

Village of Middlefield Regular Council Minutes
May 11, 2017

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 and Mr. Ron Wiech. Mr. Rick Seyer is excused.

Also present: Mr. Nick Giardina-Fiscal Officer, Mr. Tom Lee-Village Solicitor, Ms. Leslie McCoy - Administrator, Ms. Billie Warren-Recreation Director, Chief Tucholski – Police & Director of Streets & Utilities, Lt. Savage, Ms. Joan Czuchra, Mr. Alex Duncan, Ms. Ann Wishart-MapleLeaf, Chris Koepf-CCAN, Ms. Judee Lombardo, Mr. John Borkholder, Ms. Frances Hanna, Mr. Roger Hanna, Mr. Kyle Kaplan and Ms. Joyce Porozynski.

Opening Ceremony: The Pledge of Allegiance was recited.

Agenda: No additions or deletions to the agenda.

Approval of Minutes: April 13, 2017 regular meeting – *Mr. Hornung moved to approve the minutes as presented, seconded by Mr. Blue. Roll call: Yeas (5).*

Payment of Bills: *Mr. Wiech moved to authorize payments totaling \$220,776.70, motion seconded by Mr. Morrow. Roll call: Yeas (5).*

FISCAL OFFICER'S REPORT: Income Tax and Financials – Report is included in the packet. Mr. Giardina stated that income tax is up by about 1 ½ % over last year; employment base continues to grow. Water and Sewer collections are down compared to last year. Expenses are down compared to last year. So far the year is holding strong.

ECON DEVELOPMENT: Report is included in the packet. Ms. McCoy stated that she was in Columbus yesterday at a meeting to discuss Economic Development for the state of Ohio. Discussion included workforce issues, retention of employees, expansion and building on those. Marketing vacant properties and businesses that are expanding. Mayor Garlich stated that he has heard from several businesses in town that they cannot get enough help. Need to market the village that there are job opportunities; good jobs that are available.

ZONING REPORT: Report is included in the packet. Ms. McCoy stated that there were three permits issued. Violations are still being handled. High Grass notices went out last week to residents. The village has not mowed any lots as of yet and almost all of the notices have been complied with. Discussion regarding repairs that are needed to the fence by Arby's.

DIRECTOR OF STREETS & UTILITIES REPORT – Report is included in the packet. Chief Tucholski stated that a phosphate pumps have been replaced and repaired. Lots of grass mowing, second month of chipping, road patching. Removed the sparse landscaping from the side of the building and installed gravel. Also washed the side of the building, looks a little better by still need some more washing. The water main road repair will be repaired next year. The roof at the water plant has a leak and will be repaired next month. The 608 project went out for bid and will be a grinding of the road and a repavement. The mosquito equipment has been purchased and is ready to be used.

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POLICE REPORT – Report is included in the packet. Chief Tucholski gave the statistics for the month of April. 383 calls for service; down a little bit from last year. The department is working a lot of the theft cases. The new car is in and the old cruiser has been pickup to be stripped of the equipment that will be installed in the new cruiser. Mr. Wiech asked about the heroin issue in the village. The police department has been on several scenes and have been there when the narcan has been used but the department has not personally has to use any. The narcan was donated to the department.

PARKS & RECREATION REPORT – Report is included in the packet. Mr. Warren stated that Kitchen Kids has wrapped up. The soccer and softball programs are underway and have started games. The adult basketball league has ended. Still taking registration for the Friday Night Men's Softball league.

FIRE DEPARTMENT REPORT - Report is included in the packet.

AMBULANCE REPORT – Report is included in the packet. Mr. Koepf gave the statistics for the month of April. Average response time is 3.55 second within the village.

PUBLIC PARTICIPATION-

Ms. Judee Lombardo – Asked if there is another location for the dog park and what will happen with the disc golf park. Ms. Warren stated that she is planning on moving the Disc Golf Park to Eagle Park. Ms. Lombardo made a complaint regarding the homes along Crestwood and the deplorable conditions that the back yards are in.

Mayor Garlich stated that he has received several complaint but that is Township and there is no zoning. Discussion regarding possible screening along Woodsong.

Joyce Porozyński - Asked about the dog park.

Mayor Garlich stated that the village is planning on sending out a survey to see what the residents want. Will review the answers and then if needed will move forward with the designing of the park.

Joyce Porozyński stated that more of the kids in the development are using the park and also using the disc golf. The kids sled on the hill, there is a pavilion there also.

Joan Czuchra – Ms. Czuchra stated that she was in attendance at the Recreation Meeting. She stated that she visited some other dog parks in other areas. She noted that the parks that she visited are not in residential areas. She also was concerned about the number of parking spaces that are available.

Mayor Garlich stated that the park was proposed to be placed closer to the plaza. There are 10 acres at Knox Park.

Joan Czuchra asked if the village owns any other land that could be used for the dog park.

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Chief Tucholski stated that the village does not own any other property in the village other than the parks and the best park for this project is Knox Park.

Mr. Hanna stated that he is not in favor of the dog park and he told a story about a friend that lives in another community and the many issues with the dog park he lives by.

Ms. Lombardo asked if the dog park could be put where the tennis courts are. Mr. Klein stated that it is by the high school.

Mayor Garlich stated that he has heard loud and clear that some of the residents don't want the dog park at Knox Circle. He will take that into consideration along with the results of the survey.

Mr. Klein stated that he is the councilman that sponsored the dog park.

Mayor Garlich thanked Mr. Bill Blue regarding his article in support of the school levy.

FIRST READING -

RESOLUTION 17-09 A RESOLUTION AUTHORIZING THE PURCHASE OF SPECIFIED INSURANCE FROM LOVE INSURANCE AGENCY, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Resolution 17-09 by title only.

Ms. McCoy stated that this is the renewal for the village's property reliability. Four other carriers looked at the currently policy but due to the number of claims that the village has had in the last few years that declined to submit bids.

Mr. Hornung made a motion to waive the required readings and declare Resolution 17-09 an emergency, motion seconded by Mr. Wiech. Roll call: Yeas (5).

Mr. Wiech made a motion to **PASS** Resolution 17-09, motion seconded by Mr. Hornung. Roll call: Yeas (5).

RESOLUTION 17-10 A RESOLUTION THE VILLAGE ADMINISTRATOR TO EXECUTE AND FILE AN APPLICATION TO THE PETS SAFE BARK FOR YOUR PARK COMMITTEE THROUGH RADIO SYSTEMS CORPORATION TO APPLY FOR THE 2017 BARK FOR YOUR PARK GRANT, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Resolution 17-10 by title only.

If the village does pursue the dog park there is grant money available.

Mr. Blue made a motion to waive the required readings and declare Resolution 17-10 an emergency, motion seconded by Mr. Morrow. Roll call: Yeas (5).

Mr. Klein made a motion to **PASS** Resolution 17-10, motion seconded by Mr. Hornung. Roll call: Yeas (2).

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RESOLUTION 17-11 A JOINT RESOLUTION OF MIDDLEFIELD VILLAGE AND MIDDLEFIELD TOWNSHIP, AMENDING VILLAGE RESOLUTION 94-06 AND TOWNSHIP RESOLUTION -----, TO MODIFY THE COMPOSITION OF THE EAST GEAUGA JOINT FIRE DISTRICT.

Mayor Garlich introduced Resolution 17-11 by title only.

Currently the committee consists of 2 village and 2 township elected officials and one person at large. This changed the committee to 1 village and 1 township official and the one at large resident.

Mr. Wiech made a motion to place Resolution 17-11 on First Reading, motion seconded by Mr. Morrow. Roll call: Yeas (5).

ORDINANCE 17-114 AN ORDINANCE EMPLOYING DANTE S. GRAMUGLIA, AS A PART-TIME SERVICE DEPARTMENT EMPLOYEE, AT THE RATE OF \$10.00 PER HOUR, AND RATIFYING THE HIRING OF GRAMUGLIA ON APRIL 21, 2017, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Ordinance 17-114 by title only.

Chief Tucholski stated that this is part-time summer help. Will be doing a lot of grass mowing, garbage collection and watering of the plants and to work the splashpark.

Mr. Klein made a motion to waive the required reading and declare Ordinance 17-114 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (5).

Mr. Hornung made a motion to **PASS** Ordinance 17-114, motion seconded by Mr. Morrow. Roll call: Yeas (5).

ORDINANCE 17-115 AN ORDINANCE EMPLOYING BRANDON J. NEVISON, AS A PART-TIME SERVICE DEPARTMENT EMPLOYEE, AT THE RATE OF \$10.00 PER HOUR, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Ordinance 17-115 by title only.

Mr. Hornung made a motion to waive the required reading and declare Ordinance 17-115 an emergency, motion seconded by Mr. Morrow. Roll call: Yeas (5).

Mr. Morrow made a motion to **PASS** Ordinance 17-115, motion seconded by Mr. Blue. Roll calls: Yeas (5).

ORDINANCE 17-116 AN ORDINANCE AUTHORIZING VARIOUS ACTIVITIES RELATED TO THE 17TH ANNUAL CHRIST COVENANT CHURCH RIB BURN-OFF, WAIVING THE PROHIBITION OF THE CODIFIED ORDINANCES REGARDING SAME, AND DECLARING AN EMERGENCY

Mayor Garlich introduced Ordinance 17-116 by title only.

Mr. Lee stated that for any carnival or activities this gives council permission to approve.

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Mr. Wiech made a motion to waive the required readings and declare Ordinance 17-116 an emergency and place on first reading, motion seconded by Mr. Blue. Roll call: Yeas (5).

ORDINANCE 17-117 AN ORDINANCE AMENDING EXISTING ORDINANCE 16-14 AND ORDINANCE 17-109 TO CORRECT A MISTAKEN REFERENCE TO “NEW CHAPTER 945” OF THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Ordinance 17-117 by title only.

Mr. Lee stated that the Cemetery Chapter was created about a year ago which was added as chapter 945. The Refuse chapter was then also created as chapter 945 so it needs to be corrected to chapter 947. The village will be submitting the codified ordinance quarterly moving forward.

Mr. Klein made a motion to waive the required readings and declare Ordinance 17-117 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (5).

Mr. Hornung made a motion to **PASS** Ordinance 17-117, motion seconded by Mr. Klein. Roll call: Yeas (5).

ORDINANCE 17-118 AN ORDINANCE AMENDING SECTIONS 1131.05(A) AND 1153.06(A) OF THE CODIFIED ORDINANCES TO PROVIDE ZONING REGULATIONS FOR MEDICAL MARIJUANA CULTIVATION AND GROWTH FACILITIES THAT ARE LICENSED PURSUANT TO REVISED CODE CHAPTER 3796.

Mayor Garlich introduced Ordinance 17-118 by title only.

Mayor Garlich stated that many areas have been approached by groups. The village does not have any interest in a dispensary. To have a facility to grow in the village it would be a big utility user, large labor and income tax. Mayor Garlich stated that he has discussed this issue with the school and the township. Will only be allowed in an industrial area. There are many restrictions in place.

Mr. Klein made a motion to place Ordinance 17-118 on first reading, motion seconded by Mr. Wiech. Roll call: Yeas (5)

SECOND READING

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 ADMINISTRATION FEE.

Mayor Garlich introduced Ordinance 17-109 by title only.

Mr. Klein made a motion to place Ordinance 17-109 on second reading, motion seconded by Mr. Wiech. Roll call: Yeas (5).

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

Mayor Garlich introduced Ordinance 17-110 by title only.

Mr. Morrow made a motion to place Ordinance 17-110 on second reading, motion seconded by Mr. Hornung. Roll call: Yeas (5).

THIRD READING

RESOLUTION 17-05 A RESOLUTION DECLARING IT NECESSARY TO RENEW THE LEVY OF A 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 **PASS** Resolution 17-05, motion seconded by Mr. Morrow. Roll call: Yeas (5).

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 **PASS** Ordinance 17-103, motion seconded by Mr. Wiech. Roll call: Yeas (5).

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

Mayor Garlich introduced Ordinance 17-108 by title only.

Mr. Morrow made a motion to **PASS** Ordinance 17-108, motion seconded by Mr. Hornung. Roll call: Yeas (5).

OLD BUSINESS

1. **Dog Park:** discussed in Public Participation.

NEW BUSINESS

1. **Web Site Report – Kim Breyley:** Report in the packet. Up about 32% from March of this year. Police Blotter is still the number one page.
2. **Motion to Reject Bid Proposals Received for the 2017 South Water Tower Maintenance Project:** The original quote did not include prevailing wage.

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Discussed possibly doing this in phases and any available financing. ***Mr. Wiech made a motion to reject the submitted bid proposals for the 2017 South Water Tower, motion seconded by Mr. Hornung. Roll call: Yeas (5)***

3. **Motion to Advise Village Engineer to Adjust Estimate and Rebid the 2017 South Water Tower Maintenance Project:** Discussed bidding this in phases.

COMMITTEE REPORTS and COMMUNICATIONS

Streets, Sidewalks, & Utilities (Mayor Garlich/Carl Hornung/Sam Morrow) – Minutes are included in the packet.

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. Blue/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:

There being no further business before Council the regular session adjourned at 8:21 pm.

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER