

COUNCIL MEETING

December 15, 2021

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

Mr. R. McDowall 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.

Council Meeting was held in Council Chambers. The meeting was open to the public and face masks were required by all.

Present in Council Chambers was Mayor Rick, Assistant Clerk-Treasurer Rachel Osborne, Council Members: Mr. M. Raddish, Ms. B. Van Dike, Ms. K. Miller, Mr. J. Tonsic, Mr. R. McDowall, Mr. R. Schrock, Clerk-Treasurer Scott Varney, Village Engineer Matt Glass, Legal Associate Kathryn Vadas, and Legal Professional Jason Dodson. Law Director Marshal Pitchford and Councilman Mr. C. Yoho were excused from the meeting.

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 Mr. R. Schrock to adopt the minutes for the December 1, 2021, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Noris Hale, 204 S Cleveland Avenue, asked Council to look at the broader picture of the TIF Agreement and to encourage the developer to put in retail storefronts instead of more homes.

COMMITTEE REPORTS –

UTILITIES – Mr. Tonsic had no report.

SAFETY – Mr. R. Schrock reported he has four pieces of legislation to read.

PARKS – Mr. McDowall had no report.

PLANNING AND ZONING – Ms. Miller had no report.

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

STREETS – No report due to Yoho's absence.

OLD BUSINESS- Second Readings:

Ms. B. Van Dike presented Ordinance 2021-61 sponsored by Finance Committee as follows:

AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PLAN FOR THE NORTH CLEVELAND AVENUE INCENTIVE DISTRICT AND DECLARING AN EMERGENCY.

Ms. B. Van Dike presented Ordinance 2021-62 sponsored by Finance Committee as follows:

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE AND TESTA MOGADORE, LLC CONCERNING THE

DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED IN THE VILLAGE AND DECLARING AN EMERGENCY.

Ms. B. Van Dike presented Ordinance 2021-63 sponsored by Finance Committee as follows:

AN ORDINANCE CREATING A TAX INCREMENT FINANCING (“TIF”) INCENTIVE DISTRICT PURSUANT TO SECTIONS 5709.40, 5709.42, AND 5709.43 OF THE REVISED CODE; AND DECLARING AN EMERGENCY.

Mr. R. Schrock presented Resolution 2021-65 sponsored by Safety Committee as follows:

A RESOLUTION DECLARING IT NECESSARY TO PLACE A TAX LEVY FOR THE FIRE DEPARTMENT AT THE TAX RATE OF 3.5 MIL AND REQUESTING THE PORTAGE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THIS REPLACEMENT LEVY, AND DECLARING AN EMERGENCY.

Mr. R. Schrock presented Resolution 2021-66 sponsored by Safety Committee as follows:

A RESOLUTION DECLARING IT NECESSARY TO PLACE A TAX LEVY FOR THE FIRE DEPARTMENT AT THE TAX RATE OF 3.5 MIL AND REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THIS REPLACEMENT LEVY, AND DECLARING AN EMERGENCY.

NEW BUSINESS-

Mr. R. Schrock presented Resolution 2021-67 sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO AMEND THE 2021 – 2023 CONTRACT PREVIOUSLY ENTERED INTO WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION BY ENTERING A MEMORANDUM OF UNDERSTANDING AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. R. Schrock to adopt Resolution 2021-67, a second was made by Ms. K. Miller.

Mayor Rick stated this Resolution is for the full-time Police Officers and Sergeants to increase their hourly wages by 2.75%.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2021-68 sponsored by Mayor Rick as follows:

A RESOLUTION APPOINTING SCOTT K. VARNEY AS THE CLERK-TREASURER OF THE VILLAGE OF MOGADORE AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ACCOUNTING SERVICES AGREEMENT WITH VARNEY, FINK & ASSOCIATES, INC. TO CARRY OUT ALL RESPONSIBILITIES FOR THE POSITION OF VILLAGE CLERK-TREASURER AND DECLARING AN EMERGENCY.

A motion was made by Mr. M. Raddish to amend the agenda to the correct numbering of legislation, a second was made by Mr. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike made a motion to suspend the rules 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 2021-68, a second was made by Mr. R. McDowall.

Councilman Mr. McDowall thanked Clerk-Treasurer Scott Varney for the phenomenal work he has done and is still doing for the Village. McDowall mentioned there were several problems going on before Mr. Varney took over the financial responsibilities of the Village.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2021-69 sponsored by Finance Committee as follows:

AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

Ms. B. Van Dike made a motion to suspend the rules requiring three readings; Ms. K. Miller seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Ordinance 2021-69, a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Mr. R. Schrock presented Resolution 2021-70 sponsored by Safety Committee as follows:

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S OFFICE FOR 2022 AND DECLARING AN EMERGENCY.

Ms. R. Schrock made a motion to suspend the rules requiring three readings; Mr. J. Tonsic seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. R. Schrock to adopt Resolution 2021-70, a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Mr. M. Raddish presented Resolution 2021-71 sponsored by Streets Committee as follows:

A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE OF MOGADORE TO PARTNER WITH SUMMIT COUNTY AND/OR THE CITY OF AKRON, PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM(S), AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. M. Raddish to adopt Resolution 2021-71, a second was made by Mr. R. Schrock.

Mayor Rick stated this is the next step in the phase infrastructure program for Dick Street between Pearl and Fenton Avenue, and Fenton Avenue between Curtis Street and Mogadore Road.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Carl Housley, 67 First Avenue, stated the property located across the street from him is “blighted” and the grass has been a foot high all year.

Mayor Rick thanked Housley and stated it will be further investigated.

Ray Davis, 3800 Mogadore Road, stated there are more options for the developer to build that the Village needs versus whatever the developer wants to build. Davis states there are different ways to entice more people into the Village like retail stores and some housing, not all of it be used for housing. Davis does not think the Village has explored all its options.

Mayor Rick thanked Davis for sharing his opinion.

Cassandra Frye, 133 Marion Avenue, states we are going into a recession, inflation is high, and asked Council if they think it’s a wise decision to enter the TIF Agreement that Frye claims will “tie” up our future tax revenue?

Mayor Rick stated the Village will still get their future tax revenue and so will the schools. The Village does not lose anything on this Agreement and can’t lose any tax money.

Frye again asked Council if they think it’s a wise decision to enter into an agreement with a recession on the way.

Mayor Rick stated again that the Village does not lose anything financially on the TIF Agreement.

Frye stated why should Testa get 3.5 million from the TIF when he is already spending 14 million? Frye agrees with Davis that the property could be better utilized for a gas station, grocery store, retail, a lot more than homes. Frye said she read an article in the newspaper that the development will not affect taxpayers and questioned how that is possible? Frye is not happy that her property tax will increase if property values go up.

Mayor Rick stated that some people like to see their property values increase and some do not. Mayor Rick asked Jason Dodson to further explain the TIF.

Dodson explained that there is no way anyone can predict how the property values for the rest of the Village will be affected by the new development twenty years from now. Dodson said that eventually the Testa property will be developed and the Village does not own the property. The land is zoned for single-family homes and townhouses. The TIF will give the Village a 5.7-acre piece of land for free. There is still room for commercial interests in the front of the Testa property. Dodson further explained that Testa will not get any money from the TIF if he chooses to not proceed with the project. Dodson emphasized that the Village is putting in no money for the TIF.

Frye stated that she is against the TIF and feels there are numerous ways a TIF will be bad for the Village. She questioned the legality and secrecy of a TIF.

Dodson explained that this TIF agreement is strictly for money that has to go back into the development’s infrastructure costs. The money cannot go into a secret fund or the developer’s pockets. He said the TIF follows all laws and has been discussed out in the open.

Davis questioned what the TIF money can be used for by the developer. Dodson repeated that it would be for public infrastructure, ie. streets, sewer.

COMMENTS from Council: Mr. R. Schrock asked Jason Dodson will there still be room for retail development if the plan was to move forward with the TIF Agreement, and has there been any signs of interest from business owners looking to open in the development?

Dodson replied there would be room to develop retail in the front part of the development and there has been no business interest shown at this point.

Schrock then asked if the TIF Agreement does not pass what he thinks will happen with the development?

Dodson said the biggest risk would be the developer selling the land to someone else that could put apartments in. With the TIF Agreement, the Village has some say in regard to what is built. Secondly, the Village would not be getting improvements that are needed downtown.

Schrock thanked Dodson and everyone else for coming out and sharing their concerns and comments.

Mr. J. Tonsic thanked everyone for coming out and asking questions. Tonsic said he lives across from a 64-unit apartment complex and it's no fun.

Mr. R. McDowall thanked everyone for coming out and asking questions. It is important to help us know how you're feeling and wished everyone a Merry Christmas.

Mr. Raddish thanked the volunteers that helped with Christmas in the Village. There was a good turnout despite the weather.

COMMENTS from the Legal Associate: No comments.

COMMENTS from the Village Engineer: No comments.

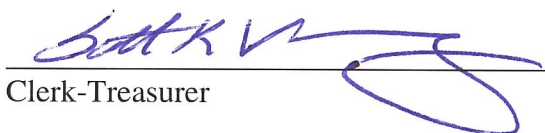
COMMENTS from the Clerk-Treasurer: No comments.

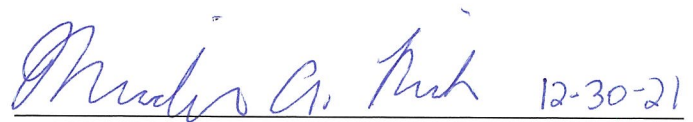
COMMENTS from the Mayor: Mayor Rick thanked Noris Hale, Cassandra Frye, and Ray Davis for their comments and wished everyone a Merry Christmas and Happy Holiday.

Mayor Rick stated that he has talked to school officials about the development and the school officials he talked to support the additional property taxes the new development will bring in. Mayor Rick stated currently thirty percent of the school's students do not live in the Village due to open enrollment and he would rather see his taxes go towards educating the kids that live in the Village rather than the ones who do not.

Meeting adjourned at 6:11 p.m.

Attest:


Clerk-Treasurer


Mayor 12-30-21
Date