

**Village of Middlefield Council Minutes
October 12, 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: Ms. Leslie McCoy- Village Administrator, Chief Tucholski, Lt. Graley, Mr. Nick Giardina- Fiscal Officer, Mr. Luke McConville- Solicitor, Ms. Ann Wishart- Maple Leaf, Mr. John Boksansky- Zoning Inspector, Tony Yeropoli- Fire Department, Mr. Alex Duncan, Ms. Melissa Channel, Mr. Kyle Kaplan, Mr. Joe Svete, Ms. Nicole Bryan, Mr. Erik Riggle, and Ms. Kim Breyley.

1. Opening Ceremony: Pledge of Allegiance was recited.

2. Agenda: No additions/deletions.

3. Approval of Minutes: September 14, 2023. *Mr. Hornung made a motion to approve the September 14, 2023 minutes, motion seconded by Mr. Morrow. All in favor: Yeas (6).*

4. Payment of Bills: *Mr. Hornung moved to authorize payments totaling \$1,030,120.97 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 total deposits are up compared to the previous year. Mr. Giardina stated payroll is up but new positions have been added for Village employment. Water, sewer, and income tax funds are in positive standings. Mr. Giardina stated there have been some big expenses but receipts are high and all accounts are to the good.

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

7. FIRE DEPARTMENT REPORT – Report is included in the packet. Mr. Yeropoli went over a couple big calls that the Fire Department responded to in the last month. The fire department participates in monthly trainings with other fire departments.

8. ECONOMIC DEVELOPMENT: Report is included in the packet. Ms. McCoy stated there are 4 outstanding businesses that have not presented plans for the Storefront Renovation program. They need to submit plans by November in order to receive the funding.

9. ZONING REPORT: Report included is included in packet. Mr. Boksansky stated 11 permits were issued in the month of September.

10. STREETS, SIDEWALKS & UTILITIES REPORT – Report is included in the packet. Chief Tucholski stated leaf pickup will begin next week. Brush chipping will end the first week of November.

11. POLICE REPORT – Report is included in the packet. Chief Tucholski stated for the month of September there was 423 calls for service. Chief Tucholski stated the new hires are working out very well.

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12. PARKS & RECREATION REPORT – Report is included in the packet. Mr. Giardina stated the Volleyball program is very well run. Winter Sports registration will be open until November 1, 2023.

PUBLIC PARTICIPATION:

Mayor Garlich stated the mural unveiling will be held October 17, 2023 at 2 pm.

Public Hearing 11.09.2023 on Ordinance 23-142 and Ordinance 23-143 7:30 pm.

FIRST READING –

- 1. RESOLUTION 23-14 A RESOLUTION DECLARING THE INTENT OF THE VILLAGE TO DISPOSE OF UNNEEDED, OBSOLETE OR UNFIT MUNICIPALLY OWNED PERSONAL PROPERTY VIA AN INTERNET AUCTION IN CALENDAR YEAR 2024, AND AUTHORIZING SUCH DISPOSITON.** Mayor Garlich introduced Resolution 23-14 by title. **Mr. Morrow made a motion to place Resolution 23-14 on first reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

- 2. ORDINANCE 23-142 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1153.02 ENTITLED “(R-2) TWO FAMILY RESIDENTIAL DISTRICT.”** Mayor Garlich introduced Ordinance 23-142 by title only. Mr. McConville stated this is to remove multifamily housing. **Mr. Hornung made a motion to place Ordinance 23-142 on the first reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

- 3. ORDINANCE 23-143 AN ORDINANCE REZONING CERTAIN PARCELS FROM THEIR PRESENT ZONING CLASSIFICATION OF R-3 (MULTI-FAMILY RESIDENTIAL ZONING DISTRICT) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT).** Mayor Garlich introduced Ordinance 23-143 by title only. Mr. McConville stated this is to allow more flexibility with what can be in this zone. **Mr. Morrow made a motion to place Ordinance 23-143 on first reading, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

- 4. ORDINANCE 23-144 AN ORDINANCE APPROVING A DRIVEWAY CURB CUT ON TARE CREEK PARKWAY, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-144 by title only. Mayor Garlich stated this is for the independent suites that Briar Hill will be putting in. **Mr. Hornung made a motion to waive the required reading and declare Ordinance 23-144 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6). Mr. Morrow made a motion to PASS Ordinance 23-144, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

- 5. ORDINANCE 23-145 AN ORDINANCE ACCEPTING THE WOODSONG PHASE 12 TIMBER RIDGE EXTENSION PLAT FOR DEDICATION PURPOSES PURSUANT TO SECTION 1115.02 OF THE CODIFIED ORDINANCES AND SECTION 723.03 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-145 by title only. Mr. Svete stated this is for 36 lots and if Woodsong Phase 12 is successful the plan is to add 33 lots with Woodsong Phase 13. **Mr. Klein made a**

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motion to waive the required reading and declare Ordinance 23-145 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6). Mr. Morrow made a motion to **PASS** Ordinance 23-145, motion seconded by Mr. Hornung. All in favor: Yeas (6).

