

COUNCIL MEETING

June 1, 2022

Council met in regular session at 5:30 p.m. with the Council President Mr. M. Raddish presiding.

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

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

Motion by Mr. C. Yoho, second by Mr. W. Bauer for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Mr. W. Bauer second by Mr. C. Yoho to adopt the minutes for May 18, 2022, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Tracy Wagner, 3773 Prospect Street, stated she thinks the legislation to ban fireworks is a good idea because her dog goes crazy. Wagner asked if the legislation was for all fireworks?

Law Director Pitchford stated legislation is for all consumer-grade fireworks.

Jacqueline Tycast, 3767 Prospect Street, asked the council to clarify what consumer-grade fireworks are?

Pitchford stated consumer-grade fireworks are fireworks that individuals will set off as opposed to one where you get a license where the Fire Department is there, and they put on a display and it's official. Pitchford stated anything you buy at a store is consumer-grade.

COMMITTEE REPORTS –

UTILITIES – Mr. W. Bauer had no report.

SAFETY – Mr. C. Yoho reported he has three pieces of legislation to read.

PARKS – Mr. R. McDowall reported he has one piece of legislation to read.

PLANNING AND ZONING – Ms. K. Miller had no report.

FINANCE/AUDIT – Ms. B. Van Dike had no report.

STREETS – Mr. J. Tonsic reported he has two pieces of legislation to read.

Council President Mr. M. Raddish announced the next Work Session will be held Wednesday, June 29, at 5:30 p.m. with all committees reporting.

OLD BUSINESS-

Second Reading:

Mr. R. McDowall presented Resolution 2022-**38** sponsored by the Parks Committee as follows:

A RESOLUTION AUTHORIZING THE VILLAGE OF MOGADORE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN THE FORM OF A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS PROGRAM TO SUPPORT THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT IN LIONS PARK AND DECLARING AN EMERGENCY.

Second Reading:

Mr. C. Yoho presented Resolution 2022-**39** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR AND POLICE CHIEF TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF OHIO BODY ARMOR GRANT PROGRAM FOR BODY ARMOR FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

Mr. C. Yoho 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. C. Yoho to adopt Resolution 2022-39 a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Second Reading:

Mr. J. Tonsic presented Resolution 2022-**40** sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE RESURFACING OF GILCHRIST ROAD BETWEEN THE WESTERN MOGADORE CORPORATION LIMIT AND MOGADORE ROAD, INCLUDING PAVEMENT REPAIR, CASTING ADJUSTMENTS, AND PAVEMENT MARKINGS, LYING WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

Mr. J. Tonsic 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. J. Tonsic to adopt Resolution 2022-40 a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Second Reading:

Mr. C. Yoho presented Ordinance 2022-**41** sponsored by Safety Committee as follows:

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 91.02(B) AND BANNING THE USE OF CONSUMER-GRADE FIREWORKS AND DECLARING AN EMERGENCY.

Mr. C. Yoho made a motion to suspend the rules requiring three readings; Ms. B. Van Dike seconded the motion.

Mr. J. Tonsic voiced his opinion on why he is against passing legislation to ban the use of consumer-grade fireworks in the Village of Mogadore. Tonsic shared some statistics on Google with the US Consumer Product Safety Commission last reported from 2020. Tonsic stated there were 18 deaths reported in the United States from fireworks and 15,600 related injuries. Tonsic stated that 100,000 trampoline injuries were reported in the same year compared to the 15,600 related injuries from fireworks. Tonsic stated he does not understand why this would be necessary for the Village. There is a Noise Ordinance and Disturbing the Peace Ordinance

in place that we can use to stop all the unnecessary fireworks. Tonsic stated he is not in agreement with passing legislation to ban setting off fireworks in your driveway.

Van Dike said she gets what Tonsic is saying but not all people are responsible especially on the 4th of July. Van Dike stated she feels that one death or one injury is too many.

Yoho stated Chief Cain mentioned that there is no property in the Village that is big enough to shoot off a one-inch shell because you're too close to your neighbors and that could start a fire.

Bauer stated the reason why there haven't had any injuries is because it has been against the law for years and they just made it legal. Bauer states he does not feel there is any reason it should be legal in the Village with how close each house is to one another.

Vote. Six ayes, Yoho, Van Dike, McDowall, Raddish, Bauer, Miller. One nay, Tonsic. Motion carried.

A motion was made by Mr. C. Yoho to adopt Ordinance 2022-41 a second was made by Ms. K. Miller. Vote. Six ayes, Yoho, Van Dike, McDowall, Raddish, Bauer, Miller. One nay, Tonsic. Motion carried.

NEW BUSINESS-

Mr. C. Yoho presented Resolution 2022-42 sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO SELL A 1986 PIERCE ARROW FIRE ENGINE, VIN #1P4CT01B4GA040464, AND DECLARING AN EMERGENCY.

Mr. C. Yoho 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. C. Yoho to adopt Resolution 2022-42 a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Mr. J. Tonsic presented Ordinance 2022-43 sponsored by Streets Committee as follows:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2021 CHEVY SILVERADO 4500 MEDIUM-DUTY PICK-UP TRUCK FOR THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Mr. J. Tonsic 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. J. Tonsic to adopt Ordinance 2022-43 a second was made by Ms. B. Van Dike. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Noris Hale, 204 S Cleveland Avenue, asked the Council are they going to make that public knowledge so residents know they cannot set off fireworks in their driveway on the 4th of July? Hale stated the residents in the Village are very patriotic and it won't go well with some of the younger folks in the Village but at the same time, she understands the safety issue concerns because it is a concern. Hale asked the Council if fireworks were banned on the 4th of July as she read legislation correctly?

Pitchford stated that is correct.

Hale asked if a resident violates the ban what are the consequences?

Pitchford stated he would have to check but it would either be a misdemeanor or a minor misdemeanor.

Yoho stated that Chief Higgins said a verbal warning would be given first before residents were cited.

Jacqueline Tycast, 3767 Prospect Street, asked who oversees the playground at Lions Park?.

McDowall stated the Parks Committee and Mayor Rick.

Tycast stated the playground in Suffield Township is very nice and she took pictures.

McDowall stated the Village is still working on getting grant money to help fund the new playground equipment down at Lions Park so no decisions have been made yet. McDowall stated they would talk after the meeting and Tycast could send him the pictures she had taken.

Tycast asked if the 2021 Chevy Silverado 4500 was medium-duty or heavy-duty.

Raddish stated it is medium-duty and that is what the credentials show from the dealership.

Tycast asked about the possibility of getting batting cages for the Youth Leagues. Tycast thinks it would be nice to have batting cages down at the park.

Raddish stated he would let Mayor Rick know about the inquiry about the batting cages.

Tracey Wagner, 3773 Prospect Street, stated she changed her mind about banning consumer-grade fireworks after listening to Mr. Tonsic state his opinion. Wagner also wanted to thank the Police Officer and all the residents on Mogadore Road that helped her capture her daughter's dog the other night.

COMMENTS from Council: Tonsic stated that the Memorial Day Parade was beautiful and Mayor Rick and everyone involved did a great job.

Raddish stated the Cemetery looked great for the Memorial Day Parade and the workers did a great job.

COMMENTS from the Law Director: No Comments.

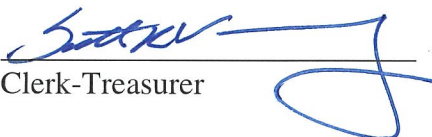
COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Council Clerk: No Comments.

COMMENTS from the Mayor:

Meeting adjourned at 6:03 p.m.

Attest:


Clerk-Treasurer


Mayor

6-15-20
Date