

The Village of Northfield

REGULAR COUNCIL MEETING AGENDA

JULY 22, 2020, 7:30 p.m.
(Via Office Suite HD Video)

Call to Order; Roll Call

Approval of Minutes: July 8, 2020 Regular Council Meeting

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Finance Director, Jennifer Potvin
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:

John Zolgus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:

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

Reports of Standing Committees:

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

Legislation:

Ordinance No. 2020-22, An Emergency Ordinance Amending Section 660.14 of the Codified Ordinances Relating to Unclean Premises (Second Reading)

Ordinance No. 2020-23, An Emergency Ordinance Amending Section 1490.075 of the Codified Ordinances Relating to Exterior Property Areas (First Reading)

Resolution No. 2020-24, An Emergency Resolution Authorizing Certain Amendments to the 2020 Appropriation Resolution and/or Transferring Items Already Appropriated in that Resolution (First Reading)

Resolution No. 2020-25, An Emergency Resolution Authorizing the Village of Northfield to Participate in the ODOT Annual Road Salt Bid Pursuant to the Terms and Conditions Set Forth by ODOT and the ODOT Annual Road Salt Contract (First Reading)

Ordinance No. 2020-26, An Emergency Ordinance Amending Section 232.03 of the Codified Ordinances Relating to the Position of Office Assistant (First Reading)

Old Business; New Business; Announcements

Adjournment

Jesse Nehez is inviting you to a scheduled OfficeSuite meeting.

Topic: Jesse Nehez's OfficeSuite HD Meeting

Time: Jul 22, 2020 07:30 PM Eastern Time (US and Canada)

Join OfficeSuite Meeting

<https://meeting.windstream.com/j/11113521127>

Meeting ID: 111 1352 1127

One tap mobile

+16467415293,,11113521127# US (New York) 16467415292,,11113521127# US
+(New York)

Dial by your location

+1 646 741 5293 US (New York)

+1 646 741 5292 US (New York)

+1 973 854 6173 US

Meeting ID: 111 1352 1127

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2020-22
AN EMERGENCY ORDINANCE AMENDING SECTION 660.14 OF THE CODIFIED
ORDINANCES RELATING TO UNCLEAN PREMISES**

WHEREAS, the Mayor, Police Chief, Building and Zoning Inspector, and Law Director are recommending that Council amend Section 660.14 of the Codified Ordinances pertaining to Unclean Premises, in order to streamline and simplify enforcement of the Village Unclean Premises Ordinance and clarify what constitutes a violation.

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 Section 660.14 of the Village Code relating to Unclean Premises, as indicated in the attachment hereto.

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 peace, health, and welfare of the residents of the Village of Northfield, for the reason that this amendment will streamline and simplify enforcement of the Ordinance and clarify what constitutes a violation, 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 _____, 2020.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Jennifer Potvin, 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 _____, 2020.

Jennifer Potvin, Clerk of Council

660.14 UNCLEAN PREMISES.

~~(a) — Order to Clean Up Premises. Prior to May 10 in every year, the Mayor shall cause a notice or proclamation to be inserted in one or more newspapers of general circulation within the Municipality, ordering persons to clean thoroughly and provide proper drainage for all lands, yards, vaults, cesspools, sheds, and barns and to cause all tin cans, trash, dead and/or fallen trees, dead and/or dry brush, grass clippings and other unclean and unsightly matter to be removed on or about May 10.~~

~~(b) — Sanitary Inspection. Thereafter, in the month of May of each year, the County Health Officer, or in his or her absence, the Chief of Police, or his or her designee, shall make a thorough sanitary inspection of all public and private property in the Municipality and shall transmit his or her report, together with his or her recommendations, to Council on or before the first day of June. A copy of such report shall also be sent to the Ohio Department of Health.~~

~~(c) — Individual Orders for Abatement. If, upon inspection, it is found that the published order has not been complied with as to any lot or parcel of land, or the tree lawn adjacent and abutting thereto, Council shall, by resolution, direct the owner, occupant or person in charge of such land to abate such nuisance within ten days from the receipt of such order setting forth the nature of the violation and the acts required to be done. No person shall fail or refuse to comply with such order. Such resolution shall provide that upon failure or refusal to comply with such order, the work required shall be done by the Municipality, with the amount expended therefor to be a valid claim against such owner, occupant or person in charge, to be charged as a lien upon such land and to be recovered by the Municipality by suit in a court of competent jurisdiction. Such remedy shall be in addition to the penalty provided in subsection (i) hereof.~~

