

The Village of Northfield

REGULAR COUNCIL MEETING

June 28, 2017

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

The Pledge of Allegiance was led by Mayor Nehez.

After the Pledge, Mayor Nehez requested a moment of silence for Brent Sommer.

ROLL CALL was read by Tricia Ingrassia. The following were present: Mayor Nehez, Council Persons Nick Magistrelli, Jim Daugherty, Jenn Domzalski, Alan Hipps, Renell Noack, and Gary Vojtush. Also present were Law Director Brad Bryan, Village Engineer Rich Wasosky, and Fire Lieutenant Joe Zemek.

APPROVAL OF THE MINUTES:

A motion to approve the minutes of the June 14, 2017 Council Meeting was made by Ms. Noack, seconded by Mr. Magistrelli. Mr. Magistrelli, Mr. Daugherty, Ms. Domzalski, Mr. Hipps, and Ms. Noack were in favor of approval of the Minutes from the June 14, 2017 Council Meeting. Mr. Vojtush abstained. The Minutes were approved.

PRESENTATION OF PETITIONS, MEMORIALS, AND REMONSTRANCES:

At this time Lori Maroun, business owner of the Cake and Candy Center located at 10539 Northfield Road, approached the Mayor and Council regarding the laws pertaining to vendors that put up a tent to sell items along the Route 8 corridor. Ms. Maroun specifically wanted to know if these vendors required permits to sell food items. Mr. Bryan addressed this topic stating the Village does have a provision for businesses to apply for a temporary outdoor vendor's license. Mr. Bryan continued there is an application process. If the license is approved, that vendor can operate for up to fifteen dates under that license. Mr. Bryan stated that this company did apply for this type of permit to sell pies and other baked goods at Summit Plaza for fifteen Saturdays during the summer. Mr. Bryan said the Village cannot deny a permit based upon the fact that they compete with existing businesses in the Village. If the temporary outdoor vendor sells food, Mr. Bryan stated they have to have a permit from the Summit County Department of Health. This temporary outdoor vendor does have a license from the Summit County Department of Health. Mr. Bryan stated sales taxes are paid through Summit County not the Village. Mr. Bryan clarified that the Village did not have the discretion to deny the permit unless there is a safety issue brought forward. At this point, Ms. Maroun made comments while seated and away from the microphone. Mr. Bryan reiterated that the vendor was renting space from the Plaza management company, they are required to pay sales tax to the County, and they had a permit from the Summit County Health Department. Mr. Bryan stated Ms. Maroun was allowed to receive a copy of the permit as it is a public record. Ms. Maroun stated she would like Council to revisit the temporary vendor permit ordinance because she owns a business in the Village that has expenses related to its building, and she feels if anyone can pitch a tent and sell items; it's obstructing the permanent businesses within the Village. Ms. Maroun asked if the residents can get a petition to change the ordinance. Mr. Bryan stated there is a referendum procedure that

would require Ms. Maroun get signatures and ask that the law be changed. Mr. Bryan stated he cannot personally advise Ms. Maroun as to that procedure since he represents the Village, but if she would like to call him, he can direct her to the proper provision of the Charter and Code.

Next, Ben Raubenolt from 242 Steeplechase Run addressed Council asking that the sidewalk on Lowrie Blvd. be completed to Route 8. Mr. Wasosky stated that this project can be completed if the homeowners this affects would agree to pay for the project in its entirety. Mr. Wasosky stated that a petition by the affected property owners would have to be signed and brought to the Village. Mr. Raubenolt then asked if there was an ordinance requiring sidewalks. Mr. Wasosky replied there is not. Last, Mr. Raubenolt requested that a section of sidewalk on Houghton Rd between Smith Park and Vorderman be better maintained. Mayor Nehez stated he would have the Service Department take care that issue.

REPORTS OF MUNICIPAL OFFICERS:

Mayor Jesse Nehez – No report.

Finance Director, Tricia Ingrassia – Ms. Ingrassia stated the liability insurance renewal given to Council is an increase of \$873.00 on last year's premium due to the large equipment purchases and the increase in full-time Police Officers. Ms. Ingrassia stated this legislation would be on the agenda for the July 12th Council Meeting.

Regarding the appropriation amendments and transfers, Ms. Ingrassia explained since the hydrant maintenance fund was created, appropriations need to be made for the painting and sandblasting and the annual Cleveland Water charge for usage. Mrs. Ingrassia continued the increase to the sewer fund capital is because of an additional attachment that was ordered for the new sewer camera. Ms. Ingrassia stated the transfers to the hydrant maintenance fund is to start the new fund, the SCM&R transfer is due to the Magnolia curb project, and the Fire Levy fund is a regular transfer in for operations.

Ms. Ingrassia requested a motion on behalf of the Service Director to rent a crack sealing machine for the sealing of the roads within the Village in an amount not to exceed \$5,500.00 to Sealmaster. Mr. Daugherty made the motion to approve the rental of a crack sealing machine, seconded by Mr. Hipps. Mr. Vojtush asked what roads in the Village would be crack-sealed. Mr. Magistrelli stated he believed all roads except for the Presidential Subdivision would be sealed. All were in favor of the motion, none opposed. Motion passed.

Ms. Ingrassia concluded by saying the Tax Budget on the agenda is a regular annual financial housekeeping measure to request funds for the upcoming tax year.

Engineer, Rich Wasosky – Mr. Wasosky stated there are two pieces of legislation to move forward with the process on requesting funds from the Ohio Public Works Commission. The first is the Houghton Road Reconstruction and the second is the State Route 8 Traffic Signal Upgrades.

Mr. Wasosky stated he received a call from Summit County regarding why the Village does not participate in the federal flood insurance program. Mr. Wasosky continued that the Village does not flood and that is why we do not participate. Mr. Wasosky stated the federal government will not cover any type of disaster relief if we do not participate in the national flood insurance program. Mr. Wasosky stated he was sent information, and he was unable to find anything that specifically states the federal government would not cover disaster relief if the Village does not participate in the flood insurance program. Mr. Wasosky gave the sample ordinance to

Mr. Bryan. Mr. Wasosky did state if we do not receive disaster relief if we don't participate in the flood insurance program, the Village would have to participate in the program.

Mr. Wasosky then stated that on the OPWC Loan applications, the Village receives points for being a participant in the County job sharing agreement. Mr. Wasosky stated authorization to enter into the Agreement can be passed by motion. Mr. Bryan said we can add it to the Agenda tonight and pass it as an emergency measure. Mr. Bryan stated the Resolution to be added would be Resolution 2017-52. A motion to add Resolution 2017-52, An Emergency Resolution Authorizing the Mayor to Enter into the 2017-2018 Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing was made by Ms. Domzalski, seconded by Mr. Vojtush. All were in favor of adding the legislation to the Agenda, none opposed. A motion to suspend the three reading rule was made by Ms. Domzalski, seconded by Mr. Magistrelli. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Mr. Hipps, seconded by Mr. Vojtush. All were in favor of passage, none opposed. Mr. Bryan stated he would draw up a new copy with revisions, get it signed, and give it to Mr. Wasosky to attach to the OPWC applications.

Ms. Domzalski asked when the special meeting would be held to vote for the contract for the Presidential Subdivision project. Mr. Magistrelli suggested Wednesday, July 5th at 7:30pm. A Special Council Meeting was scheduled for Wednesday July 5, 2017 at 7:00 p.m. to award the contract for the Presidential Subdivision and Maple Project.

Law Director, Brad Bryan – Mr. Bryan stated if anyone had anything for the July newsletter to please give it to him by July 7th.

Mr. Bryan continued there was a meeting for the zoning overlay district project interviewing two out of the four candidates. The next two candidates would be interviewed soon and the scheduling of those interviews is in the works.

DEPARTMENT HEADS:

Police Department, Sgt. John Zolcus – Sgt. Zolcus will be at the next regularly scheduled Council Meeting.

Fire Department, Lt. Zemek – Lt. Zemek reported the Engine that was in an accident should be back in two to three weeks. Lt. Zemek said the second engine is working well and responded to a fire last week. Lt. Zemek also stated all fire hydrants in the Village that were not working properly have been repaired by the Cleveland Water Department.

Service Superintendent, Jason Walters – Mr. Walters will be at the next regularly scheduled Council Meeting.

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

Planning Commission, Mr. Hipps – Mr. Hipps reported there is a need to fill a vacant position on the Planning Commission. Mr. Hipps stated a background in architecture, planning, zoning, building or construction is desirable but not mandatory.

Recreation Board, Mayor Nehez – May Nehez reported the Recreation Board will meet July 6, 2017 at 7:30 in Council Chambers.

Cemetery Board, Beatrice Greenlee – No report.

REPORTS OF STANDING COMMITTEES:

Finance, Mr. Magistrelli – Mr. Magistrelli stated there was a meeting this evening and everything went smoothly.

Roads/Public Works, Mr. Daugherty – No report.

Health and Welfare, Mrs. Noack – No report.

Wages and Working Conditions, Mr. Vojtush – Mr. Vojtush reminded Council that union negotiations will take place later this year.

Fire and Safety, Mrs. Domzalski – No report.

Buildings and Grounds, Mr. Hipps – No report.

LEGISLATION:

2017-37 – An Emergency Ordinance Enacting Section 232.03 of the Codified Ordinances Establishing the Position of Part-Time Office Assistant (Second Reading) A motion to suspend the three reading rule was made by Ms. Domzalski, seconded by Mr. Vojtush. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Mr. Vojtush, seconded by Ms. Noack. All were in favor of passage, none opposed.

2017-45 – An Emergency Resolution Confirming the Mayor's Appointment of Tiffany Lasowski as the Part-Time Office Assistant (First Reading) Mr. Bryan stated it was his understanding Mr. Vojtush wished to go into Executive Session to discuss this personnel matter before voting on it. A vote on this legislation was deferred until after the executive session.

2017-46 – An Emergency Resolution Confirming the Mayor/Director of Public Safety's Appointment of Corey Zidlicky as a Full-Time Police Officer (First Reading) A motion to suspend the three reading rule was made by Mr. Daugherty, seconded by Mr. Magistrelli. All were in favor of suspending the three reading rule, none opposed. Mr. Magistrelli said "welcome back." Mr. Vojtush asked if Mr. Zidlicky's hiring would help with the overtime situation and shift coverage. Mr. Bryan stated hiring Mr. Zidlicky was to replace Officer Gregg, who accepted a position with the City of Lyndhurst. A motion for passage was made by Mr. Daugherty, seconded by Mr. Magistrelli. All were in favor of passage, none opposed.

2017-47 – An Emergency Resolution Adopting the Tax Budget of the Village of Northfield, Ohio for the Fiscal Year Beginning January 1, 2018 and Submitting the Same to the County Fiscal Officer (First Reading) A motion to suspend the three reading rule was made by Ms.

Noack, seconded by Mr. Magistrelli. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Ms. Noack, seconded by Mr. Magistrelli. All were in favor of passage, none opposed.

2017-48 – An Emergency Ordinance Amending Section 258.09(b) of the Codified Ordinances Relating to Per Diem Travel Expense Rates (First Reading) A motion to suspend the three reading rule was made by Mr. Daugherty, seconded by Mr. Vojtush. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Mr. Daugherty, seconded by Ms. Noack. All were in favor of passage, none opposed.

2017-49 – An Emergency Resolution Pledging Cooperation by the Village of Northfield and the Ohio Public Works Commission in the Matter of the Hereinafter Improvement and Authorizing Mayor Jesse J. Nehez, Chief Executive Officer, to Submit the Application and to Execute all Contracts with the Ohio Public Works Commission for the Houghton Road Reconstruction and State Route 8 Traffic Signal Improvements (First Reading) A motion to suspend the three reading rule was made by Mr. Hipps, seconded by Mr. Vojtush. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Mr. Hipps, seconded by Ms. Noack. All were in favor of passage, none opposed.

2017-50 – An Emergency Resolution Pledging Cooperation by the Village of Northfield and the Ohio Public Works Commission in the Matter of the Hereinafter Improvement and Authorizing Mayor Jesse J. Nehez, Chief Executive Officer, to Submit the Application and to Execute all Contracts with the Ohio Public Works Commission for the Houghton Road Reconstruction and the State Route 8 Traffic Signal Improvements (First Reading) A motion to suspend the three reading rule was made by Mr. Magistrelli, seconded by Ms. Noack. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Ms. Noack, seconded by Mr. Vojtush. All were in favor of passage, none opposed.

2017-51 – An Emergency Resolution Authorizing Certain Amendments to the 2017 Appropriation Resolution and/or Transferring Items Already Appropriated in that Resolution (First Reading) A motion to suspend the three reading rule was made by Ms. Domzalski, seconded by Mr. Vojtush. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Ms. Domzalski, seconded by Mr. Vojtush. All were in favor of passage, none opposed.

2017-52 – was added to the Agenda and adopted earlier in the meeting.

OLD BUSINESS; NEW BUSINESS; ANNOUNCEMENTS:

Mr. Vojtush requested that Council have a work session to discuss rescinding the residential sewer maintenance fee and paying the garbage fees for every residential home.

A motion was made to go into executive session to discuss a personnel matter by Mr. Vojtush. Roll Call Vote: Ms. Noack – yes, Mr. Daugherty – yes, Mr. Vojtush – yes, Mr. Magistrelli – yes, Mr. Hipps – yes, Ms. Domzalski – yes. The audience was notified that Council may

vote on the legislation regarding the Part-Time Office Assistant when they return out of executive session.

A motion was made to exit Executive Session by Mr. Vojtush, seconded by Ms. Domzalski. Roll Call Vote: Ms. Noack – yes, Mr. Daugherty – yes, Mr. Vojtush – yes, Mr. Magistrelli – yes, Mr. Hipps – yes, Ms. Domzalski, yes. Executive Session ended at 8:40pm.

2017-45 – An Emergency Resolution Confirming the Mayor's Appointment of Tiffany Laskowski as the Part-Time Office Assistant (First Reading) A motion to suspend the three reading rule was made by Mr. Vojtush, seconded by Mr. Magistrelli. All were in favor of suspending the three reading rule, none opposed. A motion for passage was made by Mr. Vojtush, seconded by Ms. Noack. Mr. Vojtush asked what hours Ms. Laskowski would be working. The Mayor stated the hours would be 8-4pm, but would be dependent on work load. It is a part-time position. All were in favor of passage, none opposed.

ADJOURNMENT:

A motion to adjourn was made by Ms. Domzalski, seconded by Mr. Vojtush. All were in favor of adjournment, zero opposed. Meeting adjourned at 8:41pm.

Respectfully submitted by:

Tricia Ingrassia, Clerk of Council