

## COUNCIL MEETING

July 2, 2024

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

Ms. 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.

The Council Meeting was held in the Council Chambers. The meeting was open to the public and was live-streamed on Facebook.

Roll Call: Council Members Present: Mr. McDowall, Ms. Van Dike, Mr. Raddish, Mr. Tonsic, and Ms. Miller were present. Mr. Yoho and Mr. Bauer were excused.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, and Law Director Jason Dodson. Village Engineer Matthew Glass was not present.

Motion by Mr. Raddish second by Ms. Van Dike for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Mr. Raddish second by Mr. McDowall adopt the minutes from the June 18, 2024, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No comments.

### COMMITTEE REPORTS –

UTILITIES – Mr. Bauer was not present.

SAFETY – Mr. Yoho was not present.

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

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

FINANCE/AUDIT – Ms. Van Dike reported she has one piece of legislation to read.

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

Council President Mr. Raddish announced the July Work Session will be held Wednesday, July 24, 2024, at 5:30 p.m. with all committees reporting.

### OLD BUSINESS– **Third Reading**

Mr. Tonsic presented Resolution 2024-37 sponsored by Streets Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH GPD GROUP FOR DESIGN OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF SOUTH CLEVELAND AVENUE AND ALBRECHT AVENUE, AND DECLARING AN EMERGENCY.

A motion was made by Mr. Tonsic to adopt Resolution 2024-37, a second was made by Ms. Miller. **Vote:** (4-1) \_ YES; Tonsic, Miller, McDowall, Van Dike. NO; Raddish. Motion carried.

Ms. Miller presented Ordinance 2024-38 sponsored by Planning Committee as follows:

AN ORDINANCE REZONING THE REAL PROPERTY LOCATED AT 286 NORTH CLEVELAND AVENUE FROM A C-1 ZONING DISTRICT DESIGNATION TO AN R-1 ZONING DISTRICT DESIGNATION.

A motion was made by Ms. Miller to adopt Ordinance 2024-38, a second was made by Mr. Tonsic.

Mayor Rick read a statement from the homeowner at 314 North Cleveland Avenue stating his concerns and why he is against the re-zoning of said property that is located next to him.

Vote. Unanimous ayes. Motion carried.

NEW BUSINESS –

Mr. Raddish presented Ordinance 2024-46 sponsored by Safety Committee as follows:

AN ORDINANCE ADOPTING SECTION 90.40 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “FEEDING OF ANIMALS,” TO REGULATE THE FEEDING OF CERTAIN ANIMALS WITHIN THE VILLAGE, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. Raddish to adopt Ordinance 2024-46, a second was made by Ms. Miller.

McDowall thanked the Law Director. McDowall stated he feels the changes made to Section B have made this ordinance better. McDowall mentioned he spoke with the Police Chief about this he does not want to enforce this. McDowall is against feeding stray cats, it’s bad for the cat, the environment, and everyone in the area, but does not feel it should be criminalized, and that is why he is voting no.

Mayor Rick stated the Police Chief is more concerned with the cats at large, trying to track the owner down. Mayor Rick stated this ordinance pertains to the feeding of animals, which is easier to regulate, and does not foresee this being something that takes up a whole lot of his time.

Raddish stated this ordinance is a long time coming and it is well written. Raddish stated the Village could have used this a long time ago.

Ms. Van Dike stated she agrees with Mr. McDowall that criminalizing it is harsh, but fining is ok. Van Dike hopes the people who are feeding the stray cats are watching and are forewarned.

Mayor Rick stated he plans to use this more as a discussion point first with residents who are caught feeding the cats.

Mr. Dodson stated the way the ordinance is set up is there would be a fine, no jail time. **Vote:** (4-1) \_\_ YES; Raddish, Tonsic, Miller, Van Dike. NO; McDowall. Motion carried.

Mr. McDowall presented Resolution 2024-47 sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE MOGADORE ATHLETIC BOOSTER ASSOCIATION, INC. FOR A GRANT AN AMOUNT NOT TO EXCEED \$44,000.00, AND DECLARING AN EMERGENCY.

Mr. McDowall made a motion to suspend the rules requiring three readings; Ms. Van Dike seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. McDowall to adopt Resolution 2024-47, a second was made by Ms. Miller.

Mayor Rick stated this is for a new fence and backstop at Lions Park High School Boy's Field.

Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Resolution 2024-48 sponsored by Finance Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE REVISED SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING, AND DECLARING AN EMERGENCY.

Ms. Van Dike made a motion to suspend the rules requiring three readings; Mr. McDowall seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Ms. Van Dike to adopt Resolution 2024-48, a second was made by Mr. McDowall.

Mr. Dodson summarized the process for job creation whether a business relocates in or out of Mogadore.

Vote. Unanimous ayes. Motion carried.

Mr. Raddish presented Resolution 2024-49 sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A SUBDIVISION PARTICIPATION AND RELEASE FORM TO SETTLE THE VILLAGE'S CLAIMS AND PARTICIPATE IN A SETTLEMENT AGREEMENT AGAINST KROGER CO. IN THE NATIONAL OPIATE PRESCRIPTION LITIGATION, AND DECLARING AN EMERGENCY.

Mr. Raddish made a motion to suspend the rules requiring three readings; Ms. Van Dike seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. Raddish to adopt Resolution 2024-49, a second was made by Mr. McDowall.

Mr. Dodson stated the total settlement is 1.2 billion dollars and that will be divided up between the states that participate. Dodson does not know the amount the Village would receive at this time.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Carl Housley, 67 First Avenue, asked for an update on his inquiry made at the last council meeting regarding why there are no sidewalks on the Portage County Side of Randolph Road and in front of the Dollar General. Housley thought it would have been required when Dollar General was built since that is in Central Business.

Mayor Rick stated no ordinance mandates a new business has to put in a sidewalk.

Housley asked if the Village collected any income tax from the people who were working on the Testa Development for 2023.

Scott Varney stated the workers should be registering and he will look into it.

Jon Henico, 3773 Argonne Street, would like to provide his email to the Law Director after the meeting so Mr. Dodson can send the requested information to him.

Mr. Dodson stated he would provide Mr. Henico with the county's contact information regarding the dispatch reports.

COMMENTS from Council: Ms. Van Dike wished everyone a safe 4<sup>th</sup> of July.

Mr. Raddish pointed out Mr. Housley asked a good question regarding the income tax the Village receives regarding Testa Development.

COMMENTS from the Law Director: No Comments.

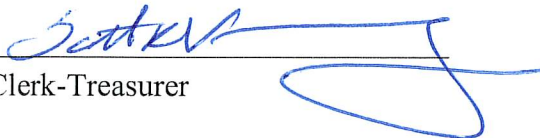
COMMENTS from the Village Engineer: Not present.


COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Mayor Rick announced the dates and times for the upcoming Summer Festival going on this Thursday, Friday, and Saturday.

Meeting adjourned at 5:51 p.m.

Attest:

  
Clerk-Treasurer

 7-17-24  
Mayor Date