

**Village of Middlefield Regular Council Minutes**  
**August 11, 2016**

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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. Rick Seyer and Mr. Ronald Wiech.

**Also present:** Mr. Nick Giardina-Fiscal Officer, Mrs. Jessica Giardina, Mr. Tom Lee-Village Solicitor, Ms. Billie Warren-Recreation Director, Ms. Leslie McCoy-Econ Dir/Zoning Insp., Chief Tucholski, Lt. Savage, Mr. Roger Hanna, Mrs. Frances Hanna, Chief Bill Reed-Middlefield Fire Department, Mr. Alex Duncan Mr. John Borkholder, and Diane Ryder-Maple Leaf.

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

**Agenda:** No Additions or deletions.

**Approval of Minutes:** July 14, 2016 regular meeting – ***Mr. Hornung moved to approve the minutes as presented, seconded by Mr. Morrow. Roll call: Yeas (6).***

**Payment of Bills:** ***Mr. Wiech moved to authorize payments totaling \$376,167.13, seconded by Mr. Blue. Roll call: Yeas (6). Mayor Garlich questioned the BWC payment.***

**FISCAL OFFICER'S REPORT: Income tax and Financials** – Reports in the packet. Mr. Giardina stated that water & sewer is up over last year by about \$2,000. Income Tax is down by about \$2,700; budget is down about \$28,000.

**ECON DEV./ZONING INSP. REPORT** – Report included in the packet. Ms. McCoy stated that TV Marketing ads are running on WKYC. Upcoming site visit at Johnson Rubber next week for a potential company to come to the village. Discussion regarding the Revolving Loan Fund. Mr. Wiech asked about the driveway project at Giant Eagle. Ms. McCoy stated that the permit for the driveway project is about to expire but she has been in contact with the landowner.

**DIRECTOR OF STREETS & UTILITIES REPORT** – Report included in the packet. Mr. Ehrhart stated the department performed routine maintenance and repairs at the plants. The department also worked on ballfield maintenance, 2 water main breaks, sewer main cleaning, sewer lift station repair, park maintenance, street repair, monthly chipping, meter replacement and grass mowing. Discussion regarding the drinking fountains at the parks.

**POLICE REPORT** – Report included in packet. Chief Tucholski gave the statistics for the month of July. 464 call for service for the month. The Department is prepping for school to start. Chief Tucholski gave an overview of the Helmet Safety Month. Mr. Hornung received a donation from Mr. & Mrs. Stone for \$200.00 for the Shop with a Cop Program. ***Mr. Hornung made a motion to accept the donations, motion seconded by Mr. Morrow. Roll call: Yeas (6).***

**PARKS & RECREATION REPORT** – Report included in the packet. Ms. Warren stated that Football & cheerleading season has started practicing. First games will be Sunday August 21. Soccer will start practice on Monday and will start games after Labor Day weekend. Adult Softball Tournament will be held on August 18th & 19th. Volleyball

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signups are continuing. Ms. Warren complimented the Service Department for all the hard work they put into the improvements on Field #7.

**FIRE DEPARTMENT REPORT** - Report is on the desk. Chief Reed gave the statistics for the month of July. Total runs to date are 455. The department participated in training and offers Fire Extinguisher training for Businesses.

**AMBULANCE REPORT** – Report included in packet.

**PUBLIC PARTICIPATION-**

Katheryn Sickling-OHC: Ms. Sickling asked if the Council had received the signature on the petition. Mayor Garlich stated that they have copies. OHC went and spoke with the Park District to have the trail all-inclusive trail for hikers, bikers, buggies and horse riders. Her understanding is that the Park District is looking at revising the design of the trail.

Mayor Garlich stated that the Amish are paramount to the Village economy. He feels that the horse riders are not important, there are several other parks that they can use. Proposed that if the buggies are on the asphalt they will be fined. Horseman will no longer be able to use the path.

Ms. Sickling stated that the group rides in and have lunch at Mary Yoder's, they also ride in and get food at various other businesses.

Mayor Garlich stated that the Amish have a path to use and that there is a paved path for bike riders.

Ms. Sickling stated that they do not need a paved path, prefer natural. They have no problem sharing with the Amish Buggies. There are 400 members on the OHC.

Mayor Garlich reiterated that his main two priorities are the Amish Buggies having a place to drive and bikers having a paved path.

**FIRST READING -**

**RESOLUTION 16-13 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO WORK COOPERATIVELY WITH THE MIDDLEFIELD TOWNSHIP TRUSTEES AND TO PREPARE A REQUEST FOR PROPOSAL FOR AMBULANCE SERVICES TO THE VILLAGE AND MIDDLEFIELD TOWNSHIP JOINTLY.**

Mayor Garlich introduced Resolution 16-13 by title only.

No discussion held.

Mr. Wiech made a motion to place Resolution 16-13 on First Reading, motion seconded by Mr. Hornung. Roll call: Yeas (6).

**RESOLUTION 16-14 A RESOLUTION APPROVING A MORATORIUM ON THE GRANTING OF ANY PERMIT THAT WOULD ENABLE RETAIL SALE OF MEDICAL**

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**MARIJUANA FOR A PERIOD OF SIX MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION.**

Mayor Garlich introduced Resolution 16-14 by title only.

Mr. Klein made a motion to place Resolution 16-14 on First Reading, motion seconded by Mr. Hornung. Roll call: Yeas (4) Mr. Seyer and Mr. Wiech voted no.

**ORDINANCE 16-127 AN ORDINANCE ADOPTING NEW CHAPTER 1311 OF THE CODIFIED ORDINANCES TO REGISTER AND REGULATE VACANT RESIDENTIAL PROPERTIES.**

Mayor Garlich introduced Ordinance 16-127 by title only.

Mr. Klein made a motion to place Ordinance 16-127 on First reading, motion seconded by Mr. Hornung. Roll call: Yeas (6).

**ORDINANCE 16-128 AN ORDINANCE AMENDING EXISTING SECTION 182.051(B) OF THE CODIFIED ORDINANCES TO ALTER THE DATES FOR PAYMENT OF WITHHOLDING TAXES, AS MANDATED BY THE OHIO GENERAL ASSEMBLY**

Mayor Garlich introduced Ordinance 16-128 by title only.

Mr. Weir stated that the Ohio Legislature passed House Bill 5. Withholding were collected on the last day of the month. HB 5 changed this to the 15<sup>th</sup> of the month. It is now changing this back to the last day of the month.

Mr. Klein made a motion to place Ordinance 16-128 on First Reading, motion seconded by Mr. Hornung. Roll call: Yeas (6).

**ORDINANCE 16-129 AN ORDINANCE ENACTING NEW SECTION 135.041 OF THE CODIFIED ORDINANCES TO CREATE THE POSITION OF ASSISTANT VILLAGE ADMINISTRATOR.**

Mayor Garlich introduced Ordinance 16-129 by title only.

Mr. Wiech asked if the position of Economic Development Director will be eliminated. Mr. Lee stated that this legislation is just creating the position not appointing someone to that position.

Mr. Hornung made a motion to place Ordinance 16-129 on First Reading, motion seconded by Mr. Klein. Roll call: Yeas (6).

**SECOND READING**

**RESOLUTION 16-11 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE GEAUGA PARK DISTRICT, AUTHORIZING NEGOTIATIONS FOR INFRASTRUCTURE DEVELOPMENT OF THE MAPLE HIGHLAND TRAIL (SOUTH), AND DECLARING AN EMERGENCY.**

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Mayor Garlich introduced Resolution 16-11 by title only.

Mr. Wiech made a motion to place Resolution 16-11 on Second Reading, motion seconded by Mr. Hornung. Roll call: Yeas (6). Mr. Wiech rescinded his motion. Mr. Hornung rescinded his motion

Ms. McCoy explained that this needs to be passed this evening so the Park District can award the bid for engineering. This is a Memorandum of Understanding that the Village will negotiate a contract for use at a later date. The Memorandum is for a dual use trail.

Mr. Wiech made a motion to waive the required readings and declare Resolution 16-11 an emergency, motion seconded by Mr. Klein. Roll call: Yeas (6)

Mr. Wiech made a motion to **pass** Resolution 16-11, motion passed by Mr. Blue. Roll call: Yeas (6)

**ORDINANCE 16-126 AN ORDINANCE ENACTING NEW SECTION 911.08(e) AND AMENDING EXISTING SECTION 911.15(e) OF THE CODIFIED ORDINANCES TO ESTABLISH THE REGULATIONS OF RADIO-READING WATER METERS, AND, EFFECTIVE JANUARY 1, 2017, TO IMPOSE A QUARTERLY CHARGE FOR AN OWNER'S FAILURE TO ALLOW THE VILLAGE TO INSTALL A RADIO-READ METER AT A RESIDENTIAL SERVICE LOCATION.**

Mayor Garlich introduced Ordinance 16-126 by title only.

Mr. Morrow made a motion to place Ordinance 16-126 on second reading, motion seconded by Mr. Blue. Roll call: Yeas (6)

**THIRD READING**

**ORDINANCE 16-121 AN ORDINANCE AMENDING CHAPTER 1171 OF THE CODIFIED ORDINANCE, SHIFTING PRIMARY RESPONSIBILITY FOR WATER MANAGEMENT AND SEDIMENT CONTROL FOR VILLAGE DEVELOPMENT TO THE GEAUGA SOIL AND WATER CONSERVATION DISTRICT.**

Mayor Garlich introduced Ordinance 16-121 by title only.

Mr. Hornung made a motion to **pass** Ordinance 16-121, motion seconded by Mr. Wiech. Roll call: Yeas (6).

**OLD BUSINESS** – Nothing before Council

**NEW BUSINESS**

1. **Web Site Report – Kim Breyley:** Report in the packet. Mayor Garlich stated that he has asked Ms. Breyley to create a calendar that includes all of the various organization activities in the Village. Ms. Breyley stated that views are down about 24% from June.
2. **Approval of Cemetery Regulations:** Mr. Weir stated that the Cemetery Regulations were reviewed by the Streets, Sidewalk & Utilities Committee and they

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recommended that Council approve them as submitted. ***Mr. Blue made a motion to accept the Cemetery Regulations as written, motion seconded by Mr. Morrow. Roll call: Yeas (6)***

3. **Division of Liquor Control – Permit Renewals:** Mr. Weir stated that this is reviewed periodically. Liquor control gives the village the option to comment on any of the permits issued. Chief Tucholski has reviewed the list.
4. **Community Wide Exclusive Solid Waste/Recycle Contract – Discussion:** Mr. Weir stated that at the last Council meeting a discussion was held regarding the issues that have been taking place at the recycling center with the dropping off of non-recyclable products and the mess that is constantly there. The Village has received many complaints about the center in the last few months. This would be a curbside solid waste pickup and curbside recycling. The village can bid this and can get a better price than a resident. For example Jefferson Village does this and they have a cost for the residence of \$16.18 per month for solid waste and recycling pickup at the residents curb. Several of the recycling centers are closing and this will add more mess to the existing recycling center. Mayor Garlich feels this is a win - win for the village. Mr. Hornung stated that this would cut down on the amount of garbage trucks that are currently picking up in the village and cut down on use of the roads. The cost of this will be billed to the residents with the quarterly water bills. ***Mr. Wiech made a motion to approve the Village Administrator to put this out for bid, motion seconded by Mr. Hornung. Roll call: Yeas (6).***
5. **Zoning Inspector Position – Discussion:** Mayor Garlich feels that this should be in place before Ms. McCoy takes the Assistant Administrator. Discussion held regarding how this position should be paid. Should this position be filled by a resident or nonresident? Mr. Seyer stated that he feels that the position should be filled with a nonresident. Mr. Wiech stated that perhaps with the shared services going into law maybe the village should use another community's person. McCoy stated that Zoning is probably about a ½ a week worth of work. Limit it to a number of hours per week. It is the consensus of Council to advertise the position as part-time with no set compensation.

**COMMITTEE REPORTS and COMMUNICATIONS**

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

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

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

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

**Economic Development (Mayor Garlich/Mr. Blue/Mr. Hornung)** – Minutes are in the packet.

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

**VILLAGE CALENDAR:** In packet.

**EXECUTIVE SESSION:**

Mr. Hornung made a motion to adjourn into executive session at 8:30 pm to discuss personnel, motion seconded by Mr. Klein. All in favor: Yeas (6)

The meeting reconvened at 8:44 pm

The regular session of Council adjourned at 8:45 pm.

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

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