

**REGULAR COUNCIL**  
**July 11, 2013**

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

Also present: T. Mekeel – Fiscal Officer, C. Ehrhart – Director of Streets and Utilities, S. Roessner – Zoning Inspector, T. Lee – Solicitor, A. Stanko – Chief of Police, Bill Reed – Chief of Fire, Kim Breyley – Middlefield Post, Joan Rusek – MapleLeaf, Sam Morrow, Joe Svete, Kirk Bacon, Alex Duncan, Henry Yoder, Chrystal Yoder, Michele Chadwick, B. Chadwick, and Gene McGowan.

Agenda: no additions or deletions.

Minutes of June 6, 2013 meeting was presented for approval. Hofstetter moved to approve the minutes. Blue seconded. Roll call: Yeas (4).

Payment of Bills Totaling \$399,371.56 Hornung moved to authorize payment of \$399,371.56. Hofstetter seconded. Roll call: Yeas (4).

Fiscal Officer Report included in council packet.

Income Tax Report included in council packet.

Director of Streets & Utilities Report Ehrhart stated the department conducted routine maintenance on the water treatment plant and wastewater treatment plant. The service department conducted meter replacement, equipment maintenance, street sweeping, park maintenance, grass mowing, watering flowers and monthly chipping. Ehrhart stated the chemical system went down and was replaced at Eagle Splash Park. There was also a water leak on North State. Ehrhart gave a brief update on the Sperry Lane and Glen Valley projects.

Police Report Chief received \$100.00 from American Legion 459 for the Shop with a Cop program, in honor of Brandon Savage and Erin Thomas. *Seyer motioned to accept the donation, seconded by Blue. Roll Call: Yeas (4).* Hornung presented \$235.00 in cash and checks from the Indian's Loge Raffle Sales for the Shop with a Cop program. *Hornung moved to accept the donation, Hofstetter seconded. Roll Call: Yeas (4).*

Chief gave a brief update on Officer Thomas's recovery. A brief update was given on department training.

Seyer asked why the tornado siren warning was active yesterday. Chief Reed stated that they received a call from Geauga County Sheriff's office to active our tornado siren.

**Ordinance 13-130 An Ordinance Authorizing the Hiring of Michael Suschak as a Part-Time Police Officer for the Village of Middlefield, and Declaring an Emergency.**

Hornung motioned to table Ord. 13-130, seconded by Blue. Roll Call: Yeas (4).

Mayor Garlich swore in Michael Suschak; contingent upon passage of Ordinance 13-130.

Zoning Inspector's Report included in council packet.

Recreation Report included in council packet. *Blue motioned to accept sponsorships in the amount of \$1,075.00, seconded by Hornung. Roll Call: Yeas (4).*

Fire Department included in council packet.

Ambulance Report included in council packet.

Financials included in council packet.

## **PUBLIC HEARINGS**

### **2014 Tax Budget**

Mayor Garlich opened the public hearing at 7:30 p.m. Hearing no comments from those in attendance, Mayor Garlich closed the public hearing at 7:31 p.m.

## **PUBLIC PARTICIPATION**

Kirk Bacon – County Coordinator for 4H Shooting Sports in Geauga County and club advisory wanted to introduce himself and the club to Mayor Garlich and members of council. Coyote Den is using Great Lakes Outdoor Supply as their club headquarters; and they are responsible for mural on the wall at Great Lakes Outdoor Supply.

## **FIRST READING**

### **Resolution 13-14 A Resolution to Arlene Caslow Celebrating Her 100<sup>th</sup> Birthday.**

Mayor Garlich read Res. 13-14.

Hornung moved to pass **Resolution 13-14**, Blue seconded. Roll call: Yeas (4).

### **Resolution 13-15 A Resolution Authorizing the Fiscal Officer to Act as the Designated Representative of the Members of the Village of Middlefield Council for Purpose of Required Public Records Training and Declaring an Emergency.**

Mayor Garlich introduced Res. 13-15 by title only.

Blue motioned to put Res. 13-15 on first reading, seconded by Hornung. Roll call: Yeas (4).

### **Resolution 13-16 A Resolution Authorizing the Village Administrator to Enter into an Easement Agreement with Middlefield Milk LLC, and Declaring an Emergency.**

Mayor Garlich introduced Res. 13-16 by title only.

Blue motioned to put Res. 13-16 on first reading, seconded by Hofstetter. Roll call: Yeas (4).

**Ordinance 13-131 An Ordinance Employing Logan Berkey as Operator/Laborer in the Village Service Department, Commencing at a Date Selected by the Village Administrator and Declaring an Emergency.**

Mayor Garlich tabled until there was a majority.

**Ordinance 13-132 An Ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of the Village of Middlefield, Ohio.**

Mayor Garlich introduced Ord. 13-132 by title only.

Hornung motioned to put Ord. 13-132 on first reading, seconded by Blue. Roll call: Yeas (4).

**Ordinance 13-133 An Ordinance Amending Existing Ordinance 13-128 to Provide for a Minor Amendment for the Plat for Phase V of the Woodsong Subdivision, and Declaring an Emergency.**

Mayor Garlich tabled until there was a majority.

Lengthy discussion was held on the private road. Seyer voiced his concern about the private road. What is going to happen in a couple years, when the road sees more traffic and the road was not built to Village specs; who is going to pay for the repairs to the road. Mr. Svete stated the private road was built to the same specs just like the rest of Woodsong and done by Tri Mor. Lee stated that the last council meeting the Village passed legislation accepting the road. This legislation tonight involves an easement; plat language needs to be added per CEI; that the Village will cover the cost of the utilities if there is any damage to the lines.

