

REGULAR COUNCIL
February 7, 2013

Mayor Garlich called the meeting to order at 7:00 p.m. with the following members present: B. Blue, C. Hofstetter, C. Hornung, S. Klein, R. Seyer, and R. Wiech.

Also present: D. Weir – Village Administrator, T. Mekeel – Fiscal Officer, C. Harrison – Service Department employee, S. Roessner – Zoning Inspector, T. Lee – Solicitor, A. Stanko – Chief of Police, Bill Reed – Chief of Fire, Kim Breyley – Middlefield Post, Ann Wishart – MapleLeaf, Brandon Reed, Kevin Baxter, Ben Reed, Victor Sudik, Dennis Parton, Judy and Dick Stone, Chris and Dave Hippley, Sam Morrow, and Vanessa Tucholski.

Agenda: no additions or deletions.

Minutes of January 3, 2013 meeting was presented for approval. Hofstetter moved to approve the minutes. Hornung seconded. Roll call: Yeas (6).

Payment of Bills Totaling \$333,228.71 Wiech moved to authorize payment of \$333,228.71. Blue seconded. Roll call: Yeas (6).

Income Tax Report included in council packet.

Director of Streets & Utilities Report Harrison stated the department conducted routine maintenance on the water treatment plant and wastewater treatment plant. The service department conducted meter replacement, equipment maintenance, street salting, and street snow removal.

Police Report Chief stated the department will be holding a “Fill a Police Cruiser” on Saturday, March 16th from 9:00 a.m. to 2:00 p.m. at the Middlefield Wal-Mart and Save-A-Lot parking lot. A community safety meeting is scheduled for February 27th from 7:00 to 8:00 p.m. at the middle school cafeteria.

Zoning Inspector’s Report included in council packet.

Recreation Report The department’s youth basketball and wrestling programs are set to conclude at the end of this month. The department is taking registration for baseball and spring soccer. There have been some changes to the Easter Egg Hunt this year. It will be held in conjunction with Middlefield Relay for Life. The event has been moved to Jordak Elementary school and they are tying in “Breakfast with the Easter Bunny.” In the January recreation meeting, program fees for non Village residents have been changed from \$5 to \$10. Corporate resident’s, those who work in the Village, but live outside the Village can receive a Village resident fee but must submit a current paycheck stub. Hatch stated she is working on the latest brochure. She has been working with Kim on a marketing campaign to direct people to the website. Hornung asked when is the Easter Egg hunt scheduled for. Hatch stated Saturday, March 23rd. Hatch gave a brief overview of the Kids Only Flea Market this coming weekend.

Fire Department included in council packet.

Ordinance 13-111 Authorizing the Hiring of Justin D. Nevison to the full-time position of “Police Officer Class B,” Establishing Compensation, and Declaring an Emergency.

Mayor Garlich introduced Ord. 13-111 by title only.

Wiech moved to waive the required readings and declare an emergency. Hofstetter seconded. Roll call: Yeas (6).

Klein moved to pass **Ordinance 13-111**, Blue seconded. Roll call: Yeas (6).

Ordinance 13-110 Authorizing the Hiring of Erin M. Thomas to the full-time position of "Police Officer Class B", Establishing Compensation, and Declaring an Emergency.

Mayor Garlich introduced Ord. 13-110 by title only.

Wiech moved to waive the required readings and declare an emergency. Hofstetter seconded. Roll call: Yeas (6).

Klein moved to pass **Ordinance 13-110**, Hornung seconded. Roll call: Yeas (6).

Mayor Garlich swore in Justin D. Nevison and Erin M. Thomas as Police Officer, Class "B".

Ambulance Department included in council packet.

Financials included in council packet.

PUBLIC PARTICIPATION

Seyer stated he received a question from a resident if the Village had considered extending water lines to Grant Street. Mayor Garlich stated that he received a letter in the mail and he would like to speak with other residents on the street. Seyer asked if they have sewer. Harrison gave a brief overview to Seyer. The residents have a water meter on their well that measures the water, thus measuring the sewer. Mayor Garlich stated he would have an answer by the next council meeting.

FIRST READING

Resolution 13-02 Requesting the Geauga County Auditor to Provide Tax Advances for the 2013 Collection Periods, and Declaring an Emergency

Mayor Garlich introduced Res. 13-02 by title only.

Hornung moved to waive the required readings and declare an emergency. Blue seconded. Roll call: Yeas (6).

Hornung moved to pass **Resolution 13-02**, Wiech seconded. Roll call: Yeas (6).

Resolution 13-03 Selecting the Bid of Fortuna Construction Company, Inc. in the amount of \$1,477,842.70, as the Lowest and Best Bid for the Sperry Lane

Reconstruction Project, Authorizing the Village Administrator to Enter into a Contract, and Declaring an Emergency

Mayor Garlich introduced Res. 13-03 by title only.

Klein moved to waive the required readings and declare an emergency. Hofstetter seconded. Seyer asked what the net cost would be for the taxpayers. Weir stated the Village received a grant. Weir did not have the total figures available and would get back to Seyer. Roll call: Yeas (6).

Hornung moved to pass **Resolution 13-03**, Wiech seconded. Roll call: Yeas (6).

Ordinance 13-102 Amending Existing Section 1131.05(a)(87) of the Codified Ordinances to Clarify that Areas of a Lot Paved for Parking are not included in Calculating the Maximum Lot Coverage Percentage – A public hearing is required.

Mayor Garlich introduced Ord. 13-102 by title only.

Klein motioned to put Ord. 13-102 on first reading, seconded by Blue. Roll call: Yeas (6). Roessner gave a brief overview. Currently the ordinance states, it defines a structure is anything that is structured on a lot. Current zoning code states that you are allowed to have 40% lot coverage in a commercial zone. This is changing the code to just include buildings and to clarify the code.

The public hearing is scheduled for Thursday, April 4th at 7:30 p.m.

Ordinance 13-103 Amending Existing Sections 1165.02, 1165.05(d), 1165.08(a) and Repealing Existing Section 1165.07(c) of the Codified Ordinances to Permit the Use of Electronic Reader Boards in Non-Residential Zoning Districts – A public hearing is required.

Mayor Garlich introduced Ord. 13-103 by title only.

Hornung motioned to put Ord. 13-103 on first reading, seconded by Wiech. Seyer asked what this is accomplishing. Roessner stated that over the years; companies have gotten variances to get reader boards in the Village. Giant Eagle, Marathon, BT Oil. This is updated the code to allow the reader boards in the Village. Roessner added that ODOT has restrictions to the types of readers allowed. Roll call: Yeas (6).

The public hearing is scheduled for Thursday, April 4th at 7:30 p.m.

Ordinance 13-104 Amending Existing Sections 147.02(c) and 147.02(d) and Enacting New Section 147(e) of the Codified Ordinances to Implement the State Auditor's Recommendations Regarding Retirement Sick Leave.

Mayor Garlich introduced Ord. 13-104 by title only.

Wiech motioned to put Ord. 13-104 on first reading, seconded by Blue. Lengthy discussion was held. Klein stated that this is reducing the Village's sick leave policy to the state auditor's recommendation from 960 hours to 240 hours. This is at its most restrictive and may or may not be what council may want. This includes sick leave

accrual and retirement cash out. Seyer asked for clarification on section 2, part D. Lee stated that is the grandfather provision. Seyer asked who was close to retirement and would be included in the grandfather clause. Mayor Garlich stated Weir is the only Village employee that is close to retirement and would fall under the grandfather provision. Lee will amend ordinance to permit employees to continue the accumulation of sick leave to the maximum of 960 hours. Roll call: Yeas (6).

Ordinance 13-105 Amending Existing Sections 147.04 and 147.041 of the Codified Ordinances to Implement the State Auditor's Recommendations Regarding Overtime Compensation and Compensatory Time, and Making Certain Technical Amendments.

Mayor Garlich introduced Ord. 13-105 by title only.

Klein motioned to put Ord. 13-105 on first reading, seconded by Hornung. Roll call: Yeas (6).

Ordinance 13-106 Amending Existing Section 121.06(a) to Create a Development Loan Review Committee.

Mayor Garlich introduced Ord. 13-106 by title only. Lee stated that the economic development committee and part of the committee was to come up with standards for how you get loans adopted that come from the county. A loan review committee needs to be setup to review loans and this is amending the codified ordinances to allow the Mayor to appoint members to the loan committee. The committee needs to include a few CPA's, members of the economic development committee, the Village solicitor and the Mayor. This loan review committee will review the loans and decide who will receive the loans.

Wiech motioned to put Ord. 13-106 on first reading, seconded by Blue. Roll call: Yeas (6).

Ordinance 13-107 Establishing the Salaries and Wage Rates for the Non-Police Employees of the Village Effective January 1, 2013, and Declaring an Emergency.

Mayor Garlich introduced Ord. 13-107 by title only.

Hornung moved to waive the required readings and declare an emergency. Hofstetter seconded. Seyer asked if this was a percentage increase. Lengthy discussion was held. Mayor Garlich stated that it started at 3% for the service department. Some employees received more, some received less. For the administrative department, the performance audit recommendations illustrated there were several positions that were grossly underpaid. The Village could not give the full amount as stated in the performance audit; both those positions did receive more than the 3%. Roll call: Yeas (6).

Hornung moved to pass **Ordinance 13-107**, Klein seconded. Mayor Garlich added that the Village has not given a raise in 3 years. Seyer asked the total salary pot is going to be increased by 3%. Mayor Garlich stated the service department salary will increase 3%. The administrative department employees all received a 3% increase except for two employees, who received more than the 3%. Mayor Garlich stated that the administrative department went over the 3% bucket. Weir stated the original thought was 3% across the board. The service department, some of the employees are taking

on more responsibilities are taking on more duties, and the 3% was divided up among the employees based on Charlie's request. For the administrative department, 3% was originally figured but with the performance audit results, the income tax administrator is paid 74% less than the average tax administrator and a clerk/treasurer that is underpaid by 16%. Weir stated his recommendation was for the tax administrator from \$11.40 to \$13.40; raise the fiscal officer up an additional \$1.28; which would be \$47,652.80. Seyer wants to know how much the raises are going to cost us. Weir stated the 3% across the board was \$18,699.00 plus the additional \$6,000.00 for the increase to the tax administrator and fiscal officer's salary. It would be about \$25,000.00 more. Seyer stated he wanted to make sure how much the Village was going to spend in additional wages. Lee calculated it at 3.8%. Roll call: Yeas (6).

Ordinance 13-108 Waiving Certain Pre-Annexation Requirements and Directing the Village Solicitor to File an Annexation Petition with the Geauga County Board of Commissioners, Consistent with the Annexation Agreement Authorized by Resolution 12-24, and Declaring an Emergency.

Mayor Garlich introduced Ord. 13-108 by title only.

Klein moved to waive the required readings and declare an emergency. Wiech seconded. Roll call: Yeas (6).

Hornung moved to pass **Ordinance 13-108**, Klein seconded. Roll call: Yeas (6).

Ordinance 13-109 Establishing the Pay Scale and 2013 Wage Rates for Police Officers of the Village.

Mayor Garlich introduced Ord. 13-109 by title only.

Hornung motioned to put Ord. 13-109 on first reading, seconded by Blue. Seyer asked how at Saturday's meeting, a five year plan was going to be condensed to a three year plan. How are two police officers already at the top of the plan? Mayor Garlich stated because those officers have been with the Village for five years. Lengthy discussion was held about the plan. Seyer asked how much this was going to cost. Chief stated for 2013, \$43,472.80 over what the department is currently paying. Chief stated his officers work hard every day and no one would put their life on the line for \$19.11 an hour. Roll call: Yeas (6).

SECOND READING

Resolution 13-01 Authorizing Community Care Ambulance Network to Participate in Ohio Cooperative Purchasing Program.

Wiech motioned to put Res. 13-01 on second reading, seconded by Hornung. Roll call: Yeas (6). Seyer asked if this was a legal requirement. Mayor Garlich stated it was. It allows Community Care to participate in state purchasing. The fire department allows it through the township.

THIRD READING

Resolution 12-22 Authorizing the Village Administrator to Enter into a Contract with the Geauga-Trumbull Solid Waste Management District, for the Provision of Recycling Drop-Off Services

Hornung motioned to put Res. 12-22 on third reading, seconded by Klein. Roll call: Yeas (6).

OLD BUSINESS

NEW BUSINESS

COMMITTEE REPORT

- Activity Committee Mayor Garlich
- Streets, Sidewalks & Ut. January 10, 2013
- Finance & Ordinance January 3, 2013
- Economic Development January 2, 16, & 23, 2013
- Parks & Recreation January 16, 2013
- Public Safety January 24 & February 2, 2013
- Planning & Zoning January 24, 2013

CALENDAR

At 8:54 p.m., Hornung moved to adjourn into executive session for the purpose of personnel and land acquisition, seconded by Blue. Roll call: All Yeas (6).

The meeting reconvened at 9:20 p.m.

Wiech moved to authorize the Village Administrator to perform an appraisal of the two properties owned by the Middlefield Village Fire Department; located to the immediate north of the Village hall. Hornung seconded. All in favor: Yeas (6).

Being no future business at this time, Mayor Garlich moved to adjourn the meeting at 9:24 p.m.

Tiffany Mekeel – Fiscal Officer

Mayor Garlich