

# *The Village of Northfield*

## REGULAR COUNCIL MEETING Agenda – August 9, 2017

### **Pledge of Allegiance**

### **Call to Order; Roll Call; Approval of Minutes**

### **Presentation of Petitions, Memorials and Remonstrances**

### **Reports of Municipal Officers:**

Jesse J. Nehez, Mayor  
Tricia Ingrassia, Finance Director  
Richard Wasosky, Engineer  
Brad Bryan, Law Director

### **Department Heads:**

Sgt. John Zolgus, Officer in Charge  
Jason Buss, Fire Chief  
Jason Walters, Service/Building Superintendent

### **Reports of Municipal Boards and Commissions:**

Alan Hipps, Planning Commission  
Mayor Nehez, Recreation Board  
Beatrice Greenlee, Cemetery Board

### **Reports of Standing Committees:**

Nicholas Magistrelli, Finance  
Alternate, Roads and Public Works  
Renell Noack, Health and Welfare  
Gary Vojtush, Wages and Working Conditions  
Jennifer Domzalski, Fire and Safety  
Alan Hipps, Buildings and Grounds

### **Legislation:**

**2017-63** – An Emergency Resolution Authorizing the Mayor/Director of Public Safety to Contract with the City of Solon to Utilize the City of Solon Jail as a Back-up Jail Facility to the City of Macedonia (First Reading)

**2017-64** – An Emergency Resolution Confirming the Mayor's Appointment of Denise Lewis to the Planning Commission (First Reading)

**2017-65** – An Emergency Ordinance Amending Sections 660.17 and 660.18 of the Codified Ordinances Relating to Weed and Grass Control (First Reading)

**Old Business; New Business; Announcements; Adjournment**

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2017-63  
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR/DIRECTOR OF  
PUBLIC SAFETY TO CONTRACT WITH THE CITY OF SOLON TO UTILIZE THE  
CITY OF SOLON JAIL AS A BACK-UP JAIL FACILITY TO THE CITY OF  
MACEDONIA JAIL**

WHEREAS, the Village presently has a contract with the City of Macedonia to house Village prisoners in the City of Macedonia jail; and

WHEREAS, the Mayor/Director of Public Safety and Police Department want to have authorization to utilize another jail facility as a back-up in the event that the Macedonia jail is temporarily full or unable to house Village prisoners.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein authorizes the Mayor/Director of Public Safety to contract with the City of Solon to utilize the City of Solon jail as a back-up jail facility in the event that the Macedonia jail is temporarily full or unable to house Village prisoners. Said agreement shall be pursuant to the terms and conditions that are attached hereto and incorporated herein by reference.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public and/or in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that this Resolution will assist with the operation of a municipal department and the protection of the Village, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Nicholas Magistrelli, President Pro-Tem of Council

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Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**ACKNOWLEDGEMENT**

Date: \_\_\_\_\_

**Any Agency which is requesting usage of the Solon Detention Facility will comply with following:**

1. Agree to the fee schedule for inmate housing and ancillary jail costs in accordance with Solon Codified Ordinance 240.16 (Individualized contracts are no longer required)
2. **Prior to** transporting an inmate to Solon, call the Master Control Room at 440-337-1452 to determine if space is available, or in the case of an OVI to determine if a breath testing operator is on duty.
3. Transport inmates to (and when needed or necessary from) the Solon Detention Facility.
4. Pay charges as specified in the Ordinance directly to the City of Solon, as billed.
5. Assume responsibility for costs associated with all medical/psychological/dental/vision care, prescription medication, and/or other extraordinary costs or services that may arise from Solon's confinement of the Agency's inmates.
6. Assume responsibility that all appropriate and necessary legal documents are served on those persons incarcerated by the Agency, with required copies to Solon.
7. Assume responsibility for the transportation and appearance of the Agency's inmates at all in-person court/legal proceedings.
8. Supply the City of Solon Correction Officers with sufficient information as may be reasonably required to ensure the completion of all necessary inmate documentation and processing.
9. Immediately transmit or deliver release documentation, issued by the court or by the Agency, to Solon. (Fax: 440-349-2797)
10. Verify the receipt of any release transmission by a verbal confirmation with Solon's Master Control Room.
11. Assume responsibility for the timely notice of release of inmates incarcerated by Agency.
12. Assume responsibility for notifying the crime victim of the arrest, detention, or release when required or requested under O.R.C. 2930 (Victim's Rights)
13. Transport the inmate from the facility to the Cuyahoga Sheriff's Jail should the inmate become the inmate of the Cuyahoga County Sheriff for any reason.
14. Collect DNA from the Agency's arrested felons when required the ORC.
15. Promptly notify, within 30 days, of any charges disputed by the agency.
16. At least one contact phone number for 24/7/365 dispute resolution is required. This is a not a dispatch center but must be the Chief Executive or his/her assistant from the Agency requesting jail usage.

Name:

Phone Number:

**Checklist:**

1. Call Solon at 440-337-1467.
2. Transport inmate to Solon and standby until medical screening is complete.
3. Advise the Correction Officer if fingerprints are required.
4. Ensure a proper authority to hold is delivered to Solon in-person or by fax.
5. Ensure that the release documentation is delivered and that the defendant is released on all agency cases.

Signature:

**Original: Solon    Copy: Agency**

# City of Solon

Requested by the  
Safety and Public Properties Committee

Record of Ordinances

ORDINANCE NO: 2015-163

INTRODUCED BY: Russo

AN ORDINANCE ENACTING A NEW SECTION 240.16 OF THE ADMINISTRATION CODE ENTITLED "FEES AND ANCILLARY COSTS FOR THE USE OF THE SOLON POLICE DEPARTMENT JAIL FACILITY" AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Solon, State of Ohio:

SECTION 1. That there is hereby enacted a new Section 240.16 of the Administration Code to read as follows:

**"240.16 FEES AND ANCILLARY COSTS FOR THE USE OF THE SOLON POLICE DEPARTMENT JAIL FACILITY.**

(a) The Solon Police Department Jail Facility may, at the sole discretion of the Chief of Police or his designee, be used by outside law enforcement agencies in a mutual aid status and be subject to the following fees and ancillary costs for any prisoner so incarcerated:

- 1) \$85 per day or any part of a day for prisoner housing and services,
- 2) \$25 for each Breath Alcohol Content (BAC) Test provided,
- 3) \$50 for each video arraignment session,
- 4) 100% of all medical, dental, vision, psychological, or prescription medication costs or other health care expense, and
- 5) Full reimbursement for the hourly costs of any posted guard at an outside medical facility for longer than two hours at the top overtime rate under the current police collective bargaining unit agreement.

(b) Agencies requesting such mutual aid shall provide all transportation to and from the facility; shall provide all necessary information and appropriate legal documentation justifying the incarceration including service on the incarcerated defendant; and, shall pay all accumulated fees and costs directly to the City of Solon as billed monthly.

(c) In the event that any incarcerated defendant requires transport to or admission to a hospital or other medical facility, the involved agency will be notified immediately and expected to take custody of the prisoner at the facility within two hours, or arrange for the prisoner's legal release or furlough.


(d) The City of Solon may, at any time, and at its sole discretion refuse to house prisoners due to available space, the medical or psychological condition of any proposed prisoner, or for any other operational reason including non-payment of past invoiced services.

(e) Nothing in this section shall be construed to limit the ability of the City to enter into mutually negotiated contracts for the provision of jail services with or without different terms and as authorized by the legislature."

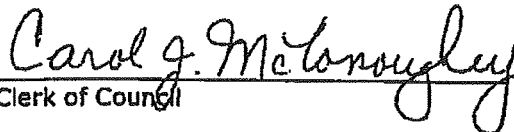
SECTION 2. That all other Ordinances and Resolutions Inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to codify the contract terms to provide a more efficient method of doing business; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 20, 2015

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2017-64  
AN EMERGENCY RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF  
DENISE LEWIS TO THE PLANNING COMMISSION**

WHEREAS, there is presently a vacancy on the Planning Commission, and the Mayor and Council requested that interested parties submit applications for the position; and

WHEREAS, Section 10.01 of the Village's Charter provides that the Mayor appoints the three (3) non-municipal office-holder positions on the Planning Commission subject to confirmation by a two-thirds vote of Council; and

WHEREAS, Denise Lewis applied and is qualified for the position, is an elector of the Village, and holds no other Village office; and

WHEREAS, Council desires to confirm the Mayor's appointment of Denise Lewis to the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, State of Ohio:

SECTION 1. That the Mayor's appointment of Denise Lewis to the Planning Commission is hereby and herein confirmed effective immediately. Ms. Lewis shall serve the remainder of the Planning Commission term scheduled to expire December 31, 2018.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public and in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the operation of a municipal Commission, and this resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2017-65**

**AN EMERGENCY ORDINANCE AMENDING SECTIONS 660.17 AND 660.18 OF THE  
CODIFIED ORDINANCES RELATING TO WEED AND GRASS CONTROL**

WHEREAS, in order to uniformly address offensive weeds and offensive grass on occupied and vacant parcels of land in the interests of public health and safety and aesthetics, the Mayor and Council desire to amend Sections 660.17 and 660.18 of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein amends Sections 660.17 and 660.18 of the Codified Ordinances relating to weed and grass control.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public health, safety, and welfare of the residents of the Village of Northfield, for the reason that it will enhance the aesthetic appearance of the Village, aid in the protection of Village residents, and assist with the operation of a Municipal department, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day  
of \_\_\_\_\_, 2017.

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Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

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Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council



**660.17 WEED AND GRASS CONTROL.**

(a) Intent. The intent of this section is to uniformly address offensive weeds and offensive grass on occupied and vacant parcels of land in the interests of public health and safety and aesthetics. Enforcement shall be deemed necessary as a means of reducing pollen, litter, the spread of weeds, nuisance animals in populated areas, and blighting. It is not the intent of this section to establish standards for lawn care.

(b) Offensive Grass Defined. As used in this section, "offensive grass" means grass that has attained a height of over six inches on any parcel of land in the Municipality after April 30 of any year. Grass exceeding six inches in height is hereby determined to be a public nuisance.

(c) Offensive Weeds Defined. As used in this section, "offensive weeds" means weeds that either: exceed six inches in height, contain mature seeds, are ready to spread, are located in gardens or flower or other beds, and/or are considered invasive weeds. Invasive weeds include, but are not limited to, unwanted weeds such as thistle, garlic mustard, or the like.

(d) Removal of Offensive Weeds and Offensive Grass by Owner or Occupant.

(1) No owner or occupant in possession or control of any parcel of land in the Municipality, whether the parcel is improved or unimproved or occupied or vacant, shall fail to keep the entirety of such parcel, or any public right of way or tree lawn abutting such parcel, free from offensive weeds and offensive grass as defined above.

(2) The Building and Zoning Inspector may exempt certain parcels that are more than two acres in size, either in whole or in part, from the requirements of subsection (c)(1) of this section, so long as the following conditions are met:

(i) The offensive weeds and offensive grass are deemed not to negatively impact neighboring properties and the neighborhood;

(ii) All of the area within one hundred feet of any public or private roadway, side adjacent properties, and areas abutting active and maintained parcels is maintained at a height of six inches or less; and

(iii) All of the area within one hundred feet of any residential or commercial building is maintained at a height of six inches or less.

(3) The Building and Zoning Inspector, or his or her designee, shall cause an annual notice to be published prior to April 15 of each year in a newspaper of general circulation in the Municipality, notifying property owners and occupants of the requirements of this ordinance.

