

**Village of Middlefield Council Minutes
September 14, 2023**

Council met in regular session Mayor Garlich called the meeting to order at 7:00 p.m. with the following members present: Mayor Ben Garlich, Mr. Sam Morrow, Mr. Rick Seyer, Ms. Kaitlyn Arganti, Mr. Carl Hornung, Mr. Scott Klein, and Mr. Bill Blue.

Also present: Chief Tucholski, Lt. Graley, Mr. Nick Giardina- Fiscal Officer, Mr. Luke McConville- Solicitor, Ms. Ann Wishart- Maple Leaf, Mr. John Boksansky- Zoning Inspector, Mr. Alex Duncan, Ms. Melissa Channel, Mr. Kyle Kaplan, Mr. Ric Blamer, Ms. Nicole Bryan, and Ms. Kim Breyley. Ms. Leslie McCoy- Village Administrator and Lt. Tony Yeropoli- Fire Department are excused.

1. Opening Ceremony: Pledge of Allegiance was recited.

Recognition of Allen “Frog” Miller: Mayor Garlich presented Allen “Frog” Miller’s family with a plaque in memory of him for all the work he did on keeping the bike path clean and maintained. The plaque will be placed on a bench on the Maple Highlands Trail.

2. Agenda: Addition: Ordinance 22-141. Deletion: Ordinance 23-132.

3. Approval of Minutes: August 10, 2023. ***Mr. Hornung made a motion to approve the August 10, 2023 minutes, motion seconded by Mr. Morrow. All in favor: Yeas (6).***

4. Payment of Bills: ***Mr. Hornung moved to authorize payments totaling \$415,694.90 motion seconded by Mr. Blue. Roll call: Yeas (6).***

5. FISCAL OFFICER’S REPORT: Income Tax and Financials – The report is included in the packet. Mr. Giardina stated income tax, water, and sewer are still up compared to previous years. Mr. Giardina stated withholdings are down due to employment numbers being down. Mr. Giardina stated there have been a lot of expenses due to improvements and new purchases in the Village. Mr. Giardina stated the Village is the most affordable community in Geauga County.

6. AMBULANCE REPORT – Report is included in the packet.

7. FIRE DEPARTMENT REPORT – Report is included in the packet.

8. ECONOMIC DEVELOPMENT: Report is included in the packet. Mayor Garlich stated the Village has had tremendous growth and it will continue to have tremendous growth.

9. ZONING REPORT: Report included is included in packet. Mr. Boksansky stated 10 permits were issued in the month of August.

10. STREETS, SIDEWALKS & UTILITIES REPORT – Report is included in the packet. Chief Tucholski stated Eagle Park is officially closed. Chief Tucholski stated the parks, streets, and cemetery all look great.

11. POLICE REPORT – Report is included in the packet. Chief Tucholski stated for the month of August there was 440 calls for service. Chief Tucholski stated there was a

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pursuit with a woman involved in trying to cash fraudulent checks at the Middlefield Bank location. She was arrested and taken to jail.

12. PARKS & RECREATION REPORT – Report is included in the packet. Mayor Garlich stated the recreation teams have all of their uniforms and their equipment.

PUBLIC PARTICIPATION:

Mayor Garlich introduces new Middlefield Police Officers Dylan Conant, William Sutton, and Daniel Fant.

Mayor Garlich swears in Dylan Conant, William Sutton, and Daniel Fant to the Middlefield Police Department.

Public Hearing:

Mayor Garlich opens Public Hearing at 7:30 PM.

1) ORDINANCE 23-132 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1153.06 ENTITLED “(I) INDUSTRIAL DISTRICT” BY ADDING AIRPORT USE AS A CONDITIONAL USE IN AN INDUSTRIAL DISTRICT.

2) ORDINANCE 23-133 AN ORDINANCE REZONING PERMANENT PARCEL NUMBERS 19-072861, 19-706220, 19-706416, 19-706221, 19-706222, 19-072805 AND 19-706415 FROM THEIR PRESENT ZONING CLASSIFICATION OF R-1 (SINGLE-FAMILY ZONING DISTRICT) TO I (INDUSTRIAL).

Mr. McConville stated these parcels should be rezoned to reflect their natural use as an airport. The benefits of this ordinance are the county which owns the parcels won't have to come into the Village for any rezoning or use variance if they want to further develop their property. The Village would be able to place reasonable conditions on any proposed site plans involving future develop of the property.

Mayor Garlich closes the Public Hearing at 7:35 PM.

FIRST READING –

1. RESOLUTION 23-10 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY. Mayor Garlich introduced Resolution 23-10 by title only. Mr. Giardina stated the only change is not withholding for the ambulance levy in 2024. **Mr. Morrow made a motion to waive the required reading and declare Resolution 23-10 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

Mr. Morrow made a motion to PASS Resolution 23-10, motion seconded by Ms. Arganti. All in favor: Yeas (6).

