

# The Village of Northfield

## REVISED - REGULAR COUNCIL MEETING

June 28, 2012

Mayor Jesse Nehez called the meeting to order at 7:35PM following the Pledge of Allegiance.

The roll was called by Finance Director, Monica A. James, with the following Councilpersons present: Beatrice Greenlee, Karyn Selle, Mary Volny and John Bolek. John Schlueter and Linda Bowen were absent. Law Director Brad Bryan, Village Engineer Richard Wasosky, Police Chief Mark Wentz, Fire Chief Gary Vojtush, and Service, Building and Zoning Superintendent Jason Walters were also present.

Mayor Nehez asked for a motion to approve the June 13, 2012 regular council meeting minutes. Karyn Selle asked for a motion to amend the minutes where John Schlueter presented a question to Brad Bryan regarding the recreational vehicle 2012-33 legislation on page 3. Brad stated that it should be one recreational vehicle, but it is the trailer with vehicle, not both. Brad said to change the yes to no. The motion was seconded by made by John Bolek. The motion to approve was made by John Bolek and seconded by Karyn Selle and carried with 4 ayes.

David Hartt, President of D.B. Hartt Planning and Developing, presented the Northfield Park Property Outline of Proposed Zoning Amendments. Mr. Hartt reviewed the existing codes and preliminary plans of the property for Northfield Park and Hard Rock. Mr. Hartt presented an outline of the amendments that are proposed, this included the concepts.

John Bolek showed everyone his signs that he had made for the block party for ward d on Grant St. on Saturday July 7<sup>th</sup> 4:00pm-7:00pm.

There was no business of petitions, memorials and remonstrances.

Mayor Nehez thanked the service department for all of the clean-up to the fire hydrants, painting various items at the Village hall etc., was very impressed with the completed job. Mayor Nehez read a letter from a resident who is pleased with the changes in the Village and thanked the service department for everything that they have done to achieve this. Mayor Nehez stated that all of the departments are doing a great job. John Bolek stated that the service department is phenomenally doing amazing even while Jason is on vacation. John Bolek stated that the third guy in charge has been running things in Jason's absence just like he does it every day, and that is due to Jason's work ethic. Mary Volny stated that Jason has put confidence in his staff for them to fill in. Mayor Nehez stated that he and Council are all very proud of Jason's whole department. Jason stated that all of the guys appreciate the compliments and that the improvements are noticed. Jason stated that everyone is just doing their jobs and they are all very hard workers and a lot of service department workers get a bad wrap. John Bolek stated how the other day he saw Mayor Nehez with the service department planting trees around the Village. Jason stated that he and the guys call Mayor Nehez the "mobile Mayor". Jason thanked Mayor Nehez for helping out also, with the planting of the trees.

Mayor Nehez thanked the fire department for the cleanup of the dumpster and the pulling of the weeds. Mayor Nehez also thanked the police department for not sitting in the same certain spots. Mayor Nehez stated that his department heads are doing an amazing job, and said that it is very important to him as well as the Village.

Fire Chief Vojtush thanked Mayor Nehez for working along side of the fire department as well as the guys on the fire department, when Mayor Nehez helped until 10:00pm working on the dumpster enclosure. Mayor Nehez thanked the department heads and the departments as well for everything they do to make him look good.

Finance Director Monica James reported that the second quarter sewer billing has been mailed, and the return address was inadvertently listed as the Village Hall and she will forward these to the lock box to be processed. Karyn Selle asked if this went well is that something that can be looked at. Monica stated yes, this will be a good trial and if it goes well, it could save the Village around \$5,000.00 per year. Monica stated that we pay approximately \$400 per month for use of the lock box. Beatrice Greenlee asked for a motion to be made to accept the Mayor's Court for June 2012 as submitted. John Bolek made the motion and Beatrice Greenlee seconded the motion. Mary Volny stated that in speaking with Lisa Thellmann regarding the Mayor's Court revenue being down. Lisa Thellmann told Mary Volny it was due to one of the big ticket writing officers no longer working for the Village. Chief Wentz stated that it wasn't due to that, it was due to during the break ins the officers were

patrolling different and that there are many different factors to take into account for this decrease. Chief Wentz stated that Brad could attest to this, but due to the economy, there are many people on payment plans. Mary Volny thanked Chief Wentz for clarification regarding this matter. Chief Wentz stated that there is no doubt the amount of tickets being written is down, maybe people are being more cautious. The motion carried with 4 ayes.

John Bolek stated to Monica James that the documents she provided to Council, revenues by category are absolutely worthless unless they know what a1-b2-121 is for. Monica stated that is the way the report prints out and she thought that Council would have compared this report to the year to date one where she did write it in. John Bolek stated that he asked Monica to prepare something like this on a month to month breakdown for Council. Monica stated that there is nothing like that available. John Bolek stated that he asked for this information two months in a row now. Mr. Bolek stated that in the May 23<sup>rd</sup> council meeting minutes he asked Monica for the monthly breakdown for Jan, March, April and May of the internet cafe income. John stated that in the June 13<sup>th</sup> minutes, he also asked for it previously for the internet café income, and Monica stated that she did give it to Mr. Bolek. Mr. Bolek stated that he asked for it by month and Monica apologized and stated that she would get him the monthly breakdown. Brad Bryan asked Mr. Bolek what he exactly wanted from Monica. John Bolek stated that he would like all three internet cafes added together, prepared on a monthly basis to see what the revenue is. Monica stated that John asked for a monthly breakdown and that is what the program provides. Mayor Nehez stated that he would like this conversation to continue later in his office regarding this issue.

Village Engineer, Richard Wasosky gave his report. (See attached) John Bolek asked if the County could contribute to the oversized sewer project. Rich stated that they will not because it is a community sewer, they handle inter community like between Parma and Parma Heights. John Bolek thanked Rich for all of his hard work on this grant. Rich asked for a motion to be made for Resolution 2012-28; a resolution pledging cooperation by the Village of Northfield with the Summit County Infrastructure Committee and the Ohio Public Works Commission in the matter of the hereinafter described 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 Infrastructure Funds, and declaring an emergency. A motion to suspend the three-reading rule was made by John Bolek and seconded by Karyn Selle. A motion for passage was made by John Bolek and seconded by Karyn Selle. Chief Wentz asked if the State came in and earmarked money for the Village of one million by December 31 this year, the other million by June 2013, and then the half a million after that, he said that if this is a state route and they are going to inherit the money from the VLT's, why don't they just set aside money from their pocket for these types of projects. John Bolek stated that is a great question for our State Senator. Rich stated that the pavement and signage is the only things the State is responsible for and it would be terrific if they could do that, but everyone else wants their hand in the pot. The motion carried with 4 aye votes.

Law Director Brad Bryan said that the insurance renewal will be on the agenda for the next meeting for GUA which will be about a \$2,000 increase due to additional vehicles, but they are still saving us money. Karyn Selle asked if it was going to be on the agenda for what was listed there. Brad stated yes and it can be adjusted if we sell vehicles during the year. Karyn asked if it takes into account everything listed there. Fire Chief stated that there are a couple vehicles listed there that we don't have anymore. Brad asked department heads to look at the list and let him know which vehicles need to be removed from the list and he will contact them tomorrow. Brad stated that there is also legislation that Summit County is urging to pass regarding foreclosed/abandoned homes that we can take advantage of if the funds are available. We submitted bills to the Sunoco gas on March 30<sup>th</sup> of this year and they stated that it wasn't their fault, it was the stations fault and they will try to sort it out amongst themselves. They had the service and police department invoices, but did not have the fire department invoice, so Gary stated he will forward that information to Brad. The Jellison resolution is on the agenda today, and there is a verbal agreement with Mr. Jellison who is good with the terms and needs some time to discuss with his attorney and Brad stated that he doesn't see any problems. John Bolek asked if the language would site a phase I, Brad said yes. Brad said that we also do have 90 days to back out and the closing date would be as early as 2013.

Police Chief Mark Wentz had no report. He stated that they did make an arrest for Cambridge/Coventry break-ins. Brad stated that he plead at Mayor's court and will make restitution to the victims plus a lot of the property was recovered. The new cruiser is coming in and it needs flex fuel which they might have to go to a station in Macedonia, which is about .85 cents cheaper.

Fire Chief Gary Vojtush had no report.

