

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

Wednesday, April 01, 2026

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 March 18, 2026, council meeting presented for changes, corrections, and adoption
6. Comments from the Audience on the pending legislation
7. Committee Reports
8. Old Business
9. New Business -

Ordinance 2026-23 – Ms. Miller – Sponsor: Planning & Zoning

AN ORDINANCE AMENDING SECTION 152.047 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “C-1 COMMERCIAL DISTRICT” TO PROHIBIT USE OF BUILDINGS THEREIN FOR JAILS, PRISONS, DETENTION CENTERS, AND SIMILAR USES, AND DECLARING AN EMERGENCY.

Ordinance 2026-24 – Ms. Miller – Sponsor: Planning & Zoning

AN ORDINANCE AMENDING SECTION 152.049 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “I-1 INDUSTRIAL DISTRICTS” TO PROHIBIT THE USE OF BUILDINGS THEREIN FOR JAILS, PRISONS, DETENTION CENTERS, AND SIMILAR USES, AND DECLARING AN EMERGENCY.

Ordinance 2026-25 – Ms. Miller – Sponsor: Planning & Zoning

AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.7676 ACRES OF REAL PROPERTY FROM SUFFIELD TOWNSHIP TO THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

10. Comments

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

11. Adjournment

RECORD OF ORDINANCES

Ordinance No. 2026-23

Passed _____, 20____

SPONSOR: PLANNING & ZONING

AN ORDINANCE AMENDING SECTION 152.047 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “C-1 COMMERCIAL DISTRICT” TO PROHIBIT USE OF BUILDINGS THEREIN FOR JAILS, PRISONS, DETENTION CENTERS, AND SIMILAR USES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 152.047 of the Codified Ordinances of the Village of Mogadore, entitled “C-1 Commercial District” provides for zoning regulations in the Commercial District within the Village; and

WHEREAS, Subsection 152.047(A)(12) provides for the use of buildings within the C-1 Commercial District as government facilities as a permitted use; and

WHEREAS, on March 31, 2026, the Planning Commission recommended limiting the scope of Subsection 152.047(A)(12) to specifically prohibit the use of buildings within the C-1 Commercial District for jails, prisons, detention centers, workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and it the best interest of the Village to amend Subsection 152.047(A)(12) to specifically prohibit the use of buildings within the C-1 Commercial District for jails, prisons, detention centers, workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons.

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 Section 152.047 of the Codified Ordinances of the Village of Mogadore as set forth on Exhibit A, attached hereto and incorporated herein by reference. In addition to the amendment to Subsection 152.047(A)(12), the amendment deletes an errant Subsection 152.047(B)(2) which also listed government buildings as conditional uses.

SECTION 2: 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.

EXHIBIT A

§ 152.047 C-1 COMMERCIAL DISTRICT.

- (A) Uses permitted. Except as otherwise provided in this chapter, no building or premises in C-1 Commercial District shall hereafter be erected, altered, used, arranged, or designed to be used, in whole or in part, for any other purposes or in any other manner than as follows:
- (1) The retail sale or handling of food and beverages of all kinds, including sale for consumption on the premises.
 - (2) The retail sale of general merchandise, including department stores.
 - (3) Professional and personal services.
 - (4) Office buildings and banks.
 - (5) Appliance repair shops.
 - (6) Custom tailors, laundry or dry cleaning, collection offices, self-service laundries, hand laundries, and shoe repair shops.
 - (7) Dry cleaning, pressing, or tailoring in which non-toxic, non-explosive, and non-inflammable solvents are used and no work is done on the premises for retail outlets elsewhere.
 - (8) Car lots in compliance with Ohio Revised Code Chapter 4517, entitled "Motor Vehicle Dealers, Auction Owners, and Sales Persons," as amended, and public garages, provided that no lighting there shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway and that such developments shall be located on major thoroughfares or at intersections of major and/or collector thoroughfares.
 - (9) Newspapers and print shops.
 - (10) Advertising signs that are limited to advertising the goods sold or services rendered on the premises and which further comply with § 150.218.
 - (11) Amusement and recreation: assembly hall, bowling alley, dance hall, pool and billiards, theater, card room, or other social or recreation center, provided the place or building in which same is located is sufficiently soundproofed so as not to constitute a nuisance or imposition upon adjacent premises users or the public generally.
 - (12) Schools, libraries, museums, community centers, government buildings, and places of worship, but specifically excluding therefrom jails, prisons, detention centers,

workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons, regardless of ownership and/or operation by a governmental, for-profit or non-profit entity, which are a prohibited use in the District.