2. RESOLUTION 23-11 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR SERVICES WITH THE GEAUGA COUNTY BOARD OF COMMISSIONERS AND THE GEAUGA

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DEPARTMENT ON AGING, FOR USE OF THE MIDDLEFIELD COMMUNITY CENTER. Mayor Garlich introduced Resolution 23-11 by title only. **Mr. Hornung made a motion to place Resolution 23-11 on the first reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

3. RESOLUTION 23-12 A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS AND DECLARING AN EMERGENCY. Mayor Garlich introduced Resolution 23-12 by title only. Mr. Giardina stated the transfer is for parks and recreation in the amount of \$250,000. **Mr. Morrow made a motion to waive the required reading and declare Resolution 23-12 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

Mr. Blue made a motion to PASS Resolution 23-12, motion seconded by Mr. Morrow. All in favor: Yeas (6).

4. RESOLUTION 23-13 A RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR THE VILLAGE'S CAPITAL IMPROVEMENT PLAN FOR THE 2024 CALENDAR YEAR, AND DECLARING AN EMERGENCY. Mayor Garlich introduced Resolution 23-13 by title only. Chief Tucholski stated Standish, the second half of Tare Creek, and Almeda will need repaired in 2024. This Resolution is to authorize the Village Engineer to prepare plans. **Mr. Hornung made a motion to waive the required reading and declare Resolution 23-13 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6).**

Mr. Morrow made a motion to PASS Resolution 23-13, motion seconded by Mr. Hornung. All in favor: Yeas (6).

5. ORDINANCE 23-132 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1153.06 ENTITLED "(I) INDUSTRIAL DISTRICT" BY ADDING AIRPORT USE AS A CONDITIONAL USE IN AN INDUSTRIAL DISTRICT. Ordinance 23-132 was removed from the agenda.

6. ORDINANCE 23-133 AN ORDINANCE REZONING PERMANENT PARCEL NUMBERS 19-072861, 19-706220, 19-706416, 19-706221, 19-706222, 19-072805 AND 19-706415 FROM THEIR PRESENT ZONING CLASSIFICATION OF R-1 (SINGLE-FAMILY ZONING DISTRICT) TO I-PUD (PLANNED UNIT INDUSTRIAL DEVELOPMENT). Mayor Garlich introduced Ordinance 23-133 by title only. **Mr. Klein made a motion to place Ordinance 23-133 on the first reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

7. ORDINANCE 23-134 AN ORDINANCE AMENDING EXISTING SECTION 911.08 OF THE CODIFIED ORDINANCES TO PROVIDE THE 2024 RESIDENTIAL, COMMERCIAL AND INDUSTRIAL WATER ACCOUNT RATES. Mayor Garlich introduced Ordinance 23-134 by title only. Mayor Garlich stated there will be no increase in water and sewer rates. **Mr. Morrow made a motion to place Ordinance 23-134 on first reading, motion seconded by Mr. Blue. All in favor: Yeas (6).**

8. ORDINANCE 23-135 AN ORDINANCE AMENDING EXISTING SECTION 907.04 OF THE CODIFIED ORDINANCES TO PROVIDE FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER ACCOUNTS, COMMENCING JANUARY 1, 2024. Mayor Garlich introduced Ordinance 23-135 by title only. Mayor Garlich stated there will be no

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increase in water and sewer rates. Mr. Klein made a motion to place Ordinance 23-135 on first reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).

9. ORDINANCE 23-136 AN ORDINANCE AMENDING EXISTING SECTION 911.10 (a) OF THE CODIFIED ORDINANCES TO PROVIDE FOR FIRE SPRINKLER SYSTEM ACCOUNTS. Mayor Garlich introduced Ordinance 23-136 by title only. Mayor Garlich stated there will be no increase. Mr. Hornung made a motion to place Ordinance 23-136 on first reading, motion seconded by Mr. Morrow. All in favor: Yeas (6).

10. ORDINANCE 23-137 AN ORDINANCE HIRING DYLAN CONANT AS A FULL TIME POLICE OFFICER, CONTINGENT UPON HIS COMPLETING THE REQUIREMENTS OF SECTION 139.01 OF THE CODIFIED ORDINANCES, AT THE PAY RATE OF \$24.45 PER HOUR, AND DECLARING AN EMERGENCY. Mayor Garlich introduced Ordinance 23-137 by title only. Mr. Klein made a motion to waive the required reading and declare Ordinance 23-137 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6). Mr. Klein made a motion to **PASS** Ordinance 23-137, motion seconded by Mr. Hornung. All in favor: Yeas (6).

