

Village of Mogadore

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COUNCIL MEETING AGENDA

October 2, 2024

5:30 p.m.

1. Moment of Reflection – Mr. McDowall
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from the September 18, 2024, Council meeting presented for changes, corrections, and adoption
6. Comments from the Audience on the pending legislation
7. Committee Reports
8. Old Business – None.
9. New Business – None.
10. Comments
 1. Public
 2. Council
 3. Law Director
 4. Village Engineer
 5. Clerk-Treasurer
 6. Mayor
11. Adjournment

COUNCIL MEETING

September 18, 2024

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

Ms. Yoho 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.

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. Yoho, Mr. McDowall, Ms. Van Dike, Mr. Raddish, Mr. Tonsic, Ms. Miller, and Mr. Bauer.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, Assistant Law Director Natalie Rothenbuecher, and Village Engineer Matthew Glass.

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 Ms. Miller adopt the minutes from the August 21st and September 4th Council meetings. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No comments.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer has one piece of legislation to read.

SAFETY – Mr. Yoho has no report.

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

PLANNING AND ZONING – Ms. Miller reported there is a ZBA Meeting on Monday, September 23rd at 7 p.m. here in the council chambers.

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

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

Council President Mr. Raddish announced the September Work Session will be held Wednesday, September 25, 2024, at 5:30 p.m. with all committees reporting.

OLD BUSINESS – None.

NEW BUSINESS –

Mr. Bauer presented Resolution 2024-60 sponsored by the Utilities Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO RENEW THE AGREEMENT WITH KIMBLE RECYCLING & DISPOSAL, INC. FOR EXCLUSIVE TRASH HAULING SERVICES WITHIN THE VILLAGE, FOR A ONE-YEAR PERIOD, FROM APRIL 1, 2025, TO MARCH 31, 2026, AND DECLARING AN EMERGENCY.

Mr. Bauer 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. Bauer to adopt Resolution 2024-60, a second was made by Ms. Miller. Vote. Unanimous ayes. Motion carried.

Mr. Tonsic presented Resolution 2024-61 sponsored by the Streets Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR, CLERK-TREASURER AND VILLAGE ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE LINCOLN AVENUE AND ETTER ROAD PROJECT, TO PARTNER WITH THE COUNTY OF SUMMIT AND/OR CITY OF AKRON TO PARTIALLY FUND THE PROJECT, AND TO EXECUTE AGREEMENTS AS REQUIRED TO EFFECTUATE THE SAME, AND DECLARING AN EMERGENCY.

Mr. Tonsic 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. Tonsic to adopt Resolution 2024-61, a second was made by Mr. Bauer.

Mayor Rick stated this project was discussed last council meeting briefly for Lincoln Avenue and Etter Road to get the water lines done.

Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Resolution 2024-62 sponsored by Finance Committee as follows:

A RESOLUTION AMENDING RESOLUTION NO. 2024-16, INCLUDING EXHIBIT A THERETO, ENTITLED "WAGE AND BENEFIT PACKAGE FOR FULL-TIME EMPLOYEES OTHER THAN POLICE DEPARTMENT AND FIRE DEPARTMENT EMPLOYEES," TO PROVIDE FOR ADDITIONAL SHIFT DIFFERENTIAL PAY IN THE EVENT EMPLOYEES ARE CALLED IN EARLY FOR SNOW PLOWING, 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 2024-62, a second was made by Ms. Miller. Vote. Unanimous ayes. Motion carried.

Mr. McDowall presented Resolution 2024-63 sponsored by Parks Committee as follows:

A RESOLUTION AWARDDING THE BID FOR PHASE II OF THE LIONS PARK TRAIL IMPROVEMENTS TO MC. B PAVING, LLC, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO ENTER INTO A CONSTRUCTION CONTRACT WITH MC. B PAVING, LLC TO PROVIDE LABOR AND MATERIALS FOR SAID PROJECT, AND DECLARING AN EMERGENCY.

Mr. McDowall 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. McDowall to adopt Resolution 2024-63, a second was made by Ms. Miller.

Mayor Rick stated this is to complete the one-mile walking trail at Lions Park and is the same company that did the first thirty percent last year.

Matt Glass stated it would take three to four weeks to complete the contract before paving starts, but will be finished before winter.

Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Ordinance 2024-64 sponsored by Mayor Rick 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, 2024, 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 2024-62, a second was made by Mr. Bauer. Vote. Unanimous ayes. Motion carried.

Motion No. 2024

A MOTION OF COUNCIL APPOINTING ASSISTANT CLERK-TREASURER, RACHEL OSBORNE, AS THE DESIGNEE OF THE COUNCIL FOR THE PURPOSES OF PUBLIC RECORDS LAW TRAINING PURSUANT TO SECTIONS 109.43 AND 149.43 OF THE OHIO REVISED CODE.

A motion was made by Ms. Van Dike to approve Rachel Osborne as the designee of the council for the purposes of Public Records Request, a second was made by Mr. McDowall. Vote. Unanimous ayes.

COMMENTS from the Public:

Carl Housley, 67 First Avenue, first wanted to clarify the statement he made at the August 21st council meeting referencing the wages for the full-time and part-time. Housley said the full-time employees make so much per hour, part-time employees make less per hour, but all officers make more than the full-time and the shift lead generally makes more than the full-time. Housley then apologizes for going over the three-minute time limit at the September 4th meeting and for not understanding that public comments are better referred to as a separate meeting with the mayor.

Edward Plotts, 45 Meadowridge Road, asked what the proper way is to submit a formal proposal for the council's consideration.

Mayor Rick, a request can be made by emailing him or can be dropped off to Rachel at the office, and that will be passed along to the council.

Plotts, recent legislation regarding the cats falls under a specific council committee.

Mayor Rick, safety committee.

Plotts, is the public aloud to speak at the work sessions.

Mayor Rick, only if the Council President allows but he does not have to.

Jill Kirsch, 948 Pontius Road NW, Hartville, stated as a business owner she is honest and open with her clients and supporters and does not feel the council members have shown their residents the same respect. Kirsch stated all information obtained was done so through a records request. Kirsch requested nuisance complaints relating to the cat issue from the council and was given two complaints by the village. Kirsch stated only two complaints warranted this emergency legislation to be passed.

Mayor Rick stated those two complaints provided were written complaints given, not all complaints made. There were many other complaints made by phone or verbally.

Kirsch, no records are kept for the verbal complaints given. Referenced the March 6th council meeting and a certain individual regarding the trapping of cats. Kirsch urges the council to rescind the passed legislation for feeding cats and the contract with Summit County Animal Control and to consider the offer made in the previous meeting to TNR the cats with no cost to the village and hopes this is discussed in the next work session.

Heather Gilford, 545 Firestone Park, Akron, addressed some comments made by council members from the September 4th meeting made by Mr. Bauer and Mr. Raddish. Gilford referenced a publication and Goddard's Law and how those conflicts with the feeding ban passed. Gilford urges the council to conduct an emergency meeting to immediately repeal to comply with Goddard's Law and an eight/nine suspension of the feeding ban along with the contract with Summit County Animal Control.

Joan Bauer, 3708 Louise Street, we are all working towards a better solution for the cats than the one in place. If anyone has questions or wants to have a personal conversation reach out to her.

COMMENTS from Council: Mr. McDowall contacted Canton council member Jason Scaglione regarding their TRN program with Alter Clinic. Mr. Scaglione told Mr. McDowall that the work that Alter Clinic has done reduced the population of feral cats and the bad behavior has all but stopped since implementing the TNR program. Also, they would be fools not to accept the help/services offered to the council by Alter Clinic. McDowall stated they had a productive conversation, and he will have some information to pass out at the next work session.

COMMENTS from the Assistant Law Director: No Comments.

COMMENTS from the Village Engineer: No Comments.

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Mayor Rick stated the Law Director already advised the council there is no conflict with the passed legislation and Goddard's Law. Summit County received nine cats in September eight were adopted and one is pending.

Meeting adjourned at 5:55 p.m.

Attest:

Mayor

Date

Clerk-Treasurer