- (13) Any use commonly and necessarily incident to a use authorized by this section.
 - (14) Parking as regulated by § 152.024.
 - (15) All uses permitted in R-1, R-2, and R-3 Districts.
- (B) Conditionally suggested uses. The Council may issue conditional zoning certificates for uses listed herein, subject to the general requirements of §§ 152.110 through 152.114 and to the specific requirements of § 152.113 referred to below:
- (1) Churches and other buildings for the purpose of religious worship subject to § 152.113(C), (G), and (I).
 - (2) ~~Governmentally owned and/or operated buildings and facilities subject to § 152.113(C) and (G).~~ Reserved.
 - (3) Planned, integrated commercial developments subject to § 152.113(U).
 - (4) Clubs, lodges, fraternal charitable or social organizations subject to § 152.113(C), (D), and (E).
 - (5) Drive-in banking facilities subject to § 152.113(C).
 - (6) Gasoline service (filling) stations, subject to division (A)(8) of this section and § 152.113(G), (O), (Q), and (X).
 - (7) Auto laundry subject to § 152.113(C), (E), (G), (O), (R), (U), and (Z).
 - (8) Public utility rights-of-way and pertinent structures subject to § 152.113(J).
 - (9) Temporary buildings and uses incidental to construction work subject to § 152.113(M) and (P).
- (C) Height. No structure shall exceed 45 feet in height unless approved by the Municipal Fire Department and certified by the Board of Zoning Appeals.
- (D) Front yard. Every structure shall have a front yard of no less than 30 feet in depth. On corner lots the front yard requirements shall be observed on both streets.

- (E) Side yard. Every structure shall have a side yard of no less than ten feet in width on each side; except that where this structure is part of an integral complex, the Zoning Board of Appeals may eliminate this requirement.
- (F) Minimum rear yard depth. Forty feet except that no rear yard shall be required where the business use abuts on a public parking area specifically intended to serve the particular business use and other commercial establishments abutting on the parking area.
- (G) Loading and unloading space. Every structure shall be provided with adequate space for the loading and unloading of trucks and other vehicles serving proposed structure, provided, however, that the Board of Zoning Appeals may modify or waive this requirement were such space is not needed.
- (H) Off-street parking. Off-street parking facilities shall be provided in accordance with § 152.024.
- (I) Site plan review and conformance. All business uses specified under divisions (A) and (B) of this section shall be permitted only after the review and approval of the site plans by the Planning Commission and upon finding, by the Commission, that the specific standards set forth in this section and the requirements of §§ 152.015 through 152.029, and § 150.218 with the exception of § 152.017(C), will be met.

RECORD OF ORDINANCES

Ordinance No. 2026-24

Passed _____, 20____

SPONSOR: PLANNING & ZONING

AN ORDINANCE AMENDING SECTION 152.049 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “I-1 INDUSTRIAL DISTRICTS” TO PROHIBIT THE USE OF BUILDINGS THEREIN FOR JAILS, PRISONS, DETENTION CENTERS, AND SIMILAR USES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 152.049 of the Codified Ordinances of the Village of Mogadore, entitled “I-1 Industrial Districts” provides for zoning regulations in the Industrial Districts within the Village; and

WHEREAS, Subsection 152.049(B)(4) provides for the use of buildings within the I-1 Industrial Districts as government facilities as a conditional use; and

WHEREAS, on March 31, 2026, the Planning Commission recommended limiting the scope of Subsection 152.049(B)(4) to specifically prohibit the use of buildings within the I-1 Industrial Districts for jails, prisons, detention centers, workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and it the best interest of the Village to amend Subsection 152.049(B)(4) to specifically prohibit the use of buildings within the I-1 Industrial Districts for jails, prisons, detention centers, workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons.

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 Section 152.049 of the Codified Ordinances of the Village of Mogadore as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: 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.

EXHIBIT A

§ 152.049 I-1 INDUSTRIAL DISTRICTS.

- (A) Uses permitted. Except as otherwise provided in this chapter, no building or premises in the I-1 Industrial District shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part, for any other purpose or in any other manner than as follows:
- (1) The retail sale or handling of food and beverages of all kinds, including sale for consumption on the premises.
 - (2) Office buildings and laboratories, provided that no operation shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
 - (3) Laundry and dry-cleaning plants, provided that no operation shall be conducted closer than 100 feet to any R-District.
 - (4) Repair shops.
 - (5) Public garages, or service stations, or lots or garages for the sale and repair of new or used motor vehicles.
 - (6) The manufacture, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials: Aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious metals or stones, shell, rubber, tin tobacco, wood (excluding saw mills), tars and paint not involving a boiling process.
 - (7) The manufacture, compounding, processing, packing, or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and food products except the rendering or refining of fat and oils.
 - (8) The manufacture of pottery or figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
 - (9) Foundry casting light-weight metals and not causing noxious fumes or odor.
 - (10) Lumber yards for retail lumber sales.
 - (11) Planing mills.
 - (12) Coal yards, brick and tile yards, for retail sales.
 - (13) Machine shop or other metal working shop excluding drop hammers or other noise-producing machinery.

- (14) Warehousing.
- (15) Grain elevators.
- (16) Any use commonly and necessarily incident to a use authorized by this section.
- (17) Signs as regulated by § 150.218.
- (18) Parking as regulated by § 152.024.

(B) Conditionally suggested uses. Council may issue conditional zoning certificates for uses listed herein, subject to the general requirements referred to below:

- (1) Sales offices provided that there shall be no display of any actual product for sale except in accordance with the following regulations. No display will be in an exterior show window and the total area devoted to display including the objects displayed and the floor space set aside for persons observing the displayed objects shall not exceed 20% of the usable floor area of the establishment using the display of an actual product for sale as a sales procedure; provided there shall be no outdoor storage of goods or materials regardless of whether or not they are for sale; and provided further that there shall be no warehousing or in the indoor storage of goods or material beyond that normally incidental to such an office.
- (2) Experimental or testing laboratories provided that no physical effect of the experimental or testing activity can be detected beyond the confines of the building in which the activity is located; and provided that no exterior structural element of the building in which the activity is located shall appear to be other than just normally incidental to an office use.
- (3) Any other office, research, or similar use which the Commission finds to be: consistent with the purposes of the article; and of a character which will not impair the use of adjacent properties.
- (4) Governmentally owned and/or operated buildings and facilities subject to § 152.113(C) and (G), but specifically excluding therefrom jails, prisons, detention centers, workhouses, correctional facilities, and similar facilities used for the imprisonment, detention or confinement of persons, regardless of ownership and/or operation by a governmental, for-profit or non-profit entity, which are a prohibited use in the District.
- (5) Public utility rights-of-way and pertinent structures subject to § 152.113(J).
- (6) Temporary buildings and uses incidental to construction work subject to § 152.113(M) and (P).

