

Council met in regular session at 5:30 p.m. with Mayor Michael Rick presiding.

Ms. K. Miller asked everyone to join her in a moment of reflection for their own intentions. The Pledge of Allegiance to the Flag was recited by all.

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

Motion by Mr. M. Raddish, second by Ms. K. Miller for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second by Ms. K. Miller to adopt the minutes of the July 18, 2018 Council meeting. Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second by Ms. K. Miller to adopt the minutes of the July 24, 2018 Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS ON PENDING LEGISLATION – No comments.

COMMITTEE REPORTS

PARKS – Ms. Miller stated that the new piece of playground equipment is expected to be installed August 23 or August 24 per the company representative.

UTILITIES – Mr. McDowall had no report.

SAFETY – Mr. Kelly had no report.

STREETS – Mr. Yoho reported that he has one resolution to read.

PLANNING AND ZONING – No report due to Mr. Schrock's absence.

FINANCE/AUDIT – Ms. Van Dike reported she has four resolutions to read.

Mr. Raddish reported the Work Session will be Wednesday, August 22 at 5:30 with all committees reporting.

OLD BUSINESS – No old business

NEW BUSINESS –

Mr. M. Kelly presented Resolution 2018-57 sponsored by the Safety Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND/OR CLERK/TREASURER TO AMEND THE CONTRACT PREVIOUSLY ENTERED INTO WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION BY ENTERING A MEMORANDUM OF UNDERSTANDING AND DECLARING AN EMERGENCY

Mr. M. Kelly made a motion to suspend the rule requiring three readings; Mr. C. Yoho seconded the motion. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike made a motion to suspend the rule requiring the three readings; Mr. M. Kelly seconded the motion.

A motion was made by Ms. Van Dike to adopt Resolution 2018-63; a second was made by Mr. R. McDowall.

Mayor Rick asked if this was from the Water/Sewer Fund. Mr. Varney stated that it was from a collection of funds.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2018-64 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RESOLUTION 2018-32 SECTION 1 FOR THE CHIEF OF POLICE OF THE VILLAGE OF MOGADORE, PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH APPOINTMENT AND ESTABLISHING COMPENSATIONS AND BENEFITS AND DECLARING AN EMERGENCY

Ms. B. Van Dike made a motion to suspend the rule requiring the three readings; Mr. C. Yoho seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2018-64; a second was made by Mr. C. Yoho.

Mayor Rick stated that this legislation was to correct a typographic error, Chief Higgins has been paid the correct amount.

Vote. Unanimous ayes. Motion carried.

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. C. Yoho seconded the motion. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: No comments.

COMMENTS from Council: Mr. M. Raddish was wondering if there was a problem with the office copier due to the poor print quality of the council packets. The copies were not made on the copier but they were PDF quality.

COMMENTS from the Clerk-Treasurer: Mr. Varney stated that he would be working on appropriations for the City of Akron regarding the agreement with the prosecutor for the next council meeting. Also, for the next meeting, legislation for assessing properties will be presented.

Mr. Pitchford stated that legislation was presented to the counties' Board of Elections on time and if there are no problems the two items will be on the November ballot.

Mr. Glass said the Idella/First Ave. project will start Monday, August 6. Plus, the repaving of State Route 532 should begin the week of August 20.

Bid opening for the Fire Department Driveway Replacement will be August 2 and will begin after council approval on August 15.

The demolition of the country club at the old golf course is at least next two weeks out. Testa Development is working with us on the revisions and excavating should begin in September or October.

A motion was made by Mr. M. Kelly to adopt Resolution 2018-57; a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Mr. M. Kelly presented Ordinance 2018-58 sponsored by the Safety Committee as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ADORNI'S SERVICE CENTER REGARDING LEASING OF TWO PARKING SPOTS ALONG WITH THE ESTABLISHMENT OF \$40 ADMINISTRATIVE FEE AND DECLARING AN EMERGENCY

Mr. M. Kelly made a motion to suspend the rule requiring three readings; Ms. K. Miller seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. M. Kelly to adopt Ordinance 2018-58; a second was made by Ms. K. Miller.

Mr. R. McDowall said that he was going to vote No on this resolution. He did not agree that we should punish a person who was going through a difficult time. He also did not agree with Section D of the §70.13 that states there will be a storage fee on an impounded vehicle on top of losing their vehicle.

Mr. C. Yoho stated that this would be a standard fee for any situation. Mr. McDowall stated that this is not a voluntary situation.

Mr. M. Kelly disagreed that the owner of the vehicle committed a crime and needs to pay a penalty.

Mayor Rick asked the law director if this fee is something that is waivable. Mr. Pitchford thinks the provision should stand as is but we can review case by case; if the vehicle is impounded there is probable cause.

Mayor Rick stated if we did not take possession of the vehicle, the State would and the felon would still be without a vehicle.

Mr. R. McDowall made a motion to amend Section D of §70.13 to read if vehicle owner is found not guilty, the storage fees would be waived; there was no second to the motion.

Vote was 5-1. Motion carried.

Mr. M. Kelly presented Resolution 2018-59 sponsored by the Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY REGARDING SERVICES OF POLICE DIVERSION YOUTH DIVISION FOR JUVENILES AND DECLARING AN EMERGENCY

Mr. M. Kelly made a motion to suspend the rule requiring three readings; Mr. C. Yoho seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. M. Kelly to adopt Resolution 2018-59; a second was made by Mr. C. Yoho.

Mayor Rick stated that this was the correct procedure for billing agreements.

Vote. Unanimous ayes. Motion carried.

Mr. C. Yoho presented Resolution 2018-60 sponsored by the Streets Committee as follows:

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO PARTICIPATE IN THE OHIO EPA'S DIESEL MITIGATION TRUST FUND AND DECLARING AN EMERGENCY

Mr. C. Yoho made a motion to suspend the rule requiring the three readings; Ms. K Miller seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. C. Yoho to adopt Resolution 2018-60; a second was made by Ms. K. Miller.

Matt Glass, Village Engineer, explained that this grant program is through the EPA lawsuit against Volkswagon's emissions. The grant can pay up to 75% to replace a diesel vehicle. We are looking to replace the 1992 truck with a \$80,000 F550 dump/plow truck and if we would receive the 75% discount it would cost us \$20,000.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2018-61 sponsored by the Finance Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF AKRON REGARDING PROSECUTORIAL SERVICES RELATING TO CERTAIN CRIMINAL AND TRAFFIC CASES AND DECLARING AN EMERGENCY

Ms. B. Van Dike made a motion to suspend the rule requiring the three readings; Ms. K. Miller seconded the motion.

A motion was made by Ms. B. Van Dike to adopt Resolution 2018-61; a second was made by Mr. C. Yoho.

Mayor Rick thanked Marshal Pritchford, Law Director on his hard work getting a payment schedule on this agreement.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2018-62 sponsored by the Finance Committee as follows:

A RESOLUTION AUTHORIZING THE CLERK TREASURER, PURSUANT TO R.C. 5705.41(D), TO ISSUE A WARRANT OF PAYMENT TO AMERICAN FIREWORKS CO. IN THE AMOUNT OF \$5,000.00 AND DECLARING AN EMERGENCY

Ms. B. Van Dike made a motion to suspend the rule requiring the three readings; Mr. M. Kelly seconded the motion.

A motion was made by Ms. Van Dike to adopt Resolution 2018-62; a second was made by Mr. M. Kelly. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2018-63 sponsored by the Finance Committee as follows:

A RESOLUTION AUTHORIZING THE CLERK TREASURER, PURSUANT TO R.C. 5715.41(D), TO ISSUE A WARRANT OF PAYMENT TO GPD GROUP IN THE AMOUNT OF \$7,100.00 AND DECLARING AN EMERGENCY

Testa will need Planning and Zoning's approval before beginning each phase of the project. Council will need to approve the final plat and accept the roads dedication. The time frame for that is at least a couple of years out.

Mr. Raddish stated that council does not have to accept the dedicated roads.

COMMENTS from the Mayor: Legislation was presented to the counties Board of Elections on time so the two items will be on the November ballot.

Meeting adjourned at 5:57 p.m.

 8-24-18

Mayor

Date

Attest:



Clerk-Treasurer