Service, Building and Zoning Superintendent Jason Walters thanked Mayor Nehez and Council again for the compliments on his men and his departments. Jason also thanked his department employees for doing a great job and the way they conduct themselves also. Jason thanked Lisa Rodriguez, and said that she is very vital to him and his department and does a great job, she is a huge part of his department. Mayor Nehez stated that they consider Lisa Rodriguez to be a part of Jason's department. Jason

stated in the 17 years he has been here, this is the best the finance department has run and thanked Monica also for the great job she does and she fits in very well and that they appreciate her. Jason stated that you can ask her questions and she helps. Jason thanked the police department as well. Jason stated that the May Ave. project is going well. John Bolek stated that there is a huge drop in some of the driveways. Jason stated that they will make adjustments and then there will be final asphalt, grading and landscaping but are hoping to be completed by August 1<sup>st</sup>. Beatrice Greenlee asked if they were redoing the road or just eliminating the ditches. Jason stated they are doing both and saving money. John Bolek stated that there are a couple spots that are rough. Jason stated that when the final is done it will be smooth. Jason said that the Huntington/Milford catch basins are complete. They are continuing to asphalt, moving from the east side to the west side to keep everyone happy. Sam called Jason every night and did a heck of a job reporting. Jason stated that Sam is an advanced maintenance man and he did a heck of a job. Meadow Ln and Ledge are done, and the signage is put up. Council said how nice it looks. Mary Volny asked if the Village would be responsible for the ruts made from trucks turning around. Jason stated that they are going to make aprons to protect the roads. Service building painting is completed. Chief Wentz stated that it looks nice. Mayor Nehez stated that he has received many compliments on how nice the service department and Village Hall looks. Jason stated that fire hydrants are ¾ of the way completed. Mayor Nehez asked Jason to explain why the red, white and blue were not painted everywhere. Jason stated that it was too much and it isn't going to last due to the weather. Beatrice Greenlee stated that they look very nice. Mary Volny stated that next time we purchase flags in the future to let her know because she stated that there are always people willing to give donations. Jason stated that Classic Designs is working on a clear wrap for the wood pole, so that the flags won't get snagged. Jason is working on the budget for 2013 and Lisa Rodriguez just needs to type it up. Jason asked Mayor and Council to in the future to let him know of things like a block party or party at the park that need to be added into Jason's budget. Mayor Nehez stated that next year the concert at the park is going to be held at Smith park, due to many residents complaining about the condition of the gazebo, which Mayor Nehez stated is not owned by the Village. Jason stated that the building department is taking up a lot of time. Example is a certain property owner over and over. These fines in the ordinances are ridiculous. It is frustrating doing all of this work and Jason stated he doesn't have to hold a property owners hand to show them what needs painted on their own property. Jason stated that a certain property owner came and took pictures of the Village hall. Jason stated fine, tell him to come back and take a picture again, because within 24 hours the majority of things were completed. Jason stated that he has cited other property owners. Jason said that he has had verbal discussions with Steve Chaney about the issues, and then Howard says, who is Steve Chaney, he isn't authorized. Brad stated that Howard can't have it both ways. Jason stated that he had to cite Don Young of Mixers due to residents complaints of the parking lot, weeds and signage in the right of way. Jason stated that he can sit there and write violations over and over. Jason stated that things like this doesn't happen in other towns. Jason said that he shouldn't have to tell the property owner of the Plaza point by point what needs painted. Jason stated that he took many pictures and the time of his and Lisa Rodriguez and the Police department that has been wasted. The same pictures that Howard took of other business properties, have been cited already. Jason said that he doesn't know what else Howard wants and he isn't going to cater to him anymore. He said he responded to Howard's emails that he wants to work with him. Jason stated that if Howard upkeep his property he won't have problems getting tenants. Karyn Selle stated that Brad hit the nail on the head, Howard can't have it both ways. Karyn stated that there were numerous emails, where Howard asks why he is being singled out, and Karyn stated that he isn't. Howard states in the emails, as to why he is being treated special, Karyn stated that the Plaza is in the center of town and New Plaza Management is one of the larger commercial property owners. Mary said and one of the properties we have the most complaints about. Karyn said that he can't have it both ways by being funny and comical in the emails with the administration and then on the other hand be a different personality and be pissed off. Karyn asked what the status was. Jason states that he has cited him for the major issues. Jason states he has had many complaints, as well as Lisa Rodriguez and the police department. Mayor Nehez stated that he and Beatrice Greenlee had so many people complaining to them at the concert at the park about how bad the Plaza looks and what is being done about it. Brad Bryan stated that the parking lot re striping deadline is July 11<sup>th</sup> and we need to be practical about this. Jason stated that the contractor he and Lt. Mackie have met with stays in contact with him to see what is going on. Mayor Nehez asked if this every gets to the point of abuse of public service? Brad Bryan stated that if someone is abusive and swearing. Brad stated that we need to stop engaging him. Jason stated that Howard says I emailed you but you aren't emailing me back. Or, Howard states I told you that my 30 days starts on this date and you didn't response so it should be what I say. Jason stated that Howard needs to understand the problem with the parking issues is safety, that is why Lt. Mackie was there. Brad stated that if someone calls the federal government about the handicapped parking, he will have a problem. Since the new sweepstakes café has moved in there was no parking for Little Caesars and I feel that Howard is afraid to lose the parking for the internet café, not the Dolphin Restaurant. Jason said that we are not picking now, and it's not that the prior administration didn't care, it is because a car crashed into the Dolphin restaurant and it is a safety issue. Jason stated that the police chief and fire chief have brought this to Jason's attention and said that something needs to be done about this safety issue. Mayor Nehez stated that the number one complaint in this town are the roads and the number two complaint is the Plaza. Beatrice Greenlee agreed. Jason said that these issues take a lot of time, which he doesn't mind doing, but something needs to be done. John Bolek said that Zeppe's removed their sidewalk, laid down new asphalt, put in handicapped markings and it looks nice. Jason stated that was from an inspection, and they cooperated and asked if they needed

permits and he issued them. Karyn stated that it is ridiculous and a waste of everyone's time and effort. Mary Volny stated that her constituents will know that Jason is enforcing the rules across the board. Chief Wentz stated to have Howard Shafron move this Plaza to where his town is in Pepper Pike and they would be all over him. He suggested to Mr. Shafron to hire security to help with his theft of plants, and Mr. Shafron told Chief Wentz that he put a camera up.

Beatrice Greenlee of the Planning Commission stated that they will have a meeting on July 18<sup>th</sup> if needed. Brad stated that the zoning revision should be completed.

Beatrice Greenlee of the Cemetery Board had no report.

Mayor Nehez stated that there was nothing to report on the Recreation Board.

Mayor Nehez stated that there was nothing to report on the Charter Review Commission.

Linda Bowen of the Finance Committee was absent but Beatrice Greenlee had Brad Bryan read Ordinance 2012-44, emergency Ordinance approving the payment of the bills for the month of June 2012. A motion for passage was made by Beatrice Greenlee and seconded by Karyn Selle. Mary Volny asked if everything was ok with the police department regarding Weatherking. Jason stated yes, that he still has to contact them. It passed with 4 ayes.

Karyn Selle, of the Roads and Public Works Committee had no report.

Mary Volny, of the Health and Welfare Committee stated that they sent out letters to the two union reps and said that they will be meeting with Mr. Troyan in 2 weeks regarding benefits.

John Bolek, of the Building and Grounds Committee had no report.

John Schlueter, of the Wages and Working Committee was absent. John Bolek asked where we are in regards to the fire budget and raises that they proposed for their employees. Mayor Nehez stated that he has a few things to discuss with Chief Vojtush so he will contact him. Brad stated that the plan is to tentatively add a third person, but there are no planned raises at this time and that can't happen until council votes and Mayor Nehez stated that would be after July first.

Beatrice Greenlee, of the Fire and Safety Committee stated that the contract ends on June 30<sup>th</sup>.

Brad Bryan read Ordinance 2012-33, which is on 3<sup>rd</sup> reading- An emergency Ordinance establishing section 1266.075 of the codified ordinances relating to the parking and storage of recreational motor vehicles and equipment, trailers, and construction or landscaping vehicles equipment, on residential property. Council would like to refer this to a work session.

Brad Bryan read Ordinance 2012-36, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 4.04 of the Charter clarifying when Council elects the President Pro-Tem of Council. Council put this on third reading.

Brad Bryan read Ordinance 2012-37, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 4.05 of the Charter removing the requirement that the Finance Director also serve as the Clerk of Council and replacing the word "journal" with "minutes". Council put this on third reading.

Brad Bryan read Ordinance 2012-38, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 4.06 of the Charter removing the requirement that the voting on any ordinance, resolution or motion shall be by roll call when the vote is unanimous among those Council members present and replacing the word "journal" with "minutes". Council put this on third reading.

Brad Bryan read Ordinance 2012-39, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 5.02 of the Charter pertaining to the timing of the redistricting of wards and repealing section 5.03 of the Charter containing the ward descriptions and proving that the ward descriptions be contained in the Codified Ordinances. Council put this on third reading.

Brad Bryan read Ordinance 2012-40, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 8.01 of the Charter that requires that the Mayor serve as the Director of Public Safety. Council put this on third reading.

Brad Bryan read Ordinance 2012-41, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 8.04 of the Charter providing for the method of removal of the Fire Chief and method of appointment of officers and members of the Fire Department. Council put this on third reading.

Brad Bryan read Ordinance 2012-42, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment of section 18.05 of the Charter pertaining to the time frame for the setting the rate of compensation for elective offices and the reimbursement of reasonable expenses to officers and employees. Council put this on third reading.

Brad Bryan read Ordinance 2012-43, which is on 2<sup>nd</sup> reading-an emergency Ordinance providing for the submission to the electorate of an amendment to the Charter to make the format consistent, correct spelling and grammatical errors, make the titles of positions consistent, and establish gender neutral content throughout. Council put this on third reading.

Brad Bryan read Ordinance 2012-45, an emergency Ordinance amending section 1476.03 of the codified ordinances relating to contractor license bond amounts. A motion to suspend the three-reading rule was made by John Bolek and seconded by Karyn Selle. A motion for passage was made by John Bolek and seconded by Beatrice Greenlee and carried with 4 ayes. John Bolek stated that this is what other Villages have done for years and we need to do this for protection.

Brad Bryan read Ordinance 2012-46, an emergency Ordinance amending section 1422.99 of the codified ordinances relating to the penalties for violations of the mercantile, multi-family and institutional maintenance standards contained in chapter 1422 of the building and housing code. John Bolek feels that Council need more time to review. Council agreed to put on second reading.

Brad Bryan stated that Resolution 2012-47, an emergency Resolution an emergency Resolution authorizing the Mayor to enter into a purchase agreement with the Jellisons regarding the 199 Ledge Rd property. Was not ready to discuss this evening and will be ready for the next Council meetings agenda.

Mary Volny asked when the next planning commission meeting was and Beatrice Greenlee stated it is July 18<sup>th</sup>. Mary Volny announced that the ladies auxiliary is having a steak roast on July 28<sup>th</sup> and if anyone wants to purchase tickets to see her. Mary Volny stated that due to the thunderstorms she did not go to set up a table for the block watch at the party in the park. Mary asked Jeff Saunders on behalf of Beatrice Greenlee if he could do a small article. Chief Wentz stated that they changed the criteria to having the meetings here at Village Hall and these changes need to be made in the block watch captains guide, and the captains have not been submitted to Officer Jones. Along with the signs being posted, the criteria is changed so it needs to be changed in the guide and online. Karyn Selle stated it sounds like there is a lot that needs to be discussed at the next meeting coming up. Chief Wentz stated that he has mentioned it and it is falling on deaf ears. John Bolek asked Rich Wasosky if he could have a picture of what the roads will look like and also a map of his ward to use for the block party. Mary Volny stated that the map at the fire department is big and nice and maybe you could borrow that.

At 10:05p John Bolek asked for a motion to go into executive session to discuss personnel matter and possible pending litigation, and seconded by Mary Volny. All Council agreed with 4 ayes.

At 10:25p a motion was made by Mr. Bolek to come out of executive session and seconded by Beatrice Greenlee. Carried with 4 ayes.

There was no old or new business.

The meeting was adjourned at 10:26pm.with a motion by John Bolek and seconded by Beatrice Greenlee and passed with 4 ayes.

**Respectfully Submitted by;**

**Attest:**

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Lisa M. Rodriguez, Administrative Clerk

President of Council

Clerk of Council