- (7) Uses and structures permitted under § 152.047, C-1 Commercial District, provided such buildings and uses conform with the requirements and restrictions of said § 152.047 and notwithstanding such requirements and restrictions may be more permissive or less restrictive than those set forth in this section. The conditional zoning certificates that may be issued by Council for such commercial buildings and uses shall be subject to the requirements of §§ 152.111, 152.112 and 152.114.
- (C) Height. No structure shall exceed 45 feet in height unless approved by the Municipal Fire Department and certified by the Board of Zoning Appeals.
- (D) Front yard. Every structure shall have a front yard of no less than 50 feet in depth. On corner lots the front yard requirements shall be observed on both streets.
- (E) Side yard. Every structure shall have a side yard no less than 100 feet in depth.
- (F) Rear yard. Every structure shall have a rear yard of not less than 100 feet in depth.
- (G) Loading and unloading. Every structure shall be provided with adequate space for the loading and unloading of all vehicles serving the proposed structure, provided however, that the Board of Zoning Appeals may modify or waive this requirement where such space is not needed.
- (H) Off-street parking. Off-street parking facilities shall be provided in accordance with § 152.024. Parking for only those industries located within the municipal limits will be allowed in such industrial area.
- (I) Site plan review and conformance. All industrial uses specified under divisions (A) and (B) of this section shall be permitted only after the review and the approval of the site plans by the Planning Commission and upon finding by the Commission that the specific standards set forth in this section and the requirements of §§ 152.015 through 152.029 and § 150.218 will be met.
- (J) Industrial parks. The industrial parks approach to the development of industrially zoned areas is greatly encouraged. The regulations of the Village Zoning Ordinance may be modified by the degree necessary to accomplish the objectives and guidelines required for industrial parks (see Design Guidelines for the Mogadore Industrial Park). Nothing, however, shall exempt the developer from the requirements of subdivision plat approval as specified in §§ 151.020 through 151.023 of the Subdivision Regulations.

RECORD OF ORDINANCES

Ordinance No. 2026-25

Passed _____, 20____

SPONSOR: PLANNING & ZONING

AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.7676 ACRES OF REAL PROPERTY FROM SUFFIELD TOWNSHIP TO THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Mogadore (“Village”) and Suffield Township (“Township”) previously negotiated an Annexation Agreement pursuant to Section 709.192 of the Ohio Revised Code for an area of approximately 0.7676 acres anticipated to be annexed as an Expedited Type 1 annexation pursuant to Sections 709.21 and 709.22 of the Ohio Revised Code, with consent from all property owners; and

WHEREAS, the aforementioned Annexation Agreement was approved by Village Resolution Numbers 2025-39 and 2025-22, and was also subsequently approved by the Township; and

WHEREAS, the aforementioned Annexation Agreement was certified by the Village Clerk-Treasurer and Township Fiscal Officer on August 26, 2025; and

WHEREAS, on December 29, 2025, the agent for the petitioners filed a petition for the Expedited Type 1 annexation, pursuant to Sections 709.21 and 709.22 of the Ohio Revised Code, of approximately 0.7676 acres from the Township to the Village with the Board of Commissioners of Portage County; and

WHEREAS, the Board of Commissioners of Portage County subsequently approved the annexation of the proposed territory to the Village by Resolution Number 26-0058 on January 29, 2026; and

WHEREAS, the Clerk of the Board of Commissioners of Portage County certified a transcript of its proceedings on the adoption of its Resolution to the Clerk-Treasurer, who received the transcript on January 29, 2026 and

WHEREAS, the certified transcript of the proceedings of the Board of Commissioners of Portage County, together with an accurate map of the territory to be annexed and the petition and papers relating to proceedings before the Portage County Commissioners, are on file with the Clerk-Treasurer, and have been for more than sixty (60) days, as required by Section 709.04 of the Ohio Revised Code;

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



Board of Commissioners

Sabrina Christian-Bennett
Jill Crawford
Mike Tinlin

January 29, 2026

**PETITION FOR ANNEXATION .7676 ACRES OF LAND
FROM SUFFIELD TOWNSHIP TO THE VILLAGE OF MOGADORE**

I, Clerk of the Board of Portage County Commissioners, do hereby certify that the attached documents are true and correct copies of the petition for annexation of .7676 acres of land from Suffield Township to the Village of Mogadore on file with the Board of Portage County Commissioners.

