

**44<sup>TH</sup> GIRARD CITY COUNCIL**  
**MAY 11, 2009**  
REGULAR MEETING MINUTES /JOURNAL

**PLEDGE**

**ROLL CALL**

PRESIDENT OF COUNCIL	MR. REYNALD J PAOLONE	ABSENT
FIRST WARD COUNCILMAN	MR. FRANK J MIGLIOZZI	PRESENT
SECOND WARD COUNCILMAN	MR. LARRY WILLIAMS	PRESENT
THIRD WARD COUNCILMAN	MR. THOMAS J SEIDLER II	PRESENT
FOURTH WARD COUNCILMAN	MR. THOMAS F GRUMLEY	PRESENT
COUNCILMAN-AT-LARGE	MR. JOSEPH P SHELBY	PRESENT
COUNCILMAN-AT-LARGE	MR. BRIAN A KREN	PRESENT
COUNCILMAN-AT-LARGE	MR. MICHAEL A COSTARELLA	PRESENT

President Pro Temp Seidler will be vacating his seat to vote on new legislation

**MOTION WILLIAMS SECOND MIGLIOZZI TO EXCUSE PAOLONE**

MIGLIOZZI           2  
WILLIAMS           1  
SEIDLER  
GRUMLEY  
SHELBY  
KREN  
COSTARELLA  
Passed 6-0 vote

**PRESENTATIONS**

NONE

**ADDITIONS & DELETIONS**

**MOTION KREN SECOND SHELBY TO ADD #44-101 TO THE AGENDA**

An ordinance authorizing the Mayor to enter into an amendment agreement with First Energy Solutions for a governmental electric aggregation program with opt-out provisions pursuant to law and declaring an emergency.

MIGLIOZZI  
WILLIAMS  
SEIDLER  
GRUMLEY  
SHELBY           2  
KREN             1  
COSTARELLA  
Passed 7-0 vote

**MOTION GRUMLEY SECOND MIGLIOZZI TO ADD #44-102 TO THE AGENDA**

An ordinance authorizing the Service Director to proceed with opening Gary Avenue to provide access to the recently city annexed property on which the new Girard JR/SR High School will be located.

MIGLIOZZI   2  
WILLIAMS   NO  
SEIDLER  
GRUMLEY    1  
SHELBY  
KREN  
COSTARELLA  
Passed 6-1 vote

**MOTION GRUMLEY SECOND MIGLIOZZI TO ADD #44-103 TO THE AGENDA**

An ordinance authorizing the Service Director to proceed with opening N Highland Avenue to provide access to the recently city annexed property on which the new Girard JR/SR High School will be located.

MIGLIOZZI 2  
WILLIAMS  
SEIDLER  
GRUMLEY 1  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**MOTION KREN SECOND WILLIAMS TO ACCEPT THE AGENDA AS AMENDED**

MIGLIOZZI  
WILLIAMS 2  
SEIDLER  
GRUMLEY  
SHELBY  
KREN 1  
COSTARELLA  
Passed 7-0 vote

**APPROVAL OF THE MINUTES**

MOTION GRUMLEY SECOND WILLIAMS TO AMEND THE APRIL 27<sup>TH</sup> 2009 MINUTES. ON PAGE 5 OF 9 UNDER STREETS & SIDEWALKS & EMPLOYEE WELFARE THE MEETING WAS APRIL 30, 2009 NOT MAY 30, 2009.

MIGLIOZZI  
WILLIAMS 2  
SEIDLER  
GRUMLEY 1  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**MOTION WILLIAMS SECOND SEIDLER TO ACCEPT THE MINUTES AS AMENDED**

MIGLIOZZI  
WILLIAMS 1  
SEIDLER 2  
GRUMLEY  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**COMMUNICATION**

NONE

**CITIZENS COMMENTS**

**DAN MONDUS                      113 MAPLE**

Wants to commend the administration on how they patch the pot holes in the City of Girard.

Wants to address the Law Director in reference to the last meeting on the ordinance council voted on establishing a committee to investigate the Water Department, thinks the Law Director called it illegal.

Law Director: as it read

Asks the Law Director if he feels by calling it illegal that he can invalidate an action by City Council?

Law Director: If its citing an incorrect Ohio Revised Code, all based on the ORC code section, yes it would be improper.

Mondus: So you think you have the authority to void it?

Law Director: I didn't, I gave my opinion.

Mondus: I believe you said it was no good and they would have to redo it.

Discussion followed on what could have been done and that the RC section number cited in the first paragraph was transposed in the second paragraph.

Mondus has seen many faulty ordinance with typographical errors.

Length and heated discussion follows.

**LILLIAN BREEDLOVE        830 LINCOLN AVE**

Inquires about the sound system ordinance that passed.

Mr. Williams had seconds thought on it and said everyone should speak up. Mr. Costarella says that the ordinance was passed to purchase the sound system so act on it.

**SAM PAGANO                      1632 SQUAW CREEK**

Says that no one comes to the meetings because everyone mumbles. If you are not going to get the sound system, then speak up.

**TONY ANTONUCCI            117 HIGHLAND**

There to represent Anita Dentino concerning her rental property outside the city limits next to Patron Landscaping.

**ANITA DENTINO                      2315 BRENTWOOD**

Bought the property for the view. Patron Landscaping came in and now my view is heavy equipment, mounds of dirt and the sounds of heavy equipment early in the morning. Posses a problem in the sell of the property. Buys rental property and fixes them up. Has to do something with the property, sell it or fix it up.

**TONY ANTONUCCI            117 HIGHLAND**

Diminishing the property. House in Weathersfield Township.

**ANITA DENTINO                      2316 BRENTWOOD**

Has problems with Mr. Patron. Says the zoning inspector says no one lives in the house so when someone lives in the house there will be a fence.

**REPORT OF OFFICERS & DIRECTORS OF THE CITY**

**MAYOR: JAMES MELFI**

**PRESENT**

1. Loosing money through fire hydrant theft in outlying areas. Wants legislation protecting outlying hydrants. People turning their water back on.
2. Wants Council to suspend 2 and 3 reading on legislation for electric aggregation.

**SAFETY SERVICE DIRECTOR: JEROME LAMBERT**

**ABSENT**

**LAW DIRECTOR: MARK STANDOHAR** **PRESENT**  
Update on litigation on breaching of the dam. Contractor did not pay subcontractor. Has pre-trial next week.

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**AUDITOR: SAM ZIRAFI** **PRESENT**  
Books are closed. Asking for 2 ordinances.

**TREASURER: JOHN MOLITERNO** **ABSENT**  
**POLICE CHIEF: JEFF PALMER** **PRESENT**

1. Saw layout of new school. Has issues with Shannon road
2. Turning land Beaver and Shannon, property not Girard's.
3. Gives stats on police department.

**FIRE CHIEF: KEN BORNEMISS** **ABSENT**

### **COMMITTEE REPORTS**

**FINANCES-MIGLIOZZI, SEIDLER, COSTARELLA**  
**MIGLIOZZI:**

1. Caucus with State Auditor asked for a breakdown of items and the cost associated with that. On May 29, 2009 received an e-mail given the breakdown and passed it out. Wants input, preferably at a finance meeting.
2. Had conversation with Fire Chief, in the last year of renewal levy for fire department. Wants legislation tonight to place it on the general election for November 3, 2009 for consideration by the voters for renewal. That is 1/3<sup>rd</sup> of their budget.
3. Starting receiving some information from the Service Director in regards to the questions that the finance committee had prepared for investigating the garbage levy and possible conversion of that.
4. Schedule next meeting May 26, 2009 at 6:00 p.m.

**ECONOMIC DEVELOPMENT-SEIDLER, KREN, WILLIAMS**  
**SEIDLER**

4<sup>th</sup> Ward Block Watch 5-13-09 at 6:30 at the Multigeneration Center  
3<sup>rd</sup> Ward Block Watch 5-20-09 at 6:30 at the Girard Library  
Police Chief Palmer will attend the 4<sup>th</sup> ward block watch meeting.

Thanks Police Chief for being a main driving force behind the creation and existence of the 3<sup>rd</sup> ward block watch.

**BUILDINGS & GROUND-SHELBY, COSTARELLA, GRUMLEY**  
**SHELBY**

Had a meeting May 4, 2009 at 4:00 p.m. discussed the columbarium, had 3 proposals from the same company. Happy with the bids but wants to pursue 1 competitive bid.

**HEALTH & SAFETY-COSTARELLA, GRUMLEY, SHELBY**  
**COSTARELLA**  
**NO REPORT**

**STREET & SIDEWALK/EMPLOYEE WELFARE**  
**GRUMLEY, WILLIAMS, MIGLIOZZI**  
**GRUMLEY**

Had a meeting April 30, 2009 at the superintendents office. Showed maps of the property and have concerns about the one access off of Shannon. Has legislation asking for a 1<sup>st</sup> reading for the opening of Gary and N Highland. The public forum will be June 8, 2009 6:00-6:30 p.m. and June 8, 2009 6:30-7:00 p.m. prior to meeting.

Passed out to members of council a study on the numbers of students and staff using the parking lots currently at the current high school and possibly projecting the number of students that would be coming from the south end of town that

would possibly be driving to the new high school.  
Further discussion on safety issues and new traffic patterns for the new school.

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**UTILITIES-KREN, SHELBY, MIGLIOZZ**

KREN

Committee met earlier this evening. There has only been one alternate supplier to submit a bid for those communities that have aggregation programs. It was a graduated discount plan. Describes the plan and the communities that have opted in with this supplier through Buckeye Energy. There is an ordinance tonight giving the Mayor the authority to sign the plan. Have to schedule two public hearings. Friday, May 22 at 1:00 p.m. and Tuesday May 26 at 6:30 prior to the regular meeting.

**ZONING-WILLIAMS, SEILDER, KREN**

WILLIAMS

NO REPORT

**ORDINANCES- SEIDLER, SHELBY, MIGLIOZI**

**#44-96 MIGLIOZZI 3rd READING**

**An ordinance amending ordinance amending ordinance No. 7631-09 to change appropriations for calendar year 2009 for the general fund of the City of Girard.**

**MOTION MIGLIOZZI SECOND SEIDLER FOR PASSAGE.**

MIGLIOZZI 1

WILLIAMS

SEIDLER 2

GRUMLEY

SHELBY

KREN

COSTARELLA

Passed 7-0 vote

**#44-100 COSTARELLA 1<sup>ST</sup> READING**

**An ordinance establishing a committee to investigate all matters pertaining to the Girard Water Department.**

**#44-101 KREN 1<sup>ST</sup> READING**

**An ordinance authorizing the Mayor to enter into an amendment agreement with First Energy Solutions for a governmental electric aggregation program with opt-out provisions pursuant to law and declaring an emergency**

**MOTION KREN SECOND SHELBY TO SUSPEND 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS.**

MIGLIOZZI

WILLIAMS

SEIDLER

GRUMLEY

SHELBY 2

KREN 1

COSTARELLA

Passed 7-0 vote

**MOTION KREN SECOND SHELBY FOR PASSAGE**

MIGLIOZZI

WILLIAMS

SEIDLER

GRUMLEY  
SHELBY 2  
KREN 1  
COSTARELLA  
Passed 7-0 vote

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**#44-102 GRUMLEY 1<sup>ST</sup> READING**  
**An ordinance authorizing the Service Director to proceed with opening Gary Avenue to provide access to the recently city annexed property on which the new Girard JR/SR High School will be located.**

**#44-103 GRUMLEY 1<sup>ST</sup> READING**  
**An ordinance authorizing the Service Director to proceed with opening N Highland Avenue to provide access to the recently city annexed property on which the new Girard JR/SR High School will be located.**

**REQUEST FOR NEW LEGISLATION**

**A resolution accepting the alternative tax budget for tax year 2010**  
MOTION MIGLIOZZI SECOND WILLIAMS  
MIGLIOZZI 1  
WILLIAMS 2  
SEIDLER  
GRUMLEY  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**An ordinance amending ordinance #7631-09 to change appropriations for calendar year 2009 for the funds listed in that ordinance.**

MOTION MIGLIOZZI SECOND WILLIAMS  
MIGLIOZZI 1  
WILLIAMS 2  
SEIDLER  
GRUMLEY  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**An ordinance to place before the voters on the November 3, 2009 General Elections the renewal of the 3 mill Fire Department levy.**

MOTION MIGLIOZZI SECOND SIEDLER  
MIGLIOZZI 1  
WILLIAMS  
SEIDLER 2  
GRUMLEY  
SHELBY  
KREN  
COSTARELLA  
Passed 7-0 vote

**An ordinance to amend ordinance #7627-09 for the number of police Captains from 6 to 5.**

MOTION MIGLIOZZI SECOND COSTARELLA  
MIGLIOZZI 1  
WILLIAMS  
SEIDLER

GRUMLEY  
SHELBY  
KREN  
COSTARELLA 2  
Passed 7-0 vote

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**ADJOURNMENT**

**MOTION KREN SECOND WILLIAMS TO ADJOURN**

MIGLIOZZI  
WILLIAMS 2  
SEIDLER  
GRUMLEY  
SHELBY  
KREN 1  
COSTARELLA  
Passed 7-0 vote

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**REYNALD J PAOLONE**  
PRESIDENT OF COUNCIL

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**NANCY L NUZZI**  
CLERK OF COUNCIL

**NO FURTHER ENTRIES TO THE MINUTES OF MAY 11, 2009**

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