

The Village of Northfield

REGULAR COUNCIL MEETING

April 28, 2010

Mayor Milani called the meeting to order at 7:33PM following the Pledge of Allegiance. The roll was called by Robert Riedel with the following present: Mrs. Greenlee, Mrs. Selle, Mr. Nehez, Mr. Noack, Mr. Bolek and Mrs. Bowen. Law Director Brad Bryan, Police Chief Mark Wentz, Fire Chief Gary Vojtush and Service and Building Department Superintendent Jason Walters were present.

A motion to approve the minutes of the April 14, 2010 Regular Council meeting made by Mr. Bolek and seconded by Mrs. Greenlee. The motion carried with 6 ayes.

Mayor Milani had Law Director Brad Bryan read Resolution 2010-20, an emergency Resolution confirming the Mayor's appointment of Jamie Mackie to the position of Lieutenant with the Village's police department. A motion to suspend the three-reading rules was made by Mrs. Greenlee and seconded by Mrs. Bowen, it carried with 6 ayes. A motion for passage was made by Mrs. Bowen and seconded by Mr. Noack, it passed with 6 aye votes. Chief Wentz commended Jamie Mackie on his promotion to Lieutenant within the department and for his dedication and devotion to the department over the many years in his career and said that Lieutenant Mackie will make the Village proud. Chief Wentz administered the oath of office to Jamie Mackie who was promoted to Lieutenant in the Police Department. Lieutenant Mackie was congratulated by Mayor Milani and Council. Jamie Mackie thanked everyone that was involved with his promotion, Chief Wentz, Mayor Milani and Council and Law Director.

In the business of Petitions, Memorials or Remonstrances, Mayor Milani introduced Mr. Frank LaRose of 3800 Rosemont Blvd 109c, Akron Ohio 44332, candidate for Ohio Senate. Mr. LaRose said they were knocking on doors today in the Village and said if anyone has any questions he would be more than willing to answer them.

Mayor Milani reported that he met today with Michael Francus of the Northfield Village Retirement Home and he was more than gracious to make a donation of \$400.00 to the Village 75th Anniversary Jubilee on August 14th. Mayor Milani said that the total that we have received in chartable contributions to the 75th Anniversary is \$650. Mayor Milani is meeting with the owner of Northfield Track, Brock Milstein and Mr. LaRose tomorrow and on Friday he is meeting with Michael Bass from Hy-Ko. Michael Francus shared some information on his plans he has for the retirement home, he said over the next 11 months he should add another 48 beds which equates to another 75-80 jobs, which is good news. Mayor Milani meets regularly with Howard Shafron, the owner of the Plaza. Mayor Milani said that Lieutenant Mackie is a great addition and a perfect fit.

Finance Director, Robert Riedel has no report.

Law Director Brad Bryan said that the garbage contract expires in October of this year so he is going to start the steps of the specifications of a new contract, then they can pass the legislation and put up for bid. Mr. Bolek asked Mr. Bryan if Council could meet with him before he starts the process due to the numerous problems in the past that Waste Management fails to address these, so that we can deal with those issues in the contract. Mayor Milani said that they need to have a Roads and Public Works session to discuss this. Mr. Bryan said he will get a draft out to everyone.

Police Chief Wentz had no report.

Fire Chief Vojtush had no report. Chief Vojtush is very please that the fire department received the FEMA grant notification through the government and Congressman LaTourette's office. The grant was awarded to us for a certain percentage for a new fire truck which is unbelievable for the department and they have been trying for this for a couple years. Chief Vojtush said that they were awarded \$261,250.00 which is the federal share for the fire truck. Chief Vojtush said that for a couple months they have been evaluating different trucks and equipment. Chief Vojtush said they are going to work with Fire and Safety Committee and the Finance Committee and then bring it to Council. Mr. Noack asked Chief Vojtush what is going to happen to the old fire truck, and Chief Vojtush said that there is a stipulation in the grant what happens to the old truck. Chief Vojtush said that the old fire truck either has to be pieced out for scrap or donated to a training facility, it cannot be used as a fire truck to fight fires and the new truck has to have certain equipment. He has met with many manufacturers and will continue to over the upcoming weeks. The size of the truck is limited to 32 feet, and he

