

**MINUTES OF SPECIAL MEETING OF THE COUNCIL OF THE
VILLAGE OF EAST SPARTA, COUNTY OF STARK AND STATE OF
OHIO HELD IN THE MUNICIPAL BUILDING ON SEPTEMBER 27, 2011.**

The meeting was called to order at 6:00pm. Roll call was taken with the following members present; Mayor Jackie TTruax, Council Members Charlene Stelluto, Marlene Gray, Jenna Hessedence, Scott Muir, Henry Johnsen and Clerk Treasurer Rice. Visitors included Robert Cyperski (Village Solicitor) and Ken Byrd (Building Inspector).

Mayor Truax stated that the purpose of the meeting was to discuss the fence situation for Albaugh.

Byrd stated that Albaugh has informed him that he had no business looking into this matter. Byrd stated that he was approached by a neighbor of Albaugh who requested that the matter be investigated because Albaugh was taking more than his share of the alley. Byrd has discovered that both parties are infringing on the alleyway. Byrd has investigated all maps available from the county to make his decision. Byrd also stated that when Albaugh originally built his fence he told Byrd that he knew it was over the property line and into the alley.

Cyperski informed Council that they have four options;

1. Do nothing.
2. Obtain a pin survey and initiate legal proceedings,
3. Enforce the ordinance and have the fence moved behind property line.
4. Have the fence removed.

Stelluto made motion to have Cyperski draft a letter to Albaugh requesting that the fence be moved to satisfy the ordinance which Albaugh has already stated in public that he would be willing to do so, seconded by Hessedence. Roll call 5 Yea, 0 Nay, motion carried.

Hessedence made motion to adjourn, seconded by Gray. Meeting adjourned 6:35pm.

Mayor

Clerk Treasurer