

## COUNCIL MEETING

December 21, 2022

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

Mr. M. Raddish 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 live-streamed on Facebook.

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

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

Motion by Mr. M. Raddish, second by Mr. C. Yoho 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 December 7, 2022, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Carl Housley, 67 First Avenue, inquired about employee pay raises referenced to 2022-87. Housley looked at past legislation and wondered why the Firemen were getting more than one raise a year in the past several years.

Mayor Rick indicated all the Village's employees get a pay raise once every year and the Firefighters are no different. There have been no special raises for the Fire Department.

Pitchford indicated that the 3.25% raise for the Village employees is lower than the cost of living.

### COMMITTEE REPORTS –

UTILITIES – Mr. Bauer had no report.

SAFETY – Mr. Yoho reported he has one piece of legislation to read.

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

PLANNING AND ZONING – Ms. Miller had no report.

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

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

Council President Mr. Raddish announced the next Work Session will be held Wednesday, January 25, 2023, at 5:30 p.m. with all committees reporting.

OLD BUSINESS- None.

NEW BUSINESS-

Ms. B. Van Dike presented Resolution 2022-**86** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2021-74; 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 2022-86, a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-**87** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING RESOLUTION NO. 2021-75 EXHIBIT "A" AND SECTION 2, PROVIDING PAY SCALE AND BENEFITS FOR PART-TIME 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 2022-87, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-**88** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION 2021-76 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; Ms. K. Miller seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2022-88, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. C. Yoho presented Resolution 2022-**89** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO AMEND THE 2022 CONTRACT PREVIOUSLY ENTERED INTO WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION BY ENTERING A MEMORANDUM OF UNDERSTANDING 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 2022-89, a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2022-**90** sponsored by Finance Committee as follows:

AN ORDINANCE AMENDING ORDINANCE 2022-1, SECTION 1, REGARDING THE WAGES FOR PART-TIME POLICE OFFICERS IN THE VILLAGE OF MOGADORE 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 Ordinance 2022-90, a second was made by Mr. C. Yoho. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-**91** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2021-73; ESTABLISHING COMPENSATION AND BENEFITS FOR THE FULL-TIME 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. J. Tonsic seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2022-91, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. J. Tonsic presented Resolution 2022-**92** sponsored by Streets Committee as follows:

A RESOLUTION RETROACTIVELY AUTHORIZING AND APPOINTING GARY MAAG, JR. AS INTERIM ROAD SUPERVISOR FOR THE VILLAGE OF MOGADORE 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. Tonsic to adopt Resolution 2022-92, a second was made by Mr. W. Bauer.

Mr. J. Tonsic made a motion to amend legislation that reads Gary Maag Jr. to Gary W. Maag, a second was made by Mr. M. Raddish. Vote. Unanimous ayes.

Council then voted on the amended legislation. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-**93** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING RESOLUTION NO. 2021-77 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. McDowall seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. B. Van Dike to adopt Resolution 2022-93, a second was made by Ms. K. Miller. Vote. Unanimous ayes. Motion carried

Ms. B. Van Dike presented Resolution 2022-**94** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING ORDINANCE NO. 2022-3, SECTION 1; CHANGING PART-TIME ZONING INSPECTOR COMPENSATION 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 2022-94, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried

Ms. B. Van Dike presented Resolution 2022-**95** sponsored by Finance Committee as follows:

A RESOLUTION TO PROVIDE LEGAL SERVICES FOR THE VILLAGE OF MOGADORE AND CONFIRMING THE APPOINTMENT OF JASON D. DODSON AS LAW DIRECTOR, 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 2022-95, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Mr. R. McDowall presented Resolution 2022-**96** sponsored by Parks Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TAYLOR COMPANIES OF OHIO FOR REPAIRS TO THE PRY COMMUNITY CENTER; AND DECLARING AN EMERGENCY

Mr. R. McDowall 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. R. McDowall to adopt Resolution 2022-96, a second was made by Ms. B. Van Dike.

Mr. Raddish asked if the repairs wrapped around to the front of the building.

Mayor Rick stated no and indicated any front repairs would come at a later date.

Vote. Unanimous ayes. Motion carried.

Mr. J. Tonsic presented Resolution 2022-**97** sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE VILLAGE OF MOGADORE TO JOIN THE COMMUNITY UNIVERSITY EDUCATION PURCHASING COUNCIL OF GOVERNMENTS 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. Tonsic to adopt Resolution 2022-97, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2022-98 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, 2023, 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 2022-98, a second was made by K. Miller. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Joe Henico, 3773 Argonne Street, asked if the Firefighter employee handbook is a binding agreement/union contract.

Mayor Rick stated it's binding for the Council and the Village. Mayor Rick indicated the council votes and approves the changes but it's not a union contract.

John Mencer, 242 S Cleveland Avenue, wished everyone a Merry Christmas and a healthy and prosperous New Year.

June Long, 4061 Etter Road, thanked the Law Director Marshal Pitchford for bringing the Charter Amendment to their attention. Long feels it is only appropriate in a large city, not in a small Village. Long stated it limits future candidates. The job is already limited for candidates as it only pays \$20,000 a year. Long also said she had to use EMTs back in the summertime and said the EMTs were fantastic. They were there in three minutes and were knowledgeable and competent.

COMMENTS from Council: Ms. Bauer stated the Charter Amendment was passed by the people of the Village and the Council cannot do anything about it at this time.

Mr. Tonsic wished everyone a Merry Christmas.

Mr. Yoho thanked John Cain and the Fire Department for letting him and his wife use the Fire truck to deliver presents to some children in the Village last weekend. Mr. Yoho also indicated that the Village is lucky to have such a great Fire Department and EMTs that service the residents.

Mr. McDowall wished everyone a Merry Christmas.

Ms. Van Dike wished everyone a Merry Christmas and thanked Marshal Pitchford for his service as Law Director. Van Dike stated she will miss Pitchford and wished him the best.

Mr. Raddish thanked Marshal Pitchford for his service as Law Director and wished him a successful future.

COMMENTS from the Law Director: Marshal Pitchford stated it has been a sincere pleasure working with everyone on the council and in the Administration as well. Pitchford wished everyone a Merry Christmas and Happy New Year.

COMMENTS from the Village Engineer: Matt Glass wished everyone a Merry Christmas and a Happy New Year.

COMMENTS from the Clerk-Treasurer: Scott Varney wished everyone a Merry Christmas.

