

Village of Middlefield Regular Council Minutes
September 3, 2015

Council met in regular session. The Mayor called the meeting to order at 7:04 p.m. with the following members present: Mr. Bill Blue, Mr. Carl Hofstetter, Mr. Carl Hornung, Mr. Scott Klein, Mr. Rick Seyer and Mr. Ronald Wiech.

Also present: Dan Weir – Administrator, Nick Giardina-Fiscal Officer, Tom Lee-Village Solicitor, Charlie Ehrhart-Director of Streets & Utilities, Billie Warren-Recreation Director, Judy Stone, Dick Stone, Alex Duncan, Edna Davis, Sam Morrow-Glen Valley Drive, Ann Wishart-Maple Leaf, Jim O'Dell-Community Care Ambulance and T. Yeropoli-Middlefield Fire Department.

Opening Ceremony: The Pledge of Allegiance was recited.

Agenda: No Additions or deletions.

Approval of Minutes: August 6, 2015 regular meeting – Mr. Hornung moved to approve the minutes as presented, seconded by Mr. Hofstetter. Roll call: Yeas (5). Mr. Blue-abstained

Approval of Minutes: Special Meeting August 17, 2015 – Mr. Blue moved to approve the minutes as presented, seconded by Mr. Wiech. Roll call: Yeas (5). Mr. Klein-abstained

Payment of Bills: *Mr. Blue moved to authorize payments totaling \$555,421.20, seconded by Mr. Hofstetter. Roll call: Yeas (6).* Discussion regarding the deductible paid for the insurance on the Stovall Lawsuit. Mayor Garlich asked about payment for Sperry Lane. Mr. Weir stated that is the final payment on the project with the exception of the retainage. Discussion regarding the light that were updated by Signal Service. Discussion regarding the cleaning of the tower and the wells.

INCOME TAX AND FISCAL OFFICERS REPORT – Report included in the packet. Mr. Giardina stated that Income Tax was up in August and he hopes the trend continues through the end of the year.

ECONOMIC DEVELOPMENT REPORT – No report submitted.

ZONING INSPECTOR'S REPORT – No report submitted.

DIRECTOR OF STREETS & UTILITIES REPORT – Report included in the packet. Routine maintenance at the water plant and the wastewater plant. The department worked on meter installation, park maintenance, ballfield maintenance and water flowers. They also did sewer main cleaning, monthly chipping, hydrant repair and repair of well #2 motor and pumps.

POLICE REPORT – Report included in packet. Mayor Garlich stated that Sergeant Savage has put in his resignation for January; moving out of state to be with his family.

PARKS & RECREATION REPORT – Report included in the packet. Ms. Warren introduced Dan Goff, Program Supervisor to Council. The Adult Softball has finished the season. The youth football program has their first games and they beat Berkshire teams. Kitchen Kids will be starting in a couple week; 7 participants are currently registered. Fall soccer will begin games next week; 5 teams and 41 participants.

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Volleyball signups are winding down and we will have one 3rd-4th grade team and two 5th-6th grade teams.

FIRE DEPARTMENT REPORT - Report on the desk. Lt. Yeropoli gave the statistics for the month of August. The department had 74 runs in August and for year they are at a total of 495. A member of the department finished paramedic school and has completed all the required testing. The department has 8 paramedics on the roster and currently have 2 more members in school. Mayor Garlich asked if the department is fully staffed. Lt. Yeropoli stated that the department is fully staffed; has been a challenge with the members in paramedic school to fill the shifts. The department attended and held many training days. The department inspectors have been going through various building and have been updating the Spellman Computer Program so all County Department can be prepared in the event of an emergency. Discussion regarding the contract that the Fire District has in place for the Village and the Townships.

AMBULANCE REPORT – Report included in packet. Currently cross training the current new hires; it is a 4 month program. Discussed what a “negative transport” is.

FINANCIALS – Report included in packet.

PUBLIC PARTICIPATION-

Geauga County Children Services Levy (Issue 30) – Sara Shiniger and Amy Buresch: Ms. Buresch stated that Children Services will have a levy on the ballot in November. Gave a brief overview of the services available to families through Children Services. Discussed the levy that is proposed and the amounts. Ms. Shiniger explained why Children Services needs an increase in the levy. The cost of supporting the children that are in the custody of Children Services has increased. The increase of drug and alcohol usage in Geauga County has sky rocketed over the last few years and the cases have increased as more children become at risk. In 2011 there were approximately 27 in Children Services custody and in 2014 there were approximately 66 children per month. The state funding has continues to decline each year. Looking at a .5 Mill increase.

FIRST READING

ORDINANCE 15-120 AN ORDINANCE HIRING DANIEL J. GOFF, AS PART-TIME RECREATION PROGRAM SUPERVISOR, SETTING COMPENSATION, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Ordinance 15-120 by title only.

Mr. Hornung made a motion to waive the required readings and declare Ordinance 15-120 an emergency, seconded by Mr. Blue. Roll call: Yeas (6).

Mr. Klein made a motion to pass Ordinance 15-120, seconded by Mr. Hornung. Roll call: Yeas (6).

ORDINANCE 15-121 AN ORDINANCE AMENDING CHAPTER 181 OF THE CODIFIED ORDINANCES TO IMPLEMENT STATE MANDATED CHANGES IN THE VILLAGE’S INCOME TAX CODE.

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Mayor Garlich introduced Ordinance 15-121 by title only.

Mr. Lee stated that Finance discussed at length some of the options that are available. The revisions will be done for the second reading on this Ordinance. The State is mandating that all municipalities use a uniform tax code, currently every municipality have their own code. The village's current code will not be repealed it will run parallel with the new mandated code changes. The changes will take effect January 1, 2016.

Mr. Wiech made a motion to place Ordinance 15-121 on first reading, seconded by Mr. Hornung. Roll call: Yeas (6).

ORDINANCE 15-122 AN ORDINANCE AMENDING EXISTING SECTION 505.21 OF THE CODIFIED ORDINANCES TO MORE CLOSELY REGULATE THE MAXIMUM NUMBER OF DOGS OR CATS ALLOWED PER DWELLING UNIT.

Mayor Garlich introduced Ordinance 15-122 by title only.

Mayor Garlich stated that this was discussed in the Finance Meeting. The changes would be based on the lot side of the residence. Mr. Klein gave a background on why this is coming before Council again. Mr. Blue suggested going with the nuisance issue. Mr. Seyer suggest keep the revised ordinance to just include the dogs and remove cats from the ordinance. Mr. Wiech feels that the ordinance should be kept were it is. Mayor Garlich agrees with Mr. Seyer regarding removing the cats from the ordinance and leave the dogs based on the size of the lot. Mr. Lee will make the suggested revisions and bring the Ordinance to the next Council Meeting.

Mr. Hornung made a motion to place Ordinance 15-122 on first reading, seconded by Mr. Klein. Roll call: Yeas (4) Councilman Blue and Wiech voted no.

RESOLUTION 15-11 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE CARDINAL LOCAL SCHOOL DISTRICT TO AUTHORIZE THE VILLAGE RECREATION DEPARTMENT TO UTILIZE SCHOOL FACILITIES FROM SEPTEMBER, 2015 THROUGH AUGUST, 2016, AND DECLARING AN EMERGENCY.

Mayor Garlich introduced Resolution 15-11 by title only.

Mr. Weir stated that this is for the use of the school for Recreation program. The cost is the same.

Mr. Wiech made a motion to waive the required readings and declare Resolution 15-11an emergency, seconded by Mr. Hornung. Roll call: Yeas (6).

Mr. Blue made a motion to pass Resolution 15-11, seconded by Mr. Hofstetter. Roll call: Yeas (6)

RESOLUTION 15-12 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE

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**NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR,
AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 15-12 by title only.

Mr. Giardina stated that this is required by the County

Mr. Blue made a motion to waive the required reading and declare Resolution 15-12 an emergency, seconded by Mr. Klein. Roll call: Yes (6).

Mr. Hornung made a motion to pass Resolution 15-12, seconded by Mr. Wiech. Roll call: Yeas (6)

**RESOLUTION 15-13 A RESOLUTION AMENDING THE VILLAGE'S INVESTMENT
POLICY TO INCLUDE STATE NOTES OR BONDS WHICH DO NOT EXCEED 5
YEARS A PERMISSIBLE INVESTMENT, MAKING CERTAIN TECHNICAL
AMENDMENTS, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 15-13 by title only.

The Finance Committee and Council have discussed the investments and the small return payments of interest. Discussed state bonds and treasury bonds. Mr. Giardina stated that this will update the original investment policy that was submitted to the State Auditor in 1999.

Mr. Hornung made a motion to waive the required readings and declare Resolution 15-13 an emergency, seconded by Mr. Wiech. Roll call: Yeas (6)

Mr. Hofstetter made a motion to pass Resolution 15-13, seconded by Mr. Blue. Roll call: Yeas (6)

SECOND READING –

**ORDINANCE 15-117 AN ORDINANCE AMENDING SECTION 147.09(a)(1) OF THE
CODIFIED ORDINANCES TO PROVIDE A LANGUAGE CHANGE CONSISTENT
WITH RECENT U.S. SUPREME COURT PRECEDENT.**

Mayor Garlich introduces Ordinance 15-117 by title only.

Mr. Hornung made a motion to place Ordinance 15-117 on second reading, seconded by Mr. Wiech. Roll call: Yeas (6).

**ORDINANCE 15-118 AN ORDINANCE RENAMING MINERAL LAKE TO "BOB
GIARDINA LAKE".**

Mayor Garlich introduces Ordinance 15-118 by title only.

Mr. Klein made a motion to place Ordinance 15-118 on second reading, seconded by Mr. Hornung. Roll call: Yea (6).

THIRD READING – Nothing before Council

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PENDING PASSAGE – Nothing before Council

OLD BUSINESS –

1. **Revised Final Invoice for ODOT High Street Project - \$16,723.20:** Mr. Weir stated that this was for extra work done on the curb ramps. Charges are based on actual amounts of aggregate materials placed on the job. ***Mr. Seyer made a motion to approve the payment to ODOT in the amount of \$16,723.20, seconded by Mr. Hornung. Roll call: Yeas (6)***

NEW BUSINESS

1. **Web Site Report – Kim Breyley:** Report in the packet.
2. **Glen Valley Drive Final Phase Pay Request #3 - \$6,804.00:** ***Mr. Hornung made a motion to approve the Pay Request #3, seconded by Mr. Wiech. Roll call: Yeas (6)***

COMMITTEE REPORTS and COMMUNICATIONS

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

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

Streets, Sidewalks, & Utilities (Mr. Wiech/Mr. Hornung/Mayor Garlich) – In packet.

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

Economic Development (Mayor Garlich/Mr. Blue/Mr. Hornung) – In packet.

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

VILLAGE CALENDAR:

EXECUTIVE SESSION:

There being no further business before Council, the meeting adjourned at 8:30 pm.

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER