

The Village of Northfield

REGULAR COUNCIL MEETING

August 24, 2011

Mayor Victor F. Milani called the meeting to order at 7:30PM following the Pledge of Allegiance. The roll was called by Mayor Milani, with the following present: Mrs. Greenlee, Mrs. Selle, Mr. Nehez, Mr. Bolek and Mrs. Bowen. Law Director Brad Bryan, Village Engineer Richard Wasosky, Police Chief Mark Wentz, Fire Chief Gary Vojtush and Service/Building & Zoning Superintendent Jason Walters were present.

A motion to approve the minutes of the July 27, 2011 Regular Council meeting. The motion for passage was made by Mrs. Greenlee and seconded by Mrs. Bowen. The motion carried with 4 ayes.

In the business of petitions, memorials and remonstrances, Mayor Milani introduced Summit County Council Vice President Nick Kostandaras who presented Andrew Shay and Falyn Hayes with commendations from Summit County Council. Mr. Kostandaras stated that he agrees with Mayor Milani, that these children came through when it was absolutely necessary, saving their parents lives. Mr. Kostandaras also gave each child \$10.00. Mayor Milani now introduced Fire Chief Gary Vojtush who presented Andrey Shay and Falyn Hayes with proclamations 2011-55 and 2011-56 from Mayor Victor Milani and the Northfield Village Council for their heroic and courageous actions while calling 911 which saved their parents lives. Fire Chief Vojtush presented both children with t-shirts from the fire association and gift certificates from McDonald's. Tracy Hayes said that she is grateful every day for Falyn, and couldn't ask for a better little girl. Mr. Shay said that his son couldn't wake him up so he called his uncle and he told him to call 911 which saved his life. Mayor Milani said that both parents should be very proud of their children. Chief Vojtush recognized Joe Zemek, Lt. Tim Cingel, Nick Latonia, Capt. Jason Buss, Joshua Jarzab, Bob Kolacz, Jim Wojtkiewicz, Colt Eberling, Matt Sarka, Matt Kaminicki, Mike Kocmit. Chief Vojtush said that all of these members have been out numerous times and many thanks to these firefighter/emt's.

Renell Noack, a resident of 308 Ledge Rd., stated that many residents have been talking about Mixers sign wanting to hire dancers. Law Director Brad Bryan said that there have been rumors of waitresses serving in bikini's which will comply with our ordinances, if they are fully dressed, and if they are not, they will not comply. Mr. Bryan said we have not been advised by the owner of this establishment what he may or may not have in his plans. We presume that he will approach us before it happens. Mayor Milani stated that between himself, Police Chief Wentz and Law Director Mr. Bryan they will not let this happen nor will it be tolerated. Police Chief Wentz said that the establishment is not zoned for that type of adult entertainment. Mr. Bolek said that he is also concerned that Mixers is the only business in the Village that has a reflective material on the windows so that you can't see into the building. Chief Wentz said yes they put that on along with a buzzer, so that young prying eyes can't see into the business. Mr. Bolek said those things just make it hard to monitor the situation.

Resident, Lynn Kormanec of 95 Summit Ave., stated that she has heard some rumors or with the possible casino moving into the Village if any land or houses were going to be purchased regarding the parking situation. Mayor Milani stated that no land or homes will be purchased.

Resident, Grace Incorvia stated that the Village needs to concentrate on safety. She has seen a lot of things going on on Lowrie Blvd. and the safety needs to be focused on, by getting residents involved. Cars vandalized, missing mail and a lot of people walking the street at all hours of the night. Mayor Milani stated that two Council members do walk on Lowrie to get exercise. As far as the parks are concerned, there hasn't been any more problems this year than in prior years. Chief Wentz put a mandate out to all officers to cover all of the side streets and not focus solely on Northfield Rd. Chief Wentz, Mayor Milani and Mrs. Greenlee had discussions regarding the number of personnel on the police department to cover what will be happening at Northfield Park in the future. They do realize they will have to increase the man power on the police department. Chief Wentz has spoken to many police agencies of other gambling cities,. They said that the criminal activity didn't increase, the increase that occurred, was ambulance runs for seniors who forgot to take their medications. Chief Wentz said, they will see some natural increases, but that is why we are on top of this situation. Mr. Bolek congratulated the police department regarding a car that was broken into on Kennedy Blvd. The police department followed up on the leads that they received and apprehended the person who stole the personal property. Chief Wentz said that they also apprehended someone who broke into a business and another one who stole a purse at Dusk 'Till Dawn. Chief Wentz that the officers responded quickly.

Mayor Milani reported that to date, there are two applications for Ward C vacant council seat. The 30 day period is up the end of September. Application deadline is the end of this month. Mrs. Greenlee stated that the deadline for all applications is September 1, and that it has been put in the paper and on the marquis in front of the Village Hall. Mayor Milani stated that he would like to have Council appoint someone to this seat. Mr. Bolek stated that what was put in the paper and what it states in the Charter is different. Mr. Bolek said that state law states that when you are running for a four year term, since this position was

not even half way through, you have to run in the next general election for the remainder of the term. The Charter also states that when filling an appointment, the person must run at the next general election. So that person would run in next year's general election. The term would be up and then they would run the following year also for that seat. Mr. Bolek said that our Charter supersedes everything. Since half of the term, plus a day, was not served they have to defend the seat a year later. Mayor Milani stated when we announce the new Ward C councilperson, we need to make them aware of the guidelines. Mrs. Greenlee stated that there will be a Council work session on September 7, 2011 at 7:30pm to conduct interviews for Ward C open seat and also have a special Council meeting right after the work session. Mrs. Selle asked what if in the event 2 of the 4 candidates can not attend the session on September 7th? Mrs. Greenlee stated that if they want the position they will attend on that date.

Mayor Milani stated that he has spoken with Mr. Shafron about the new machines for his internet cafe and that they need to be approved by Nick Farley. Mr. Bryan stated that Mr. Shafron indicated that there are new machines that Nick Farley has approved in the past and will submit the information to us for approval. Mr. Bolek asked Mr. Walters if he was aware that there are storage trailers parked at the Plaza for the past couple of months? Mr. Walters said that it is a licensed trailer on private property belonging to Chad Price and that he has talked with Lt. Mackie regarding this issue. Mr. Walters said that these ordinances are outdated and need to be revised for the times. Mr. Bolek stated that we allowed them to open with no rear entrance! Mr. Walters said that the County approved that. Mayor Milani said that the Village has no jurisdiction over the businesses. Mr. Walters said that it goes to County, then for a fire inspection and then to Mr. Walters for his approval. Mayor Milani stated that they had a planning commission meeting last week regarding architectural and landscaping standards.

Mrs. Bowen asked for a motion and was seconded by Mr. Bolek, to allow the finance director to initial purchase order requests for one month, carried with 5 ayes. Mr. Riedel is having rotator cuff surgery. Finance Director, Robert Riedel asked for a motion to accept the Financial Statements for July 2011 as submitted and Mayor's Court reports for June and July 2011 as submitted. Motion was made by Mrs. Bowen and seconded by Mrs. Greenlee and carried with 5 aye votes.

Mayor Milani stated that clerk of court Mrs. Thellmann's shredder broke and asked for council to make of a motion to dispose of it. Mr. Nehez made a motion and seconded by Mrs. Greenlee to dispose of clerk of courts paper shredder, carried with 5 ayes.

Village Engineer, Richard Wasosky gave his report. (See attached) Mayor Milani stated that he had a visit from Mr. Daugherty who has issues with resident, Pasquale Tambascio at 9322 Milford regarding pool, his yard, and more. Mr. Walters said that he wrote a citation to Mr. Tambascio one week after he moved in. Mr. Walters said that the ordinance states it is a \$100 fine and he and Lt. Mackie have been dealing with this for a long while. Mr. Bryan said that they fined Mr. Tambascio more than \$100. Mr. Walters said that Mr. Tambascio stated that he would sue Mr. Walters. We cited the home owner who lives in Huron, and she got on Mr. Tambascio to clean up the property. Mr. Kostandaras also stated that he will check with John Labriola in the County Building Department regarding why they approved the Dusk 'Till Dawn to not have a back door. Mr. Walters stated that he sited a resident on Cranbrook many times. Mr. Bolek said that people are doing a tremendous job on remodeling that house at 50 Kennedy Blvd. Mr. Kostandaras stated that the county appraisals are down for the homes.

Law Director Brad Bryan had no report. Mr. Bolek asked if Mr. Bryan would update everyone on the property owner next to Pitluk Preserve. Mr. Bryan said that there is a mediation hearing for late October, which Mr. Wasosky and Mayor Milani will attend with Mr. Bryan. Mr. Bryan did receive the appraisal for \$3,700. Mr. Bolek said that he noticed a new tarp was put on the property. Mr. Walters stated that he has talked with her and she said that she was forced to settle with the insurance company. Mr. Walters cited her and told her to clean up the property and put a brown tarp up. Mr. Bolek asked if we were inquiring to acquire the property behind CVS? Mr. Walters said that he has asked about it because he can do something with that building, but the house needs to go. Mr. Bolek asked everyone to go look at the property and building.

Police Chief Mark Wentz gave his report. (See attached). Chief Wentz asked for a motion to be made to sell the 2004 Crown Victoria for \$500.00. Mr. Nehez made the motion and Mr. Bolek seconded the motion and it carried with 5 ayes. Mayor Milani stated that he has gone without a car for the past year and he doesn't intend on encumbering the Village with the costs of any gas purchases either. Mr. Bolek asked what was going on with the sale of the fire truck? Mayor Milani said that he hasn't heard anything from Chief Vojtush. Mr. Bolek said that 8 months is too long to sit on a vehicle that we all know we need to get rid of. Mr. Nehez asked if there were people interested? Mr. Walters said can't you auction it! Mr. Bryan stated that it has to be with the restrictions that it can't be used as a fire vehicle.

Fire Chief Gary Vojtush gave his report. (See attached). Mayor Milani stated that Chief Vojtush wanted to purchase some discs to throw into the water as a life saver at \$50 each and Mr. Riedel refuses to approve the purchase order. Mr. Riedel said that if someone is drowning in a pool, the first responder is the police department so if you are going to purchase these, give them to the police. Mr. Riedel stated that he faxed a copy of the quote to the Walton Hills finance director and stated to him that if they want the Walton Hills cops to use them, then Walton Hills can purchase them. Mrs. Selle stated we do have poolshere in the Village

and if there is a flood, Mr. Riedel said that he wouldn't throw frisbees at them. Mayor Milani wanted Council to make the decision on this tonight. Mr. Riedel said that it states for ponds or lakes, and we don't have any ponds or lakes.

Service/Building and Zoning Superintendent Jason Walters gave his report. (See attached). Mr. Walters asked for a motion to be made to extend Tim McRitchie's employment time through September 14, 2011. Mr. Bolek made the motion and Mrs. Selle seconded it and it carried with 5 ayes. Mr. Bryan stated that the woman involved in the accident with Danny Orrill wasn't sited, but was found guilty. Chief Wentz said that writing a citation is discretionary by the officer. Mr. Bolek asked if the money was available to fix the Village truck? Mayor Milani asked who is paying? Mr. Bryan said it goes to her insurance and they need to make a judgement if they are going to pay it, and if they don't pay it, we go to our insurance. Mayor Milani said wouldn't that give us more power if she was sited? Chief Wentz said no. Mr. Bolek asked if we could rent a vehicle like that to use in the meanwhile? Mr. Walters said no. Mr. Walters said that there is a resident on Summit whose house is like in a bowl and he feels that they shouldn't have to take on the whole cost themselves. Mr. Bolek asked if there is a tap in fee? Mr. Walters said that their sanitary is fine, this is storm water. Mr. Walters said that we need to come up with a system to make sure that people are getting their occupancy permits. Mr. Bolek said that one of the problems with the point of sale inspections is that the houses don't sell. Mr. Walters said that the foreclosed ones are the ones we don't get. Mr. Riedel asked if we cross check names with the Rumpke. Mrs. Greenlee stated that Mr. Walters received a letter from a resident on N. Plaza Dr. regarding the leaf pickup program. Mr. Walters said that that area has the least amount of leaves and where the most leaves are, we leave for last pickup.

Mrs. Greenlee of the Planning Commission stated that there will be a Planning Commission meeting September 21, 2011 at 7:30pm. Mayor Milani stated that the last meeting went well. Mr. Bryan stated that whatever changes anyone wants, just let me know. Mr. Nehez stated that the only thing that needed changed was the penalty.

Mrs. Bowen, of the Finance committee had Mr. Bryan read Ordinance-2011-52, an emergency Ordinance approving the payment of bills for the month of August 2011. A motion for passage was made by Mrs. Bowen and seconded by Mrs. Greenlee and it passed with 5 aye votes.

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

Mr. Bolek, of the Health and Welfare Committee stated that a person from the Summit County Board of Health was to be here tonight to speak about the county wide stickers, and list of medications, so we will reschedule the speaker. Mayor Milani stated that we have had two applications of spray for the west Nile virus, due to testing positive on Vorderman and Houghton.

Mr. Nehez, of the Building and Grounds Committee had no report.

Mayor Milani stated that regarding Wages and Working Committee that Mr. Riedel put a copy of the 60 days notice from the service department union in all of Council's mailboxes. Mr. Bolek said that we were in the process of notifying them anyhow so this works out good.

Mrs. Greenlee of the Fire and Safety Committee had no report. Chief Wentz asked if Mrs. Greenlee would be in contact with all of Council regarding the new officer, she stated yes.

Mayor Milani had Mr. Bryan read Resolution 2011-53, an emergency Resolution directing the finance director to certify delinquent grass, weed cutting and property clean up bills to the county fiscal officer for placement on the tax duplicate. A motion to suspend the three-reading rule was made by Mrs. Greenlee and seconded by Mrs. Bowen. A motion for passage was made by Mr. Nehez and seconded by Mrs. Greenlee. Mr. Bolek stated to Mr. Walters that year in and year out it is the same residents that we cite for grass cutting and Mr. Bolek asked for any suggestions that Mr. Walters would have to help out the situation. Mr. Bolek said that we need to change the ordinance. Mr. Bryan said that we do charge the \$100 per man per hour and this is to cover the man hour costs. Mr. Bolek said that we don't have the man power to do that. Mr. Walters said that he uses the summer employees to cut the grass. Mr. Bryan stated that if we raise the costs then someone could challenge it stating that it isn't reasonable. Mr. Walters stated that there were a lot of new properties on the list this year. Mayor Milani stated that a resident on Vincent Ave. we cited year after year, and he finally figured out it was cheaper to hire someone to cut his grass. Mr. Walters stated that a lot of them are vacant or foreclosed on. Mr. Walters said to Mr. Bolek that he would like to do something about the foreclosures, because as of right now we have to wait once we send the certified letter out and get a return, it takes weeks. It passed with 5 aye votes.

Mr. Bryan read Resolution 2011-54, an emergency Resolution directing the finance director to certify delinquent sewer maintenance bills to the county fiscal officer for placement on the tax duplicate. A motion to suspend the three-reading rule was made by Mrs. Bowen and seconded by Mrs. Greenlee. A motion for passage was made by Mrs. Bowen and seconded by Mrs.

Greenlee and it passed with 5 aye votes. Mr. Bryan read Resolution 2011-55, a Proclamation honoring Falyn Hayes for her heroic and courageous actions when calling 911 to rescue her mother Tracy Hayes on April 17, 2011. Mrs. Bowen made the motion and was seconded by Mrs. Greenlee, and passed with 5 ayes. Mr. Bryan read Resolution 2011-56, a Proclamation honoring Andrew Shay for his heroic and courageous actions when calling 911 to rescue his father Steve Shay on June 4, 2011. Mr. Nehez made the motion and was seconded by Mrs. Greenlee, and passed with 5 ayes.

There was no old and new business.

The meeting was adjourned at 10:45pm. following a motion by Mrs. Greenlee and seconded by Mrs. Bowen. The motion carried with 5 ayes.

Respectfully Submitted by;

Attest:

Lisa M. Rodriguez, Administrative Clerk

President of Council

Clerk of Council