**Ordinance 13-134 An Ordinance Declaring it Necessary to Levy a Tax in Excess of the 10 Mill Limitation for a Five Year Period at a Rate Not Exceeding 2.0 Mills for Each One Dollar of Valuation Which is a Replacement of an Existing Levy of 2.0 Mills for the Operation of the Police Department Pursuant to ORC Section 5705.19(J) and Declaring an Emergency.**

Mayor Garlich tabled until there was a majority.

**SECOND READING**

**Resolution 13-13 Authorizing the Village Administrator to Enter into an Agreement with the Geauga County Department of Aging and the Geauga County Commissions to Provide Certain Services for the Senior Citizens in the Village of Middlefield.**

Mayor Garlich read Res. 13-13 by title only.

Hornung motioned to put Res. 13-13 on second reading, seconded by Hofstetter. Roll call: Yeas (4).

### THIRD READING

#### **Ordinance 13-123 Increasing Certain Fees Imposed by the Village, and Declaring an Emergency.**

Mayor Garlich read Ord. 13-123 by title only.

Hornung motioned to pass **Ordinance 13-123**, seconded by Blue. Roll call: Yeas (4).

#### **Ordinance 13-124 Amending Various Provisions of Chapter 139 of the Codified Ordinances to Reorganize the Village Police Department.**

Mayor Garlich read Ord. 13-124 by title only.

Hornung motioned to pass **Ordinance 13-124**, seconded by Hofstetter. Roll call: Yeas (4).

### OLD BUSINESS

### NEW BUSINESS

1. Letter from Retro Al's Internet Café Requesting Consideration for a 3 Month Reprieve from Paying Fee – Discussion was held. A fee scheduled was provided to council members. The fees are about \$1,200.00 a month. Hornung stated that he is not for this and it would set a precedent. *It was the consensus of council to not allow the reprieve from paying monthly fees. Mayor Garlich asked that Weir respond to their letter.*
2. Glen Valley (Tri Mor) Reconstruction Final Pay Request – Pay Request #3 (\$84,613.27) – *Blue motioned to authorized the payment of \$84,613.27, seconded by Hofstetter. Roll call: Yeas (4).*
3. Sperry Lane (Fortuna Construction Company) Reconstruction Pay Request #3 (\$133,456.44) – *Hornung motioned to authorized the payment of \$133,456.44, seconded by Blue. Roll call: Yeas (4).*

### COMMITTEE REPORT

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|----------------------------|--------------------------|
| • Activity Committee       | Mayor Garlich            |
| • Economic Development     | June 5, 19, and 26, 2013 |
| • Finance & Ordinance      | June 6, 2013             |
| • Parks & Recreation       | June 19, 2013            |
| • Public Safety            | June 7, 2013             |
| • Streets, Sidewalks & Ut. | June 13, 2013            |

### CALENDAR

At 8:21 p.m., Hornung moved to adjourn into executive session for the purpose of land acquisition, seconded by Hofstetter. Roll call: All Yeas (4).

The meeting reconvened at 8:51 p.m.

The meeting was recessed until councilman Wiech arrived.

The meeting reconvened at 9:03 p.m.

**Ordinance 13-130 An Ordinance Authorizing the Hiring of Michael Suschak as a Part-Time Police Officer for the Village of Middlefield, and Declaring an Emergency.**

Mayor Garlich introduced Ord. 13-130 by title only.

Blue moved to waive the required readings and declare an emergency. Wiech seconded. Roll call: Yeas (5).

Blue moved to pass **Ordinance 13-130**, Hornung seconded. Roll call: Yeas (5).

**Ordinance 13-131 An Ordinance Employing Logan Berkey as Operator/Laborer in the Village Service Department, Commencing at a Date Selected by the Village Administrator and Declaring an Emergency.**

Mayor Garlich introduced Ord. 13-131 by title only.

Hornung moved to waive the required readings and declare an emergency. Hofstetter seconded. Roll call: Yeas (5).

Wiech moved to pass **Ordinance 13-131**, Blue seconded. Roll call: Yeas (5).

**Ordinance 13-133 An Ordinance Amending Existing Ordinance 13-128 to Provide for a Minor Amendment for the Plat for Phase V of the Woodsonq Subdivision, and Declaring an Emergency.**

Mayor Garlich introduced Ord. 13-133 by title only.

Hornung moved to waive the required readings and declare an emergency. Blue seconded. Roll call: Yeas (5).

Hornung moved to pass **Ordinance 13-133**, Hofstetter seconded. Roll call: Yeas (4), Nays (1) Seyer.

**Ordinance 13-134 An Ordinance Declaring it Necessary to Levy a Tax in Excess of the 10 Mill Limitation for a Five Year Period at a Rate Not Exceeding 2.0 Mills for Each One Dollar of Valuation Which is a Replacement of an Existing Levy of 2.0 Mills for the Operation of the Police Department Pursuant to ORC Section 5705.19(J) and Declaring an Emergency.**

Mayor Garlich introduced Ord. 13-133 by title only.

Blue moved to waive the required readings and declare an emergency. Hofstetter seconded. Roll call: Yeas (5).

Hornung moved to pass **Ordinance 13-134**, Wiech seconded. Roll call: Yeas (5).

Being no future business at this time, Mayor Garlich moved to adjourn the meeting at 9:10 p.m.

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Tiffany Mekeel – Fiscal Officer

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Mayor Garlich