

Village of Middlefield Regular Council Minutes
February 5, 2015

Council met in regular session. The Mayor called the meeting to order at 7:00 p.m. with the following members present: Mr. William Blue, Mr. Carl Hornung, Mr. Scott Klein, Mr. Richard Seyer, and Mr. Ronald Wiech. Mr. Carl Hofstetter-excused

Also present: Dan Weir – Administrator, Nick Giardina-Fiscal Officer, Tom Lee-Village Solicitor, Charlie Ehrhart-Director of Streets & Utilities, Chief Tucholski, Leslie McCoy-Econ Director/Zoning Inspector, Billie Warren-Recreation Director, Kim Breyley, Judy Stone, Dick Stone, Chief Bill Reed- MFD, Jim O'Dell III-CCAN, Ian Bacon, Alex Duncan, Sam Morrow-Glen valley Farms, Ann Wishart-Maple Leaf and Edna Davis.

Opening Ceremony: The Pledge of Allegiance was recited.

Agenda: No Additions or deletions.

Approval of Minutes: January 8, 2015 regular meeting – Mr. Wiech moved to approve the minutes as presented, seconded by Mr. Klein. Roll call: Yeas (5)

Payment of Bills: *Mr. Blue moved to authorize payments totaling \$241,448.37 seconded by Mr. Wiech. Roll call: Yeas (5).*

INCOME TAX REPORT – Report included in the packet.

ECONOMIC DEVELOPMENT REPORT – Report in the packet. Ms. McCoy stated that Briar Hill will doing an addition which will create about 22 new jobs. Still in the planning phase for the work force training program.

ZONING INSPECTOR'S REPORT – Report included in the packet. Ms. McCoy stated that residential permits have been slow and Briar Hill was issued a commercial permit.

DIRECTOR OF STREETS & UTILITIES REPORT – Report included in the packet. Mr. Ehrhart stated that the department has been doing routine maintenance at the water and wastewater plants, meter installation and sewer main cleaning. The department has had to repair equipment, sidewalks snowplowing, street snowplowing and snow removal in the downtown area. The sidewalk tractor has been down and we were able to borrow a tractor to get the village through and the village's tractor has been repaired and will be out tomorrow to get some clean up done. Mr. Ehrhart commended Chief Tucholski for all his help with pushing snow and helped stacking snow. Officer Gray has been keeping the Director of Streets and Utilities informed of the condition of the roads. Mayor Garlich stated that a great job that the service department did with all the inclement weather that we have had over the last couple of weeks; the department has worked a lot of hours.

POLICE REPORT – Report included in packet. Chief Tucholski gave an overview of the burglary to Council and Mayor that occurred on Wednesday night at the Family Dollar Store located on W. High Street. Chief gave the statistics for the month of January. Discussed when and why there have been so many parking tickets issued. Chief stated that with the inclement weather, the streets department needs the roads clear of cars for snowplowing. Sgt. Savage presented Chief Tucholski with the Lifesaving Award. Chief Tucholski answered a call at McDonalds for a female choking upon arriving the female was nonresponsive and not breathing. Chief Tucholski administer lifesaving skills and saved the female.

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PARKS & RECREATION REPORT – Report included in the packet. Ms. Warren stated that the Basketball Program has two more weeks of regular play and then tournaments. Had an issue with a referee and this referee will no longer be involved with the program. The wrestling program has ended and four wrestlers have qualified for districts. The adult basketball league has 6 teams committed to play and games will begin in March. The kitchen kids program will begin this Monday night with 8 participants. The yearly brochure was mailed last week; about 1,000. Sponsorship forms have been mailed out to local business's; mailed about 500.

FIRE DEPARTMENT REPORT – Report on the desk. Chief Reed stated that the department had 66 runs for the month of January. The department participate in a lot of ice training this month with mutual departments.

AMBULANCE REPORT – Nothing to report.

FINANCIALS – Report included in packet. Slow start to the year. Looking for improvement. Expenses are down compared to last year.

PUBLIC PARTICIPATION- No comments from the audience.

FIRST READING

RESOLUTION 15-04 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH VICTORIA NAGY & ASSOCIATES L.P.A., TO PROVIDE LEGAL SERVICES IN MATTERS RELATING TO THE COLLECTION OF MUNICIPAL INCOME TAXES FOR THE VILLAGE OF MIDDLEFIELD, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Resolution 15-04 by title only.

Mr. Weir stated that the last legislation was just for delinquent tax collection. This Ordinance hires them as legal counsel for tax matters.

Mr. Hornung made a motion to waive the required readings and declare Resolution 15-04 an emergency, seconded by Mr. Blue. Roll call: Yeas (6)

Mr. Hornung made a motion to pass Resolution 15-04, seconded by Mr. Wiech. Roll call: Yeas (5)

ORDINANCE 15-104 AN ORDINANCE ENACTING NEW SECTION 181.11(D) OF THE CODIFIED ORDINANCES TO AUTHORIZE THE FISCAL OFFIER, WITH THE APPROVAL OF THE MAYOR AND THE CHAIR OF THE FINANCE COMMITTEE, TO ESTABLISH A DELINQUENT TAX PAYMENT PLAN, SUBJECT TO SPECIFIED REQUIREMENTS, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Ordinance 15-104 by title only.

Mr. Seyer stated that the Finance Committee recommended that this Ordinance be Tabled for further work.

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SECOND READING

RESOLUTION 15-02 A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO ACT AS THE DESIGNATED REPRESENTATIVE OF THE MEMBERS OF THE VILLAGE OF MIDDLEFIELD COUNCIL FOR PURPOSE OF REQUIRED PUBLIC RECORDS TRAINING.

Mayor Garlich introduced Resolution 15-02 by title only.

Mr. Klein made a motion to place Resolution 15-02 on second reading, seconded by Mr. Blue. Roll call: Yeas (5)

THIRD READING

ORDINANCE 14-144 AN ORDINANCE AMENDING EXISTING SECTION 911.21 OF THE CODIFIED ORDINANCES TO PROVIDE FOR THE REGULATION OF BOOSTER PUMPS AS REQUIRED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY.

Mayor Garlich introduced Ordinance 14-144 by title only.

Mr. Hornung made a motion to place Ordinance 14-144 on third reading, seconded by Mr. Wiech. Roll call: Yeas (5)

PENDING PASSAGE – Nothing before Council

OLD BUSINESS

- 1. School Facility Use Agreement – Discussion:** Mayor Garlich stated that council was approached by Huskie Nation for support. The school proposed a prepayment for the school use fee. Council was looking at 20 years at the current rate. The school board has come back with an agreement for 15 years. Lengthy discussion regarding the agreement. Mr. Lee gave the history of the school and the recreation department that use to be a joint group. Then the school was unable to keep the programs going and the village undertook the recreation programs and hired a director. This is basically a service agreement and it is unusual to enter into a long term agreement for service. Mr. Seyer stated that perhaps split the difference between the 15 year and the 20 year agreement; propose 17 or 18 year agreement if Council still wants to move forward. Discussion regarding the partnership that the school and the council have had over the years. Mr. Hornung stated that he has some concerns regarding the consolidation of the school districts. Mr. Klein feels that Council should propose the 17 year proposal. Mr. Blue would like to have the amount of hours that the recreation department use the school. Ms. Warren stated that the Recreation department used the facility about 400 hours per year. Discussion regarding the benefit of the sports complex would bring to the village. Mr. Wiech feels that the village's money can be used for road repairs and bettering the village. ***Mr. Seyer made a motion to counter propose 17 years to Cardinal School Board, seconded by Mr. Klein.***

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NEW BUSINESS

1. **Web Site Report – Kim Breyley :** Ms. Breyley stated that views are up 16% over last month. Discussion regarding the statistics that were presented to council. Mobile use is up again this month; most views were of the Mayors letters.
2. **Proposal for New Village Entrance Signs – Northcoast Sign Works:** The Finance Committee has reviewed the signs and they really like them. The cost per sign is reasonable. Mr. Seyer stated that he would like to date changed to the settle date of 1799. ***Mr. Hornung made a motion to purchase the signs, seconded by Mr. Blue. Roll call: Yeas (6)***
3. **American Fireworks Agreement – Summerfest 2015:** Summerfest is scheduled for June 20th, 2015. ***Mr. Blue moved to approve the contract with American Fireworks, seconded by Mr. Hornung. Roll call: Yeas (6)***
4. **Proposal from Universal Disposal – Spring Cleanup Day, May 16th:** Mr. Weir stated that the price has increased \$50.00 per load with this year's contract. The company always does a great job and are very professional. ***Mr. Wiech made a motion to accept the contract with Universal Disposal for the 2015 Spring Clean Up Day, May 16th, seconded by Mr. Hornung. Roll call: Yeas (6)***
5. **Impact Fee Variance for Briar Hill:** Ms. McCoy stated that Briar Hill requested a reduction in the Impact fee. Ms. McCoy used the current usage of the facility to calculate a variance amount between \$23,000 to \$39,000. Planning and Zoning suggested \$30,000.00. ***Mr. Klein made a motion to approve the reduction in the impact fee for Briar Hill to \$30,000.00 with a 2 year look back after occupancy, seconded by Mr. Wiech. Roll call: Yeas (6)***

COMMITTEE REPORTS and COMMUNICATIONS

Economic Development (Mayor Garlich/Mr. Blue/Mr. Hornung) – No Minutes

Finance & Ordinance (Mr. Seyer/Mr. Klein/Mr. Wiech) – In packet.

Streets, Sidewalks, & Utilities (Mr. Wiech/Mr. Hornung/Mayor Garlich) – In packet. Mr. Hornung stated that he has an agreement with Rebecca Miller to trap and get the feral cats spayed/neutered. Mr. Wiech stated that each year the committee will look at what the carry forward is and will be putting that into a special line item just for road repair.

Parks & Recreation (Mr. Hofstetter/Mr. Seyer/Mayor Garlich) – In packet.

Public Safety (Mr. Hornung/Mr. Blue/Mr. Hofstetter) – In packet.

Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Gyure/Ms. Davis) – In packet.

VILLAGE CALENDAR:

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EXECUTIVE SESSION:

Mr. Hornung moved to adjourn into executive session at 8:20 pm to discuss possible litigation, seconded by Mr. Blue. Roll call: Yeas (6)

The regular session of Council reconvened at 8:33 pm.

Mayor Garlich spoke of businesses that are looking at possibly moving into the village. Discussed the selling of Russell Funeral Home. Discussed when Vinny's Pizza will be moving to the old Wendy's Building.

There being no further business before Council the meeting adjourned at 8:39 pm.

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER

DRAFT