should have some numbers in a couple weeks. The way the grant works is that they give you 25% of the grant money before you order the truck and then the other 75% after the truck has been received and they have one year to use the money. Little Caesar's is moving forward and their plans are at the County currently. Thrift Nation is doing some work in the old Big Lots. The Market Place was given a temporary occupancy on March 26th for 30 days and it expired on April 26th and they didn't complete the items on the list. Chief Vojtush said that he is working with them to see what needs to be completed and get them another type of occupancy to keep them open. He is meeting with the fire inspector tomorrow to sign off on the blueprints. Chief Wentz asked if there is anything that the Market Place can do when a fire alarm goes off such as turning it to silent it, and Chief Vojtush said no they have to go to the service room behind Bilt Rite Fabrics. Mayor Milani said what is going to happen when Friday arrives around and the Market Place is ready to open and they didn't complete the items that need to be fixed. Mr. Walters said he spoke with Mr. Chaney regarding the occupancy, and Mr. Walters said that he needs the Summit County Occupancy then our fire chief inspection, then we can issue his occupancy from our building department. Mr. Walters told Mr. Chaney the deadline is this Friday. Mr. Walters said that Friday morning either they have the County occupancy or they don't. Chief Vojtush said that the Arabica was being worked on the whole time and it was never approved. Chief Vojtush said there are numerous items inside that need to be addressed. There are some type of arcade machines in there that need to be looked at. Chief Vojtush is meeting with Todd from the County tomorrow to see what can be done to resolve this situation. He also said that there is an Internet Cafe being put into the Plaza in the old billiards hall. Mayor Milani and Chief Wentz met with Chad Price looking into sweepstakes machines. Mr. Bryan said that Mr. Rizzo was interested in the old Hogs and Dogs location, and Chief Wentz told Mr. Rizzo that he didn't know what that property was zoned. Mr. Walters said that it is zoned B2, which is highway business district not light industrial, so they are able to be in that location. Mayor Milani said that there was an agency a couple years ago that looked the machines at Mixers and they determined that they are not legal, but they are not illegal. Mayor Milani said that between Chief Wentz and Mr. Bryan they will have to sit down and see where these machines are. Mr. Bolek said that we could adopt, if the County does, a moratorium, the Village can and study it further to stop them from opening until everything settles. Mayor Milani said that someone has already applied, and they are trying to secure a location in the old billiards in the Plaza. Mo Hillen asked what is going to happen to that house that burnt down on Rosewood. Mr. Walters said that they finally received their permit today and we are giving them fill dirt for excavating. Mr. Walters said the Chestnut and Electric home is still in litigation.

Service and Building Department Superintendent, Jason Walters said that they are still working on cold patching where the complaints came in at and areas he know that need to be done. C.J. Timm will start next Monday, May 3rd and then Danny Orrill will start Monday, June 4th. Mr. Walters said he will also have that part time man that Council approved Mr. Walters said right now with the amount of work that he has, he does have in his budgeted for 2 more part time men, but doesn't have the time to advertise, interview and train right now, so to save time and money he will work with John, C.J. and Danny who have worked here before and know the duties. Mr. Walters said that the new truck should be here by the middle of May, and that will be the patching truck. The 2000 F550 is now 10 years old and he had to put money into it due to the frame busting on the truck and on the plow, and he had it fixed for around \$1700 and it isn't a safety issue, but if we ignored it, it would have turned into a safety issue. Mr. Walters said regarding the Plaza signage, there is a stipulation on 3 areas in this Village: theatre, shopping center and race track signs. Mr. Walters said that the sign that they have up now in front that we issued a temporary permit for has expired, and they want to keep it, but it needs to be moved. It is a three post sign that is just dug into the ground and packed with dirt. Mr. Walters said in his opinion, it needs to be moved back, but this conditional use permits for the signs is very vague. Mr. Bryan said if they are complying with the regular ordinance then they are fine, but if they want something that doesn't comply or special because they are a main area in the Village. Mr. Bryan said that the Plaza would have to apply for a conditional use permit, then go to the Planning Commission for recommendation. Mr. Walters said that there are 30-40 different establishments in the Plaza and they all want to advertise, and now with the Market Place each of those vendors all want to advertise by putting some kind of temporary sign outside. Mr. Walters said that the Market Place is already advertised as a whole. Mr. Walters said if they move that Market Place sign either into the middle of the lot closer to the plaza or by the land by McDonald's and every 30-60 days change out which business gets advertised. Mr. Walters said that they need to move the existing sign out of the right of way so that it conforms and change out the advertising per business. Mr. Bolek said why don't they put a proposal together and bring it to Council, make their presentation and apply for a temporary non-conforming use permit. Mr. Nehez said he agrees with Mr. Walters plan on the signs. Mrs. Greenlee said that we don't want to lose business, but we want to make it attractive with the signs. Mr. Walters suggests to move the sign more in the center, then any business can advertise. Mr. Bolek said his only concern with making them move the sign back then every thirty days they can change which business is advertising to have a sign made with two sides could easily cost \$500, then it would be cost prohibited for a 30 period and we don't want to make it so that it is so expensive that they can't afford to do it. Mr. Walters said that

from the sound of it, the Plaza will cover the cost and it won't be for only 30 days, once it is a permanent sign, and it conforms, it will be a conditional use sign. Mr. Walters said he would like to tell them to bring him their plans on paper so that we can review it, this way we can work with them. Mayor Milani said to have them conform first by moving the existing sign back and Mr. Walters said he will handle it. Mr. Walters said that he received the asphalt kettle, and just recently purchased a trailer for it. Mr. Bolek asked Mr. Walters feels that the repairs he made on the truck if he extended the life of the vehicle, and Mr. Walters said yes we would at least get the five years out of it, and that the truck looks good and still runs good.

Mrs. Greenlee of the Planning Commission had no report.

Mrs. Bowen of the Finance committee had Brad Bryan read Ordinance 2010-19, an Emergency Ordinance approving the payment of bills for the month of April, 2010. Mrs. Bowen made the motion and it was seconded by Mrs. Greenlee. It carried with 6 ayes.

Mr. Noack of Roads and Public Works Committee had no report.

Mrs. Selle from Health and Welfare had no report.

Mr. Nehez of the Building and Grounds Committee reported that the 75th Anniversary tree was put in the front yard of the Village Hall and only cost \$150. The backstop will be going up at the park, the banners will be going up at Magnolia Park and the service department will be moving the bushes at the Village Hall tomorrow. Mr. Bolek asked about the fencing around the basketball court at Houghton park if it could be tightened or does it need to be replaced. Mr. Walters said that about 2-3 years ago it was fixed, but the kids keep climbing on it which weakens it, and to replace it, it is too expensive. Mr. Walters said that he has been going through a lot of graffiti remover. Mr. Bolek said that the police would like Council to adopt some rules. Mr. Walters said that they need to pull into the park, pull up to the kids and talk to them, if there is graffiti there then those kids did it because we clean it every day.

Mr. Bolek of Wages and Working had no report.

Mrs. Greenlee of Fire and Safety Committee had no report. She said she spoke with Chief Wentz and Chief Vojtush and they will have a Fire and Safety Committee meeting when he has everything in order.

Law Director Brad Bryan read Ordinance 2010-15, An emergency Resolution permitting the use of internet auctions to dispose of certain property owned by the Village and no longer needed for municipal purposes. Mrs. Greenlee asked in order to do this, do we still have to advertise for certain items. Mr. Bryan said yes, we would still have to do advertising to announce the auction. This Resolution gives us permission to sell and buy things on the internet. Mr. Bryan said a reverse auction would be if someone would bid online like ebay, and as time goes on the bids get less instead of more. Mr. Bryan said the County is putting this together and it might be more suited for bigger communities. A motion to suspend the three-reading rule was made by Mr. Bolek and seconded by Mrs. Greenlee. A motion for passage was made by Mr. Bolek and Mrs. Bowen seconded the motion. It passed with 6 ayes. Mr. Bryan read Resolution 2010-16, An emergency Resolution authorizing the Village of Northfield, Ohio to purchase services or supplies by reverse auction in accordance with Ohio Revised Code Section 9.314. A motion to suspend the three-reading rule was made by Mr. Bolek and seconded by Mr. Nehez. A motion for passage was made by Mr. Bolek and Mr. Noack seconded the motion. It passed with 6 ayes. Mr. Bolek said that the County did something like this in the past where they bundled the property taxes and had a reverse auction. They had two companies come in and one company said we will charge 20% and the other company went 1% lower and then they split the amount, so it gives the Village another opportunity, so it makes sense to move forward. Mr. Bryan read Resolution 2010-21, An emergency Resolution confirming the Mayor's appointment of Charles Timm as a temporary, seasonal employee with the service department for the summer of 2010. A motion to suspend the three-reading rule was made by Mr. Nehez and seconded by Mr. Noack. A motion for passage was made by Mr. Nehez and Mr. Noack seconded the motion. It passed with 6 ayes. Mr. Bryan read Resolution 2010-22, An emergency Resolution confirming the Mayor's appointment of Danny Orrill as a temporary, seasonal employee with the service department for the summer of 2010. Mr. Bryan said that this Resolution is contingent on him passing the drug screening. A motion to suspend the three-reading rule was made by Mr. Nehez and seconded by Mr. Noack. A motion for passage was made by Mr. Nehez and Mr. Noack seconded the motion. It passed with 6 ayes.

There was no Old business.

In the new business Mayor Milani asked Council to approve of a contribution to the American Cancer Society of \$100. Mrs. Greenlee made the motion. Mr. Bolek asked what is the process is for donations, do you just send a letter to the Mayor and ask for money? Mayor Milani said that there is \$5,000.00 set aside for donations as long as the Mayor and Council agree to give various organizations money, Council has the right to say yes or no. Mr. Noack seconded it, it carried with 5 ayes, and 1 nay from Mr. Bolek.

The meeting was adjourned at 9:00PM following a motion by Mrs. Bowen and seconded by Mrs. Greenlee. The motion carried with 6 ayes.

Respectfully Submitted by; _____

Lisa M. Rodriguez, Administrative Clerk

Attest:

President of Council

Clerk of Council