

**The Village of Northfield
Regular Council Meeting
August 22, 2012**

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

The Pledge of Allegiance was recited.

The Roll Call was taken by the Finance Director, Monica James. The following were present: - Mayor Jesse J. Nehez; Beatrice Greenlee, Karyn Selle, Mary Volny, John Schlueter, John Bolek and Linda Bowen. In addition, Law Director, Brad Bryan and Fire Chief Gary Vojtush were also present.

Mayor Nehez asked for a motion to approve the minutes of the Special Meeting of August 6, 2012.

John Bolek stated that he would like to table them until the next meeting due to the inaccuracy of the conversation with Mr. Hart. Mr. Bolek stated that the minutes take his comments out of context because he is not talking about literally taking pictures.

Everyone agreed to table approval until next meeting so that any necessary corrections could be made.

Mayor Nehez asked for a motion to approve the minutes of the Regular Council Meeting of August 8, 2012.

Council agreed since they just received them and did not have time to review, they would like to also table this for the next meeting.

Mayor Nehez announced that Administrative Assistant and Service, Building and Zoning Assistant, Lisa Rodriguez will be out on sick leave for a few weeks. Everyone wishes her and her family well and that she needs to rest and get well. Everyone feels lost without her.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCE:

Mayor Don Kuchta, of Macedonia, presented Mayor and Council with a proposal for the (5) Nordonia Communities, to turn the old Macedonia City Hall into a Senior Center and rent the office spaces to various County Services and business'. The County which owns the old Macedonia City Hall is willing to rent the building to the Communities for \$1.00/year. See the attached Memorandum of Understanding. Mayor Kuchta did state that a lot of work needs to be completed on the building including the roof. But he has spoken to several people that have stated that if the building is turned into a Senior Center, they are willing to donate their services. Mayor Kuchta estimated that to start would need about \$30,000.00 for necessary repairs, which would be about \$6,000.00 from each community. Mayor Kuchta also submitted a sample from Northwest Stark Senior Citizens Commission, Inc., Bylaws, (see attached). This could be a model for the way that the Nordonia Senior Center is run. Mayor Kuchta further stated that the Communities work well together on other issues, and this issue should be no different, consolidating services.

Mr. Bolek asked Mayor Kuchta, how he thinks this proposal will work. Mr. Bolek presented to the County several years ago, when J.C. Penney's moved out that the County lease and move various County Services into the building, along with Dentist, physical therapist, things our Senior Citizens need and they refused because Northfield Village is not part of the County Sewer system. Northfield is halfway between East and West Northern Summit County. Even identified a new income stream to pay for it. The County put a cell tower on the property in Macedonia it generated enough money to pay the debt service. The Nordonia Community does not have a good track record working together; look at the Travel and Tourism Center.

Mayor Kuchta agreed, Nordonia Communities have tried several attempts at regionalization and they have failed.

Mayor Nehez asked if the property could be viewed by the Mayor and Council.

Mayor Kuchta stated that it can be arranged.

Law Director, Brad Bryan asked if there is a time frame for the project.

Mayor Kuchta stated that the only time frame is the repairs that need completed. The roof should be repaired before winter.

Mr. Bolek asked if the inspection report from the County could be viewed.

Mayor Kuchta stated that yes and that our Architect does not agree with what the County says. The inspector notes every door knob that needs replaced, points out the painting that needs done. Mayor Kuchta believes that if we can all get onboard with the project, he feels we can get plenty of volunteers to assist with the renovation, especially since it is for the Senior Citizens.

Nick Kostandaras, Summit County Council spoke. He stated that yes, in the past there has been issues with the County cooperating with various communities. But since Russ Pry has come on board, things have changed. Look how the County is doing so well financially since Mr. Pry got in. Mr. Kostandaras stated that if this materializes, AARP, County Health, Ohio Job and Family Services, all plan on renting space. We need to do this for our Seniors, the youth of our Country will lead us, but look at what the Senior's did for us in the past, and it is time to reward them.

Mayor Kuchta thanked Mayor and Council for listening; he will present this proposition to Macedonia tomorrow night and make arrangements to present to the other Communities. Mayor Kuchta feels this is a good way to start regionalization and maybe since working together, have a better chance at Grants.

Randy Rivers introduced himself to Mayor and Council; he is running for Summit County Sherriff. Mr. Rivers gave a brief history of himself. He grew up in Northfield Center, graduated from Nordonia High School. He was in the military, a police officer for Cuyahoga Falls for several years, helped to create a regionalized dispatch center, and is a police instructor with the University of Akron. He believes in partnerships and will take his knowledge to the position of County Sherriff.

Mayor Nehez asked that we deviate from normal at this time.

Resolution 2012-64 1st reading – An emergency resolution, confirming the Mayor/Director of Public Safety, appointment of Colt Eberling to the position of Lieutenant on the Village of Northfield Fire Department.

A motion to suspend the 3 reading was made by John Bolek and seconded by Beatrice Greenlee, it carried with 6 ayes. Mrs. Greenlee made a motion for passage, seconded by Linda Bowen, carried with 6 ayes.

Chief Gary Vojtush did swear in Colt Eberling

REPORTS OF MUNICIPAL OFFICERS:

Mayor Jesse Nehez reported:

1. Service Department is fixing up the salt barn, to protect the winter salt. If you had an opportunity to look at it before, you would have seen that the whole back wall is busted out.
2. Still have some discussion with the Fire Chief regarding the new vehicle; this should be on the agenda for the next meeting.
3. The Racetrack is still working on its plans. They have met with Russ Pry and Summit County Building; want to get opinions before he submits plans for approval, which should be the end of September.
4. The Blockwatch signs have been posted. If anyone is aware of a missing sign to contact Mayor or Jason.

Monica James, Finance Director reported:

1. Advised Council that had a copy of the Lockbox Contract. Must give the bank a (30) day notice of closure. Therefore, in speaking with Mr. Bryan, once the next quarter invoices are mailed in October, will calculate approximately (60) days and give the bank a notice. Delay will be to make sure all residents are aware of the mailing address and that they can drop off their payments at the Village Hall. Also, looking into some type of box to be mounted outside for residents use when the Village Hall is closed. Also looking at allowing the residents to pay on-line.
2. Asked Council to either suspend the 3 reading rule or need to schedule a special meeting to approve the Resolutions for delinquent grass cutting and sewer billing since it must be to the County by September 10, 2012.
3. Presented Council with a packet that shows the Village finances for the last (5) years, the Village is on track as far as past spending and income, copy is attached.

Brad Bryan, Law Director had nothing to report, will speak when we get to the Legislation section

Department Heads: Only Chief Gary was present

Stated he had wanted to discuss the vehicle but was already advised that the Mayor will speak with him tomorrow. Asked if he should call the dealer and put a hold on the vehicle.

Mayor advised he would have a response after speaking with the Chief tomorrow

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

Planning Commission, Beatrice Greenlee asked if a meeting should be scheduled for September 19, 2012, at 7:30 p.m. Mr. Bryan stated yes, should have plans by then.

Cemetery Board, Beatrice Greenlee, had nothing to report.

Recreation Board, Mayor Nehez stated that they are continuing talks regarding signs and should have a presentation for next meeting.

Charter Review Commission, Mr. Bolek asked if the Charter Review Committee could put together a synopsis and the Village can pay to have it mailed to the residents. Will give the voters time to absorb what we are asking the residents to pass. Mr. Bolek feels voters will do better if get the explanation from the Committee and not secondary sources.

Finance, Linda Bowen asked for approval of Ordinance 2012-54

Ordinance 2012-54 An emergency Ordinance approving the payment of bills for the month of August 2012 in the amount of \$93,165.63

Moved by Linda Bowen, seconded by Beatrice Greenlee, carried with 6 ayes.

The next Finance Committee meeting will be on September 26, 2012 at 6:30 p.m.

Roads/Public Works, Karyn Selle stated:

1. As the Mayor stated, the salt barn is getting much needed repairs
2. 99% of temporary signs have been removed
3. Parking lot inspections are being done and because the business are getting the repairs completed, Route 8 is looking much better
4. Also wants to offer a speedy recovery to Lisa Rodriguez, is missed by all.

Health and Welfare, Mary Volny stated:

1. Tentative meeting has been set with Union Representatives for September 12 at 6:30 to discuss the insurance, will also be asking Mr. Mike Troyan to join us since he is so knowledgeable.
2. Moose Lodge is going to be doing a safety day, which will include fingerprinting and photography of children, she will speak more to Chief Wentz regarding this matter.

Buildings & Grounds, John Bolek stated:

1. Has been talking with business owners along Route 8 they do like the improvements being done
2. Feels it may be time to look at a Comprehensive Plan, especially for signs
3. Concerned people procrastinating and not picking up certified mail that is sent to them by the Village, there should be some types of cost imposed when we need to send an Officer to hand deliver the mail. Those that do not sign for the certified letter, feel that they are buying themselves time to allow the violation to go on, especially when it comes to signs. Those that comply do not know that the letter is not picked up; they see it that this person is getting special favors.
4. With the signs down, it much easier to get out of some driveways and streets
5. Also the height of signs may be an issue, know of one instance where the snowplow coming down the road and it destroyed a sign that was 8 ft in the air, know the State not going to repair
6. Some business have stated that since took down the temporary signs, there business has been hurt.

Mr. Bryan stated he is working on legislation for signs.

Mr. Bolek is aware but wanted the business and Community to know that no one is getting special treatment, everyone is being treated fairly.

Wages and Working Conditions, John Schlueter stated:

1. Already discussed equipment
2. Will be discussing wages in legislation
3. Nice to see Mr. Eberling promoted

Fire and Safety, Beatrice Greenlee, had nothing to report.

LEGISLATION;

Resolution 2012-55 1st reading-An emergency Resolution authorizing the Mayor to retain environmental Consultant HzW Environmental, LLC to perform a Phase I environmental site assessment on the 199 Ledge Road property.

Mr. Bryan stated that based on prior discussion from Council, this study is being done and based on two recommendations from Mrs. Selle we obtained (2) quotes and this was \$150.00 less than other company. HzW was \$2,350.00. And per the agreement we have 90 days to get this done.

Motion by Karyn Selle seconded by John Bolek to suspend the (3) reading rule, passed with (6) ayes.

A motion for passage was made by Beatrice Greenlee seconded by Mary Volny, carried with (6) ayes.

Resolution 2012-56 1st reading-An emergency Ordinance authorizing the Mayor to enter into a contract with Oriana House, Inc, for the provision of Community Correctional Services.

Mr. Bryan stated this is the same resolution that is passed every year, no cost increase.

Motion by John Bolek seconded by Karyn Selle to suspend the (3) reading rule, passed with (6) ayes.

A motion for passage was made by John Bolek seconded by John Schlueter, carried with (6) ayes.

Resolution 2012-57 1st reading – An emergency Resolution directing the finance Director to certify delinquent grass, weed cutting and property clean up bills to the County fiscal Officer for placement on the tax duplicate.

Mr. Bryan stated that as Mrs. James stated this Resolution and the next should be passed at this meeting or will need special meeting since due by September 10, 2012

Motion by John Bolek seconded by Linda Bowen to suspend the (3) reading rule, passed with (6) ayes.

A motion for passage was made by Linda Bowen and seconded by John Bolek, carried with (6) ayes.

Resolution 2012-58 1st reading – An emergency resolution directing the Finance Director to certify delinquent sewer maintenance bills to the County fiscal Officer for placement on the tax duplicate.

Motion by John Bolek seconded by Linda Bowen to suspend the (3) reading rule, passed with (6) ayes.

A motion for passage was made by Linda Bowen and seconded by John Bolek, carried with (6) ayes.

John Bolek asked when dealing with a foreclosed home, short sale, we are going to get paid.

Mr. Bryan explained that in almost all cases, yes. These fees are added to the tax duplicate, when the taxes are paid, the County gets paid, then the village.

John Schlueter asked so we get our money when the tax bill is paid.

Mr. Bryan stated yes.

Ordinance 2012-59 1st reading – An emergency ordinance amending Chapter 1424.02(a) of the Codified Ordinances pertaining to the definition of a multi-family dwelling for the purpose of multi-family housing inspections and maintenance standards

Mr. Bryan explained that most references in the Codified Ordinance define multi-family as (4) units or more, there are a few units that are (2) or (3). Building Inspector wants to be able to deal with issues in these cases the same.

Council agrees this to be 1st reading will be 2nd reading at the next meeting.

Ordinance 2012-60 1st reading – An emergency ordinance, amending Chapter 1254 of the Codified Ordinances pertaining to alternative actions for post-construction water quality runoff requirements.

Mr. Bryan explained this is the legislation as proposed by Mr. Wasosky at the last meeting. A modification of a current ordinance.

Motion by John Bolek seconded by Mary Volny to suspend the (3) reading rule, carried with (6) ayes.

Mr. Bolek stated that the County is not asking us to pass this, they are telling us to pass.

A motion for passage was made by John Bolek seconded by Karyn Selle, carried with (6) ayes.

Ordinance 2012-61 1st reading – An emergency ordinance amending Section 804.10(a) of the Codified Ordinances relating to sweepstakes/internet cafe licenses and establishing section 892.055 relating to interest and penalties on unpaid amusement device taxes.

Mr. Bryan stated that if someone does not pay the internet tax on time, we can cite criminally through Mayor's Court, which we have done. This passage will give us two other tools to deal with the situation. The Building Inspector will be able to revoke the license due to unpaid taxes. Second is 10% penalty and 1 1/2% per month interest on the unpaid taxes.

Mr. Bolek stated that under current State Law, if we shut them down, the State will revoke their license and permits, and will not be allowed to reopen. Mr. Bolek feels that a time frame should be added to this legislation, if it goes passed a certain day, that taxes

not paid, you will be shut down. Also, these businesses are supposed to be putting money away so if they have to close down, they have the money to pay us what is owed.

Mr. Bryan stated that it is in current legislation, that they are supposed to be putting money in a trust.

Mr. Schlueter said what about someone that is consistently on time, and then is late.

Mr. Bryan advised that the Review Board could suspend all fines.

Council discussed that they agree with Mr. Bolek's comments that a time frame must be added. And since these establishments are open 24/7, if the 7th day is on the weekend, will need to handle on the next business day.

Mr. Bryan stated "for a period of 7 or more days." will be added to Section 804.10

A motion by John Bolek and seconded by Karyn Selle to amend as discussed, carried with (6) ayes.

A motion by John Bolek and seconded by Karyn Selle to suspend the (3) reading rule, carried with (6) ayes.

A motion for passage was made by John Bolek seconded by Mary Volny, carried with (6) ayes.

Mr. Bolek, wanted to thank the internet cafes for the service provided to the Village. They are bringing revenue to the Village, people come to play, then go buy gas, food, as well as drawing in new businesses. But want to make sure everyone is paying what our Ordinances say.

Resolution 2012-62 1st reading – An emergency resolution, authorizing the Mayor to enter into a settlement agreement with the northeast Ohio Regional Sewer District.

Mr. Bryan stated have discussed this issue several times in the past. This is reasonable to do at this time to complete the litigation.

Mr. Bolek asked if there was a time frame to complete this legislation.

Mr. Bryan stated there is not. But Hudson and Sagamore, have all ready accepted. Macedonia has on agenda for tomorrow and believes that Center is next week.

Mr. Bolek stated that this legislation will have a huge impact on the communities, their sewer bills will skyrocket. Because we are not part of the County Sewer System, we do not pay as much as neighboring communities. Instead of the County coming in and closing our sewer plants, our forefathers closed them down. Sewer bills are all ready more than water bills. Residents will say we caused this increase because we voted for it, that is true, but we went to Court for our residents, however we lost.

Mr. Bryan stated that there will be a \$5.00 per month additional fee, homestead fee for seniors which may be \$3.00.

Mr. Bolek stated but can go up 5% a year until 2021. When does this take effect?

Mr. Bryan stated that appeals are being filled but doubtful that Courts will grant. Should begin January 1, 2013, as the effective date.

Mr. Bolek stated that we can continue the litigation ourselves but feels we will get no better of a deal. Our residents need to know we did all we could for them. This will help to clean the water in the streams. They need know not to throw anything down the sewer that could pollute our waterways.

Mrs. Volny stated that she understands it costs money for keeping our waters clean, so it has to come from somewhere. Look at all the water main breaks we have been having lately.

Mr. Bolek stated that two properties in our Town will be greatly impacted. Since this is being done in a public forum, we do not need to notify them.

Mr. Bryan stated that he has spoken to the property owners. And they are aware of the impact this will have on them. In addition, there are some large property owners that are going to continue the fight.

Motion by John Bolek seconded by Mary Volny to suspend the (3) reading rule, carried with (6) ayes.

A motion for passage was made by John Bolek seconded by Beatrice Greenlee, carried with (6) ayes.

Resolution 2012-63 1st reading – An emergency ordinance, amending the rate of compensation for members of the fire department.

Mr. Bolek stated that he would like more information; he has a problem approving a raise that goes back to the first of the year in the middle of August

Mr. Bryan explained that the Resolution is retroactive to July and this is based on a recommendation from the Mayor and Finance Director after speaking with the Fire Chief.

Motion by John Bolek seconded by Karyn Selle to suspend the (3) readings rule, carried with (6) ayes.

A motion for passage was made by John Bolek seconded by Beatrice Greenlee, carried with (6) ayes.

OLD BUSINESS; NEW BUSINESS; ANNOUNCEMENTS; ADJOURNMENT

Linda Bowen announced there will be a Blockwatch meeting on September 19, 2012 at 6:00 p.m.

Mr. Bolek asked if the watch captains could be introduced so everyone knows who the Captains are.

Mrs. Bowen stated that they have been introduced, there are only (2) at this time. Mayor asked if they would like to be posted on the web.

Mrs. Bowen felt at this time, no. too overwhelming for all.

John Bolek stated that last week there was a dog running around the neighborhood. He would like everyone to know that it is important to have your dogs collared and tagged. Sgt. Zolcus came out to help and he felt he went above and beyond his duty to help find the owner. This dog did not have any collar, not even sure if it was ever caught.

Mayor Nehez wanted to congratulate Jason Walters, for the amazing job his daughter did in wining ribbons at the State and County Fairs. She will be receiving recognition from Macedonia City Council tomorrow night.

John Bolek stated that none of the Village Ordances prohibit the keeping of livestock. Feels that we need to look at our Ordances and make provision for the keeping of livestock.

Mary Volny stated that the Ward B Blockwatch party will be held on Friday, September 21, 2012 from 4:00 p.m. to 8:00 p.m., at Smith Park If you bring a non-

perishable item, it will be donated to the Nordonia Food Bank and you will receive a ticket for a door prize. Everyone welcome, just bring a chair and a dessert.

Chief Gary Vojtush thanked the Council for their donation to the Autism Walk that he had participated in this past weekend.

Brand Bryan stated that he had one more item to discuss, the original Resolution for D.B. Hart, was not to exceed \$6,000.00. This did not include the attendance at meetings, which Mr. Hart attended for Council and at the Racetrack.

Motion by John Bolek seconded by Karyn Selle to amend the original motion not to exceed \$8,000.00, carried with (6) ayes.

Motion by Beatrice Greenlee seconded by Linda Bowen to adjourn the meeting at 9:12 p.m., carried with (6) ayes,

Respectfully submitted by:

Attest:

President of Council

Clerk of Council