VILLAGE OF BOSTON HEIGHTS REGULAR COUNCIL MEETING

July 11, 2012 - 8:00 PM

AGENDA

ROLL CALL
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CORRESPONDENCE
AUDIENCE PARTICIPATION

ORDINANCE N - 2012 (Third Reading)	AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1151.07(a)(26) REGARDING MINIMUM SQUARE FOOTAGE AND DECLARING AN EMERGENCY.
ORDINANCE O - 2012 (Third Reading)	AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1141.34 REGARDING PUBLICATION FOR PUBLIC NOTICE OF A HEARING.
ORDINANCE T- 2012 (Second Reading)	AN ORDINANCE APPROVING THE UPDATED ZONING MAP
ORDINANCE U- 2012 (First Reading)	AN ORDINANCE AMENDING CODIFIED ORDINANCE 1179.04 REGARDING THE SIZE AND DURATION OF TEMPORARY POLITICAL SIGNAGE POSTING BEFORE REPLACEMENT AND DECLARING AN EMERGENCY.
RESOLUTION AA- 2012 (Second Reading)	A RESOLUTION AUTHORIZING ADVANCING OF LOCAL TAXES.
RESOLUTION FF - 2012 (First Reading)	A RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF THE STREET DEPARTMENT SERVICE VEHICLE ON EBAY.
RESOLUTION GG - 2012 (First Reading)	A RESOLUTION DECLARING VILLAGE SPONSORSHIP AND HOSTING OF FLEA MARKET FESTIVAL AND DECLARING AN EMERGENCY.

COMMITTEE REPORTS
OLD BUSINESS
NEW BUSINESS
ADJOURN

RICHARD HUBER, FISCAL OFFICER

ORDINANCE N - 2012 JULY 11, 2012 (Third Reading)

ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1151.07(a)(26) REGARDING MINIMUM SOUARE FOOTAGE AND DECLARING AN EMERGENCY.

WHEREAS; The Planning Commission for the Village of Boston Heights has reported a recommended change in the minimum square footage as set forth in Codified Ordinance 1151.07(a)(26); and,

WHEREAS; A proper public notice and a hearing has been given as to the changing to the adoption of this Ordinance and the amendments to Codified Ordinance Section 1151.07(a)(26);

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, Ohio as follows:

Section 1 : That Codified Ordinance Section 1151.07(a)(26) of the Codified Ordinances of the Village of Boston Heights be amended to and shall now state as follows:

(26) Office: One space for each 250 square feet of floor area as the minimum parking space requirement.

Section 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the continued operations of the Village departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:		
	BILL GONCY, Mayor	
ATTEST:		
I, RICHAR	D HUBER, Fiscal Officer and Clerk of the V	illage of Boston
Heights, Summit County, Ohio do	hereby certify that the foregoing Ordinance_	2012 was
duly passed by the Council of the	Village of Boston Heights, County of Summi	t, State of Ohio at
a meeting of Council on this	day of , 2012.	

ORDINANCE O - 2012 JULY 11, 2012 (Third Reading)

ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1141.34 REGARDING PUBLICATION FOR PUBLIC NOTICE OF A HEARING

WHEREAS; The "Public Notice of a Hearing" definition in Codified Ordinance 1141.34 no longer reflects the precise requirements the Ohio Revised Code; and,

WHEREAS; The Planning Commission has reported to Council a recommendation in favor of this Ordinance; and,

WHEREAS; Proper public notice and a hearing has been given as to the adoption of this Ordinance and these amendments to Codified Ordinance Section 1141.34;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, Ohio as follows:

SECTION 1: That Codified Ordinance Section 1141.34 of the Codified Ordinances of the Village of Boston Heights be amended and shall now state as follows:

"Public notice of a hearing" means notice of a time and place thereof, published for a period not less than thirty (30) days prior to the date of the hearing in a newspaper of general circulation in the Village."

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance was duly adopted and shall take effect thirty (30) days after its adoption by Council and approved by the Mayor, otherwise, at the earliest period allowed by law.

PASSED:	
	BILL GONCY, MAYOR
ATTEST:	
I, RICHARD HU	UBER, Fiscal Officer and Clerk of the Village of Boston Heights
Summit County, Ohio do hereb	y certify that the foregoing Ordinance O - 2012 was duly passed
by the Council of the Village of	f Boston Heights, County of Summit, State of Ohio at a meeting
of Council on thisday of Ju	uly, 2012.

ORDINANCE T - 2012 JULY 11, 2012 (First Reading)

AN ORDINANCE APPROVING THE UPDATED VILLAGE ZONING MAP

WHEREAS, the Planning Commission of the Village of Boston Heights has reviewed and recommended various changes to the Village Zoning Map, and

WHEREAS, a Public Hearing was conducted on Tuesday, May 22, 2012 at 1830 hours regarding the proposed changes to the Village Zoning Map.