~~(d) — Copy of Resolution to be Served or Published. A copy of the resolution adopted under subsection (c) hereof may be served personally or at the usual place of residence of such owner, occupant or person in charge of such land, or by certified mail, or in lieu of such service, may be published for two consecutive weeks in a newspaper of general circulation in the Municipality.~~

(e) (a) Unclean Premises Prohibited. No owner, occupant, or person in charge of any lot or parcel of land, or of the tree lawn adjacent and abutting thereto, shall at any time cause or permit unsightly items, materials, or debris not appropriate to the area to accumulate on the property. Unsightly items, materials, or debris not appropriate to the area shall include, but not be limited to: motor vehicle parts; construction materials; out of use appliances, mattresses, furniture or other household furnishings; unattached utility trailers; inoperable or unlicensed vehicles, including automobiles, motorcycles, bicycles, boats, watercraft, snowmobiles, recreational vehicles, and mowers; rags; rugs; cans; trash; tires; plastic materials; paints; miscellaneous coverings; dead and/or fallen trees; dead and/or dry brush; grass clippings; dead plant material; items that may cause a fire hazard; items that may act as a breeding place for vermin or insects; items that constitute a public nuisance; items

that are patently grotesque or offensive to the senses; or items that have a blighting or deteriorating effect on the neighborhood. In addition to the above, no owner, occupant, or person in charge of any lot or parcel of land, or the tree lawn adjacent thereto, shall at any time cause or permit water to accumulate thereon and become stagnant; cause or permit culverts, drains, or natural watercourses thereon to become obstructed; or cause or permit any putrid or unsanitary substance to accumulate thereon; or cause or permit tin cans, trash, dead and/or fallen trees, dead and/or dry brush, grass clippings and other unclean and unsightly matter to accumulate thereon.

~~(f)~~ (b) Placing of Garbage and Refuse on Another's Property. No person shall, without lawful authority, place garbage, waste, rubbish, junk, tin cans, dead and/or fallen trees, dead and/or dry brush, grass clippings and other unclean and unsightly matter as described in subsection (a) hereof on the premises of another.

~~(g) — Periodic Inspection.~~ Independent of the annual clean-up and inspection provided for in subsections (a) and (b) hereof, the County Health Officer, the Chief of Police, or his or her designee, shall make periodic inspection of properties within the Municipality and shall report all violations of subsections (e) and (f) hereof to Council, which shall, by resolution, in the case of a violation of subsection (e) hereof, proceed to order such nuisance abated as provided in subsections (e) and (d) hereof. No person shall fail or refuse to comply with such order.

~~(h) — Enforcement; Cost Recovery.~~ In case of failure or refusal to comply with any such resolution of Council, the work required thereby may be done at the expense of the Municipality and the amount of money expended thereof shall be a valid claim against such owner, occupant or person in charge and a lien upon such land which shall be certified to the County Auditor for collection as other taxes are collected. Such remedy shall be in addition to the penalty provided in subsection (i) hereof.

~~(i)~~ (d) Penalty. Whoever violates this section is guilty of a minor misdemeanor of the fourth degree and shall be subject to the penalty provided in Section 698.02.

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2020-23
AN EMERGENCY ORDINANCE AMENDING SECTION 1490.075 OF THE CODIFIED
ORDINANCES RELATING TO EXTERIOR PROPERTY AREAS**

WHEREAS, the Mayor, Building and Zoning Inspector, and Law Director are recommending that Council amend Section 1490.075 of the Codified Ordinances pertaining to Exterior Property Areas, in order to clarify what constitutes a violation and synchronize it with the Village Unclean Premises Ordinance (N.V. 660.14).

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 Section 1490.075 of the Village Code relating to Exterior Property Areas, as indicated in the attachment hereto.

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 peace, health, and welfare of the residents of the Village of Northfield, for the reason that this amendment will clarify what constitutes a violation and synchronize the Ordinance with the Village Unclean Premises Ordinance, 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 _____, 2020.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Jennifer Potvin, 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 _____, 2020.

