

Village of Mogadore

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COUNCIL MEETING AGENDA

February 15, 2023

5:30 p.m.

1. Moment of Reflection – Ms. K. Miller
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Oath (Part-Time Assistant Fire Chief & Full-Time Fire/Medic)
6. Short Recess
7. Minutes from February 1, 2023, Council meeting presented for changes, corrections, and adoption
8. Comments from the Audience on pending legislation
9. Committee Reports
10. Old Business – None.
11. New Business – None.
12. Comments
 1. Public
 2. Council
 3. Law Director
 4. Village Engineer
 5. Clerk-Treasurer
 6. Mayor
13. Adjournment

COUNCIL MEETING

February 1, 2023

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. R. McDowall, Ms. B. Van Dike, Mr. M. Raddish, Mr. J. Tonsic, and Mr. W. Bauer. Not Present: Mr. C. Yoho and Ms. K. Miller.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, and Law Director Jason Dodson.

Motion by Mr. M. Raddish, second by Mr. R. McDowall 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 January 18, 2023, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No Comments.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer reported he had no report.

SAFETY – Mr. Yoho was not present.

PARKS – Mr. McDowall reported he has two pieces of legislation to read.

PLANNING AND ZONING – Ms. Miller was not present.

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

STREETS – Mr. Tonsic reported he has one piece of legislation to read.

Council President Mr. Raddish announced he has one piece of legislation to read and the next Work Session will be held Wednesday, February 22, 2023, at 5:30 p.m. with all committees reporting.

OLD BUSINESS - None.

NEW BUSINESS -

Mr. J. Tonsic presented Resolution 2023-12 sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE A JOHNSTON VT 650 STREET SWEEPER FROM BROWN EQUIPMENT COMPANY ON AN EMERGENCY BASIS FOR USE BY THE STREET DEPARTMENT, 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 2023-12, a second was made by Mr. W. Bauer.

Mayor Rick asked Dodson to let the council know why this can be done as an emergency.

Dodson stated the Charter requires any purchase over \$25,000, one-half the statutory limit, has to be bid. However, the Charter also allows the approval of five or more council members to bypass that provision in an event of an emergency. After speaking with the Mayor and the Street Department the concern is with some requirements under EPA guidelines to utilize the Street sweeper as a pollution control measure.

Mayor Rick reminded the council this is a used street sweeper.

Bauer asked if there will be a warranty.

Mayor Rick stated he will check with Gary Maag and get back to him.

Vote. Unanimous ayes. Motion carried.

Mr. R. McDowall presented Resolution 2023-**13** sponsored by Parks Committee as follows:

A RESOLUTION AUTHORIZING THE VILLAGE OF MOGADORE TO APPLY FOR AND ACCEPT A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES RECREATIONAL TRAILS PROGRAM TO SUPPORT THE CONSTRUCTION OF A NEW TRAIL IN LIONS PARK, 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 2023-13, a second was made by Mr. J. Tonsic.

Mayor Rick stated the Village has received the grant for the walking trail of \$34,000 and will be applying for a second grant for additional money to go toward the building cost. Mayor Rick stated either way the Village is still building the trail regardless of if approved for the second grant.

Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2023-**14** sponsored by Finance Committee as follows:

AN ORDINANCE AMENDING ORDINANCE 2022-90, SECTION 1, REGARDING THE WAGES FOR PART-TIME POLICE OFFICERS IN THE VILLAGE'S POLICE DEPARTMENT, 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 Ordinance 2023-14, a second was made by Mr. R. McDowall. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Resolution 2023-**15** sponsored by Finance Committee as follows:

A RESOLUTION AMENDING RESOLUTION 2020-79, SECTION 2, REGARDING THE WAGES FOR THE PART-TIME SNOW PLOW DRIVER POSITION WITHIN THE VILLAGE'S STREET DEPARTMENT, 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 2023-15, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Ms. B. Van Dike presented Ordinance 2023-16 sponsored by Finance Committee as follows:

AN ORDINANCE ESTABLISHING THE HOLIDAYS FOR ALL NON-BARGAINING EMPLOYEES OF THE VILLAGE FOR CALENDAR YEAR 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 Ordinance 2023-16, a second was made by Mr. W. Bauer. Vote. Unanimous ayes. Motion carried.

Mr. M. Raddish presented Resolution 2023-17, sponsored by Mayor Rick as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER ALL DOCUMENTS NECESSARY TO PARTICIPATE IN LITIGATION SETTLEMENTS WITH OPIOID MANUFACTURERS, TEVA AND ALLERGAN, AND PHARMACIES, CVS, WALGREENS AND WALMART, 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 2023-17, a second was made by Mr. J. Tonsic.

Dodson announced there will be an additional settlement coming to the Village but doesn't expect it to be a large sum of money.

Bauer asked about the use of funding, and does the council get to decide how that money will be spent.

Dodson stated the council can spend the money on police, fire, or school programs that has to do with the OPIOID epidemic.

Vote. Unanimous ayes. Motion carried.

Mr. R. McDowall presented Resolution 2023-18, sponsored by Parks Committee as follows:

A RESOLUTION AUTHORIZING THE VILLAGE OF MOGADORE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT TO ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR REPAIRS AT THE RUSSELL M. PRY COMMUNITY CENTER, AUTHORIZING THE UNDERTAKING OF SUCH REPAIRS, 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 2023-18, a second was made by Ms. B. Van Dike.

Mayor Rick stated this is to apply for a grant to repair the west outside wall.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: No Comments.

COMMENTS from Council: No Comments.

COMMENTS from the Law Director: No Comments.

COMMENTS from the Village Engineer: No Comments.

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Mayor Rick reminded everyone of the upcoming luncheon the Mogadore Historical Society is hosting next Wednesday, February 8th at the Russ Pry Community Center from 11 AM to 1 PM. Mayor Rick gave his condolences to the family of Tim Wilmoth who passed away.

Meeting adjourned at 5:47 p.m.

Attest:

Mayor

Date

Clerk-Treasurer