

The Village of Northfield

REGULAR COUNCIL MEETING

May 11, 2016

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

The Pledge of Allegiance was led by Mayor Nehez.

ROLL CALL was read by Tricia Ingrassia. The following were present: Mayor Nehez, Council President Magistrelli, Council Persons Jenn Domzalski, Jim Daugherty, Alan Hipps, Renell Noack, and Gary Vojtush. Also present were Law Director Brad Bryan, Service Director Jason Walters, Fire Chief Jason Buss, and Police Chief Mark Wentz.

APPROVAL OF THE MINUTES:

Minutes were unavailable to approve due to Court Clerk Lisa Thellmann's absence due to a family member's illness. Mrs. Thellmann did not have adequate time to prepare the minutes, but Mayor Nehez advised they would be completed for approval by the next meeting.

PRESENTATIONS OF PETITIONS, MEMORIALS, AND REMONSTRANCES:

None.

REPORTS OF MUNICIPAL OFFICERS:

Mayor Jesse J. Nehez – Mayor Nehez and Ms. Domzalski attended a meeting at the Northfield Sagamore Fire District to propose fire services to Northfield Center Township. Chief Buss was asked to elaborate on the presentation and stated that he prepared a proposal for Northfield Center Township for different options for Fire and EMS Services to staff their station giving them several options for managing manpower which carried a 50% administrative fee. Chief Buss indicated that as Northfield Center Township weighed the options, Northfield Village would continue to work with them providing mutual aid and support whatever decision they came to regarding their fire department. Chief Buss indicated that at present no final decision had been made regarding the proposal as they were seeking proposals from other neighboring communities as well.

Mayor Nehez asked if Mrs. Domzalski had anything to contribute. Mrs. Domzalski praised Chief Buss for his presentation and educating her on the fire information. Mayor Nehez asked if anyone else on council had anything to add, Mr. Vojtush asked if that Northfield Center proposal could be given to council members for review. Mayor Nehez replied yes.

Finance Director, Tricia Ingrassia – report attached. Mrs. Ingrassia requested a motion for payment of the 2016 assessment for Northfield Macedonia Cemetery in the amount of \$11,286.60. The motion was made by Mr. Hipps, seconded by Mr. Magistrelli. No discussion was made. All members of council approved the motion for payment. Mrs. Ingrassia requested a second motion for payment of American Legal Publishing's invoice for \$6,362.93 for updating

the codified ordinances and the traffic code per the Ohio Revised Code. The motion for payment was made by Mr. Magistrelli, seconded by Mrs. Noack. No discussion was made. All members of council approved the motion for payment.

Village Engineer, Rich Wasosky – report attached.

Law Director, Brad Bryan – The National City Bank property, 10435 Northfield Road, is tentatively scheduled to close by Wednesday, May 18, 2016. The legislation to update the code for the purchase of the property will be on the May 25th Council agenda.

DEPARTMENT HEADS:

Police Chief, Mark Wentz – report attached.

A Fire and Safety Committee Meeting was scheduled for Wednesday, June 1, 2016 at 6:00 p.m. to launch the EVAC911 initiative.

A discussion was had regarding the K-9 Unit that Mr. Daugherty inquired about. A report was given to Council regarding the proposal for the K-9. At a later point in the meeting, Mr. Vojtush asked what the availability of the Village of Walton Hills' and City of Macedonia K-9. Chief Wentz stated it depended upon shifts and availability. Mr. Bryan indicated also that other surrounding communities make their K-9 units available to the Village as well. Mrs. Domzalski said that it may be beneficial to set up a presentation and invite residents to solicit for donations.

There was a discussion regarding the LEADS audit. Mrs. Domzalski requested a copy of the LEADS audit report. At a later point in the meeting, Mr. Vojtush requested that all of council receive that report. Chief Wentz clarified that he is uncertain as to whether or not this report is considered a public record because of the sensitivity of information included in the report.

