

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

Ms. B. Van Dike asked everyone to join her in prayer or reflection of your choice. The Pledge of Allegiance to the Flag was recited by all.

Roll Call – Ms. K. Miller, p; Mr. M. Kelly, p; Mr. R. Schrock, p; Mr. M. Raddish, p; Ms. B. Van Dike, p; Mr. R. McDowall, ex; Mr. C. Yoho, 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 20, 2019 Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS ON PENDING LEGISLATION – No comments from the audience.

COMMITTEE REPORTS

PARKS – Ms. Miller had no report.

UTILITIES – There was no report due to Mr. McDowall's absence.

SAFETY – Mr. Kelly had no report.

STREETS – Mr. Yoho had no report.

PLANNING AND ZONING – Mr. Schrock had no report.

FINANCE/AUDIT – Ms. Van Dike reported she has one resolution to read.

Mr. M. Raddish announced that work session will be April 24 at 7:30 with all committees reporting.

OLD BUSINESS – No old business

NEW BUSINESS –

Mr. M. Kelly presented Resolution 2019-32 sponsored by the Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ESO SOLUTIONS REGARDING THE ACQUISITION, INSTALLATION AND OPERATION OF EMS SOFTWARE AND DECLARING AN EMERGENCY

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

A motion was made by Mr. M. Kelly to adopt Resolution 2019-32; a second was made by Ms. K. Miller.

Mayor Rick said that the cost to the village would be \$990.00 after reimbursement per the legislation.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-33 sponsored by the Finance Committee as follows:

A RESOLUTION TO PROVIDE LEGAL SERVICES FOR THE VILLAGE OF MOGADORE AND CONFIRMING THE APPOINTMENT OF MARSHAL M. PITCHFORD AS LAW DIRECTOR AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-33; a second was made by Mr. M. Kelly.

Mayor Rick said that he is very pleased with Mr. Pitchford and his firm for all of the work that has done for the Village. All council members were in agreement.

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. R. Schrock seconded the motion.

Mr. M. Kelly asked why the high number of Pry Community Center refund checks on the manual check listing. Mayor Rick said that they were the last month's security deposit refund checks and not cancellations; there are very few cancellations.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Brian Grubich, 3680 Curtis St; regarding an issue that he has been in email contact with the office regarding a tree on his property. He has a tree on his back-property line that is in the right of way that runs on his back-property line and a neighbor told him the village can have it removed.

Mayor Rick told him that there is not a right of way that runs behind his property and we are not permitted to remove it and asked Mr. Raddish to elaborate.

Mr. Raddish asked if the neighbor was a certain individual, per Mr. Grubich, it was. Mr. Raddish stated that was not the correct information told to this individual. the Village is not permitted to do such work. He asked Mr. Grubich if his neighbor was a particular individual and it was. Mr. Raddish said what I told her that we chip the tree limbs twice a year. During that time period, put the limbs out by the road and we will pick them up.

Mr. Grubich thought that when he heard this statement from the neighbor that it would not hurt to ask. The Mayor and Council agreed and thanked him for attending.

Mayor Rick said that per the zoning map the right of way does not run from Fenton to Hale, which is the block Mr. Grubich lives. There is a right of way from S. Cleveland, from behind the high school to Fenton.

COMMENTS from Council: Mr. M. Kelly would like to have a legislation for penalties for over a certain number of false fire alarms called in to our safety departments. This item will be discussed at the April work session.

Mr. R. Schrock asked if there was any recourse with the Republic Services aggregation contract, re: breach of contract.

Mayor Rick said that he has been in contact with Terry Thompson regarding this issue. One item is being discussed is credits going back six months .and the problem was how the bills were coded.

He reminded council that what direction they decide to go is that the residents' bills will increase. They probably will not get the \$30.00 and \$42.00 pricing. At the next work session, we can pass legislation to start the process to advertise for bids.

One of the Republic Services representatives that Mayor Rick has talked with stated that there was a coding issue with the Mogadore accounts. Matt Glass gave him a page with all of the Mogadore addresses that he forwarded to Republic to update their files.

One item is discussed is credits going back six months and Mr. M. Raddish stated the right of way at Herbert and Donovan that was in question, is an easement.

Mayor Rick said after further investigation, it is an easement for emergency use and utilities. It cannot be used as a thorough road. Chief Cain will be choosing a gate that will be used for emergencies.

Mr. M. Raddish stated that we do not know who paid to put that right of way in, the Village did not pay to have it done.

Mayor Rick said the original owner of the property located in Springfield Twp paid to have it poured for emergency uses only.

Mr. Kelly stated that if there was an emergency in the area, having the road opened could save seconds when stopping to open the gate. Ms. B. Van Dike if the gate could be opened with a remote opener to save time with a key lock in emergencies. Mayor Rick said that he told Chief Cain to get the gate he wants.

COMMENTS from the Clerk-Treasurer: – No comments.

COMMENTS from the Village Engineer: Mr. Glass reported that we have had complaints about the trucks working at the high school field damaging sidewalk at the Dick St/Fenton Ave. corners and residents' property on Dick. Any damage will be repaired by the contractor plus we have their deposit.

It was asked why the trucks do not drive straight down Pearl Rd. Mr. Glass answered the reason is because Pearl is so narrow. The drivers are coming off Gilchrist, to Fenton then to Dick to enter into the west gate. He will talk to the General Contractor about the damage to the corners and property plus using Pearl Rd

The mayor stated the contractor has asked the school for a four-week extension on the fieldhouse but ahead of schedule for the field. If the fieldhouse is not complete by start of football, they might have to use the school like last year.

Mr. Glass said that the Idella paving will begin around April 15 and traffic/trash haulers will be maintained. After the driveways and sidewalk are poured, grass will be planted.

Mr. Raddish stated that the pour plan in place should save two to three weeks of work per the schedule.

COMMENTS from the Mayor: - Mayor Rick thanked the council members who were in attendance at the public income tax information meeting. He informed to the community leaders at the monthly meeting plus there will be an informational mailing sent to the voting residents of the effect of this levy.

Meeting adjourned at 7:53 p.m.



Mayor

4-30-19

Date

Attest:



Clerk-Treasurer