

COUNCIL MEETING

December 29, 2021

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

Ms. B. Van Dike 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.

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, Mr. C. Yoho, Clerk-Treasurer Scott Varney, Village Engineer Matt Glass, Law Director Marshal Pitchford, and Legal Professional Jason Dodson.

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

Mayor Rick and Law Director Pitchford asked Council to amend the minutes from the last meeting to reflect a motion and its passage, renumbering legislation to motion agenda.

Motion by Mr. M. Raddish, second by Mr. R. Schrock to amend the minutes.

Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second Mr. R. Schrock to adopt the minutes for the December 15, 2021, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION –

Cassandra Frye, 133 Marion Avenue, states her that she is against the TIF Agreement and her taxes going up.

Ray Davis, 3800 Mogadore Road, states that that he is against the TIF Agreement, this is not the Village's best move, and there are better options.

John Hale, 204 S Cleveland Avenue, read the newspaper article about the land sale back in 2015 and asked if the Village had a prior TIF Agreement that was in place back then, why get tax dollars involved?

Mayor Rick stated that four or five months ago Testa indicated that he could not complete his development without a TIF agreement.

Dodson then gave examples of other TIFS in Summit County.

Mayor Rick said the Village initially told Testa they were not interested in a TIF. However, after Council discussed the TIF further and found out we could get a 5.7-acre piece of land, get downtown traffic improvements, have no apartments, and get Testa to start the project with a deadline to start, Council decided to pursue the TIF.

COMMITTEE REPORTS –

UTILITIES – Mr. Tonsic had no report.

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

STREETS – Mr. Yoho had no report.

OLD BUSINESS- Third 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.
A motion was made by Ms. B. Van Dike to adopt Ordinance 2021-61, a second was made by Mr. R. Schrock.**

McDowall explained his reasoning why he does not support legislation for the TIF Agreement and provided a handout of Tax Rate Verification Report provided by the Portage County Auditor's Office. McDowall stated tax money is being taken and given to a wealthy developer to do something he should have done a long time ago. McDowall does not like the fact that there are Portage County agencies who will not get their tax money.

Mayor Rick stated the Portage County Commissioners did not object to or stop the TIF and they control the budgets of the agencies McDowall is referring to.

Vote. Six ayes, Yoho, Van Dike, Raddish, Tonsic, Schrock, Miller. 1 nay, McDowall. Motion carried.

**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.**

A motion was made by Ms. B. Van Dike to adopt Ordinance 2021-62, a second was made by Mr. C. Yoho.

Vote. Six ayes, Yoho, Van Dike, Raddish, Tonsic, Schrock, Miller. 1 nay, McDowall. Motion carried.

**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.**

A motion was made by Ms. B. Van Dike to adopt Ordinance 2021-63, a second was made by Ms. K. Miller.

Vote. Six ayes, Yoho, Van Dike, Raddish, Tonsic, Schrock, Miller. 1 nay, McDowall. Motion carried.

**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 LEVY, AND DECLARING AN EMERGENCY.**

A motion was made by Mr. R. Schrock to adopt Resolution 2021-65; a second was made by Mr. J. Tonsic. Vote. Unanimous ayes. Motion carried.

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 LEVY, AND DECLARING AN EMERGENCY.

A motion was made by Mr. R. Schrock to adopt Resolution 2021-66; a second was made by Mr. J. Tonsic. Vote. Unanimous ayes. Motion carried.

NEW BUSINESS-

Ms. B. Van Dike presented Resolution 2021-72 sponsored by Finance Committee as follows:
RESOLUTION AUTHORIZING THE TRANSFERS WITHIN FUNDS AND DECLARING AN EMERGENCY.

Ms. B. Van Dike made a motion to suspend the rules 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 2021-72, a second was made by Mr. C. Yoho. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2021-73 sponsored by Finance Committee as follows:
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2020-93; ESTABLISHING COMPENSATION AND BENEFITS FOR THE 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 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 2021-73, a second was made by Mr. R. Schrock.

Mayor Rick stated all employees will receive a 2.75% wage increase.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2021-74; sponsored by Finance Committee as follows:
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2020-91 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 rules 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 2021-74, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Mr. B. Van Dike presented Resolution 2021-75 sponsored by Finance Committee as follows:
A RESOLUTION AMENDING RESOLUTION NO. 2021-1 EXHIBIT "A" AND SECTION 2, 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 rules requiring three readings; Mr. J. Tonsic seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2021-75, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2021-76 sponsored by Finance Committee as follows:
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION 2020-90 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 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 2021-76, a second was made by Mr. R. Schrock.

Mr. Yoho asked if the word "annually" should be stated in the original legislation for the clothing allowance.

Motion made by Mr. R. Schrock to revise and add the word "annually" after clothing allowance; second made by Mr. C. Yoho.

A motion was made by Ms. B. Van Dike to adopt Resolution 2021-76 as amended, a second was made by Mr. R. Schrock.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2021-77 sponsored by Finance Committee as follows:
A RESOLUTION AMENDING RESOLUTION NO. 2020-94 EXHIBIT A AND SECTION 2, 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 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 2021-77, a second was made by Mr. C. Yoho.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public:

Noris Hale, 204 S Cleveland Avenue, wanted to clarify that at the last meeting, the Mayor erroneously said our property taxes are being used to pay for open enrollment students. She said their home districts pay for them to come here. She said our property taxes will go to the school regardless of who goes there. If we have openings to fill the schools, open enrollment is not a bad thing. Hale also said after the last meeting she heard someone say "way to stand up to her" and did not appreciate it. She does not want us to be pitted against each other and wants us to cooperate. Hale also said she did not like that someone snickered when another resident was making

a previous comment. She feels rules and decorum should be followed during the meetings. Hale also thanked the Street Department for doing a good job on leaf pickup and wished everyone a prosperous New Year.

Ray Davis, 3800 Mogadore Road, thanked Mr. Raddish for getting an issue resolved earlier that day that was caused by the City of Akron. Davis also thanked McDowall for voting no against the TIF agreement.

Cassandra Frye, 133 Marion Avenue, asked for an old friend that lives by the country club if the hydrants there were low pressure.

Chief Cain replied to Frye and told her all fire hydrants up there are high pressure.

Frye then asked how she could find out the name(s) of the officers for the auxiliary program.

Mayor Rick stated he could not remember the name of the officer, but he would find out and let her know.

Chief Cain thanked the Mayor and Council for their help and support in getting legislation approved for the fire levy.

COMMENTS from Council:

Mr. R.Schrock announced this will be his last meeting and it has been an honor to serve on council. He thanked the Mayor, Council, and Assistant Clerk.

Ms. B. Van Dike thanked Schrock for his service and said he will be missed. Van Dike wished everyone along with her friends and family a happy and healthy New Year.

Mr. Raddish thanked Schrock for his service.

COMMENTS from the Legal Associate: Pitchford gave an update on the ongoing Landenberger's process for the property located at 3764 Mogadore Road.


COMMENTS from the Village Engineer: No comments.

COMMENTS from the Clerk-Treasurer: No comments.

COMMENTS from the Mayor: Thanked Mr. Schrock for his service and thanked everyone for their comments on the TIF agreement and wished everyone a good evening.

Meeting adjourned at 6:09 p.m.

Attest:


Clerk-Treasurer


Mayor

1-5-22

Date