Mrs. Domzalski requested a copy of the incident report regarding Mr. Vojtush and Sgt. Zoligus that was disclosed in the April 27th Council Meeting. Chief Wentz indicated that no incident report was created because the event took place outside of the Village boundaries. Mrs. Domzalski then requested a meeting with the Chief and the officer involved in order to discuss the issue and figure out a course of action. Mr. Hipps stated it was an incident of road rage off Village property, off Village time, and that it's protected under freedom of speech. Mr. Bryan inquired as to what course of action Mrs. Domzalski was referring. Mrs. Domzalski stated she has no course of action, but that Council should meet and discuss what happened. Mayor Nehez said the incident is not a Council matter, but an administrative matter. Mr. Vojtush stated that a county commissioner he spoke with thought the matter was a bigger deal than the Village officials were making of it. Mayor Nehez inquired what county commissioner Mr. Vojtush spoke with. Mr. Vojtush abstained from saying with whom he spoke. Mrs. Domzalski indicated she was asking because she wanted some insight into the matter since it was brought up at the previous council meeting. Mr. Bryan indicated that Chief Wentz spoke with the officer and that this was not a village issue. Mr. Bryan said there is nothing prohibiting Mrs. Domzalski from speaking with the Chief or the officer involved. The Mayor encouraged Mrs. Domzalski to do so. However, Mr. Bryan didn't feel that Council should have a roll in this matter as the event

didn't take place in the Village. Chief Wentz indicated that he did receive the email Mrs. Domzalski sent regarding the matter and responded. He also indicated that he had no problem with taking a phone call with Mrs. Domzalski after regular business hours if she wasn't available until later in the day. Mr. Bryan stated that he too had a conversation with the officer, and his version of the events were different from Councilman Vojtush's. Mr. Hipps inquired what council expected to see come from this. Mr. Hipps indicated that he felt people were making an issue over two words. Mr. Hipps said that he was threatened more on record during the last council meeting about shoving his phone somewhere the sun doesn't shine. Mr. Vojtush corrected him. The Mayor reminded Mr. Vojtush that it was on record. Mr. Vojtush said he knew it was. Mayor Nehez called a point of order and requested to move on.

Fire Chief, Jason Buss – report attached to the presentation given at the Fire and Safety Committee from earlier in the evening.

Mayor Nehez asked if there were any questions of Chief Buss, Mrs. Domzalski commented that she had concern about the amount of calls that came in during the Fire and Safety Committee meeting held earlier. She stated that in the instance that all of our available on shift Fire and EMS staff go out, where our fire personnel come from and how quickly they can respond. Mayor Nehez indicated he shared the same concern. Mayor Nehez inquired further, what happens when Macedonia takes over the Sagamore Hills Fire staffing, what happens in mutual aid situations, and what do we do when we feel mutual aid is being abused. Chief Buss stated that we do have people that reside within the community or within very close proximity. He stated that our challenge is that many of our part-time and full-time Fire personnel are employed in other communities. Those residing within a close proximity may still not be available because of a conflicting schedule in another community. Chief Buss indicated that it is important to have the personnel on shift within our department, but that we do rely on mutual aid with other communities. Chief Buss stated that we give more mutual aid than we receive from neighboring communities by a 5-1 average as of last year. Mayor Nehez asked how does the Village protect themselves in the event of mutual aid requests coming in from other communities. Chief Buss indicated that we have the option of stating our department is unavailable if one of the Village's ambulances is already out on another call to insure the residents of Northfield are covered. Chief Buss continued that there is a certain number of firefighters and medics needed in the communities and anything that lowers that number of personnel is going to impact all the communities around us. Mayor Nehez indicated that he and council are not opposed to helping other communities, but that we need to make sure that Northfield Village residents are covered if needed as well. Mr. Vojtush commented that after having conversations with Chief Buss the Village has not had many call-backs for staffing. Mr. Vojtush indicated that it's his opinion that staffing with three firefighters/medics that it will not help us with a second call coming in. Mr. Vojtush continued that we need to watch what we do and make sure that Northfield residents take precedent over other communities. Chief Buss stated he stressed in the presentation to Northfield Center that proper staffing of their station is necessary so that Northfield Village residents are not put at risk.

Service and Building Superintendent, Jason Walters – May clean up has begun in the Village. Mr. Walters stated that he has two part-time seasonal employees on the agenda for approval this evening. The town hall parking lot storm sewer improvements have begun by replacing the

catch basins. Six or seven asphalt contractors have been called to give estimates for the repaving of the town hall parking lot. Mr. Walters stated that after the paving is complete of the parking lot, dependent upon budget availability, the fence along the property line may be replaced. Mr. Walters stated that the purchase of a new 2016 F-150 4x4 Crew Cab is also on the agenda for council approval this evening. The repairs to the existing Ford F-350 are being quoted. Rental inspections have begun. A letter is going out to the property owners requesting work be completed. Commercial parking lots within the Village will be reviewed. Plaza Management has begun repairs to the property on Ledge Road. That concluded Mr. Walters report.

Mayor Nehez asked if anyone on council had any questions of Mr. Walters. Mr. Vojtush thanked Mr. Walters for the quick response and action of the stop sign on Northfield Road and Joseph Francis Drive, which is not a dedicated Village street. The sign was repaired by the State of Ohio. Mr. Vojtush asked whether an F-150 was a heavy enough truck for the Service Department. Mr. Walters indicated that this truck would be replacing a 1997 Chevy to be used expressly for senior snow plowing and landscaping needs so the smaller truck would be more beneficial.

Mr. Daugherty stated the sidewalks in front of the commercial properties on Northfield Road need to be better maintained. Mr. Daugherty stated that he would like to see legislation to hold the property owners responsible for maintaining the sidewalks as far as removal of debris. Mayor Nehez and Mr. Walters both stated that we have legislation regarding the maintenance of the sidewalks for the commercial properties on Northfield Road. Mr. Daugherty stated that we need to start fining them if they are not maintaining the sidewalks properly. Mr. Magistrelli stated that for a couple years the sidewalks have been poorly maintained especially after the winter. The past process of sending violations asking them to clean up the sidewalks was futile. Mr. Magistrelli continued that winter debris is cumbersome. Mrs. Domzalski asked if the Service Department providing the first sidewalk clean-up could be added to the legislation. Mr. Vojtush asked Mr. Walters what the cost of adding a broom to the Bobcat would be compared to the labor of the part-time seasonal employees. Mr. Walters stated that the Village has a broom for the Bobcat and that the broom is too big and the broom is unable to catch the flying debris while sweeping the sidewalks. Mr. Walters indicated that the best way to complete the sidewalk clean-up is with a broom and shovels doing it the old-fashioned way. Mr. Daugherty stated that Mr. Bryan needs to bring legislation forward. Mr. Bryan indicated that if you put this service into legislation it leaves the Village obligated to perform the work. Mr. Bryan stated that the Mayor could make it a policy. The Mayor indicated that he would like it to be put into legislation. Council decided that the Village will provide the initial cleaning after the winter to remove salt, stones, and asphalt debris would be provided by the Village, and then a letter would go out to the property owners stating they are responsible to maintain the cleanliness throughout the remainder of the year, if the property owners do not comply they will be fined. A motion was made by Mrs. Domzalski to direct the Service Department complete the initial after-winter clean-up to sidewalks in the month of May each year, seconded by Mr. Vojtush. No discussion. All members of Council were in favor of the motion. That completed Mr. Walters report.

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

Planning Commission, Mr. Hipps – No report.

Recreation Board, Mayor Nehez – There were three people on the agenda to appoint for Recreation Board. There is no report as the Mayor has no board members.

Cemetery Board, Beatrice Greenlee – Mr. Magistrelli read the report on Mrs. Greenlee's behalf. The annual board meeting for the cemetery's budget. The cemetery would like all the elected officials to be present for this meeting. Mr. Magistrelli stated that included in that meeting will be a 2% increase in pay for cemetery workers included in the budget. Mr. Magistrelli continued that there are 15 trees that need to be removed from the cemetery property. The tree removal will be completed by a local company, Nick's Tree Service. Prices for the plots will increase to \$650.00 from \$500.00. The lawn care contract has been signed by Ned's. Additionally, there will be a reduced summer staff this year due to the finances. Finally, they are looking into the cost of a new fence which is going to be tabled because of the finances.

REPORTS OF STANDING COMMITTEES:

Finance, Mr. Magistrelli – The next Finance Committee Meeting will be on May 25, 2016 at 6:30pm.

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

Health and Welfare, Mrs. Noack – No report. Question under health and welfare by Mr. Daugherty. Mr. Daugherty stated that he understood at one time the Village had drug testing for our employees through our insurance. Mr. Daugherty stated he would like to see the random drug testing brought back. Mr. Bryan explained that the current policy states that we have pre-employment drug testing, post-accident drug testing in the event that one of the Village employees is in an automobile/equipment accident. Mr. Bryan indicated that at one time our Workers' Compensation group rating program provided a discount to communities that submitted to random drug testing. Mr. Daugherty inquired if at this time the Village had random drug testing, Mr. Bryan answered that the Village does not. Mrs. Ingrassia asked if Mr. Daugherty had a concern about that would make random testing a necessity. Mr. Daugherty said he did not have a concern. Mr. Bryan indicated that if there was reasonable suspicion that an employee was under the influence of a substance, the department heads can decide to send the employee for a test. Mr. Daugherty said that he, himself carries a CDL license and is required to randomly go and submit a sample for testing. Mr. Daugherty feels that random testing is Council doing their due diligence. Mr. Daugherty and Mr. Vojtush both expressed a need for random drug testing. Mr. Bryan indicated that we can impose random testing on the general work force, but that both unions have a drug free work place policy and if there is to be a change in those policies, it would have to be negotiated into the union contracts. Mr. Daugherty gave a scenario that if an employee were under the influence and was in an accident, a lawsuit would be brought upon the Village, the employee, etc. when it could all have been prevented by random drug testing. Mr. Bryan stated that there is no legal requirement by law to random test employees so no extra liability could be brought on by a lawsuit for not performing random testing. Mr. Daugherty asked each Council member if they were in favor of continuing the conversation. Mrs. Domzalski said no, Mr. Hipps said no, Mr. Magistrelli said no, Mr. Vojtush said yes, Mr.

Daugherty said yes, Mrs. Noack said no. Mr. Daugherty ended the conversation, but stated that when the union negotiations come up he would like to be a part of negotiations.

Wages and Working Conditions, Mr. Vojtush – No report.

Fire and Safety, Mrs. Domzalski – Mrs. Domzalski stated there was a meeting this evening at the Fire Department with Chief Buss and an ambulance vendor educating Council on vehicle planning and construction. Mrs. Domzalski stated that Chief Buss would be narrowing down his options for a new ambulance and bringing it to Council.

Buildings and Grounds, Mr. Hipps – Mr. Hipps stated there was a meeting this evening at the Fire Department to discuss future needs of the fire station and planning.

LEGISLATION:

2016-21 An emergency resolution confirming the Mayor's appointment of Linda Bowen to the Recreation Board on third reading. Mr. Vojtush asked if this resolution was on third reading. Mr. Bryan clarified that this resolution has been read at two other meetings and they do not have to be consecutive. Mr. Hipps made a motion to adopt, seconded by Mr. Magistrelli. No discussion. The resolution passed with Mr. Daugherty and Mr. Vojtush voting no.

2016-22 An emergency resolution confirming the Mayor's appointment of Bea Greenlee to the Recreation Board on third reading. Mr. Hipps made a motion to adopt, seconded by Mrs. Noack. No discussion. The resolution was passed with Mr. Daugherty and Mr. Vojtush voting no.

2016-35 An emergency resolution confirming the Mayor's appointment of Edward Govang as a temporary, seasonal employee with the Service Department for the Summer of 2016 on first reading. Motion to suspend the rules by Mr. Magistrelli, seconded by Mr. Hipps. Mr. Daugherty questioned whether this item could be placed in a work session. Mr. Bryan indicated that he would need to make a motion to table the item to take it to work session. Mr. Daugherty made that motion, seconded by Mr. Vojtush. Mrs. Domzalski asked if she could see the list of things to do by the part-time seasonal help requested. Mr. Bryan asked Mr. Walters to clarify their list of jobs. Mr. Walters stated that the part-time seasonal employees cut grass, clean, assist the road crew with asphalt, assist the sewer crew with sewer work, and painting fire hydrants. Mr. Walters said this was in the budget and that he is only bringing back two of the three from last year. Mr. Daugherty and Mr. Vojtush voted yes to table the resolution, all other members of council voted no. The motion to suspend the three reading rule carries by Mr. Magistrelli, seconded by Mr. Hipps. All were in favor to suspend the rules. Motion for passage by Mr. Hipps, seconded by Mrs. Noack. No discussion. Mrs. Noack, Mr. Magistrelli, Mr. Hipps, and Mrs. Domzalski voted yes for passage. Mr. Daugherty and Mr. Vojtush abstained.

2016-36 An emergency resolution confirming the Mayor's appointment of Michael Peelman as a temporary, seasonal employee with the Service Department for the Summer of 2016 on first reading. Motion to suspend the three reading rule by Mr. Hipps, seconded by Mr. Magistrelli. No discussion. All were in favor of suspending the rules. Mr. Hipps moved for

passage, seconded by Mr. Magistrelli. No discussion. Mrs. Noack, Mr. Magistrelli, Mr. Hipps, and Mrs. Domzalski voted yes for passage. Mr. Daugherty and Mr. Vojtush abstained.

2016-37 An emergency resolution confirming the Mayor's appointment of Pam Wilms to the Recreation Board on first reading. Mrs. Domzalski made a motion to suspend the three reading rule, seconded by Mr. Magistrelli. All were in favor of suspending the rules. Mrs. Domzalski made a motion for passage, seconded by Mrs. Noack. No discussion. All were in favor of passage, zero opposed.

2016-38 An emergency resolution authorizing certain amendments to the 2016 appropriation resolution and/or transferring items already appropriated. Mrs. Domzalski made a motion to suspend the three reading rule, seconded by Mr. Vojtush. All were in favor of suspending the rules. Motion for passage by Mr. Vojtush, seconded by Mrs. Domzalski. No discussion. All were in favor of passage, zero opposed.

2016-39 An emergency resolution authorizing and directing the Mayor to purchase a 2016-Ford F-150 truck from Valley Ford Truck, Inc. through the state's cooperative purchasing program on first reading. Mr. Vojtush made a motion to suspend the three reading rule, seconded by Mr. Hipps. All were in favor of suspending the rules. Mr. Hipps made a motion for passage, seconded by Mrs. Domzalski. Mr. Bryan explained that there would be an additional expense to equip the vehicle from Truck Equipment Sales, LLC in the amount of \$2,716.00 for toolbox, strobe bar, lighting, wiper shaker that falls within the Mayor's spending authority. All were in favor of passage, zero opposed.

OLD BUSINESS; NEW BUSINESS; ANNOUNCEMENTS:

Mr. Daugherty stated that under old business, regarding the minutes, he understands Mrs. Thellmann's father has been ill, but he wanted to know if there was someone who could do this job while she is out. Mayor Nehez indicated that he and Mr. Walters are looking into getting a floater to go between Mrs. Thellmann and Mrs. Rodriguez for situations like these, but that this wouldn't be implemented until next year's budget. Mr. Vojtush indicated that the administrative code indicates that the minutes are supposed to be distributed by a certain time. Mr. Vojtush suggested that someone else do them if Mrs. Thellmann was unable. The Mayor indicated there was no one else available to complete them at this time.

Mr. Vojtush, under old business, asked why the fence from the sewer department is missing and if we are considering putting in a new fence at town hall that we should consider installing a fence at the sewer plant. Mr. Walters indicated the fence was removed in order to create a mound and plant trees.

Mrs. Noack, under new business, she is working on having a meeting for a fundraiser for Christmas decorations, and she would have more information at the next meeting.

Mr. Daugherty, under new business, said that his company Daugherty's Plumbing would make a \$250.00 donation towards the K-9 unit.

ADJOURNMENT – Motion by Mrs. Domzalski, seconded by Mrs. Noack. All were in favor, zero opposed. The meeting was adjourned at 9:41pm.

Respectfully submitted by:

Tricia Ingrassia, Clerk of Council