



- **Fracking Materials**

Bill Marquardt asked what new information we have on materials contained in the fracking liquids.

Diane Calta said after I get a little more information on the MSDS, I can put a provision into the Ordinance.

Bill Marquardt said you'll want to request MSDS information on all materials used in the process.

John Marrelli has requested information from Norburt Lowder, Inspector at ODNR.

Diane Calta said there's a big long analysis on determining whether there's a conflict, whether it's general law, a police power, or self government. You have to weigh all of them. The cases come out of both sides. One of the most recent ones is the "conceal carry". There's a State Statue allowing permits for people to carry concealed weapons. There were Local ordinances that said you couldn't carry them in parks. An analysis was done and said the State Statue trumped the Local. A case that came out the other way was "manufacturing mobile homes". There was a State Law that said you have to allow them everywhere. Local ordinances said NO, you don't have to allow them everywhere. The Local Ordinance trumped the State. Back to drilling, you have to start with "Does our Ordinance conflict?" We don't prohibit gas & oil drilling in residential areas, we allow it. Right then and there you can make the argument.

Bill Marquardt thinks you can justify the need to be notified on what liquids are being used because our Safety Forces need to know what they're dealing with if an incident occurs. They are the ones that need to respond.

Jerry Catalano asked, isn't the State required to have periodic inspections of all wells?

Diane Calta replied that supposedly they're trying to have more Inspectors.

Bill Marquardt clarified the issue at hand is just knowing what kind of materials they're using when doing the actual drilling so our Safety Forces can respond.

**Consensus: Do more research on Fracking Liquid and incorporate into Ordinance.**

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**Mayfield Village Insurance Program**  
**Wichert Insurance**

Diane Calta said everyone should have received the spreadsheet of the Chapter sections. There are a couple sections where we've already moved the requirements into a schedule. We did that in "08", but those changes weren't published in the code on line or in the book yet.

Diane reviews the schedule with Committee. Jay Hutchinson reviewed all the changes and concurred everything is fine. He noted that if we still had some split limits, it's not uncommon to see that because a lot of municipalities have not updated their codes. I took the two that I found that we had moved into a schedule that were split limits and I changed them. As far as Chapter 1177; Flood Zone District; there weren't really any required revisions to this section. It was only to see if we had any properties that might fit within the District that we would want to make sure are insured correctly. Tom Cappello confirmed no additional coverage was necessary for any Village owned properties.

## **DECISION**

Mr. Marrelli, seconded by Mrs. Wervey made a motion to accept the proposed Insurance Coverage changes throughout the sections of the code requiring liability and/or any other kind of Insurance on Users in Chapters 3, 5, 9, 11, 13 & 15.

Mr. Marquardt asked if any discussion. There was none.

## **ROLL CALL**

Ayes: Mr. Marquardt, Mr. Catalano, Mrs. Wervey, Mr. Marrelli

Nays: None

**Motion Carried  
Recommendation to Council**

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### **National Flood Insurance Program Flood Damage Reduction Ordinance**

**Consensus: Table until Engineer reviews Law Department  
changes to Model Ordinance.**

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## **OLD BUSINESS**

- **Summary of Caucus last evening on Gas Drilling**

Bill Marquardt said we had quite a group here last night and a lot of people spoke. Most of it was the same stuff that we've heard. The only thing that I note that sounded new was filing a Law Suit. The Mayor went over some actions that the Council of Mayors is going through. It kind of looks like both the Niehaus & Grendell Bill's will go from the Senate to the House. Hopefully there'll be some sort of compromise between the two. It's not likely Grendell's Bill will be the favored solution. It will probably lean more towards the Niehaus Bill, but they're hoping to get some kind of concessions as far as getting a little more control over it. It's still up in the air. That's what's happening at the State level.

Bill Marquardt in conclusion stated last evening we passed a Resolution on supporting a Moratorium on Gas Well Drilling in residential areas as other communities have done. It's non-binding. It's a sign of support, a formal statement of position.

**ADJOURNMENT**

Mr. Marrelli, seconded by Mrs. Wervey made a motion to adjourn.

**ROLL CALL**

Ayes: All

Nays: None

**Motion Carried**

**Meeting adjourned at 5:25 p.m.**

Respectfully Submitted,

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