6. **ORDINANCE 23-146 AN ORDINANCE APPROVING THE CONSOLIDATION OF PERMANENT PARCEL NUMBERS 19-072861, 19-706220, 19-706416, 19-706221, 19-706222, 19-072805 AND 19-706415 COMPRISING THAT PORTION OF THE GEAUGA COUNTY AIRPORT LOCATED WITHIN THE VILLAGE, AND APPROVING THE MAP OF SURVEY AND PLAT CONSOLIDATION, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-146 by title only. Mayor Garlich stated there will be no increase in water and sewer rates. Mr. Morrow made a motion to waive the required reading and declare Ordinance 23-146 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6). Mr. Morrow made a motion to **PASS** Ordinance 23-146, motion seconded by Mr. Hornung. All in favor: Yeas (6).

SECOND READING

1. **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 DEPARTMENT ON AGING, FOR USE OF THE MIDDLEFIELD COMMUNITY CENTER.** Mayor Garlich introduced Resolution 23-11 by title only. Mr. Blue made a motion to place Resolution 23-11 on second reading, motion seconded by Mr. Seyer. All in favor: Yeas (6).
2. **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.** Mayor Garlich introduced Ordinance 23-132 by title only.

Ordinance 23-132 was removed from the agenda 09.14.23 as it was placed on the 10.12.23 agenda in error.

3. **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. Morrow made a motion to place Ordinance 23-133 on second reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).
4. **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. Mr. Hornung made a motion to place Ordinance 23-134 on second reading, motion seconded by Mr. Morrow. All in favor: Yeas (6).

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5. **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. **Mr. Blue made a motion to place Ordinance 23-135 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

6. **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. **Mr. Morrow made a motion to place Ordinance 23-136 on second reading, motion seconded by Mr. Klein. All in favor: Yeas (6).**

7. **ORDINANCE 23- 140 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 737.03 ENTITLED “SHORT-TERM RENTAL OPERATIONSAPPLICATION 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. McConnville stated this Ordinance is changing the zoning on where a short term rental will be permitted. There will be grandfathering for the preexisting rentals. They would still be obligated to fill out the application forms. **Mr. Klein made a motion to place Ordinance 23-140 on second reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

8. **ORDINANCE 23-141 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 147.01 ENTITLED “VACATIONS”, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-141 by title only. **Mr. Klein made a motion to place Ordinance 23-141 on second reading, motion seconded by Mr. Blue. All in favor: Yeas (6).**

THIRD 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. Morrow made a motion to waive the required reading and declare Ordinance 23-131 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6).** Mr. Morrow made a motion to **PASS** Ordinance 23-131, motion seconded by Mr. Blue. All in favor: Yeas (6).

OLD BUSINESS

NEW BUSINESS

1. **Web Site Report – Kim Breyley:** Included in the packet.
2. **Electric Scooter & E-Bike Sidewalk Ban:** Mayor Garlich stated he would like Chief Tucholski to look into this more because it is dangerous to pedestrians.

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COMMITTEE REPORTS and COMMUNICATIONS

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

Streets, Sidewalks, & Utilities (Mr. Seyer/Ms. Arganti/ Ben Garlich) – September 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 September.

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

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

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

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

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.

NOVEMBER – (Subject to change)

November 7, 2023 Election Day
November 7, 2023 5:30PM STREETS, SIDEWALKS, & UTILITES
November 7, 2023 6:00PM PLANNING COMMISSION
November 9, 2023 5:30PM RECREATION
November 9, 2023 6:00PM FINANCE & ORDINANCE
November 9, 2023 6:30PM SAFETY
November 9, 2023 7:00PM COUNCIL
November 10, 2023 VILLAGE HALL CLOSED – Veterans Day Observed
November 11, 2023 Veterans Day
November 23, 2023 VILLAGE HALL CLOSED – Thanksgiving Holiday
November 24, 2023 VILLAGE HALL CLOSED
November 24, 2023 Tree Lighting Ceremony – Downtown Pocket Park

DECEMBER – (Subject to change)

December 12, 2023 6:00PM PLANNING COMMISSION (if needed)

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December 12, 2023 6:00PM FINANCE & ORDINANCE
December 12, 2023 7:00PM COUNCIL
December 25, 2023 VILLAGE HALL CLOSED – Christmas Day

EXECUTIVE SESSION- None

ADJOURNMENT

Mr. Klein motioned to adjourn the Council meeting at 7:55 PM, motion seconded by Ms. Arganti. All in favor: Yeas. (5)

PENDING

Tabled: Resolution 21-08

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER