

The Village of Northfield

REGULAR COUNCIL MEETING

May 13, 2015

The meeting was called to order by Mayor, Jesse J. Nehez at 7:30 p.m.

Pledge of Allegiance was led by Mayor Jesse Nehez.

ROLL CALL was read by Finance Director Timothy Clymer. The following were present: Mayor Nehez, Councilpersons Beatrice Greenlee, Linda Bowen, Gary Vojtush, Alan E. Hipps, Ethan Miladinovic and Nicholas Magistrelli. Also in attendance, Finance Director Timothy Clymer, Law Director Brad Bryan, Engineer Richard Wasosky, Police Chief Mark Wentz, Building & Zoning Superintendent Jason Walters. Fire Chief Jason Buss was not present.

APPROVAL OF MINUTES:

Mayor Nehez asked for approval of the minutes for the Council meeting of April 22, 2015.

Motion made by Councilman Hipps second by Councilwoman Greenlee. All in favor of approval, motion passed.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES:

PERSONS HAVING BUSINESS BEFORE COUNCIL:

Char Bowser: Expressing her displeasure on the actions of Council members at last weeks meeting, stated that they act like uncontrollable children because she asked them questions they don't want to answer. Char stated they did not care who she was or what she thought. She stated that we citizens are your employer. You sit on council at our discretion, it may be time the citizens of this village know how our council members act and how they feel about their constituents. You should care about what people think. Your actions are always being watched. You are always under scrutiny. You never know who is watching or listening. Remember the old saying, see you in the funny papers, well it maybe see you in the paper and its not so funny.

Harold Wiggins: Had questions about the mailboxes during construction. Rich Wasosky explained there is a bid item on the contractor where the contractor gets paid if he has to move the boxes. The boxes will only be moved if the mail carrier refuses to deliver the mail to houses individually.

Jason Walters stated he thinks what Mr. Wiggins wants is for the post office to move the boxes to the parking side of the street for good.

Rich Wasosky stated as far as the construction project on Cranbrook, we as a Village do not want to pay to move the mailboxes, but if the mailman refuses to deliver the boxes will be relocated to one central location at Huntington and Cranbrook, or residents could go to the post office and pick their mail up. Rich also stated they are redoing all the curbs, the only way the mailboxes will be moved is if the contractor says he can't work around them, they will put them back in the original location. If the postoffice says you can relocate the mailboxes, he has no problem with that but that is their decision.

Councilman Vojtush stated he also talked to the post office and they said they would not change their route to the other side of the road because they would have to reroute the carrier.

Mr Wiggins also expressed his concern about residents who chain their dogs in the front yard. He said it is a problem, people put their dogs out, go in the house, and forget about the dog. Put the dog in the backyard. Mr. Wiggins asked if there is an ordinance for this?

Brad Bryan, Law Director, clarified the dog ordinance right now is dog at large. If a dog is not in control by its owner (leash..) it is a violation. There is also a vicious dog ordinance, if anyone is attacked there is a procedure that is followed. There is no ordinance that says you can not keep your dog in the front yard. If the dog is on the property in the front yard, it is permissible.

MAYOR'S REPORT: Mayor Nehez advised he has nothing to report.

FINANCE REPORT: Timothy Clymer reported he will have April's numbers at the next meeting. Tim asked the Mayor if he wants him to discuss the appropriation ordinance?

Mayor said yes.

Tim said the details are on everyone's desk, he is looking at changes in two funds. First, the TIF fund, we received the first payment last month budgeting the receipt for almost 1.5 million because this includes the school's portion. On the expense side we will have the school's share which is the bulk of it. \$18,000 to the county, school share is about \$935,000 remainder at around \$522,000 will appropriate the transfer out of the TIF fund into the general fund. Moving up to the general fund part that's why we have a transfer of 522,000. A few changes on the expense side, looking at items in the Police Department and the Service Department. For Police, adding a full timer in the fall which will effect the full time wages, the contractual services for testing and pension and health insurance. We are also looking at a new cruiser which costs \$15,000 for the first lease payment and to outfit it. In addition we have \$60,000 for asphalt for road repairs that Jason (Walters) talked about in the work session. Resolution 2015-22 will probably seem redundant for the new back hoe. You passed a resolution for this late last year, the equipment has been received but in the initial resolution we had Bank One listed for lease financing, while we ended up going with First Merit to finance the piece of equipment. Law Director Brad Bryan stated we originally authorized Tim (Clymer) to obtain different financing if he saw fit. The bank wants new legislation specifically authorizing them for their requirements and the equipment that originally got sent in has issues and got sent back and was replaced at a later date. We're just kinda cleaning up those issues. Tim stated we're making First Merritt happy, we're not getting another back hoe. Tim also reported he talked to people at Central Collection Agency a little less than a year ago when he first started. The fees we paid on our income tax collection seemed a little high to him, he stated he circled back and met with their tax administrator and assistant late last week and gave them a hard time about it again. They followed up with Tim today, the numbers are going down for our collection expense, although probably not from him talking to them. We will probably see, Ill have better numbers for you in a couple weeks because he just got this this afternoon, but we're looking in the area of \$40,000-\$50,000 just this year that we will see out collection go up because the expenses they withhold will go down. We should see a positive number, Tim reported he will have something more concrete next meeting.