11. ORDINANCE 23-138 AN ORDINANCE HIRING DANIEL FANT AS A PART-TIME POLICE OFFICER, CONTINGENT UPON HIS COMPLETING THE REQUIREMENTS OF SECTION 139.01 OF THE CODIFIED ORDINANCES, AT THE PAY RATE OF \$19.50 PER HOUR, AND DECLARING AN EMERGENCY. Mayor Garlich introduced Ordinance 23-138 by title only. Mr. Morrow made a motion to waive the required reading and declare Ordinance 23-138 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6). Mr. Morrow made a motion to **PASS** Ordinance 23-138, motion seconded by Ms. Arganti. All in favor: Yeas (6).

12. ORDINANCE 23-139 AN ORDINANCE HIRING WILLIAM SUTTON AS A FULL TIME POLICE OFFICER, CONTINGENT UPON HIS COMPLETING THE REQUIREMENTS OF SECTION 139.01 OF THE CODIFIED ORDINANCES, AT THE PAY RATE OF \$19.00 PER HOUR, AND DECLARING AN EMERGENCY. Mayor Garlich introduced Ordinance 23-139 by title only. Mr. Hornung made a motion to waive the required reading and declare Ordinance 23-139 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6). Mr. Morrow made a motion to **PASS** Ordinance 23-139, motion seconded by Mr. Klein. All in favor: Yeas (6).

13. ORDINANCE 23- 140 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 737.03 ENTITLED “SHORT-TERM RENTAL OPERATIONS APPLICATION FOR SHORT-TERM RENTAL PERMIT, NEW AND RENEWAL” TO LIMIT THE ISSUANCE OF SHORT TERM RENTAL LICENSES TO PARCELS ZONED R-3. Mayor Garlich introduced Ordinance 23-140 by title only. Mr. Klein stated Air BnB’s will only be allowed in an R-3 zoning district and only 3 allowed within that district. Mr. Blue made a motion to place Ordinance 23-140 on first reading, motion seconded by Mr. Klein. All in favor: Yeas (6).

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14. ORDINANCE 22-141 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 147.01 ENTITLED “VACATIONS,” AND DECLARING AN EMERGENCY. Mayor Garlich introduced Ordinance 22-141 by title only. **Mr. Blue made a motion to place Ordinance 22-141 on first reading, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

SECOND READING

1. ORDINANCE NO. 23-131 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 Ordinance 23-131 by title only. **Mr. Hornung made a motion to place Ordinance 23-131 on second reading, motion seconded by Mr. Blue. All in favor: Yeas (6).**

THIRD READING

OLD BUSINESS

NEW BUSINESS

1. **Web Site Report – Kim Breyley:** Included in the packet. Ms. Breyley stated the report now shows what is topic is trending.

COMMITTEE REPORTS and COMMUNICATIONS

Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Dietrich/Ms. Shaffer) – August meeting minutes included in packet.

Streets, Sidewalks, & Utilities (Mr. Seyer/Ms. Arganti/ Ben Garlich) –August meeting minutes included in packet.

Economic Development Committee (Mayor Garlich, Mr. Blue, Mr. Klein, Mr. Michalakes, Mr. Dietrich, Ms. Breyley, Ms. Martin) – No meeting in August.

Parks & Recreation (Ms. Arganti/ Mr. Blue/ Mayor Garlich/ Ms. Naples/ Mr. Soltis) – August meeting minutes included in packet.

Finance & Ordinance (Mr. Seyer/ Mr. Klein/Mr. Morrow) – August meeting minutes included in the packet.

Public Safety (Mr. Morrow/ Mr. Hornung/Mr. Blue) – August meeting minutes included in packet.

VILLAGE CALENDAR: (ALL MEETING DATES ARE SUBJECT TO CHANGE)

SEPTEMBER – (Subject to change)

September 4, 2023 Labor Day – Village Hall Closed

September 12, 2023 5:30PM STREETS, SIDEWALKS, & UTILITES

September 12, 2023 6:00PM PLANNING COMMISSION

September 14, 2023 5:30PM RECREATION

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September 14, 2023 6:00PM FINANCE & ORDINANCE
September 14, 2023 6:30PM SAFETY
September 14, 2023 7:00PM COUNCIL

OCTOBER – (Subject to change)

October 10, 2023 5:30PM STREETS, SIDEWALKS, & UTILITES
October 10, 2023 6:00PM PLANNING COMMISSION
October 12, 2023 5:30PM RECREATION
October 12, 2023 6:00PM FINANCE & ORDINANCE
October 12, 2023 6:30PM SAFETY
October 12, 2023 7:00PM COUNCIL
October 9, 2023 VILLAGE HALL CLOSED – COLUMBUS DAY
October 31, 2023 TRICK OR TREAT – HALLOWEEN 5:30 p- 7:30 p.

EXECUTIVE SESSION- None

ADJOURNMENT

Mr. Klein motioned to adjourn the Council meeting at 8:14 PM, motion seconded by Ms. Arganti. All in favor: Yeas. (5)

PENDING

Tabled: Resolution 21-08

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER