

**Village of Middlefield Regular Council Minutes**  
**September 8, 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, Chief Tucholski, Lt. Savage, Adele Hix-Dept. of Health, Don Rice, Jessica McCarthy, Chief Bill Reed- Fire Department, Mrs. Judy Stone, Mr. Dick Stone, Ms. Diane Ryder-Maple Leaf, Ms. Alice Wise, Mr. John Wile, Mr. John Augastine, Paula Shenal-Community Care Ambulance, Ms. Fran Hanna and Mr. Alex Duncan.

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

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

**Approval of Minutes:** September 8, 2016 regular meeting – *Mr. Hornung moved to approve the minutes as presented, seconded by Mr. Wiech. Roll call: Yeas (5). Mr. Klein abstain due to not being in attendance at the last meeting.*

**Payment of Bills:** *Mr. Morrow moved to authorize payments totaling \$261,194.91, motion seconded by Mr. Hornung. Roll call: Yeas (6).*

**FISCAL OFFICER'S REPORT: Income tax and Financials** – Reports are in the packet. Mr. Giardina stated that income tax had a fabulous collection in September. Up about 6% from last year. Water and Sewer are up about \$20,000 in comparison of last year. Department heads have been doing a great job controlling spending.

**ECON DEV./ZONING INSP. REPORT** – Reports are included in the packet.

**DIRECTOR OF STREETS & UTILITIES REPORT** – Report is included in the packet. Mr. Ehrhart stated the department performed routine maintenance and repairs at the plants. The department also did street sweeping sewer main cleaning, park maintenance and mowing, meter reading and change outs. Discussed the number of homes left that need the new radio-read meters. Monthly chipping, closed Eagle Park, winterized the equipment and put some equipment into storage. Mr. Ehrhart thanked Chief Tucholski. He was able to help one of the service department employee fix and repair one of the truck due to his knowledge. This saved the village around \$1,200-\$1,500.00. Discussion regarding the restroom operational times and when they are closed for the season.

**POLICE REPORT** – Report included in packet. Chief Tucholski gave the statistics for the month of September. 430 calls for service for the year; down about 150 calls compared to last year's totals. The department put an article in the Post regarding the snow ban parking which takes effect October 15<sup>th</sup> through April 1<sup>st</sup>. The department will participate in the "No Shave November". The officer that want to participate pay \$30.00 each and this is donated to the Shop with a Cop Program. Fill a Cruiser will take place in November and December. Dates are on the Website. Citizens Police Academy is going great. Has 10 participants.

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**PARKS & RECREATION REPORT** – Report included in the packet. Ms. Warren stated that both football teams are in the playoff this Sunday. The soccer teams will be participating in a tournament at West G this weekend. Adult Softball will be wrapping up this fall session with a tournament. Volleyball games have started and will end at the end of October with a tournament. The coloring contest is out and the deadline is the 24<sup>th</sup> and the winners will be announced on the 28<sup>th</sup>. Basketball, wrestling and winter cheerleading deadlines are next Friday and Basketball Practices should start the first week of November.

**FIRE DEPARTMENT REPORT** - Report is on the desk. Chief Reed gave the statistics for the month of September. The department has had 560 calls to date. The annual Halloween party will be following trick or treat. The Fire District has a 1 Mil additional Levy on in November.

**AMBULANCE REPORT** – Report is on the desk. Ms. Shenal stated that they have been extremely busy with a new station and just finished an EMT class and graduated 9 new EMT's. The response time is trending nicely.

**PUBLIC PARTICIPATION-**

**John Augustine-Parkman Township Resident:** He is very pleased with the change in the motorized vehicles on the Maple Highland Trail legislation. Feels that there are particular uses for parks and having snowmobiles racing up and down a trail is not a good use. Mayor Garlich gave an explanation of the changes.

**Metzenbaum Center – Mr. Don Rice, Superintendent – General Discussion on Center:** Mr. Rice thanked the community for their continued support and helping to get the levy passed last year. Metzenbaum services about 860 individuals. Have been getting the Metzenbaum individuals out and about a lot more and they are working in various businesses. The Center on Cedar is open for use. It is open to the public. The Department on Aging is one of the groups that have been utilizing the center. There are many open events that are held monthly at the center. Visit the website for more information at [www.geaugadd.org](http://www.geaugadd.org).

**Geauga County Department of Health – Adele Hix – Zika Virus:** Gave a presentation regarding the mosquito that is carrying the Zika Virus. They are a very tiny mosquito. The larva need to be gotten rid of before they can hatch. The CDC is predicting that the Virus will be in Ohio within the next 4 to 5 years. Dengue Fever and West Niles is also spread from mosquitos. The best defense is to eliminate the mosquito. Mosquitoes are present from April through October in Ohio and will breed several times during the season. Mosquitoes lay eggs in stagnant water and the female needs a blood meal prior to laying her eggs. Tires hold stagnant water and can hold billions of eggs. The Department of Health is recommending that people look for stagnant water and eliminate those area to help control the mosquito population. Look at gutters that also have standing water, bird baths, flower pots that don't drain anything with untreated water. The Health Department is recommending a product called Dunk. It's a bacteria that the larva digests and it kills them. The product is okay to use with livestock and domestic animals. Dunks can be purchased at Home Depot and Tractor Supply Company. Mr. Weir stated that the Village has applied to the EPA for Funding for a Program here in the Village. The Village has been doing testing in the 4 quadrants of the village. The village will also be doing the dunks in the Spring anywhere that there is standing water. The

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village has also planned for roadside spraying and backpack sprayers for rear yard spraying which will be funded by a grant from the OEPA. Zika symptoms are similar to the flu but is extremely dangerous to pregnant women or women planning on getting pregnant. The CDC has information on their website about the Zika Virus.

**Alice Wise – West High Street:** Ms. Wise asked for an update on the Vondrasek House. Mr. Lee gave an update on the communication that the village has had with the Vondrasek's. The Health Department did a site visit and did not find any evidence to condemn the house.

**Mr. Wile – West High Street:** Has many concerns about the trees from this house that overhang over their house. Mr. Lee stated that if you have proof from an arborist that the trees are bad, submit to the village and then the village will have something to enforce.

**FIRST READING -**

**ORDINANCE 16-135 AN ORDINANCE APPROVING THE APPOINTMENT OF JOSEPH TUCHOLSKI TO THE NEWLY-CREATED POSITION OFF ASSISTANT DIRECTOR OF STREETS AND UTILITIE, AND ESTBALISHING COMPENSATION.- TABLED**

**RESOLUTION 16-20 A RESOLUTION AUTHORIZING INTENT TO DISPOSE OF UNNEEDED, OBSOLETE OR UNFIT MUNICIPAL OWNED PERSONAL PROPERTY VIA INTERNET AUCTION IN CALENDAR YEAR 2017.**

Mayor Garlich introduced Resolution 16-20 by title only.

This Resolution needs to be passed each year.

Mr. Hornung made a motion to place Resolution 16-20 on First Reading, motion seconded by Mr. Wiech. Roll call: Yeas (5).

**RESOLUTION 16-21 A RESOLUTION AMENDING THE USE AGREEMENT BETWEEN GEAUGA PARK DISTRICT AND THE VILLAGE AS PREVIOUSLY APPROVED BY RESOLUTION 16-18, AND DECLARING AN EMERGENCY.**

Mayor Garlich introduced Resolution 16-21 by title only.

Mr. Wiech made a motion to waive the required readings and declare Resolution 16-21 an emergency, motion seconded by Mr. Morrow. Roll call: Yeas (5).

Mr. Wiech made a motion to pass Resolution 16-21, motion seconded by Mr. Blue. Roll call: Yeas (5).

**ORDINANCE 16-136 AN ORDINANCE DETERMINING THE NEED FOR AND CONSENTING TO BRIDGE INSPECTION SERVICES FROM THE OHIO DIRECTOR OF TRANSPORTATION, AGREEING TO COOPERATE WITH THE DIRECTOR OF TRANSPORTATION, AND TO BEAR 100% OF ALL COSTS FOR INSPECTION SERVICES THAT ARE BEYOND THE SERVICES PROVIDED BY THE STATE, AND DECLARING AN EMERGENCY.**

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Mayor Garlich introduced Ordinance 16-136 by title only.

The bridges are located on Grove Street, Sperry Lane and Johnson Street.

Mr. Morrow made a motion to waive the required readings and declare Ordinance 16-136 an emergency, motion seconded by Mr. Hornung. Roll call: Yeas (5)

Mr. Wiech made a motion to pass Ordinance 16-136, motion seconded by Mr. Hornung. Roll call: Yeas (5).

**SECOND READING**

**ORDINANCE 16-130 AN ORDINANCE APPOINTING LESLIE GAMBOSI MCCOY TO THE NEWLY-CREATED POSITION OF ASSISTANT VILLAGE ADMINISTRATOR, AND ESTABLISHING COMPENSATION.**

**ORDINANCE 16-131 AN ORDINANCE WAIVING THE REQUIREMENT THAT THE RECENTLY-APPOINTED ASSISTANT VILLAGE ADMINISTRATOR BECOME A RESIDENT OF THE VILLAGE.**

Mayor Garlich introduced Ordinance 16-131 by title only.

Mr. Hornung made a motion to place Ordinance 16-131 on Second Reading, motion seconded by Mr. Morrow. Roll call: Yeas (6).

**ORDINANCE 16-132 AN ORDINANCE AMENDING EXISTING SECTION 911.08 OF THE CODIFIED ORDINANCES TO PROVIDE FOR A THREE PERCENT INCREASE IN WATER RATES, COMMENCING JANUARY 1, 2017..**

Mayor Garlich introduced Ordinance 16-132 by title only.

Mr. Morrow made a motion to place Ordinance 16-132 on Second Reading, motion seconded by Mr. Hornung. Roll call: Yeas (5).

**ORDINANCE 16-133 AN ORDINANCE AMENDING EXISTING SECTION 907.04 OF THE CODIFIED ORDINANCES TO PROVIDE FOR A TREE PERCENT INCREASE IN SEWER RATES, COMMENCING JANUARY 1, 2017.**

Mayor Garlich introduced Ordinance 16-133 by title only.

Mr. Klein made a motion to place Ordinance 16-133 on Second Reading, motion seconded by Mr. Hornung. Roll call: Yeas (6).

**ORDINANCE 16-134 AN ORDINANCE AMENDING EXISTING SECTION 135.051 AND ENACTING NEW SECTION 135.052 OF THE CODIFIED ORDINANCES TO CREATE THE POSITION OF ASSISTANT DIRECTOR OF STREETS AND UTILITIES.**

Mayor Garlich introduced Ordinance 16-134 by title only.

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Mr. Hornung made a motion to place Ordinance 16-134 on Second Reading, motion seconded by Mr. Morrow. Roll call: Yeas (6).

**THIRD 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.

Mr. Morrow made a motion to pass Resolution 16-13, 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 MARIJUANA FOR A PERIOD OF SIX MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION.**

Mayor Garlich introduced Resolution 16-14 by title only.

Discussion regarding the six month, can extend it before the six months is up. Mr. Lee gave an overview of the law.

Mr. Hornung made a motion to pass Resolution 16-14, motion seconded by Mr. Klein. Roll call: Yeas (4). Mr. Wiech & Mr. Seyer 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. Hornung made a motion to pass Ordinance 16-127, motion seconded by Mr. Blue. 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 GENERAL ASSEMBLY.**

Mayor Garlich introduced Ordinance 16-128 by title only.

Mr. Hornung made a motion to pass Ordinance 16-128, motion seconded by Mr. Blue. 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.**

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Mayor Garlich introduced Ordinance 16-129 by title only.

Mr. Morrow made a motion to pass Ordinance 16-129, motion seconded by Mr. Hornung. 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 REGULATION 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.-TABLED**

Mayor Garlich introduced Ordinance 16-126 by title only.

Mayor Garlich stated that this was tabled due to residents that have concerns from a medical condition. Mr. Ehrhart gave a description of the meter with a longer cord that allows the transmitter to be on the outside of the house. In order to have this special meter installed must have a note from a doctor.

Mr. Hornung made a motion to pass Ordinance 16-126, motion seconded by Mr. Morrow. Roll call: Yeas (6).

**OLD BUSINESS** – Nothing before Council

**NEW BUSINESS**

1. **Web Site Report – Kim Breyley:** Report in the packet. Ms. Breyley stated that views are down for this month but high than last year. Facebook growth is up to just over 3,900.
2. **WKYC Social Media Advertising:** Mayor Garlich stated that this has been deferred back to the Economic Development Committee.
3. **Zoning Inspector Applicants:** Mayor Garlich stated that the village received 8 applicants for the positions. Three of the applicants were interviewed. Nick Bellas introduced himself and gave a brief overview of his experience. Mayor asked the Council how they feel if the person should live in the village or outside the village. The majority of Council feels the person should not be a resident of the village.

**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

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

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

**VILLAGE CALENDAR:** In packet.

**EXECUTIVE SESSION:**

Mr. Klein made a motion to adjourn into Executive Session at 8:30 pm to discuss personnel and employee compensation, motion seconded by Mr. Hornung. Roll call: Yeas (6).

The meeting reconvened at 9:05 pm

There being no further business before Council the regular session adjourned at 9:07 pm.

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

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