ENGINEER'S REPORT: (See attached report) Rich Wasosky reported there is a ditch problem at 9243 Lincoln. The service department did not fix the problem yet, they are waiting for it to dry so they

can get equipment back there. Rich also reported there is a potential development by the bakery (Sweetheart USA) possibly a strip mall or gas station. Rich reported Issue 1 Grant or loan applications are due June 26.

Mayor Nehez asked what are the chances of receiving one?

Engineer Wasosky reported that there is a 75% chance at a loan. This loan would be a couple million dollars at 0% for 30 years.

Mayor Nehez asked what is the absolute last day for the deadline?

Rich said he can get the application done in three days easily. They work it on a point system where you get 15 points for plans. The deadline is June 26. He advised he would have to get some plans, you need at least 30% submittal of the plans to get any points.

Mayor Nehez asked what does council want to do?

Councilman Miladinovic stated the problem on Ledge Road is not going to fix itself, is it something we should look into?

Rich advised we've been looking at Ledge for over thirty years, before he (Rich) was here.

Councilman Miladinovic asked, if we get a loan, we can pay it off early?

Rich said yes, but its 0% interest, it would be foolish to pay it off.

Councilman Miladinovic asked if we are looking at replacing it before it is paid off?

Law Director Brad Bryan stated- Right, \$67,000 a year for 30 years.

Councilman Magistrelli asked if there is a minimum we have to apply for?

Rich stated the project itself in Northfield is \$1.95 million, that does not include the Macedonia side. The price includes storm system, sidewalks, ripping out the old road and rebuilding it. All engineering costs, surveying and construction. We don't have a Macedonia cost because they would pay for that portion.

Mayor Nehez asked what if we get Macedonia on board?

Rich advised we would get ten more points. Rich stated he is on a committee that reviews all these projects for the county and scores them.

Councilman Vojtush asked if we should approach Macedonia before we go forward with this?

Rich said he would approach Macedonia.

Councilman Vojtush said it may help us out, it doesn't seem futile to do half the road.

Mayor Nehez stated he can contact Mayor Kuchta tomorrow.

Rich said since we own both sides of the road up to the school, actually behind Salemis property. We could just do that, rip it all out and put sidewalks in. Macedonia can do their part when they are ready.

Mayor stated it seems silly to do only half the road.

Brad Bryan asked what about the money coming from ODOT for Ledge Road, would that be thrown into the mix? Would they just give us money if they do not approve the work?

Rich advised the money from ODOT is for next year, 2016. That's what the grant is for. The grant money can't be spent until after July 1, 2016.

Brad Bryan said his question is, would that help us at all, or not really?

Rich advised we would use their money as part of our local share because if we go for a grant we have to pay a minimum of 10%. Usually these grants work 50/50. If we get a grant we pay 50%, state pays 50%. The law says they pay up to 90% on their projects. We got a couple of those in the 1990's, but that doesn't happen anymore except basically for Akron projects.

Brad asked if the other 50% is a loan?

Rich advised you can ask for a combo 50% loan, 50% grant, but that usually doesn't work out. The way things usually work out is a 50/50 grant is the optimum you can get. If the state threw in money, they repair damage they did on Ledge Road. We can use that as part of our local share. If it was a two million dollar project and we got the grant, we would get \$1 million from the state, the other million we would make up with our money and whatever the state decided was worth while. We do have permissive license tax money from the county that's eligible to use for that road. We can use that money for our local share.

Brad stated TIF money could also be used.

Councilman Vojtush asked if it is \$2 million to do the whole road, how much for the portion for which Northfield owns both sides?

Rich advised approximately \$700,000.

Mayor Nehez asked if that gives us a sidewalk up to that point?

Rich said yes.

Mayor stated he needs some direction from council.

Councilman Miladinovic stated he thinks we should contact Macedonia.

Mayor advised he will call Don Kuchta.

Councilman Miladinovic asked if we do a shelf there, will we meet up with the fly action?

Rich said the foundry sands, just in our section from the school west to Route 8 is where the foundry

sand is.

Councilman Miladinovic asked if we go to that point, will we have a regular base?

Rich said we have a poor base on the rest of the road but it is not foundry sand, if we put in half the road from the school you will see that at the center line it is going to start breaking up.

