

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

Ms. K. Miller asked everyone to join him 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, p; Mr. C. Yoho, ex.

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 May 15, 2019 Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS ON PENDING LEGISLATION – No comments from the audience.

COMMITTEE REPORTS

PARKS – Ms. Miller reported the Parks Board will be meet Tuesday, June 11 at 7:00.

UTILITIES – Mr. McDowall had no report.

SAFETY – Mr. Kelly had no report.

STREETS – No report due to Mr. Yoho's absence.

PLANNING AND ZONING – Mr. Schrock reported he has one piece of legislation to read. He also stated there will be a Zoning Board of Appeals meeting on Thursday, June 13 with three properties on the agenda.

FINANCE/AUDIT – Ms. Van Dike reported she has fifteen pieces of legislation to read.

Council President Raddish announced the June work session will be Wednesday, June 26 at 5:30 with all committees reporting.

Mayor Rick announced that the July 3 council meeting will be moved to Tuesday, July 2 due to the Fourth of July holiday.

OLD BUSINESS – No old business.

NEW BUSINESS –

Mr. R. Schrock presented Resolution 2019-42 sponsored by the Planning and Zoning Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSTRUCTION AGREEMENT WITH TESTA MOGADORE, LLC AND DECLARING AN EMERGENCY

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

A motion was made by Mr. R. Schrock to adopt Resolution 2019-42; a second was made by Ms. M. Miller.

Mayor Rick asked Mr. Glass to explain the agreement. The construction agreement is required by code. It protects the Village by doing the following: places a financial guarantee on the developer to ensure the proposed improvements are completed, places a two-year maintenance guarantee on the developer to ensure the proposed improvements were installed properly, ensures that the contractor will maintain the proposed improvements until the maintenance period begins. By entering into the agreement the Village agrees to the following: they will take over maintenance of the proposed dedicated streets and infrastructure at the state of the maintenance period; at the end of the maintenance period, the Village will make final acceptance of the proposed dedicated streets and infrastructure, presuming that all outstanding maintenance items have been addressed.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2019-43 sponsored by the Finance Committee as follows:

AN ORDINANCE AMENDING AND ESTABLISHING PART OF ORDINANCE 2018-6 REGARDING THE INCOME TAX, EFFECTIVE JULY 1, 2019 AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Ordinance 2019-43; a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2019-44 sponsored by the Finance Committee as follows:

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 AND DECLARING AN EMERGENCY

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

Ms. B. Van Dike made a motion to amend Ordinance 2019-44 to transfer \$2,500.00 to the Fire Department in Section 2; a second was made by Mr. R. McDowall. Vote. Unanimous ayes.

A motion was made by Ms. B. Van Dike to adopt Ordinance 2019-44; a second was made by Mr. R. McDowall.

Mr. R. Schrock questioned the purchase. Mayor Rick said that it was for a new generator that is needed in the Fire Station bay and it was not in the budget.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-45 sponsored by the Finance Committee as follows:

RESOLUTION AUTHORIZING THE TRANSFERS WITHIN FUNDS AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-45; a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-46 sponsored by the Finance Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND/OR CLERK/TREASURER TO RETROACTIVELY AMEND THE CONTRACT PREVIOUSLY ENTERED INTO WITH THE OHIO

PATROLMEN'S BENEVOLENT ASSOCIATION BY ENTERING A MEMORANDUM OF UNDERSTANDING AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-46; a second was made by Mr. M. Kelly.

Mayor Rick stated that raises for all employees are 2% retroactive to June 1, 2019 except for the part-time fire department employees that was discussed.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-47 sponsored by the Finance Committee as follows:

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

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-47; a second was made by Mr. M. Kelly. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-48 sponsored by the Finance Committee as follows:

A RESOLUTION RETROACTIVELY AMENDING RESOLUTION 2018-44 EXHIBIT "A" AND SECTION 3, PROVIDING PAY SCALE AND BENEFITS FOR VILLAGE FIRE OFFICERS AND FIREFIGHTERS AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-48; a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-49 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RETROACTIVELY SECTION 1 OF RESOLUTION NO. 2018-36 ESTABLISHING THE COMPENSATION AND BENEFITS FOR THE POSITION OF FIRE CHIEF AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-49; a second was made by Mr. M. Kelly. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-50 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RETROACTIVELY RESOLUTION NO. 2018-35 EXHIBIT A AND SECTION 3, PROVIDING PAY SCALE AND BENEFITS FOR FULL TIME EMPLOYEES OF THE VILLAGE OF MOGADORE OTHER THAN POLICE OFFICERS AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-50; a second was made by Mr. R. Schrock. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-51 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RETROACTIVELY SECTION 1 OF RESOLUTION NO. 2018-34; ESTABLISHING COMPENSATION AND BENEFITS FOR FULL TIME POSITION OF ASSISTANT CLERK IN THE FINANCE OFFICE OF THE VILLAGE OF MOGADORE AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-51; a second was made by Mr. R. Schrock. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-52 sponsored by the Finance Committee as follows:

A RESOLUTION RETROACTIVELY AMENDING SECTION 1 OF RESOLUTION NO. 2018-33; ESTABLISHING DUTIES AND ESTABLISHING COMPENSATION FOR FULL-TIME MAINTENANCE AND GROUNDS SUPERVISOR AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-52; a second was made by Mr. M. Kelly. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-53 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RETROACTIVELY RESOLUTION NO. 2009-70, SECTION 1; ESTABLISHING COMPENSATION AND BENEFITS FOR THE PART-TIME POSITION OF CEMETERY SEXTON OF THE VILLAGE OF MOGADORE AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-53; a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-54 sponsored by the Finance Committee as follows:

A RESOLUTION AMENDING RETROACTIVELY ORDINANCE NO. 2016-65, SECTION 1; CHANGING PART-TIME ZONING INSPECTOR COMPENSATION AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-54; a second was made by Mr. R. Schrock. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-55 sponsored by the Finance Committee as follows:

A RESOLUTION RETROACTIVELY AMENDING SECTION 1 OF RESOLUTION NO. 2018-40; ESTABLISHING COMPENSATION FOR THE MAYOR'S COURT MAGISTRATE AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-55; a second was made by Mr. R. Schrock. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-56 sponsored by the Finance Committee as follows:

A RESOLUTION RETROACTIVELY GRANTING PAY INCREASES TO CERTAIN PART-TIME EMPLOYEES FOR THE VILLAGE OF MOGADORE AND DECLARING AN EMERGENCY

Ms. B. Van Dike 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 Ms. B. Van Dike to adopt Resolution 2019-56; a second was made by Mr. R. Schrock. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2019-57 sponsored by the Finance Committee as follows:

A RESOLUTION ESTABLISHING PAY SCALES FOR THE PART-TIME PARKS AND RECREATION PERSONNEL FOR THE VILLAGE OF MOGADORE AND DECLARING AN EMERGENCY

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

A motion was made by Ms. B. Van Dike to adopt Resolution 2019-56; a second was made by Mr. R. McDowall.

Mayor Rick stated that another level of wages was needed due to the longevity of personnel of the park program and maintenance staff.

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. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public:

Jan Persons, 329 S. Cleveland, asked what is the zoning on South Cleveland as she is concerned about an auction that is coming up next to her property. Mr. Glass confirmed that it is zoned Residential – Single Family.

Mrs. Persons said that on the auction sign states that it is an investment property; there are two houses on the property. She understands the new owners can rent the second house to family members only. Mayor Rick thinks we cannot stop the new owners to renting out the second residence to others since they are two different houses. Mr. Glass asked for the address of the house. They are 325 and 323 S. Cleveland Ave., two different addresses on one parcel. Mr. Glass stated that he will look into the property situation.

Mrs. Persons asked for the police to be present at the auction.

Mayor Rick said that he has talked to Police Chief Higgins about the sale and to tell the officers on duty at that time of the sale and parking issues. Mayor Rick said the buyers can park on Etter, Fairfield, Argonne and Virgil. They cannot park on S. Cleveland and if there are problems please call the police.

Mayor Rick said that he would remind the Police Chief of the sale and ask Mr. Pitchford to look into the renting of the second house but he thinks there is nothing about renting to family members only.

June Long, 4061 Etter Road, representing the Cemetery Board. On Memorial Day, she was disappointed and embarrassed on the way the cemetery looked. She had no issue with the mowing. She was disappointed with the conditions of the flower gardens, chapel and babyland; they were not mulched, cleaned, dead plants were not removed, no flowers were planted. She said that if Boyle's Nursery were called ahead of time, they would have taken care of this issues. She talked to the sexton on Friday before Memorial Day and he told her that it was to late to get the mulch. She knows that funds are in the budget. She told others when asked why the grounds look bad that it is not her job but of the Sexton.

Mayor Rick said he would like to respond to her comments. Mayor Rick said that June Long talked to the sexton the Friday before Memorial Day and the sexton spoke to the mayor the next day. The sexton told the mayor that the last couple of years June Long had been taking care of the mulch and flowers and now there was not enough time to take care of it before Memorial Day.

Ms. Long stated that due to unexpected circumstances, a Cemetery Board meeting was not held for this subject to be discussed. Mayor Rick said he told the sexton, the spring clean-up needs to be put on the calendar, we have done this work the last couple of years and it needs to be done every year.

Ms. Long then asked why the items discussed at the board meetings are not getting done, for example, the ceramic pins to mark the plots. Mr. Tompkins is the only one who can mark a grave. Mayor Rick said there are others who can mark a plot.

He also stated, the week before Memorial Day, the cemetery staff and Street Department members put in long days preparing the grounds. He also stated that with the amount of rain we have received it was difficult to keep up with the mowing.

Ms. Long asked when a Street Department employee works at the cemetery, are his wages coming out from the Street Department or Cemetery Budget. Mayor Rick told her they come from the Street Department.

Ms. K. Miller asked the mayor if has directed the sexton to get the mulch in the future and not depend on Ms. Long. The mayor said that it would be taken care by the sexton in the future.

Brian Skotschir, 123 N. Cleveland, stated his neighbor at 3926 Highland had started to build a deck and was told to stop by the Village and Summit County because it was being built to close to the property line. Mr. Skotschir said that he has no problem with the deck being built as is.

Mayor Rick stated that the homeowner building the deck did not get any of the required permits before starting the project. The deck is in violation of the rear setback ordinance and will be on the agenda of the June 13 Zoning Board of Appeals meeting.

Mr. M. Glass said that Mr. Skotschir may not have a problem with the deck being built but he may not live in the same house in the future and one of the considerations of the ZBA is of future homeowners of both homeowners.

The mayor said the board is comprised of community volunteers and that we will tell the board of his approval of the variance.

COMMENTS from Council: Ms. B. Van Dike stated she will be absent at the next council meeting on June 19.

COMMENTS from the Clerk-Treasurer: No comments


COMMENTS from the Law Director: Mr. Pitchford said at the next council meeting, legislation regarding the dumpsters on private property and auto sales on non-auto sales property will be presented.

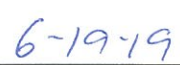
COMMENTS from the Village Engineer: Mr. Glass asked about the resolution regarding a State project to replace all signage on State Route 532.

Mayor Rick said that this will be discussed at the next work session.

COMMENTS from the Mayor: No comments

Meeting adjourned at 6:02 p.m.

  
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Mayor

  
\_\_\_\_\_  
Date

Attest:

  
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Asst Clerk-Treasurer