obligation for the Pension Plan in the amount of \$48,100. All answered yes to a roll call vote. The motion was carried.

LEGISLATIVE COMMITTEE:

Mr. Szatkiewicz –

- No information to report

PUBLIC UTILITIES COMMITTEE:

Mr. Szatkiewicz–

- Reported Gas Companies have told him to call back after the pandemic regarding extending gas service

PUBLIC SAFETY COMMITTEE:

Fire Committee – Ms. Cox –

Police Committee – Ms. Cox–

- Reported that the Police Department was going to make their second ammunition order earlier than normal due to backorder

MOTION TO PURCHASE AMMUNITION FOR POLICE:

On a motion by Ms. Cox and seconded by Mr. Hill, it was moved to purchase additional ammunition for the Police Department in an amount not to exceed \$1,200. All answered yes to a roll call vote. The motion was carried.

- Reported that a power surge destroyed the printer, the power board for the security cameras, and the router in the Police Station. Warranties have been used, and loaner equipment received until replacement totals are known for the equipment needed

RECREATION COMMITTEE:

Mr. Szatkiewicz–

- Asked why two rental toilets were still at Lock 57
- Reported he received the feasibility study by HRG for the walking trail around the Ball Fields.
 - Comments by other Council members were made regarding expense, bench placement, contouring of the land, base under the trail

REPORTS OF OFFICERS:

Mayor Chaffee – No Report

Secretary – No Report

Treasurer – No Report

Planning Commission – Meeting will be held as scheduled on September 2, 2020 at 7:30 in the Borough Building

Emergency Coordinator – No Report

Borough Solicitor – No Report

Borough Engineer – Second reviews of two sub-divisions and initial review of the Rec Center at Seven Oaks

Sewage Enforcement Officer – No Report

Tax Collector – No Report

ACTION ON BILLS: Bill List #11 submitted for approval.

MOTION TO APPROVE SUBMITTED BILL LIST #11:

On a motion by Mr. Hill and seconded by Mr. Girting it was moved to approve Bill List #11. All answered yes to a roll call vote. The motion was carried.

ORDINANCES OR RESOLUTIONS: None at this time.

APPROVAL OF PLANS: None at this time.

COMMUNICATIONS: None at this time

ACTION ON COMMUNICATIONS: None at this time.

AWARDING OF BIDS: None at this time.

NEW BUSINESS: None at this time.

PUBLIC COMMENT:

- Susan Liberatore of 234 Pleasantview Dr. asked for Council to speak into microphones closer so those outside listening can hear.
- George Peters of 140 Wildwood Dr. reported no one wants Zoning in the Borough and the fact that Council is still talking about it is contrary to their representation of community members
- Dominic D'Egidio of 6229 Tuscarawas Rd. asked who decides the designation of the land and expressed concern over not being able to have farm animals in the N-C district and inquired about extending A-R district to his property
- Michelle Milcik of 297 Lisbon Rd.
 - Asked what good Zoning is for Borough residents
 - Reported Zoning is infringing on rights and is concerned that Zoning is a slippery slope and it is becoming more restrictive
 - Asked why Lisbon Rd is only nicely paved near Seven Oaks, but not further down the road
- Pam Smith of 340 Ridgemont Dr.
 - Reported community does not want Zoning at all, they are not interested in having questions answered and changes made
 - Reported she wants Council to answer questions not HRG
 - Reported she does not have the ability to sell her house to a business because she does not live in the N-C district
 - Reported that Council does not want to have an open discussion with the Community members

