

COUNCIL MEETING

April 6, 2022

Council met in regular 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 live-streamed on Facebook.

Present in Council Chambers was Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, Law Director Marshal Pitchford, Council Members: Mr. C. Yoho, Mr. R. McDowall, Ms. B. Van Dike, Mr. J. Tonsic, Mr. W. Bauer, and Ms. K. Miller. Village Engineer Matt Glass and Councilmen Mr. M. Raddish were excused from the meeting.

Motion by Mr. R. McDowall, second by Mr. C. Yoho to appoint Ms. B. Van Dike as President Pro-Temp. Vote. Unanimous ayes. Motion carried.

Motion by Ms. B. Van Dike, second by Mr. C. Yoho for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Mr. R. McDowall, second by Ms. K. Miller to adopt the minutes for March 16, 2022, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No comments.

COMMITTEE REPORTS –

UTILITIES – Mr. W. Bauer had no report.

SAFETY – Mr. C. Yoho had no report.

PARKS – Mr. R. McDowall reported he has one piece of legislation to read, and there will be a meeting of the Park Committee here next Monday, April 11th at 7 p.m.

PLANNING AND ZONING – Ms. K. Miller announced that P&Z Commission approved Balkan Bakery and Café next to Subway for change of use and new signage at the March 29th meeting.

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

STREETS – Mr. J. Tonsic had no report.

OLD BUSINESS- None.

NEW BUSINESS-

Ms. B. Van Dike presented Resolution 2022-28 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; Ms. K. Miller seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2022-28, a second was made by Mr. C. Yoho. Vote. Unanimous ayes. Motion carried.

Mr. R. McDowall presented Ordinance 2022-29 sponsored by Parks Committee as follows:

AN ORDINANCE ESTABLISHING RENTAL FEES FOR THE PRY COMMUNITY CENTER AND APPROVING THE APPLICATION FORM AND CONTRACT AND DECLARING AN EMERGENCY.

Mr. R. McDowall 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. McDowall to adopt Ordinance 2022-29, a second was made by Mr. J. Tonsic.

Mayor Rick stated the rates for the residents will remain the same. The rate increase is for non-residents due to recent events from non-residents leaving the community center a mess.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-30 sponsored by Finance Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO PURCHASE REAL PROPERTY BELONGING TO MICHAEL F. JOHNSON AND VICKIE LYNN JOHNSON, 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 Resolution 2022-30, a second was made by Mr. J. Tonsic. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Jon Mencer, 242 South Cleveland Avenue, asked where said property is located referencing Resolution 2022-30?

Mayor Rick stated that said property is located at 4036 Mogadore Road located next to the truck storage across the street from the moose.

Mencer asked how big the property is and what Council plans on doing with the property.

Mayor Rick stated the property is 4.42 acres and Council would have to decide what they would like to do with it. Mayor Rick stated Council could resell, rezone, or sit on it.

Matt Kelly, 2193 Steffy Road Suffield Township, introduced himself as a candidate running in the primary election for Portage County Auditor. Kelly used to be a council member here at Mogadore and explained why he thinks he would be qualified for the position. Kelly asked residents of Portage County to keep him in mind as they vote on the May 3rd ballot.

Nicole Bowman, 51 Kline Avenue, asked if the school has an event at the park for the kids do they have to pay the twenty-five-dollar rental fee for the pavilions?

Mayor Rick stated there is no rental fee if it's for the kids during the week.

Tracey Wagner, 3773 Prospect, asked if the Council is going to use the Levy money for Police cars or other equipment such as trucks.

Mayor Rick stated no.

Clerk-Treasurer Scott Varney stated the money can only be used for payment for the Fire Department personnel.

Wagner asked how many police officers do we have?

Mayor Rick answered eight full-time police officers.

Wagner asked why is our Police dispatch located in Tallmadge?

Mayor Rick indicated would be too expensive to run our dispatch.

Wagner asked how many police officers patrol during the day and at night?

Mayor Rick stated there are two to three officers during the day and one to two, mostly two officers at night.

Wagner complained about the emergency clause on legislation. Wagner wanted to know if that keeps the residents from objecting to the legislation if they don't like it?

Law Director Pitchford stated legislation that is passed by emergency cannot be subject to referendum.

Wagner stated that she feels that is why Council passes all the legislation as an emergency.

Pitchford stated he does not agree with her statement. Pitchford went on stating most of the legislation that is passed by emergency clause becomes effective immediately the day it is passed. If Council passes legislation without an emergency clause, then by law it cannot take effect until thirty days after the passage. Pitchford stated that if the Village had to wait thirty days they could miss deadlines for grants, payments for bills, salaries, etc.

Wagner stated she is again asking Council to change the time of the meetings.

Mayor Rick stated that Council would discuss any changes to the meeting at the beginning of the year.

Wagner then asked if Council could change the time of the meetings during the middle of the year if they wanted to?

Pitchford stated he did not know and would look into it.

Wagner asked if there is any way the Village could put sidewalks on Curtis Street between Williams Avenue and Hale Avenue and if there are any grants available to do that? Wagner stated she feels it is very dangerous for kids to walk to school and feels sidewalks would make it safer.

Mayor Rick said Council could pass legislation to do so but the homeowners would be assessed the cost. Mayor Rick indicated the Village is not aware of any grants available to put in residential sidewalks, but will have the Village Engineer check it out.

Jacqueline Tycast, 3767 Prospect Street, asked how would residents know ahead of time what is going to be discussed at the upcoming council meetings? How can the residents know what's going on if they do not come to the meetings? Tycast asked if the Village could provide that information to the residents before each meeting, so they know what's going on.

Mayor Rick stated he would look into putting the agenda on the website the day before or the day of the council meetings.

COMMENTS from Council: Mr. C. Yoho asked what is the time limit on how long a dumpster can be on a property? Yoho indicated that someone had asked him, and he was not sure.

Mayor Rick stated he would have Law Director Marshal Pitchford look at that and let us know.

COMMENTS from the Law Director: Marshal Pitchford provided an update on the legal process located at 3764 Mogadore Road.

COMMENTS from the Clerk-Treasurer: No comments.

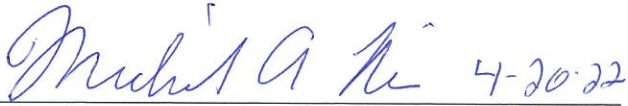
COMMENTS from the Mayor: Mayor Rick stated an executive session is needed at the end of tonight's meeting to discuss the possible purchase of a property. Mayor Rick stated once the executive session is over the Council would adjourn with no further business. Mayor Rick indicated that the executive session would include the Mayor, Council, Law Director, and Clerk-Treasurer.

Motion made by Ms. B. Van Dike, second by Mr. W. Bauer to go into executive session for only the people Mayor Rick stated regarding the purchase of a property. Vote. Unanimous ayes. Motion carried.

Council returned from the executive session and the meeting adjourned at 5:57 p.m.

Attest:


Clerk-Treasurer



Mayor

Date