Councilman Miladinovic said Ledge Road is such a topic because schools are trying to get money to get it done, we are talking about getting it done. We have students walking where they shouldn't be walking. It is a mess. It is something we need to address and try to move quick on it is my suggestion.

Rich stated this has been in the works since 1982 and we recycled the road twice and did a bandaid repair a few years ago.

Jason Walter advised that was in 2005.

Rich stated that you can see that is rutting again and that is another one of our roads without under drain, as soon as water gets in the crack that's a major rebuilding. It was basically a farm road at one time and suddenly became a collector.

Councilman Miladinovic questioned whether we still want to apply for this loan whether Macedonia is on board or not.

Councilman Vojtush asked if we are only going to do the front part of Ledge Road?

Councilman Miladinovic stated that that's where it is most severe. That is where our biggest problems are.

Rich said yes, behind Peppers is the most severe.

Mayor Nehez asked if Macedonia says no, and they don't want any part of this project, will we want to still go for the Northfield Village section?

Jason said that part we just did a repair on three years ago. Initially that year we wanted to spend \$150 and actually repaired that and found out we had foundry sand that washed that idea out, because it really increased what it would cost to have fixed it. That is when we choose to put a band-aid on it.

Mayor Nehez, stated that he will call Mayor Don Kuchta tomorrow and relay to Council President Greenlee and she can get back to Council.

Council President Greenlee stated that she will do that.

Councilman Vojtush asked about the third subject down, the bakery. Has asked if the land has ever been tested?

Jason Walter stated yes, they just did a level one test on it.

Rich said it was suggested that they should get an environmental firm and test to be sure there is no

hazardous waste on it.

Jason said they just did it about two weeks ago.

Councilman Vojtush asked if had come out clean?

Jason Walters said yes as far as he knows.

Mayor Nehez advised he will call Mayor Kuchta tomorrow.

Council agreed to move forward with Northfield's section of the road.

Rich said he will start the plan on just the top portion.

Councilman Hipps asked if we are moving forward with the grant and not the loan?

Rich stated whatever way Council would like to go with this.

Councilman Miladinovic asked if we could apply for both, or at least ask for 50/50 if that increases the odds of getting something rather than nothing.

Rich stated there is a procedure that you can actually apply for both, it's called an LTIP Fund which is Local Transportation Improvement Projects that's part of Issue One. Also, called the skip grants which you can use for anything. I can apply for one as a grant and skip loan is a loan and LTIP is a grant. I can put two applications in.

Councilman Miladinovic asked if we have a chance?

Rich said for the loan we do. It would be great if we got the grant. There is no additional work for the plans it would be the same with a grant or a loan. He would have to file a different application but that is not much additional work.

Mayor Nehez asked if we are talking cement curves, sidewalks and illuminating all ditches and a new road surface.

Rich stated in the Northfield section definitely all cement with the trucks, asphalt wouldn't work. He further stated that he prefers concrete from State Route 8 to the corporation limit. After that we can use either cement or asphalt, whatever Council wants to do.

Councilwoman Bowen asked if there is an application cost for these grants.

Rich stated there is no cost, just his time.

Mayor asked if Council had anything else for the Engineer. No additional questions.

LAW DIRECTOR'S REPORT: Brad Bryan advised Council he will request we go into executive session toward the end of the meeting to update Council on the status of the collective bargaining talks with the Police Union.

DEPARTMENT HEADS

Police Department, Chief Mark Wentz

See attached report. Chief Wentz thanked the Mayor and Council for revisiting the concept of adding another full-time officer and cruiser this year. Chief Wentz and Lt. Mackie participated in a tele-conference with Senator Brown regarding the Department of Justice grants including the COPS grant.

Fire Department, Fire Chief Jason Buss—No report.

Service/Building Supervisor, Jason Walters

Service Director Jason Walters expanded on the report attached hereto and made a part hereof. Jason advised he would be using his seasonal employees to assist in maintaining vacant properties, so he can keep his other employees who have been here longer on road projects, such as sewer cleaning and maintaining catch basins.

Councilman Votjush asked for clarification about the seasonal help.

Jason reiterated what he had previously stated.

Councilman Votjush said he asked because in Sagamore Hills they have four (4) guys total and they have approximately twelve (12) miles of road. Walters responded that most of their stuff is done by the county. He would love to have their responsibility. Jason also, stated I know why you are asking. Councilman Votjush said that information from Sagamore Hills was left out.

Jason asked Rich W. if he knew that.

Rich said he lives in Sagamore Hills, Boyden Road, Highland Road and Cannon Road are maintained by the County, and Route 82 is maintained by the State.

Gary said I think they still have forty (40) miles to maintain.

Jason Walters asked who did you talk to.

Gary responded one of the trustees.

Jason said he should talk to Billy the Service Director.

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

A. PLANNING COMMISSION, ALAN E. HIPPS- no report.

B. RECREATION BOARD, MAYOR NEHEZ

The recreation board will meet on May 19, 2015. They will be gathering ideas for a summer get together for all the residents. They are hoping to have something for Council by the next meeting.

C. CEMETARY BOARD, BEATRICE GREENLEE, reported that the Cemetery Board is looking to purchase their own truck and plowing the cemetery themselves.

REPORTS OF STANDING COMMITTEES:

FINANCE: LINDA BOWEN reported that their meeting will be the 27th of May, 2015 at 6:30 pm. A work session was also scheduled for 7:15 pm after the Finance meeting.

ROADS/PUBLIC WORKS: ETHAN MILADINOVIC- no report.

HEALTH AND WELFARE: GARY VOJTUSH had no report.

BUILDINGS & GROUNDS: ALAN HIPPS had no report.

WAGES AND WORKING CONDITIONS: NICHOLAS MAGISTRELLI no report.

FIRE AND SAFETY: BEATRICE GREENLEE no report.

LEGISLATION:

Brad Bryan Ordinance 2015-20, 1st reading, emergency Resolution authorizing certain amendments to the annual appropriation ordinance. 2nd reading will be next meeting.

Ordinance 2015-21, An emergency Ordinance to approve the editing and including of certain Ordinance as parts of the various component codes of the Codified Ordinances; to approve, adopt, enact, and publish new matter in the updated and revised codified Ordinances,; and to repeal Ordinances and Resolutions in the conflict therewith. Motion to suspend three-reading rule by Councilwoman Greenlee, seconded by Councilwoman Bowen, 6 ayes. Motion to pass by Councilwoman Greenlee, seconded by Councilman Votjush, 6 ayes, zero opposed.

Resolution 2015-22, An emergency Resolution authorizing and directing the Mayor to enter in agreements to purchase and finance a UT 580SNWT loader backhoe and UT SR250 skid steer loader, and the equipment necessary therefore, foe Service Department use.. Motion to suspend three-reading rule by Councilwoman Greenlee, seconded by Councilwoman Bowen, 6 ayes. Motion to pass by Councilman Hipps, seconded by Councilwoman Greenlee, 6 ayes, zero opposed

Resolution 2015-23, An emergency Resolution confirming the Mayor's appointment of Nickolas Favazzo as a temporary, season employee with the Service Department for the summer of 2015. Motion to suspend three-reading rule by Councilwoman Greenlee, seconded by Councilman Miladinovic, 6 ayes. Motion to pass by Councilwoman Greenlee, seconded by Councilman Hipps, 6 ayes, zero opposed.

Resolution 2015-23, An emergency Resolution confirming the Mayor's appointment of Edward Govang as a temporary, season employee with the Service Department for the summer of 2015. Motion to suspend three-reading rule by Councilwoman Greenlee, seconded by Councilman Votjush, 6 ayes. Motion to pass by Councilwoman Greenlee, seconded by Councilman Votjush, 6 ayes, zero opposed.

Resolution 2015-23, An emergency Resolution confirming the Mayor's appointment of Michael Peelman as a temporary, season employee with the Service Department for the summer of 2015. Motion to suspend three-reading rule by Councilwoman Votjush, seconded by Councilwoman Greenlee, 6 ayes. Motion to pass by Councilman Votjush, seconded by Councilwoman Greenlee, 6 ayes, zero opposed.

Resolution 2015-23, An emergency Resolution confirming the Mayor's appointment of Lawrence Schilk as a temporary, season employee with the Service Department for the summer of 2015. Motion to suspend three-reading rule by Councilwoman Greenlee, seconded by Councilman Votjush, 6 ayes. Motion to pass by Councilman Votjush, seconded by Councilwoman Greenlee, 6 ayes, zero opposed.

Lawrence Schilk will be paid \$10.65 per hour. Mr. Schilk is being paid the additional \$1.65 per hour, due to having experience and CDL license.

OLD BUSINESS; none.

NEW BUSINESS;

Law Director Brad Bryant asked if someone would make a motion to go into executive session for the purpose of updating Council on the status of collective bargaining negotiations with the police department. Councilwoman Bowan made the motion, seconded by Councilwoman Greenlee, 6 ayes. Councilman Magistrelli made a motion to leave executive session at 9:10 pm. Seconded by Councilwoman Greenlee, 6 ayes.

ANNOUNCEMENTS;

Councilman Magistrelli thanked Mayor and Council for their condolences and flowers for the loss of his family member.

ADJOURNMENT; A motion for adjournment at 9:11 pm by Councilwoman Bowen, seconded by Councilwoman Greenlee. 6 ayes.

Respectfully submitted by:

Attest:

Beatrice Greenlee, Council President

Timothy Clymer, Clerk of Council