

The Village of Northfield
REGULAR COUNCIL MEETING
November 12, 2008

Mayor Milani called the meeting to order at 7:38 PM following the Pledge of Allegiance. The roll was called by the Bob Riedel with the following present: Mrs. Greenlee, Mr. Barber, Mr. Nehez, Mr. Noack, Mr. Lewis and Mrs. Bowen. Law Director Brad Bryan, Engineer Rich Wasosky, Village Police Chief Mark Wentz and Fire Chief Gary Vojtush were present.

A motion to approve the minutes of the October 22, 2008 Council meeting was made by Mrs. Greenlee and seconded by Mr. Lewis. The motion carried with 6 ayes.

A motion to approve the minutes of the November 5, 2008 Special Council meeting was made by Mrs. Greenlee and seconded by Mrs. Bowen. The motion carried with 6 ayes.

In the business of Petitions, Memorials or Remonstrances: Mayor Milani now introduced re-elected Summit Council President, Nick Kostandaras. Mr. Kostandaras thanked Mayor Milani and Council for their support with his recent election. He stated that he will work with Mayor Milani and Council on projects in the future, and that Summit County has many projects going on. Mayor Milani thanked Mr. Kostandaras for being a voice for the Village. Mayor Milani stated that the monies that were allotted for Akron, has ended up back in the Village.

At this time Mr. Garold Tersigni from Durite Construction at 340 Northridge NW, spoke requesting final payment for work that was finished in 2005 on Chestnut and Rosewood. He stated that Mr. Wasosky and Mr. Bryan felt that the Shelley McCort Company has a claim filed with the Village of Northfield, that Durite did not pay them to file, and they refused to come back and finalize the job. Mr. Tersigni said that the only witness he has of this is Jason Walters, the Village's street superintendent inspector. Mr. Tersigni said this his company had to come back and finish the job since Shelley refused to. There is a 3 year maintenance bond that is up this year, and he is here requesting payment. Mr. Bryan stated that he spoke with Mr. Wasosky earlier in the day regarding this matter, and over the years we have offered various solutions but those haven't worked out. Mr. Wasosky stated that our contracts require all subcontractors and suppliers to file a lease of waiver lean, the general contractor has to furnish this to us before final payment can be made. In this case there has been disagreement between the general contractor and the sub contractor, Shelley regarding the asphalt work, how much work was done, and who was owed what. The first phase was paid directly to the subcontractor for about \$60,000. The official completion date for this project was September 7, 2006 and the 3 year maintenance bond is not up until September 7, 2009. Mr. Wasosky says he does not have a signed copy of the maintenance bond. Mr. Wasosky told Mr. Tersigni to get him a copy of the maintenance bond with a signature. As far as payment, Mr. Wasosky has no

problem right now paying \$10,375.35 as soon as he receives the maintenance bond with the signature.

Resident, Edmund Trsinar of 313 Ledge Rd spoke regarding atv's and motorcycles being rode at the neighbors house next door. The neighbor has a yard with 3 mounds of dirt and these vehicles are being driven on them. Mr. Trsinar said that they are trying to sell their house, but these mounds in the neighbors back yard is deterring potential buyers. Mr. Trsinar stated that the noise is so loud they can't hear their tv in their own home. They have spoke with Councilman Noack concerning this matter. Mr. Bryan stated that he is going to speak with Chief Wentz regarding this matter, and do what we can but there are limitations to the noise during the daytime and to what can be done. But there are laws regarding these matters since it is their property. Mr. Trsinar asked Mr. Bryan if he could put up a fence on his property from the back yard up to the front of the house, and Mr. Bryan stated that he could as long as it complies with the fence ordinance, and the Building Inspector. Mr. Bryan stated that they could send the neighbors a letter that they do not want them on their yard and the next time this happens, they need to contact the police.

At this time Gary Vojtush of 8995 Cranbrook Dr spoke concerning the Village Ordinance regarding hunting. Mr. Vojtush wanted to know if the Ordinance passes tonight, could he be grandfathered in for hunting in the Village. He stated that he is an avid hunter and uses bow and arrow, and would like to hunt behind Jellison's and WW Development property where there is only a power line. Mayor Milani asked Mr. Vojtush if he did receive authorization to hunt on Jellison's, and he stated yes. Mr. Vojtush stated that he would contact the property owners on the adjacent properties as well. Mr. Bryan said that the Ordinance as it stands now, does not give you a automatic right to a permit, it is at the Police Chief's discretion. Mr. Vojtush said he would have no rights what so ever, even though it doesn't say anything about bow and arrow? Mr. Bryan said, if this ordinance is passed then yes, this would prohibit anyone from applying for a permit. Mr. Vojtush said that he asked Chief Wentz 3 weeks ago regarding this and Chief Wentz stated that he didn't know Mr. Vojtush was formally asking for a permit at that time.

Mayor Milani wanted to thank the residents, fire department and the Council for the passage of Issue 36.

Finance Director, Bob Riedel said that everyone should have received their bank reconciliations, but the financial statement were not done due to the bank making an error, and he will get them to Council next week. Mr. Riedel said that the audit is almost over with, and they will be having a post-audit conference and he will let Council know when that will be if Council would like to attend.

Engineer, Rich Wasosky covered his engineer's report (see attached). Mr. Wasosky brought with him a Resolution to enter into a Cooperation Agreement for the Sagamore Rd improvement project. Mayor Milani asked what the costs would be and Mr. Wasosky said that the Village's cost would be around \$35,000. A copy of the Resolution was given to Council to look over.

Police Chief Mark Wentz covered his police report. (see attached) Chief Wentz said that there were around 80-100 daycare children that stopped over to the Halloween party and it was a success. Chief Wentz wanted to thank Anita Swenson and Linda Downey for all of their help with the party. Regarding vandalism of the street signs, Sergeant Mackie stated that he has been checking into different types of cleaners designed to removed the graffiti without damaging the signs along with checking into surveillance equipment. Sgt. Mackie stated that it isn't cost effective to have officers stake out all over the Village, there are too many streets and too many signs. Chief Wentz stated that there is equipment that Walton Hills uses for these same types of situations and they will check into with them. Mayor Milani received a letter from Sagamore Hills regarding the Dispatch contract, stating that the contract ends on December 31, 2008, they need an answer from us by Saturday, November 15 and they want to raise the cost from \$50,000 to \$80,000. Mayor Milani stated that we are offering them over a 4 year period, a 10% increase the first year, then 5% annually over the next 3 years and at the end of the period we would be paying \$60,000 over a 4 year period. Sagamore Hills stated in letters to Mayor Milani and Chief Wentz that we can remove our equipment from them and take to the new vendor that we would be using for dispatch. Chief Wentz said that he has been in discussions with Twinsburg, Macedonia and Walton Hills about dispatching costs. Mayor Milani stated that Boston Heights currently pays \$77,000 to Macedonia for fire and police dispatch coverage. Chief Wentz stated that one of the big costs is taking all of our warrants of of their system and having them reinstated into another departments system, does this have to be done physically by someone by hand or can LEADS automatically do this. Cuyahoga Falls Court is moving to Stow, and there is discussion from Judge Hoover that he would like all jurisdictions to change over to E-Tickets. All cruisers would have to be outfitted with printers to electronically print the tickets and in addition, the Clerk 's paperwork would have to be sent electronically. Mr. Bryan stated that Hudson is currently doing E-Ticket and Twinsburg is working on it. Chief Wentz stated that this program is not cheap, and we will have no choice if they say that is what the court wants us to change over to.

Fire Chief Gary Vojtush read his fire report. (see attached) Chief Vojtush mentioned about the vandalized stop signs . He stated that from time to time he has community service kids at the Fire Department, he has them do miscellaneous jobs such as cleaning the sewer grates under neath the bays and washing vehicles. Chief Vojtush is willing to have some of those kids clean up those vandalized signs. Chief Vojtush stated that the Fire Department has a major problem with dispatch. There are 400 frequencies in Akron that they are not using because they switched to 100, but it is very hard to get those frequencies. If the Fire District is created, there is a possibility that we can go on their frequencies since the Fire District would have to have their own. Chief Vojtus said they have very old equipment. Chief Wentz asked Chief Vojtush if we go to Macedonia would things be ok? Chief Vojtush said that a cross connector would have to be used to switch over to our frequencies for now. But ultimately the best thing would be to upgrade your equipment, stated Chief Wentz and Chief Vojtush agreed. There are 6 mobile radios, 25 pagers and 16-18 portables. Nick Kostandaras told Chief Vojtush to call his office regarding this matter, and Chief Vojtush also thanked Mr. Kostandaras for his help on

this matter. Mayor Milani spoke about the November 10th meeting concerning the Fire District and said that Northfield Center and Sagamore Hills have had 3 or 4 talks regarding the joint fire district and they have come to an agreement and have invited us to see what the agreement is. Mr. Lewis asked Chief Vojtush if he had 24 active members, and Chief Vojtush stated no, 21 but 24 total. He stated that he has a lot of applications that he is going through.

Village Engineer stated that as of now there will not be a Planning Commission meet from now until the end of the year.

Mrs. Greenlee of the Finance Committee said that there will be a Finance meeting on Monday, November 24, 2008 at 6:30p. before the Regular Council meeting.

Mr. Noack of the Roads/Public Works Commission said that the patching work is done, there are 3 catch basins left to go, the plows are setup to go Thursday and the leaf pickups will begin next Monday, November 17th.

Mr. Lewis stated that there were no reports from Health and Welfare at this time.

Mr. Nehez of the Building and Grounds Committee said that the Plaza has taken down all of the old business signs. There are still many things to work out with the building that is being looked at for the Service Department.

Wages and Working from Mr. Barber said he would like to discuss some of the wage increases. At this time Mayor Milani asked for consideration to discuss the wage increases on November 24th.

Mrs. Bowen of the Fire and Safety Committee had no report at this time, but did want to thank everyone for the passage of Levy Issue #36.

At this time, Law Director Brad Bryan read Ordinance 2008-62, An emergency Ordinance amending section 618.13(a) regarding hunting within the Village limits. A motion to suspend the three-reading rule was made by Mr. Noack and seconded by Mr. Nehez, which passed with 6 ayes. A motion for passage was made by Mr. Nehez and seconded by Mr. Noack, it always passed with 6 ayes.

In the New Business Mrs. Greenlee made a motion to advertise on a quarter of a page ad 4 times throughout the year in The Squire for \$240.00, it was seconded by Mrs. Bowen. The motion carried with 6 ayes.

In the Old Business Mr. Nehez asked if that business was still going where the National City Bank was? Mayor Milani said it is in limbo due to the credit crunch, but it is not dead.

The meeting was adjourned at 9:18 PM following a motion by Mrs. Greenlee and second by Mrs. Bowen. The motion carried with 6 ayes.

Respectfully Submitted by:

Lisa M. Rodriguez

Lisa M. Rodriguez, Administrative Clerk

Attest:

President of Council _____

Clerk of Council