

Village of Mogadore

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COUNCIL MEETING AGENDA

November 6, 2024

5:30 p.m.

1. Moment of Reflection – Mr. Tonsic
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from the October 16, 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 2024-70 – Mr. McDowall – Sponsor: Parks Committee

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.

Resolution 2024-71– Mr. McDowall – Sponsor: Parks Committee

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.

Resolution 2024-72 – Mr. Yoho – Sponsor: Safety Committee

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.

10. Comments

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

11. Adjournment

COUNCIL MEETING

October 16, 2024

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

Mr. 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.

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.

Other 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. Miller for the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Motion by Ms. Van Dike second by Mr. Raddish adopt the minutes from the October 2, 2024, Council meetings. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Carl Housley, 67 First Avenue, reference to Resolution 2024-67. Housley pointed out an error in the body of the legislation that read the wrong fund name.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer has no report.

SAFETY – Mr. Yoho has no report.

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

PLANNING AND ZONING – Ms. Miller reported there will be a Zoning Board of Appeals Meeting on Monday, October 28th here in council chambers at 7 p.m.

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

STREETS – Mr. Tonsic has no report.

Council President Mr. Raddish announced the October Work Session will be held Wednesday, October 23rd at 5:30 p.m. with all committees reporting.

OLD BUSINESS – None.

NEW BUSINESS –

Mr. McDowall presented Resolution 2024-65 sponsored by Mayor Rick as follows:

A RESOLUTION APPROVING THE APPOINTMENT OF KRISTA ADOLPH TO THE VILLAGE OF MOGADORE CEMETERY BOARD, 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 2024-65, a second was made by Ms. Miller. Vote. Unanimous ayes. Motion carried.

Mr. McDowall presented Resolution 2024-66 sponsored by Mayor Rick as follows:

A RESOLUTION ESTABLISHING THE RATES OF PAY AND ADDITIONAL COMPENSATION FOR THE PART-TIME PARKS AND CEMETERY EMPLOYEES OF THE VILLAGE, 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 2024-66, a second was made by Mr. Bauer.

Mayor Rick stated the additional compensation listed paragraph was dropped off from the legislation last time it was amended for the part-time employees at the park, so the Law Director added that section back to the legislation.

Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Resolution 2024-67 sponsored by the Finance Committee as follows:

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET FUND, THE PARK AND RECREATION FUND, AND THE FIRE CAPITAL EQUIPMENT RESERVE FUND AND DECLARING AN EMERGENCY.

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

A motion was made by Ms. Van Dike to adopt Resolution 2024-67 and amend the correction to fund name to read as "General Fund to the Street Fund, the Park and Recreation Fund, and the Fire Capital Equipment Reserve Fund, a second was made by Mr. Bauer. Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Resolution 2024-68 sponsored by Mayor Rick as follows:

A RESOLUTION AUTHORIZING THE AVANCE OF FUNDS FROM THE GENERAL FUND TO THE PARK AND RECREATION FUND, AND DECLARING AN EMERGENCY.

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

A motion was made by Ms. Van Dike to adopt Resolution 2024-68, a second was made by Mr. Yoho. Vote. Unanimous ayes. Motion carried.

Ms. Van Dike presented Resolution 2024-69 sponsored by the Finance Committee as follows:

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION OF SUMMIT COUNTY, OHIO, AUTHORIZING THE NECESSARY TAX LEVIES, CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICER AND DECLARING AN

EMERGENCY.

Ms. Van Dike 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 Ms. Van Dike to adopt Resolution 2024-69, a second was made by Mr. Bauer. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: *Carl Housley*, 67 First Avenue, thanked the Mayor and Clerk-Treasurer for the information he requested at the prior meeting. Housley stated \$537,000.00 has been reimbursed for the SAFER Grant and \$571,000.00 is in the Fire Levy Fund with \$50,000.00 to be transferred into.

Joan Bauer, 3708 Louise Street, stated it has been her mission to advocate for those who have no voice and cannot speak for themselves, and that includes animals and the community cats. Bauer asked the council members to open their hearts and minds to coming up with a solution that would help the community cats in the village.

Edward Plotts, 45 Meadowridge Road, respectfully asked the council members to suspend the feeding ban regarding the community cats in the village for a reasonable period, so the dedicated rescues, organizations, and individuals that have offered their services and help can start implementing a community-wide TNVR program to help the cats.

David Stein, 382 Grant Avenue, shared his concerns with the parking issues on Grant Avenue and speeding that is still ongoing.

Mayor Rick encouraged Mr. Steiner to call the police department when this happens so they can address the situation.

Steiner indicated he does and most of the time said vehicles are gone before the police arrive. Steiner understands the police must prioritize their calls to what is important so they might not arrive right away to see the issue.

Mayor Rick indicated the police will continue to monitor.

Nita Nichols, Tallmadge, stated a few property owners in the area are willing to allow people to come feed the community cats on their property but no longer want to because they are scared, they will be fined. Nichols states the feeding ban needs to be lifted to help these cats.

Laura McDowall, 3502 Curtis Street, stated she supports TNR and supports the revoking of the feeding ban and the revoking of the agreement with Summit County Animal County to waive the \$25.00 fee for residents.

COMMENTS from the Council Members: Mr. Tonsic stated he has spoken with individuals after the meetings regarding the cats but states there has been property damage made by the community cats. Tonsic is willing to work with anyone to form a committee to come up with solutions to the problem.

Mr. Yoho stated he believes the council needs to discuss the ongoing cat problem more at the next work session to find a solution that is going to work for the village. Yoho stated if the council does nothing that would be the wrong thing to do.

Mr. McDowall thanked everyone for coming down and advocating for the cats. McDowall stated he believes TNR is the only long-term solution to this problem and he wants to continue to work towards a solution.

Ms. Van Dike stated the council does want to help with the problems the residents are having and to help the cats because they do care about animals and the cats.

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 announced trick-or-trick will be Sunday, October 27th from 5:30 p.m. to 7:00 p.m.

Meeting adjourned at 5:56 p.m.

Attest:

Mayor

Date

Clerk-Treasurer

RECORD OF ORDINANCES

Ordinance No. 2024-70

Passed _____, 2024

SPONSOR: PARKS COMMITTEE

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.

WHEREAS, the Ohio Department of Natural Resources (“ODNR”) Recreational Trails Program has made, or will make, funds available to political subdivisions for certain capital improvements to recreational trails within Ohio; and

WHEREAS, the Village intends to undertake certain improvements within Lions Park, including the extension of the recreational trail to Hale Street; and

WHEREAS, the extension of the recreational trail in Lions Park is a priority of the Village; and

WHEREAS, the Village desires to apply for, and accept, grant funds from ODNR’s Recreational Trail Program to fund capital costs for the extension of the recreational trail in Lions Park; and

WHEREAS, the Village will provide the local funds necessary to meet any matching funds requirement of ODNR’s Recreational Trails Program; 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 apply for and accept a grant from the ODNR Recreational Trails Program to support the extension of the recreational trail in Lions Park.

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

SECTION 1: The Mayor and all other Village officials are hereby authorized to do all things necessary to apply for a grant from the Ohio Department of Natural Resources Recreational Trails Program to support the extension of the recreational trail in Lions Park to Hale Street.

SECTION 2: The Mayor and all other Village officials are hereby authorized to do all things necessary to accept a grant from the Ohio Department of Natural Resources Recreational Trails Program to support the extension of the recreational trail in Lions Park.

SECTION 3: The Mayor is further authorized to sign any and all documents and/or agreements on behalf of the Village as may be necessary and appropriate for the extension of the recreational trail in Lions Park upon acceptance of the grant funds.

RECORD OF ORDINANCES

Ordinance No. 2024-71

Passed _____, 2024

SPONSOR: PARKS COMMITTEE

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.

WHEREAS, the Mogadore High School baseball field is in need of new turf; and

WHEREAS, the Mogadore Athletic Booster Association, Inc. (“Booster Association”) has collected funds to cover a portion of the cost to improve the field with new turf; and

WHEREAS, the Village desires to assist the Booster Association with the cost of such turfing; and

WHEREAS, the Village desires to grant the Booster Association funds to improve the baseball field with turf in an amount not to exceed \$50,000.00; 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 enter into a grant agreement with the Booster Association to provide funds for the high school baseball field new turf, in an amount not to exceed \$50,000.00.

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

SECTION 1: The Mayor and all other Village officials are hereby authorized to do all things necessary to enter into a grant agreement with the Booster Association to contribute funds to improve the high school baseball field with new turf, in an amount not to exceed \$50,000.00.

SECTION 2: The Mayor is further authorized to sign any and all documents and/or agreements on behalf of the Village as may be necessary and appropriate for the undertaking of the same.

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.

RECORD OF ORDINANCES

Resolution No. 2024-72Passed _____, 2024

SPONSOR: SAFETY COMMITTEE

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.

WHEREAS, pursuant to Section 3.10(D) of the Charter of the Village of Mogadore, this Council has the authority to establish the number of employees of any department of the Village; and

WHEREAS, the number of officers authorized for the Mogadore Police Department was previously established by this Council as nine (9), inclusive of Patrolmen, Sergeants and the Chief of Police; and

WHEREAS, the Mayor has requested the authority of this Council to hire an additional Patrolman within the Mogadore Police Department to meet staffing needs resulting from a lack of part-time officers; and

WHEREAS, the hiring of an additional Patrolman would increase the total number of authorized officers within the Mogadore Police Department to ten (10) officers, including Patrolmen, Sergeants and the Chief of Police; 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 Mayor to hire an additional Patrolman in the Mogadore Police Department, thereby increasing the total number of authorized officers in the Department to ten (10) officers, including Patrolmen, Sergeants and the Chief of Police.

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 authorizes the Mayor to hire an additional Patrolman in the Mogadore Police Department.

SECTION 2: The total number of authorized officers in the Mogadore Police Department is hereby increased to ten (10) officers, including Patrolmen, Sergeants and the Chief of Police.

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 authorizing the hiring of an additional Patrolman in order to address

