

Council met in regular session at 7:30 p.m. with Mayor Michael Rick presiding.

Mr. C. Yoho asked everyone to join him in a moment of reflection for their own intentions. The Pledge of Allegiance to the Flag was recited by all.

Roll Call – Mr. R. Schrock, p; Mr. R. McDowall, p; Ms M. Miller, p; Ms. B. Van Dike, p; Mr. M. Raddish, p; Mr. C. Yoho, p; Mr. M. Kelly, p.

Motion by Mr. M. Raddish, second by Mr. R. Schrock for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second by Mr. R. Schrock to adopt the minutes of the March 15, 2017 Council meeting. Vote: Unanimous ayes. Motion carried.

COMMENTS ON PENDING LEGISLATION – Dale Jones, 124 Kavanaugh Dr., asked if there have been any issues reported since the last work session. Mr. M. Kelly stated that he has not heard any and Mr. C. Yoho stated what he has heard has been positive. Mr. Jones asked if any parking issues been reported. Mr. Kelly remarked that the parking issues seem to have been resolved. He also stated that there were similar issues with mail boxes within the village; that this is not the only problem area. He thanked Mr. Reed for his diligence regarding this issue due to the fact there are not many municipalities in northeast Ohio with this type of issue on their books. He also feels that this ordinance will be revisited within the next couple of years because this same type of problem occurs in other neighborhoods within the village. Ken Phares, 136 Seymour asked about the cost of putting up “No Parking” signs with just a few complaints. He thinks the problem has been resolved with communication among the residents and the money could be better spent elsewhere. He asked if the ordinance is passed, the village will have to erect signs to enforce it. Mr. Reed stated that legally you do not have to erect signage to enforce the ordinance. Also, the way this ordinance reads, signs do not need to be posted.

Mr. Phares asked what the penalty would be if you parked in front of the mail boxes. Mr. Reed answered that it would be a minor misdemeanor, a parking ticket. Mr. Phares asked how will the public be informed about this ordinance. Mr. Reed stated that the same way as any other ordinance passed, it will be in the newspapers’ legal notices and on the message board in front of the municipal building. Mayor Rick said that with an ordinance like this one, the village would take extra measures to notify the public. He also stated that he will talk to the Police Department regarding this issue. He knows that they will communicate with the property and vehicle owners about the new ordinance and give them time to make arrangements about the parking.

Mr. M. Raddish stated that Mr. Kelly made a good comment about the post office and the future plans. A few years ago, the residents received a mailing where their mailboxes need to be placed. The post office wants to have mail truck delivery only. Today, this is not a big problem now but in a few years it could be a major problem that we will have to face. There are a lot of residents that use on-street parking instead of their driveways.

Mr. Kelly said he is aware of the two issues, the on-street parking and parking in front of mailboxes. He would like to see the village be proactive because we are aware that this issue will come up again in the future and maybe this will help with the placement of the cluster boxes.

Mr. Reed stated that he has been village legal counsel for 8 years and this council is not reactionary, they want what is best for the village. If this ordinance passes tonight it will be for what is best for the village and not just for a neighborhood.

COMMITTEE REPORTS

PARKS – Ms. Miller had no report.

UTILITIES – Mr. Schrock had no report.

SAFETY – Mr. Kelly had no report.

STREETS – Mr. Yoho reported that the State of Ohio is reopening bids in May and there will be new pricing. The pricing can change for the new Street Department truck that is being discussed. We will need to bring to legislation at the next meeting in two weeks if we want the truck at the price Mr. Adorni submitted and Scott Varney will put together the financing.

PLANNING AND ZONING – Mr. McDowall had no report. Mayor Rick asked Mr. McDowall when he will return from vacation. His return date is May 10 in the evening thus he will miss the April 19 and May 3 council meetings and April 26 work session.

FINANCE/AUDIT – Ms. Van Dike had no report.

Mr. Raddish stated that the work session will be April 26, 2017 at 7:00 with all committees reporting.

OLD BUSINESS - No old business to report.

NEW BUSINESS -

Ms. B. Van Dike presented Resolution No. 2017-27 sponsored by Mr. M. Kelly as follows:

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, SECTION 76.04, PARKING PROHIBITIONS, OF THE MOGADORE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Mr. M. Kelly made a motion to suspend the rule requiring three readings; Ms. K. Miller seconded the motion.

Mr. R. Schrock stated that he does not support this ordinance. He said if council passes this and then the post office decides to put in the cluster mail boxes on the opposite side of the fire hydrants there will be no on-street parking on some of the village streets. He is not comfortable with the ordinance as the way it reads as it is. He feels the fair thing to do is put the mailboxes on the same side of the street as the fire hydrants. If that is done that way there will be no need for this discussion.

Mr. M. Raddish told Mr. Schrock his statement was in the wrong order, council is voting on the three readings. Mr. Raddish feels that council should read this ordinance three times. If it is read three times it gives more residents more time to come to council and voice their concerns.

Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. M. Kelly to adopt Resolution No. 2017-27; a second was made by Ms. K. Miller.

Mr. Schrock remarked what he said earlier and it would be better served to lean on the post office to place the mail boxes on the same side of the fire hydrants.

Mr. Yoho said that we need to work with the post office. He talked to Brian Sansom of the post office and the post office wants to put cluster boxes at the end of the streets or individual mail boxes at the sidewalk so the carriers will not need to go up to the houses.

Mr. Raddish stated that he does not support the ordinance at this time, if the post office forces the issue we will revisit.

Mayor Rick said that this issue was not a way to collect ticket money. He hopes the neighbors can work among themselves to remedy the situation, for example, if the mail is delivered between certain times daily, do not park in front of the mail boxes during that time.

Vote. Mr. Kelly, yes; Ms. Miller, yes; Mr. Yoho, yes; Mr. McDowall, no; Ms. Van Dike, no, Mr. Raddish, no; Mr. Schrock, no. Motion failed 4 to 3.

Mr. Reed was asked by Mayor Rick if this issue can be brought back anytime. Mr. Reed answered it could be brought back, there was no time stipulations.

Mayor Rick thanked everyone for their input and good conversation.

COMMENTS ON THE BILLS - Ms. B. Van Dike made a motion to approve the payment of the bills as presented on the invoice report; Mr. M. Kelly seconded the motion. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Scott Varney stated that he passed out an updated income tax spreadsheet. In the previous report the allocation was incorrect due to an input error.

COMMENTS from Council: Ms. Miller said that she will have a Parks Board meeting on April 11 at the park. A representative from a playground equipment company will attend to view the front playground and submit a recommendation.

Mr. M. Kelly thanked everyone for the good conversation regarding the ordinance and attending the meeting.

Mr. R. Schrock said Republic Waste was picking up trash every Tuesday in the village and on the company's web site it said the recyclables were picked up every week but that is an error, it still is every other Tuesday.

Mr. M. Raddish thanked everyone for coming tonight and without the public's input council would not know what the concerns are. He also thanked Mayor Rick for questioning the income tax report at the last meeting, being diligent and getting it corrected.

Mayor Rick thanked everyone for the discussion and this issue can be revisited at a later date.

COMMENTS from Clerk-Treasurer: No comment.

COMMENTS from Mayor: No comment

Meeting was adjourned at 7:50 p.m.

Mayor

Date

Attest:

Assistant Clerk-Treasurer