- Christine Renda 357 Fairview Rd.
 - Reported you cannot restrict Rehabs into the Borough it is discriminatory
 - Reported she does not need to be told what to do with the properties she owns and pays taxes on
 - Reported she did submit questions to the Borough and they were answered, but they were answered in a circular manner
 - States that studies show Zoning leads to classism
- Florence Chaffee of 521 Lisbon Rd. states she does not want her rights as an American taken away by Zoning. Reports that she wants her property changed to be within the Agricultural District.
- Bob Hanshaw of 455 Ridgemont Dr. states there must be an agenda, the community does not want Zoning, asked what the benefit was for the Borough and where does the desire for Zoning originate
- Mike Daniels 480 Smiths Ferry Rd.
 - Reported that advising the community to have waited for the Public Hearing to formulate opinions or start petitions was wrong
 - Stated that it is hard for individuals to stand up and speak, so to question why someone didn't speak up sooner is unprofessional
 - Reported that the Zoning Ordinance should have been put on the internet and by not doing that, the Borough has actually encouraged the community to be more informed
 - Asked Council to consider what Ohioville would look like now if Zoning had past in the late 1970s.
 - Asked that Council not let their egos get in the way when a decision is made on Zoning
- Jean Nolan of 112 Westwood Dr.
 - Asked if Mr. Ward was willing to look at the petitions
 - Asked what else happened prior to Rehab Center to make Council focus so much on Zoning
 - Asked for a motion to eliminate Zoning
- Randy Bussard of 102 Brookvue Dr.
 - Asked how many complaints have come in over the years that would support Zoning
 - Asked how Council will hold a Public Hearing with 1200 people
 - Asked Council to postpone the Public Hearing until after the pandemic
 - Stated he wished Council would have come to some of the petition signings
- Stacey Beckman of 6357 Tuscarawas Rd.
 - Stated that no one that has signed a petition has come forward asking to have their name removed from the petition list
 - Stated that a home-based business is permitted in the Zoning Ordinance, but the property owner must have a minimum of one acre and reports that N-C is the only location where she can expand her home-based business
- Mary Fedorchak of 163 Wildwood Rd.
 - Suggested that the Borough put the Zoning Ordinance on the website with a watermark of DRAFT to avoid confusion over versions of the ordinance
 - Asked why Council wants to control what property owners are doing
 - Reported that she does not want Zoning because it gives neighbors control over one another
 - Stated that Ohioville wants no Zoning
- Jean Nolan of 112 Westwood Dr. asked if she presents petition signatures to council, are any of the members of Council going to unofficially visit those community members and bother them
- Liz McCreight of 264 Salem Church Rd. wanted to know what Council is going to do once they see the petition signatures
- George Kadilak 303 Salem Church Rd.
 - Asked why the Public Hearing was moved from the Auditorium to the Fire Hall
 - Asked why the Public Hearing cannot be relocated to a venue where the public can express their opinions face to face
 - Asked what the rush is on voting and if there is a deadline that must be met

- Mary Fedorchak of 163 Wildwood Rd.
 - Asked why the Public Hearing cannot be held after the risk of COVID passes
- Jessica Janicki of 193 Windover Dr.
 - Stated that there is a lot of animosity between both sides involved and that the issue remains transparency
 - Reported that many people cannot face the Council members under the current restrictions on gatherings and the Public Hearing should be postponed
 - Stated that there are many studies that show the detriments of Zoning and that Zoning no longer allows people to do what they want on a property, but becomes a matter of what someone permits to be done on a property
- George Peters of 140 Wildwood Rd. stated that Council is working for the benefit of a few contractors
- William Ralph of 113 Salem Church Rd. states that Council should be concerned with the resident that have lived in the Borough for years and not with who may be moving into the Borough in the future
- Pam Chevalier of 424 Smiths Ferry Rd. stated she had placed a summary of the 1200 petitions including signatures, names, and addresses in front of President Bob Ward, but no other information would be released at the advisement of their attorney
- Bob Hanshaw of 455 Ridgemont Rd. asked if there were any known developments coming into the area
- Stacey Ralph of 113 Salem Church Rd. asked why Council is so concerned about what people are going to do a property

MOTION TO POSTPONE PUBLIC HEARING ON ZONING DUE TO GATHERING RESTRICTIONS:

On a motion made by Mr. Girting and seconded by Mr. Szatkiewicz, it was moved to postpone the Public Hearing scheduled for September 15, 2020 until the Governor’s restrictions on gatherings due to COVID-19 have been lifted. All answered yes to a roll call vote. The motion was carried.

PUBLIC COMMENT CONT’D:

- Bob Hanshaw of 455 Ridgemont Rd. asked if Council will now go speak with the Borough community members
- Randy Bussard of 102 Brookvue Dr. stated he did not know that there were threats made on Facebook
- Jean Nolan of 112 Westwood Dr. thanked Council for the consideration of the safety of the residents of Ohioville
- Mary Fedorchak of 163 Wildwood Rd. reported she does not believe there are room for threats on Facebook asked for them to be reported
- Pete Kadilak of 303 Salem Church Rd. reported he does not feel council is conducting business in a professional manner

ADJOURNMENT:

ACTION TO ADJOURN THE MEETING:

There being no other business on a motion by Mr. Hill and seconded by Mr. Szatkiewicz it was moved to adjourn at 9:23 pm, and will meet on Tuesday, September 15, 2020 at 7:30pm for the regular meeting at the Ohioville Borough Volunteer Fire Department. All answered aye in favor – the motion was carried unanimously. There were approximately 50 individuals in attendance.

Respectfully Submitted,

Brenna Boyde
Borough Secretary/Treasurer