~~(a) Any person who owns or has charge of land within the Municipality shall keep such property free and clear from all noxious weeds and shall be required to cut all such noxious weeds on the lot or lots owned or controlled by him or her. In addition, weeds or grass which exceeds eight inches in height shall be cut.~~

~~(be) Procedure for Notice and/or Removal by Municipality. Upon information that offensive weeds or offensive grass ~~noxious weeds~~ are growing on land within the Municipality and ~~are about to spread or mature seeds, or that weeds or grass present on such land exceeds eight inches in height,~~ written notice shall be provided to the owner and/or person occupant having control of such parcel land that noxious offensive weeds or offensive grass are growing exist upon such land, ~~or that weeds or grass upon such land exceeds eight inches in height,~~ and that the same must be cut and/or destroyed within five days of the receipt of such notice. The written notice shall be sent by certified mail, return receipt requested, to the proper address; sent by registered mail to the proper address; hand-delivered to a resident of the property; or affixed to the front door or other conspicuous place on the property or front side of the primary structure on the property. In addition, notice may also be provided by placing a single notice in a newspaper of general circulation within the Municipality. Only one notice per calendar year is required per parcel. If, after notice has been provided in accordance with this ordinance, the Building and Zoning Inspector determines that a subsequent violation has occurred on a particular parcel, the Building and Zoning Inspector may proceed with any action permitted by this ordinance without any further notice being required.~~

~~(ef) If the owner, occupant, or person having charge of the land mentioned in subsection (b) hereof parcel in violation of this ordinance fails to comply with the notice to cut and/or destroy such offensive weeds or offensive grass, the ~~Mayer~~ Building and Zoning Inspector shall may issue a citation to the property owner and/or occupant and/or cause such offensive weeds or offensive grass to be cut and/or destroyed by employing the necessary labor and equipment to perform such tasks to bring the property into compliance with this ordinance. ~~In such event, all expenses incurred therefor shall, when approved by Council, be paid out of moneys in the Municipal Treasury not otherwise appropriated and charged back to the owner of the lot as designated below.~~ The charge for cutting and/or destroying the offensive weeds and/or offensive grass shall be one hundred dollars (\$100.00) per man hour and shall be charged back to the owner of the lot parcel.~~

~~(dg) After the offensive weeds and/or offensive grass described in subsection (e) hereof in violation of this ordinance have been cut and/or destroyed by the Municipality, the Administrative Clerk shall send a statement to the owner of the lot parcel demanding payment for the costs incurred by the cutting and/or destroying of such offensive weeds and/or offensive grass. If payment is not received by the Municipality within thirty days from the date of mailing such notice, a penalty of one hundred dollars (\$100) shall be imposed upon the owner of the lot parcel and added to the above charges. Council shall then make a written return to the County Auditor Fiscal Officer of its action under subsections (be) and (ef) hereof, showing the total charges for ~~postage and/or placing the aforesaid notice to the newspaper, if any the performance of~~~~

the labor along with any fees related to the enforcement action, together with a proper description of the premises upon which these services were performed. Such amounts shall be entered upon the tax duplicate, shall be a lien upon the ~~let~~ parcel from the date of entry and shall be collected as other taxes are collected and returned to the Municipality by the County ~~Auditor~~ Fiscal Officer. Such remedy shall be in addition to the penalties provided in subsections (ef, g, and/or h) hereof.

(eh) Whoever violates this section is guilty of a minor misdemeanor and shall be subject to the penalty provided in Section 698.02.

**660.18 DUTY TO CUT AND KEEP CLEAN GRASS PORTIONS OF STREET OR ROAD RIGHTS-OF-WAY.**

(a) No owner or occupant of lands abutting a State, County, or Village-owned street or roadway right-of-way, with the exception of State limited access highway rights-of-way, shall fail to keep the grass portion of the right-of-way free from ~~noxious~~ offensive weeds, debris, or nuisances. In addition, weeds or grass that exceed ~~eight~~ six inches in height shall be cut, and grass and weeds in the sidewalk areas shall be removed or destroyed. This section shall not pertain to grass that is located in the median of a divided highway or roadway.

(b) Whoever violates this section is guilty of a minor misdemeanor. In addition, whoever violates this section shall be subject to the requirements, penalties, and remedies set forth in Section 660.17 ~~pertaining to weed control~~.