

**Village of Middlefield Regular Council Minutes**  
**April 13, 2017**

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Council met in regular session. Mayor Garlich called the meeting to order at 7:00 p.m. with the following members present: Mr. Bill Blue, Mr. Carl Hornung, Mr. Scott Klein, Mr. Sam Morrow, Mr. Ron Wiech and Mr. Rick Seyer.

**Also present:** Mr. Nick Giardina-Fiscal Officer, Mr. Tom Lee-Village Solicitor, Ms. Leslie McCoy - Administrator, Mr. Nick Bellas-Zoning Inspector, Ms. Billie Warren-Recreation Director, Chief Tucholski – Police & Director of Streets & Utilities, Lt. Savage, Mr. Alex Duncan, Ms. Judy Stone, Mr. Dick Stone, Mr. Roger Hanna, Ms. Fran Hanna, Ms. Diane Ryder-Maple Leaf, Joan Czuchra, Chief Bill Reed-Middlefield Fire Department, Chris Koepf-CCAN and Kyle Kaplan.

**Opening Ceremony:** The Pledge of Allegiance was recited.

**Agenda:** No additions or deletions to the agenda.

**Approval of Minutes:** March 9, 2017 regular meeting – ***Mr. Hornung moved to approve the minutes as presented, seconded by Mr. Morrow. Roll call: Yeas (6).***

**Payment of Bills:** ***Mr. Blue moved to authorize payments totaling \$293,648.06, motion seconded by Mr. Wiech. Roll call: Yeas (6).*** There were 3 payroll in the month of March.

**FISCAL OFFICER'S REPORT: Income Tax and Financials** – Report is included in the packet. Income tax is up approximately 2%. Water and sewer revenue has been declining, discussed the aging population and the discount that they receive. Expenses are down and revenue is up. Withholding tax is strong which indicted growth in employment.

**ECON DEVELOPMENT:** Report is included in the packet. Still working with the proposed Giant Eagle plaza tenant. Still in contact with NEO. Attended the commissioner meeting. There have been two revolving loan applications and one has been approved and one more application is expected in the next month or so.

**ZONING REPORT:** Report is included in the packet. Mr. Bellas stated that the department issued 4 permits for the month of March. Working on several complaints with the prosecutor's office.

**DIRECTOR OF STREETS & UTILITIES REPORT** – Report is included in the packet. Chief Tucholski stated that the department has used about 500 ton of salt to date; which is low. The tractors are prepped for mowing. Park bathrooms are being opened for the season. Pump maintenance and repairs. Discussion regarding the proposed repair work on north 608. Discussion regarding the Water main break and transferring the other few businesses and residents that are still on that line.

**POLICE REPORT** – Report is included in the packet. Chief Tucholski gave the statistics for the month of March. 468 calls for service; up a little bit from last year. Discussion regarding the Sheriff's Department investigation and warrant served at 15900 Grove Street.

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**PARKS & RECREATION REPORT** – Report is included in the packet. The Kitchen Kids program is currently underway. Received quotes for the dog park fencing. Soccer and Softball practices are underway and games will start soon. Ms. Warren thanked all her volunteer for all the help with the Egg Hunts.

**FIRE DEPARTMENT REPORT** - Report is included in the packet. Chief Reed gave the statistics for the fire department; 195 runs year to date. Discussion regarding what a “Hazardous Condition” entitles. Believes that was the night of the high winds and probably was wires down.

**AMBULANCE REPORT** – Report is included in the packet. Mr. Koepf gave the statistics for the month of March. Average response time is 4.6 minutes.

**PUBLIC PARTICIPATION-**

No comments from the audience.

**FIRST READING -**

**RESOLUTION 17-06 A RESOLUTION APPROVING A LOAN OF ANIDRAIG PROPERTIES LLC, IN THE AMOUNT OF \$78,000, FROM THE VILLAGE'S LOCAL REVOLVING LOAN FUND, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 17-06 by title only.

Mr. Seyer stated that just for the record this does benefit the Finance Director. Mr. Lee stated that this does not violate any of the Ethics Law and is perfectly legal. The rate are exactly the same as the other loan that was issued.

Mr. Blue made a motion to waive the required readings and declare Resolution 17-06 an emergency, motion seconded by Mr. Morrow. Roll call: Yeas (6). Ms. McCoy took the roll call.

Mr. Klein made a motion to **PASS** Resolution 17-06, motion seconded by Mr. Hornung. Roll call: Yeas (6). Ms. McCoy took the roll call.

**RESOLUTION 17-07 A RESOLUTION OPPOSING THE STATE OF OHIO SEEKING TO TAKE CONTROL OF MUNICIPAL TAX COLLECTION, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 17-07 by title only.

Mayor Garlich stated that the village collects, have better access to the local documents and handle the money in house. The village would like to retain the local control. This legislation will be delivered to the Ohio Department of Taxation.

Mr. Wiech made a motion to waive the required readings and declare Resolution 17-07 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (6).

Mr. Hornung made a motion to **PASS** Resolution 17-07, motion seconded by Mr. Blue. Roll call: Yeas (6).

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**RESOLUTION 17-08 A RESOLUTION TO PARTICIPATE IN THE GEAUGA COUNTY ENGINEER RESOURCE RENTAL PROGRAM, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 17-08 by title only.

Ms. McCoy stated this is a renewal of an already in place agreement. This gives the village the option to rent a machine and operator from the County at discounted rates.

Mr. Morrow made a motion to waive the required readings and declare Resolution 17-08 an emergency, motion seconded by Mr. Wiech. Roll call: Yeas (6).

Mr. Klein made a motion to **PASS** Resolution 17-08, motion seconded by Mr. Hornung. Roll call: yeas (6)

**ORDINANCE 17-105 AN ORDINANCE INCREASING CERTAIN FEES IMPOSED BY THE VILLAGE, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Ordinance 17-105 by title only.

Ms. McCoy stated that this was updated from last month. The committee asked to increase to 6% and this is for the sprinkler account

Mr. Klein made a motion to waive the required reading and declare Ordinance 17-105 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (6).

Mr. Morrow made a motion to **PASS** Ordinance 17-105, motion seconded by Mr. Blue. Roll call: Yeas (6).

**ORDINANCE 17-109 AN ORDINANCE AMENDING VILLAGE OF MIDDLEFIELD CODIFIED ORDINANCE SECTIONS 907.04 AND 907.07 OF THE CODIFIED ORDINANCE CHAPTER 907 ENTITLED "SEWER CHARGES", CREATING MONTHLY RESIDENTIAL BILLING AND AN ADMINISTRATION FEE.**

Mayor Garlich introduced Ordinance 17-109 by title only.

This is proposed to move residential water/sewer account to monthly. Took the current quarterly amount and divided that by 3 for a minimum of 2,000 gallons. There is an administrative fee being included to help cover the increased cost in postage, invoices and envelopes.

Mr. Morrow made a motion to place Ordinance 17-109 on first reading, motion seconded by Mr. Hornung. Roll call: Yeas (6).

**ORDINANCE 17-110 AN ORDINANCE AMENDING VILLAGE OF MIDDLEFIELD CODIFIED ORDINANCE SECTIONS 911.08, 911.12 AND 911.13 OF THE CODIFIED ORDINANCES CHAPTER 911 ENTITLED "WATER", CREATING MONTHLY RESIDENTIAL BILLING AND AN ADMINISTRATIVE FEE.**

Mayor Garlich introduced Ordinance 17-110 by title only.

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Mr. Hornung made a motion to place Ordinance 17-110 on first reading, motion seconded by Mr. Blue. Roll call: Yeas (6).

**ORDINANCE 17-111 AN ORDINANCE THAT VILLAGE OF MIDDLEFIELD WILL PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE VILLAGE OF MIDDLEFIELD PURSUANT TO INTERNAL REVENUE CODE SECTION 414(H)(2), AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Ordinance 17-111 by title only.

Mr. Giardina stated that at the staff meeting last month this was brought to the majority of employees and those in attendance voted unanimously for this change. It changes the retirement to a pre-tax deduction. This cost the village nothing to change but gives the employees more money in their current pay checks

Mr. Klein made a motion to waive the required readings and declare Ordinance 17-111 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (6).

Mr. Wiech made a motion to **PASS** Ordinance 17-111, motion seconded by Mr. Morrow. Roll call: Yeas (6).

**ORDINANCE 17-112 AN ORDINANCE THAT VILLAGE OF MIDDLEFIELD WILL PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO POLICE & FIRE PENSION FUND FOR THE EMPLOYEES OF THE POLICE DEPARTMENT OF THE VILLAGE OF MIDDLEFIELD, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Ordinance 17-112 by title only.

Mr. Wiech made a motion to waive the required readings and declare Ordinance 17-112 an emergency, motion seconded by Mr. Blue. Roll call: Yeas (6).

Mr. Hornung made a motion to **PASS** Ordinance 17-112, motion seconded by Mr. Morrow. Roll call: Yeas (6)

**ORDINANCE 17-113 AN ORDINANCE AMENDING SECTIONS 945.01 AND 945.04 OF THE CODIFIED ORDINANCES TO PROVIDE REGULATIONS FOR THE VILLAGE REFUSE BAG PROGRAM FOR RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Ordinance 17-113 by title only.

The recycling center will be closing the week of May 11<sup>th</sup>. Mr. Blue suggested posting a sign stating when the center will close.

Mr. Klein made a motion to waive the required readings and declare Ordinance 17-113 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (6).

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Mr. Klein made a motion to **PASS** Ordinance 17-113, motion seconded by Mr. Morrow.  
Roll call: Yeas (6).

**SECOND READING**

**RESOLUTION 17-05 A RESOLUTION DECLARING IT NECESSARY TO RENEW THE  
LECY OF TAX IN EXCESS OF THE TEN MILL LIMITATION FOR AMBULANCE  
SERVICE, EMERGENCY MEDICAL SERVICE OR BOTH.**

Mayor Garlich introduced Resolution 17-05 by title only.

Mr. Blue made a motion to place Resolution 17-05 on second reading, motion seconded  
by Mr. Wiech. Roll call: Yeas (6)

**ORDINANCE 17-103 AN ORDINANCE AUTHORIZING VARIOUS ACTIVITIES  
RELATED TO THE VILLAGE COMMUNITY DAY, WAIVING ANY PROHIBITIONS OF  
THE CODIFIED ORDINANCE REGARDING SAME, AND DECLARING AN  
EMERGENCY.**

Mayor Garlich introduced Ordinance 17-103 by title only.

Mr. Morrow made a motion to place Ordinance 17-103 on second reading, motion  
seconded by Mr. Seyer. Roll call: Yeas (6)

**ORDINANCE 17-108 AN ORDINANCE AMENDING EXISTING SECTION 123.01 OF  
THE CODIFIED ORDINANCES TO MODIFY THE POSTING REQUIREMENTS FOR  
VILLAGE LEGISLATION AND OTHER NOTICE.**

Mayor Garlich introduced Ordinance 17-108 by title only.

Mr. Wiech made a motion to place Ordinance 17-108 on second reading, motion  
seconded by Mr. Hornung. Roll call: Yeas (6)

**THIRD READING**

**OLD BUSINESS**

1. **Dog Park:** Discussion regarding the cost of the fencing for the space that is proposed at Eagle Park. Discussion regarding a possible different location for the dog park. Mr. Seyer questioned George Knox Park. Chief Tucholski stated that would be a great location. Ms. Warren is to get quotes from fencing people at the George Knox Park area.

**NEW BUSINESS**

1. **Web Site Report – Kim Breyley:** Report in the packet. There are not a lot of changes. Number one site is still the police blog.
2. **Middlefield United Methodist Church – East Sunrise Service Request:** Ms. McCoy stated that the Methodist Church requested to use the cemetery for a sunrise service. ***Mr. Hornung made a motion to allow the Methodist Church to***

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***have a sunrise service at the Cemetery, motion seconded by Mr. Morrow.***  
**Roll call: Yeas (6)**

3. Community Center: The Methodist Church would like to build a community center. Mr. Hunter suggested getting the various Village organizations. Also the Cardinal Intermediate School will be available. Would like to continue this discussion at the next council meeting.

**COMMITTEE REPORTS and COMMUNICATIONS**

**Streets, Sidewalks, & Utilities (Mayor Garlich/Carl Hornung/Sam Morrow)** – No meeting in March

**Public Safety (Mr. Seyer/Mr. Blue/Mr. Wiech)** – Minutes are included in the packet.

**Finance & Ordinance (Mr. Klein/Mr. Seyer/Mr. Morrow)** – Minutes are included in the packet.

**Parks & Recreation (Mr. Wiech/Mr. Hornung/Mayor Garlich)** – Minutes are included in the packet.

**Economic Development (Mayor Garlich/Mr. Blue/Mr. Hornung)** – No meeting in March.

**Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Dietrich/Ms. Davis)** – Minutes are included in the packet.

Revolving Loan Fund (Mayor Garlich/Mr. Tom Lee/Mr. Bob Baker/Mr. Dave Detrich/Mr. Dave McDowell) – Minutes are included in the packet.

**VILLAGE CALENDAR:** In packet.

**EXECUTIVE SESSION:**

Mr. Hornung made a motion to adjourn into executive session at 8:12 pm to discuss personnel, motion seconded by Mr. Morrow. Roll call: Yeas (6).

The meeting reconvened at 8:39 pm.

There being no further business before Council the regular session adjourned at 8:40 pm.

**Approved:** \_\_\_\_\_  
**MAYOR**

**Attest:** \_\_\_\_\_  
**FISCAL OFFICER**