NOW, THEREFORE BE IT ORDAINED by the Council of the Village of Boston Heights, Summit County, State of Ohio, as follows:

SECTION 1: That Codified Ordinance 1151.02(b) be amended to state as follows:

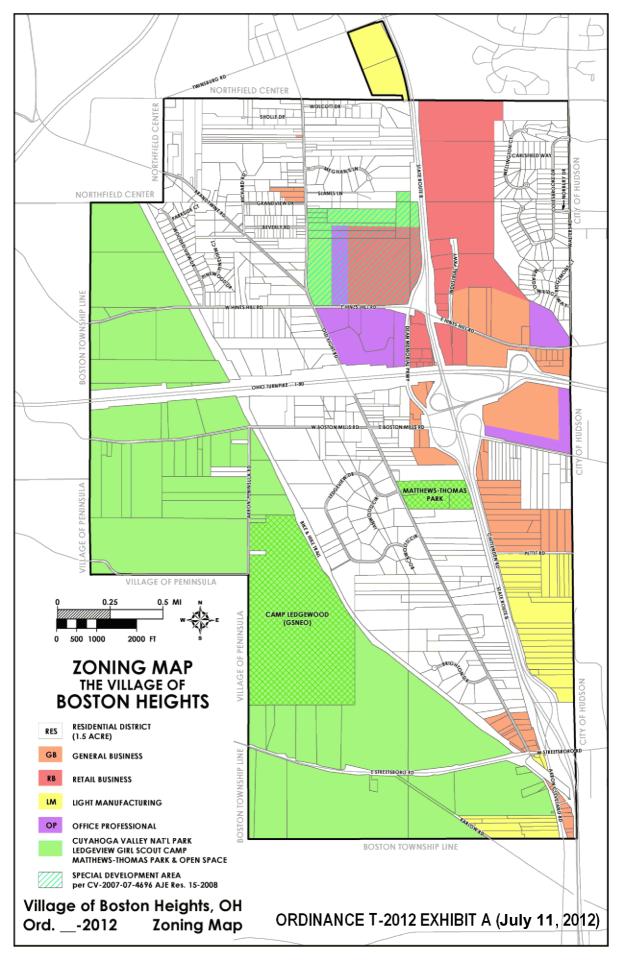
The Zoning Classification Map, as amended and attached hereto as Exhibit "A" is hereby accepted by Council.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance was duly adopted and shall take effect thirty (30) days after its adoption by Council and approved by the Mayor, otherwise, at the earliest period allowed by law.

PASSED.

TABBED.	
	BILL GONCY, MAYOR
ATTEST:	
Ohio, Ohio, do hereby certify that the	1 Officer of the Village of Boston Heights, Summit County, e foregoing Ordinance 2012 was duly passed by the 19ths, County of Summit, State of Ohio, at a meeting of 12.
	RICHARD HUBER, FISCAL OFFICER



ORDINANCE U - 2012 JULY 11, 2012 (First Reading)

AN ORDINANCE AMENDING CODIFIED ORDINANCE 1179.04 REGARDING THE SIZE AND DURATION OF TEMPORARY POLITICAL SIGNAGE POSTING BEFORE REPLACEMENT AND DECLARING AN EMERGENCY.

WHEREAS; The Council of the Village of Boston Heights finds that in Boston Heights Codified Ordinance 1179.02(b)(3) a "political sign" is defined as "a temporary sign advertising a political candidacy or issue;"

WHEREAS; The Council of the Village of Boston Heights finds that the life span of a temporary sign made of (1) lightweight wood and cardboard, (2) wire frame and cardboard, and/or (3) wire frame and plastic, is thirty days;

WHEREAS; The Council of the Village of Boston Heights finds the often flimsy physical characteristics of standard or typical temporary signs in general, including temporary political campaign signs, justify the imposition of a limit on the length of time they might be posted, so as to (1) avoid the development of litter or unsightly disintegration and (2) not distract or confuse motorists or pedestrians;

WHEREAS; The Council of the Village of Boston Heights finds that the Village's ordinance on political yards signs should be more narrowly tailored to the specific interests of preventing litter and the unsightly disintegration of temporary political yard signs;

WHEREAS; The Council of the Village of Boston Heights finds, in order preserve public peace, health, safety and the aesthetics of the Village, that the Codified Ordinance 1179.04 should be amended;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, Ohio as follows:

<u>Section 1</u>: That Codified Ordinance 1179.04(a)(3)(D) shall be and is hereby amended to state as follows:

Any political sign that does not exceed twelve (12) square feet per side shall be permitted provided that such sign shall be not be erected for more than thirty (30) consecutive days before it must be taken down and, at the property owner's option, be replaced with a new sign. Each such sign shall be duly registered in accordance with subsection 1179.03(j) of this Chapter.

<u>Section 2</u>: That Codified Ordinance 1179.04(c)(4)(D) shall be and is hereby amended to state as follows:

Any political sign that does not exceed twelve (12) square feet per side shall be permitted provided that such sign shall be not be erected for more than thirty (30) consecutive days before it must be taken down and, at the property owner's option, be replaced with a new sign. Each such sign shall be duly registered in accordance with subsection 1179.03(j) of this Chapter.

<u>Section 3</u>: That Codified Ordinance 1179.04(d)(4)(D) shall be and is hereby amended to state as follows:

Any political sign that does not exceed twelve (12) square feet per side shall be permitted provided that such sign shall be not be erected for more than thirty (30) consecutive days before it must be taken down and, at the property owner's option, be replaced with a new sign. Each such sign shall be duly registered in accordance with subsection 1179.03(j) of this Chapter.

<u>Section 4</u>: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

<u>Section 5</u>: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the continued operations of the Village departments and shall therefore take effect and be in force from and immediately after its passage.

DYCCED.

I ABBLD.	
ATTEST:	BILL GONCY, MAYOR
Ohio, Ohio, do hereby certify that the	al Officer of the Village of Boston Heights, Summit County, the foregoing Ordinance 2012 was duly passed by the ights, County of Summit, State of Ohio, at a meeting of 112.
	RICHARD HURER FISCAL OFFICER

RESOLUTION AA - 2012 JULY 11, 2012 (Second Reading)

RESOLUTION AUTHORIZING ADVANCING OF LOCAL TAXES

WHEREAS, pursuant to Ohio Revised Code Section 321.34, all local authorities entitled to advancement of funds must submit a resolution authorizing advances of local taxes each year; and,

WHEREAS, this Council finds that it is in the best interest of the Village to request advancement of local taxes from the Summit County Fiscal Officer;

NOW, THEREFORE BE IT RESOLVED by the Council of the Village of Boston Heights, Summit County, State of Ohio;

- SECTION I. That the Summit County Fiscal Officer be, and hereby is, requested to pay to the Village Fiscal Officer such funds as may be available for distribution by said County Fiscal Officer.
- SECTION 2. That the Mayor and the Village Fiscal Officer be, and hereby are, authorized and directed to sign the necessary documents to secure such advances and also the secondary documents to secure such advances and also the secondary documents to secure the semi-annual settlement for the 2012 tax year with the County Fiscal Officer payable during the calendar year 2012.
- SECTION 3. That the authorization herein conferred shall extend to any advances for the year 2012 tax year that may be required to be paid during the calendar year 2012.
- SECTION 4. That the Village Fiscal Officer be, and is hereby authorized and directed to forward a certified copy of this resolution to the Summit County Fiscal Officer as may be necessary to make this resolution effective.
- SECTION 5. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED:	
	BILL GONCY, MAYOR
ATTEST:	
I, RICHARD HUB	ER, Fiscal Officer and Clerk of the Village of Boston Heights,
Summit County, Ohio do hereby c	ertify that the foregoing Resolution 2012 was duly passed
by the Council of the Village of Bo	oston Heights, County of Summit, State of Ohio at a meeting
of Council on thisday of July,	2012.
	Richard Huber, Fiscal Officer

RESOLUTION FF - 2012 JULY 11, 2012 (First Reading)

A RESOLUTION AUTHORIZING THE MAYOR TO DISPOSE OF THE ROAD DEPARTMENT VEHICLE AND DECLARING AN EMERGENCY.

WHEREAS; The Village of Boston Heights wishes to dispose of the road department car no longer needed in the road department;

NOW THEREFORE, LET IT BE RESOLVED by the Council of the Village of Boston Heights as follows:

SECTION 1: That the Mayor be directed to review options for unwanted equipment and be hereby authorized to dispose of the road department vehicle car in the method most beneficial to the village.

SECTION 2: This Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and allows for the continued operation of the Village departments and shall therefore take effect and be in force immediately after its passage.

PASSED:	
	BILL GONCY, MAYOR
ATTEST:	
I, RICHARD	HUBER, Fiscal Officer and Clerk of the Village of Boston Heights,
Summit County, Ohio do h	nereby certify that the foregoing Resolution # 2012 was duly
passed by the Council of the	e Village of Boston Heights, County of Summit, State of Ohio at a
meeting of Council on this_	day of July, 2012.
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	RICHARD HUBER, FISCAL OFFICER

RESOLUTION GG -2012 JULY 11, 2012 (First Reading)

RESOLUTION DECLARING VILLAGE SPONSORSHIP AND HOSTING OF FLEA MARKET FESTIVAL AND DECLARING AN EMERGENCY

WHEREAS; The Village of Boston Heights finds it is in the general interest of its residents to promote and conduct, and direct a "Flea Market" event; and,

WHEREAS; The Village of Boston Heights finds it is in the general interest of its residents to permit the Fairview Cemetery Association, the Friends of Matthew Thomas Park and other third party vendors to sell and market food, beverages and other wares during this event;

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, Ohio as follows:

<u>Section 1:</u> The Mayor is directed and authorized to do all things necessary to oversee and direct the Village of Boston Heights' Flea Market Festival on August 11, 2012 to be held at the Matthew Thomas Park in the Village.

Section 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

<u>Section 3</u>: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the continued operations of the Village departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:	
	BILL GONCY, Mayor
ATTEST:	
	RICHARD HUBER FISCAL OFFICER

I, RICHARD HUBER, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution _____ 2012 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 11th day of July, 2012.