

Village of Mogadore

135 South Cleveland Avenue
Mogadore, OH 44260

Phone: (330) 628-4896 | Fax: (330) 628-5850

Web Site: www.mogadorevillage.org

COUNCIL MEETING AGENDA

November 20, 2024

5:30 p.m.

1. Moment of Reflection – Mr. Bauer
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from the November 6, 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 –

Resolution 2024-73 – Ms. Van Dike – Sponsor: Finance Committee

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CEMETERY FUND, PARK AND RECREATION FUND AND THE DEBT SERVICE FUND, AND DECLARING AN EMERGENCY.

Ordinance 2024-74 – Ms. Van Dike – Sponsor: Mayor Rick

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.

10. Comments

1. Public
2. Council
3. Law Director
4. Village Engineer
5. Clerk-Treasurer
6. Mayor

11. Adjournment

COUNCIL MEETING

November 6, 2024

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

Mr. Tonsic 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, and Mr. Bauer were present. Ms. Miller was excused.

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

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

Motion by Ms. Van Dike second by Mr. McDowall to adopt the minutes from the October 16, 2024, Council meetings. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No comments.

COMMITTEE REPORTS

UTILITIES – Mr. Bauer has no report.

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

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

PLANNING AND ZONING – Ms. Miller is excused.

FINANCE/AUDIT – Ms. Van Dike has no report.

STREETS – Mr. Tonsic has no report.

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

OLD BUSINESS – None

NEW BUSINESS – Three pieces of legislation.

Mr. McDowall presented Resolution 2024-70 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 EXTENSION OF A NEW TRAIL IN LIONS PARK, 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 2024-70; a second was made by Mr. Tonsic.

Mayor Rick stated this is phase three of the trail and phase two was finished yesterday.

Raddish asked for project cost to start.

Glass stated it will be cheaper than phase two. The project is estimated between \$100,000.00 to \$125,000.00 and the Village would get 75% for the Grant if it's awarded.

Vote. Unanimous ayes. Motion carried.

Mr. McDowall presented Resolution 2024-71 sponsored by the Parks Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE MOGADORE ATHLETIC BOOSTER ASSOCIATION, INC. FOR A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00, 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 2024-71; a second was made by Mr. Bauer.

Mayor Rick stated this is for turfing for the infield of the High School baseball field. The Athletic Boosters will be covering most of the cost. The total cost is over \$110,000.00 and the Village is giving them a grant for another \$50,000.00.

Vote. Unanimous ayes. Motion carried.

Mr. Yoho presented Resolution 2024-72 sponsored by the Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO HIRE AN ADDITIONAL PATROLMAN IN THE MOGADORE POLICE DEPARTMENT, THEREBY INCREASING THE TOTAL NUMBER OF AUTHORIZED OFFICERS IN THE DEPARTMENT TO TEN OFFICERS, INCLUDING PATROLMEN, SERGEANTS AND THE CHIEF OF POLICE, AND DECLARING AN EMERGENCY.

Mr. Yoho 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. Yoho to adopt Resolution 2024-72; a second was made by Mr. Bauer. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: *Jill Kirsch*, 948 Pontius Road NW, Hartville, thanked the council members who took the time to explore how and why what they are suggesting and how it works. She also thanked Rachel Osborne for her help and work regarding public records requests. Kirsch stated she spoke with Mr. Tonsic this morning and he said there is not enough support for a TNR program and the feeding ban will stand as written. Kirsch stated they do not need a TNR program, money has been raised to help the community cats, what they need is the feeding ban to be removed so they can help the cats. Kirsch stated she consulted with two attorneys that have offered to move forward with a federal lawsuit against the Village regarding the feeding ban referencing the recent Ohio Supreme Court ruling on Ohio animal cruelty law.

COMMENTS from the Council: Mr. Tonsic stated the trick-or-treat was fantastic!

COMMENTS from the Law Director: No Comments.

COMMENTS from the Village Engineer: No Comments.

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from Mayor Rick: The Mogadore Historical Society will host a soup and sandwich luncheon Wednesday, November 13th from 11 a.m. to 1 p.m. at the Russ M. Pry Community Center.

Meeting adjourned at 5:39 p.m.

Attest:

Mayor

Date

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2024-73

Passed _____, 2024

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CEMETERY FUND, PARK AND RECREATION FUND AND THE DEBT SERVICE FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Clerk-Treasurer have recommended that this Council authorize the transfer of funds from the General Fund to the Cemetery Fund, Park and Recreation Fund and the Debt Service Fund for operating purposes; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to authorize the transfer of funds from the General Fund to the Cemetery Fund, Park and Recreation Fund and the Debt Service Fund, as set forth herein.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby approves the transfer of funds from the General Fund to the Cemetery Fund, Park and Recreation Fund and the Debt Service Fund for operating purposes, as follows:

From: General Fund	\$226,000.00
To: Cemetery Fund	\$ 10,000.00
Park and Recreation Fund	\$150,000.00
Debt Service Fund	\$ 66,000.00

SECTION 2: The Clerk-Treasurer is hereby authorized and directed to effectuate the transfer of funds set forth in Section 1.

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately ensuring the current and other financial obligations of the Village of Mogadore are timely met, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

RECORD OF ORDINANCES

Ordinance No. 2024-74

Passed _____, 2024

SPONSOR: MAYOR

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.

WHEREAS, the Clerk-Treasurer has recommended that this Council amend the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to amend the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby amends the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024, from the various funds of the Village, as follows:

GENERAL FUND

Administrative	
Other	\$ 50,000.00
Mayors Court	
Other	\$ 2,000.00
Police Law Enforcement	
Other	\$ 30,000.00

FIRE FUND

Personal Services	\$ 7,000.00
Other	\$ (57,000.00)

SAFER GRANT

Personal Services	\$ 79,100.00
-------------------	--------------

CEMETERY

Other	\$ (25,000.00)
-------	----------------

STREET CONSTRUCTION/MAINTENANCE

Personal Services	\$ 31,000.00
Other	\$ (100,000.00)

RECORD OF ORDINANCES

Ordinance No. 2024-74

Passed _____, 2024

PARK AND RECREATION

Personal Services \$ (30,244.00)

CORONAVIRUS AID FISCAL RECOVERY

Other \$ (25,750.00)

SAFETY INTERVENTION FUND

Other \$ 55,297.38

FIRE CAPITAL EQUIPMENT RESERVE

Other \$ 63,247.16

SECTION 2: With such amendments specified in Section 1 above, the total revised appropriations for the Village for the Fiscal Year ending December 31, 2024, is now contained in Exhibit A attached hereto and incorporated by reference herein.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed to effectuate the appropriations set forth herein.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately appropriating said funds to provide for the orderly operation of the Village and the payment of the Village's immediate obligations, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

President of Council Date

Mayor Date

Attest:

Clerk-Treasurer

EXHIBIT A - ORDINANCE NO. 2024-74
 2024 ANNUAL APPROPRIATIONS ORDINANCE
 Amendment #10

That to provide for the current expenses and Capital Improvements of the Village of Mogadore for the fiscal year ending December 31, 2024, the following sums be and they are hereby set aside and appropriated as follows:

<u>GENERAL FUND</u>		
<u>Administrative (Mayor, Legislative, Solicitor, and Clerk-Treasurer)</u>		
	Personal Service	\$140,387.00
	Other	\$914,114.00
		\$1,054,501.00
<u>Mayor's Court</u>		
	Personal Service	\$10,792.00
	Other	\$13,650.00
		\$24,442.00
<u>Police Law Enforcement</u>		
	Personal Service	\$1,065,599.00
	Other	\$636,401.00
		\$1,702,000.00
<u>Service (Land and Buildings) Personal Service</u>		
	Personal Service	\$0.00
	Other	\$116,900.00
		\$116,900.00
	Transfers Out	\$2,372,000.00
		\$5,269,843.00
<u>TOTAL GENERAL FUND APPROPRIATIONS</u>		
<u>FIRE EMS FUND</u>		
	Personal Service	\$0.00
	Other	\$37,500.00
		\$37,500.00
<u>FIRE FUND</u>		
	Personal Service	\$504,778.00
	Other	\$380,050.00
		\$884,828.00
<u>SAFETY GRANT</u>		
	Personal Service	\$399,056.00
	Other	\$90,000.00
		\$489,056.00
<u>POLICE TASER GRANT FUND</u>		
	Personal Service	\$0.00
	Other	\$14,824.45
		\$14,824.45
<u>COPS GRANT FUND</u>		
	Personal Service	\$68,000.00
	Other	\$12,000.00
		\$80,000.00
<u>CEMETERY FUND</u>		
	Personal Service	\$12,145.00
	Other	\$102,800.00
		\$114,945.00
<u>STREETS CONSTRUCTION/MAINTENANCE</u>		
	Personal Service	\$352,540.00
	Other	\$641,840.00
		\$994,380.00
<u>STATE HIGHWAY</u>		
	Personal Service	\$0.00
	Other	\$10,550.00
		\$10,550.00
<u>PARK & RECREATION</u>		
	Personal Service	\$67,884.00
	Other	\$582,600.00
		\$650,484.00
<u>COURT COMPUTERIZATION FUND</u>		
	Personal Service	\$0.00
	Other	\$3,000.00
		\$3,000.00
<u>CORONAVIRUS AID FISCAL RECOVERY</u>		
	Personal Service	\$0.00
	Other	\$0.00
		\$0.00
<u>SAFETY INTERVENTION FUND</u>		
	Personal Service	\$0.00
	Other	\$55,297.38
		\$55,297.38
<u>AMBULANCE RETENTION GRANT</u>		
	Personal Service	\$0.00
	Other	\$24,372.00
		\$24,372.00
<u>WATER/SEWER MAIN PROJECT</u>		
	Personal Service	\$0.00
	Other	\$1,602,765.45
		\$1,602,765.45
<u>FENTON & DICK OPWC</u>		
	Personal Service	\$0.00
	Other	\$898,000.00
		\$898,000.00
<u>HERBERT & MEADOWRIDGE OPWC</u>		
	Personal Service	\$0.00
	Other	\$300,000.00
		\$300,000.00
<u>FIRE EQUIPMENT RESERVE</u>		
	Personal Service	\$0.00
	Other	\$308,527.16
		\$308,527.16
<u>POLICE PENSION FUND</u>		
	Personal Service	\$0.00
	Other	\$50,000.00
		\$50,000.00
<u>DEBT SERVICE FUND</u>		
	Personal Service	\$0.00
	Other	\$66,000.00
		\$66,000.00
<u>GRAND TOTAL ALL APPROPRIATIONS FOR 2024</u>		
		\$11,854,372.44