Jennifer Potvin, Clerk of Council

1490.075 EXTERIOR PROPERTY AREAS.

(a) No owner, ~~operator or tenant~~, occupant or person in charge of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premises any condition which deteriorates or debases the appearance of the neighborhood or creates a fire, safety, or health hazard, including, but not limited to, the following:

- (1) Broken or dilapidated fences, walls or other structures;
- (2) Broken, uneven, or improperly maintained walks or driveways;
- (3) Unusable, dilapidated or out of use appliances, unattached trailers, unlicensed or inoperable motor vehicles, bicycles, boats, watercraft, snowmobiles, recreational vehicles, and mowers, and parts thereof, and boats; and
- (4) Rags; ~~rugs; cans; trash; tires; or~~ other materials hung on lines or in other places on such premises, which materials are not being used for general household or housekeeping purposes; broken, dilapidated or unusable furniture, mattresses or other household furnishings; plastic materials, paints, miscellaneous coverings or any other materials or equipment, including those described in this section, placed at or on the premises in such a manner as to be patently unsightly, grotesque or offensive to the senses; and
- (5) Construction materials, dead and/or fallen trees, dead and/or dry brush, grass clippings, dead plant material, items that may act as a breeding place for vermin or insects, items that constitute a public nuisance, or unsightly items, materials or debris.

(b) Each owner, operator or tenant of any premises shall maintain his or her lawns and landscaping so as not to constitute a blighting or deteriorating effect on the neighborhood, and shall not permit weeds or grass to exceed ~~eight~~ six inches in height.

(c) In the event the Building and Zoning Inspector determines that an owner, operator or tenant is in violation of this section, the Building and Zoning Inspector shall notify the offender that the violation shall be remedied within a period of time specified by the Building and Zoning Inspector or the violation notice, which shall not be less than three days nor more than ninety days, based upon the nature of the violation and the reasonable amount of time needed to remedy the violation. If the property is not brought into compliance within the time specified by the Building and Zoning Inspector, the owner, operator or tenant shall be deemed to be in violation of this section. Citations for repeat violations of a similar nature on a particular property within a period of one year may be issued in the absence of service of a violation notice.

VILLAGE OF NORTHFIELD RESOLUTION NO. 2020-24

AN EMERGENCY RESOLUTION AUTHORIZING CERTAIN AMENDMENTS TO THE 2020 APPROPRIATION RESOLUTION AND/OR TRANSFERRING ITEMS ALREADY APPROPRIATED IN THAT RESOLUTION

WHEREAS, as the result of certain occurrences, information, revenues, and expenditures, amendments to the Year 2020 Appropriation Resolution and/or transfers of items already appropriated in the Appropriation Resolution are desired and required.

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

SECTION 1. That in order to better and properly provide for certain revenues and expenditures during the 2020 calendar year, Council hereby and herein authorizes the amendments to the Year 2020 Appropriation Resolution and transfers of items already appropriated in the Year 2020 Appropriation Resolution in the amounts and to the funds set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and/or were in compliance with all legal requirements.

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 action is required by state law and is necessary for the operation of the Village government, and that 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 _____, 2020.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Jennifer Potvin, 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 _____, 2020.

Jennifer Potvin, Clerk of Council

**VILLAGE OF NORTHFIELD
Amendments and Transfer Ordinance 2020**

<u>Amendments to Current Appropriation</u>		<u>Amount</u>	2020-1
100.7140.52303	General Government Cont. Services	\$ 4,655.00	Spring Clean Up Rolloff
100.7140.52303	General Government Cont. Services	\$ 3,000.00	Senior Housing Consultant
240.4000.41429	HRSA COVID-19 Funds	\$ 3,625.00	Cares Provider Relief Fund
240.1200.52405	EMS Supplies	\$ 3,625.00	
310.4000.41425	Local Coronavirus Relief Fund	\$ 120,442.00	Federal Cares Act Funds
310.1100.51101	Police FT Salaries	\$ 31,115.00	
310.1100.51104	Medicare	\$ 450.00	
310.1100.52114	OP&F Employer Contribution	\$ 6,080.00	
310.1200.51101	Fire FT Salaries	\$ 66,000.00	
310.1200.51104	Medicare	\$ 957.00	
310.1200.52114	OP&F Employer Contribution	\$ 15,840.00	
<u>RETURN OF ADVANCES</u>			
<u>From</u>	<u>To</u>		
<u>TRANSFERS</u>			
<u>From</u>	<u>To</u>		
General Fund (100)	Police Pension (230)	\$ 46,000.00	*
General Fund (100)	Fire Levy (240)	\$ 120,000.00	*
General Fund (100)	Police Pension (230)	\$ 9,000.00	**
General Fund (100)	Police Pension (230)	\$ 30,000.00	***
General Fund (100)	Fire Levy (240)	\$ 120,000.00	***
<u>ADVANCES</u>			
<u>From</u>	<u>To</u>		
For 07/22/20 Council Meeting			
*Retro to 03/31/2020 EOM Close			
**Retro to 05/31/2020 EOM Close			
***Retro to 06/30/2020 EOM Close			

