

COUNCIL MEETING

December 7, 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.

Roll Call: Council Members Present: Mr. R. McDowall, Ms. B. Van Dike, Mr. M. Raddish, Mr. J. Tonsic, Mr. W. Bauer, and Ms. K. Miller. Councilman Mr. C. Yoho was excused from the meeting.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, and Marshal Pitchford.

Motion by Mr. M. Raddish, second by Ms. K. Miller for the approval of the agenda as presented.
Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second by Mr. W. Bauer to adopt the minutes from the November 16, 2022, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Carl Housley, 67 First Avenue, asked what the reason for the \$40,000 EMS transfer was listed on Resolution 2022-80.

Clerk-Treasurer Scott Varney stated the EMS fund was for wage increases earlier in the year.

Housley asked for more clarification regarding Resolution 2022-84 for a new medical unit/ambulance for the Fire Department. Housley asked why the unit is being sent out on calls if it is unreliable.

Pitchford stated the legislation is for a new remount for the current unit to be refurbished before it would be considered unreliable.

Housley asked why the Fire Department sends their new unit on all mutual aid calls and not the old unit.

Mayor Rick told Housley would talk with Chief Cain and get back to him.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer had no report.

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

PARKS – Mr. McDowall had no report.

PLANNING AND ZONING – Ms. Miller reported she has one piece of legislation to read.

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

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

Council President Mr. Raddish announced the next Work Session will be held next Wednesday, December 14, 2022, at 5:30 p.m. with all committees reporting.

OLD BUSINESS- None.

NEW BUSINESS-

Mr. J. Tonsic presented Resolution 2022-~~75~~ sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE SELECTION AND APPOINTMENT OF GPD GROUP TO SERVE AS THE MUNICIPAL ENGINEER AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. J. Tonsic to adopt Resolution 2022-75, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. M. Raddish presented Resolution 2022-~~76~~ sponsored by Safety Committee as follows:

A RESOLUTION EXPRESSING THE VILLAGE'S INTENT TO SELL UNNEEDED, OBSOLETE, OR UNFIT PERSONAL PROPERTY BY INTERNET AUCTION AND REQUIRING PUBLICATION OF THE SAME, AND, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO EXECUTE ON BEHALF OF THE VILLAGE A CONTRACT FOR THE CALENDAR YEAR 2023, AND DECLARING AN EMERGENCY.

Mr. M. Raddish 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. M. Raddish to adopt Resolution 2022-76, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. M. Raddish presented Resolution 2022-~~77~~ sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO SELL A 2012 CHEVROLET MALIBU ONLINE, AND DECLARING AN EMERGENCY.

Mr. M. Raddish 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. M. Raddish to adopt Resolution 2022-77, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. J. Tonsic presented Resolution 2022-~~78~~ sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR NECESSARY 2023 CHIP AND SEAL STREET REPAIRS WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

Mr. J. Tonsic 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. J. Tonsic to adopt Resolution 2022-78, a second was made by Mr. W. Bauer.

Mayor Rick indicated that this is year two out of three year plan to chip and seal our non-concrete roads.

Vote. Unanimous ayes. Motion carried.

Ms. K. Miller presented Resolution 2022-**79** sponsored by Planning and Zoning Committee as follows:

A RESOLUTION CONFIRMING THE APPOINTMENT OF KATHY MILLER TO THE ZONING APPEALS BOARD, AND DECLARING AN EMERGENCY.

Ms. K. Miller 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. K. Miller to adopt Resolution 2022-79, a second was made by Mr. J. Tonsic.

Mayor Rick stated that Miller's appointment takes effect on January 1, 2023.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-**80** 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. W. Bauer seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2022-80, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2022-**81** sponsored by 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, 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 2022-81, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. J. Tonsic presented Resolution 2022-**82** sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR FUNDS FOR THE SAFE ROUTES TO SCHOOL PROJECT, AND DECLARING AN EMERGENCY.

Mr. J. Tonsic 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. J. Tonsic to adopt Resolution 2022-82, a second was made by Mr. R. McDowall.

Mayor Rick stated that if the Village received this grant the streets around OH Somers could get new sidewalks where there are currently none.

Vote. Unanimous ayes. Motion carried

Mr. J. Tonsic presented Resolution 2022-**83** 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 OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. J. Tonsic to adopt Resolution 2022-83, a second was made by Mr. R. McDowall.

Mayor Rick indicated this was to apply to Herbert Street, between Marion and Meadowridge, and Meadowridge, South of Herbert Street.

Vote. Unanimous ayes. Motion carried

Mr. M. Raddish presented Ordinance 2022-**85** sponsored by Safety Committee as follows:

AN ORDINANCE ADOPTING THE AMENDED FULL-TIME FIREFIGHTER HANDBOOK AND DECLARING AN EMERGENCY.

Mr. M. Raddish 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. M. Raddish to adopt Ordinance 2022-85, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

VOTE: Mayor Rick needs the Council to make a motion to conduct a drawing for a \$200.00 Amazon gift card to increase the number of followers on the Village's Facebook page.

Motion by Raddish to authorize the Mayor to conduct a drawing for a \$200.00 Amazon gift card, a second was made by Tonsic. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Carl Housley, 67 First Avenue, asked if the Village pays 90 or 100% for dental and vision insurance regarding Resolution 2022-85.

Mayor Rick indicated that the Village pays 100% and has been for years.

June Long, 4061 Etter Road, stated what a great job Gary Maag and Nick Shutler have done at the Cemetery. Long asked Law Director Marshal Pitchford to indicate who can run/serve as Mayor after the Charter Amendment passed.

Pitchford explained those who have local, state, and federal jobs are unable to serve as Mayor. Pitchford said that he brought this to the Charter Review Commission to put on the ballot. Pitchford said he felt the existing

language in the Charter was unclear and needed clarity. Pitchford felt the new language legally protects the Village.

COMMENTS from Council: Raddish stated he was glad Pitchford cleared that up and that Pitchford, not Raddish, was the one who started the process for the Charter Amendment.

COMMENTS from the Law Director: No Comments.

COMMENTS from the Village Engineer: Matt Glass thanked the council for allowing GPD and himself to continue working with the Village.

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Christmas in the Village is this Saturday, December 10th from 2:30 p.m. – 5:30 p.m.

EXECUTIVE SESSION: Mayor Rick needs the council to make a motion to go into executive session to discuss union bargaining personal issues including the following people:

Mayor Rick

Council: McDowall, Van Dike, Raddish, Tonsic, Bauer, Miller

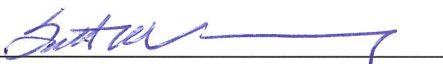
Law Director: Marshal Pitchford, upcoming Law Director Jason Dodson, Natalie Rothenbuecher


Clerk-Treasurer: Scott Varney

Motion by McDowall, seconded by Raddish to go into executive session to discuss personal issues.

Meeting adjourned at 6:07 p.m.

Attest:


Clerk-Treasurer

 12-21-22

Mayor Date