VILLAGE OF NORTHFIELD RESOLUTION NO. 2020-25

AN EMERGENCY RESOLUTION AUTHORIZING THE VILLAGE OF NORTHFIELD TO PARTICIPATE IN THE ODOT ANNUAL ROAD SALT BID PURSUANT TO THE TERMS AND CONDITIONS SET FORTH BY ODOT AND THE ODOT ANNUAL ROAD SALT CONTRACT

WHEREAS, Section 5513.01(B) of the Ohio Revised Code permits the Director of the Ohio Department of Transportation to permit political subdivisions to participate in ODOT contracts for the purchase of materials; and

WHEREAS, in participating in such contracts pursuant to R.C. 5513.01(B), the Village is exempt from the competitive bidding requirements pursuant to law; and

WHEREAS, in order to receive a beneficial price for road salt, the Village desires to participate in the ODOT annual road salt bid and contract for 2020.

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 authorizes the Village to participate in the ODOT annual road salt bid and contract in accordance with R.C. 5513.01(B) and agrees to the following terms and conditions in connection with its participation: (a) the Village shall be bound by all terms and conditions established by ODOT, and upon award of the contract by the Director of ODOT, be bound by all such terms and conditions included in the road salt contract; (b) upon the Director of ODOT's execution of the road salt contract, a contract between the awarded salt supplier and Village shall be formed; (c) the Village shall be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Village's participation in the contract; (d) the Village's electronic order for road salt in the amount of 1,000 tons will be the amount the Village agrees to purchase from the awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; (e) the Village agrees to purchase a minimum of 90% of its electronically submitted salt quantity from the awarded salt supplier during the contract's effective period; and (f) the Village agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to the ODOT salt contract.

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 the Village is required to adopt this legislation and provide it to ODOT as soon as possible in order to be able to participate in the ODOT annual road salt bid and contract, 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 _____, 2020.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Jennifer Potvin, 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 _____, 2020.

Jennifer Potvin, Clerk of Council

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2020-26
AN EMERGENCY ORDINANCE AMENDING SECTION 232.03 OF THE CODIFIED
ORDINANCES RELATING TO THE POSITION OF OFFICE ASSISTANT**

WHEREAS, the Mayor and Council desire to amend Section 232.03 of the Village's Administrative Code relating to the position of Office Assistant in order to place the Office Assistant under the additional supervision of the Superintendent of the Service Department and Building and Zoning Inspector and clarify that the pay for the position may also be determined by an applicable collective bargaining agreement pertaining to the position.

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 Section 232.03 of the Village's Administrative Code relating to the position of Office Assistant as indicated in the attachment hereto.

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 peace, health, and welfare of the residents of the Village of Northfield, for the reason that the amendments are necessary to assist with providing additional supervision for the position and harmonize the code section with the Village's collective bargaining agreement with the IAM, 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 _____, 2020.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Jennifer Potvin, 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 _____, 2020.

Jennifer Potvin, Clerk of Council

**232.03 ESTABLISHMENT OF POSITION OF OFFICE ASSISTANT;
DUTIES.**

(a) The position of Office Assistant is hereby established.

(b) The Office Assistant shall be hired by the Mayor with the approval of a majority of those persons elected or appointed to Council. The rate of pay for the position shall be determined by Council or through a collective bargaining agreement if applicable.

(c) The Office Assistant shall work under the direction of the Mayor and Superintendent of the Service Department and Building and Zoning Inspector. The duties of the position shall include performing various administrative tasks for the Mayor, the Superintendent of the Service Department and Building and Zoning Inspector, and other Department Heads as needed, the organization of records and preparation of records for destruction pursuant to the Village's records retention policy and the laws of the State of Ohio, special projects to be determined by the Mayor and Superintendent of the Service Department and Building and Zoning Inspector, filling in for absent administrative employees on a temporary basis when needed and practical, and answering phones and attending to the needs of residents and visitors when required.