Kassidy Parbel

Clerk, Portage County Board of County Commissioners
449 South Meridian Street
Ravenna, Ohio 44266
(330) 297-3600



**RESOLUTION NO. 26-0058 - RE: IN THE MATTER OF GRANTING AN EXPEDITED
TYPE 1 ANNEXATION OF .7676 ACRES FROM
SUFFIELD TOWNSHIP TO THE VILLAGE OF
MOGADORE, TESTA MOGADORE LLC, AGENT
FOR PETITIONER: JOEL TESTA**

It was moved by Jill Crawford, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

WHEREAS, a petition for the annexation of .7676 acres, from Suffield Township to the Village of Mogadore, was filed with the Clerk of Board of Commissioners of Portage County, Ohio on December 29, 2025 by Jason Dodson, from Roetzel & Andress, on behalf of the petitioner Joel Testa, Member of Testa Mogadore LLC; and

WHEREAS, said petition was filed as an Expedited Type 1 Annexation, along with an Annexation Agreement dated August 26, 2025 between the Board of Trustees of Suffield Township and the Council of the Village of Mogadore, Ohio; and

WHEREAS, said the petition was submitted as an Expedited Type 1 Annexation, and along with the Annexation Agreement, requires no hearing; and

WHEREAS, the petition has been signed by all owners, a map and legal description were received along with the name of the Statutory Agent and an Annexation Agreement; now therefore be it

RESOLVED, by the Board of Commissioners of Portage County, Ohio, that upon review of the documents submitted, the following findings are made:

1. The Petition contains the signatures of all the property owners in the territory to be annexed.
2. The Petition contains an accurate legal description of the perimeter of the territory proposed to be annexed.
3. The Petition contains an accurate map of the territory proposed to be annexed.
4. The Petition contains the name of the person acting as Statutory Agent for the petitioners.
5. Filed with the Petition is a list of all the tracts, lots or parcels in the territory proposed to be annexed together with all the tracts, lots or parcels located adjacent to the territory to be annexed or directly across the road, including the name and mailing address of each owner and the permanent parcel number of each parcel.

6. Filed with the Petition is an Annexation Agreement between the Village of Mogadore and the Board of Trustees of Suffield Township; and be it further

RESOLVED,

upon the findings that all of the conditions of annexation as contained in Revised Code Section 709.022 have been met, the Petition as presented is granted, incorporating the Annexation Agreement between the Village of Mogadore and the Board of Trustees of Suffield Township.

- A. Herein the annex area will not be excluded from the Township.
- B. The Clerk is directed to enter the resolution upon the journal of the Board and send a certified copy of the record (including resolution, petition, the map and all other papers on file) to the Mayor's Clerk of the Village of Mogadore, Suffield Township Trustees, Regional Planning Commission, Portage County Engineer, Portage County Tax Map, Portage County Prosecutor's Office, Portage County Board of Elections, Portage County Water Resources, Portage County Recorder's Office, Portage County Building Department and the Portage County Auditor's Office; and be it further

RESOLVED,

that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting(s) open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Sabrina Christian-Bennett, Yea;

Jill Crawford, Yea;

Mike Tinlin, Yea;

I, Clerk of the Board of County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Portage County Board of Commissioners duly adopted January 29, 2026 and appearing upon the official records of said Board, Volume 104.



Clerk, Portage County Board of Commissioners



Board of Commissioners

Sabrina Christian-Bennett
Jill Crawford
Mike Tinlin

**Annexation: Type 1 Expedited – Testa Mogadore
Suffield Township to the Village of Mogadore**

January 29, 2026

Roetzel and Andress, Check No. 261637, dated December 29, 2025, was received on December 29, 2025, in the amount of \$250.00.
Please note that the required amount is \$225.00 by the Commissioners' Resolution No.10-1027.

Expenses:

- No Advertisement costs due to Type 1 Expedited Annexation.
- Copies of the resolution approving the Type 1 Expedited Annexation were sent to all parties via email.

Total Expenses incurred: \$0.00

Check No. 261637 dated December 29, 2025, from Roetzel and Andress was returned to Jennifer Barnes, Mogadore Village Assistant Clerk/Treasurer, 135 S. Cleveland Ave., Mogadore, OH 44260 on January 29, 2026.

Thank you.

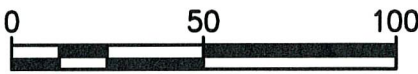
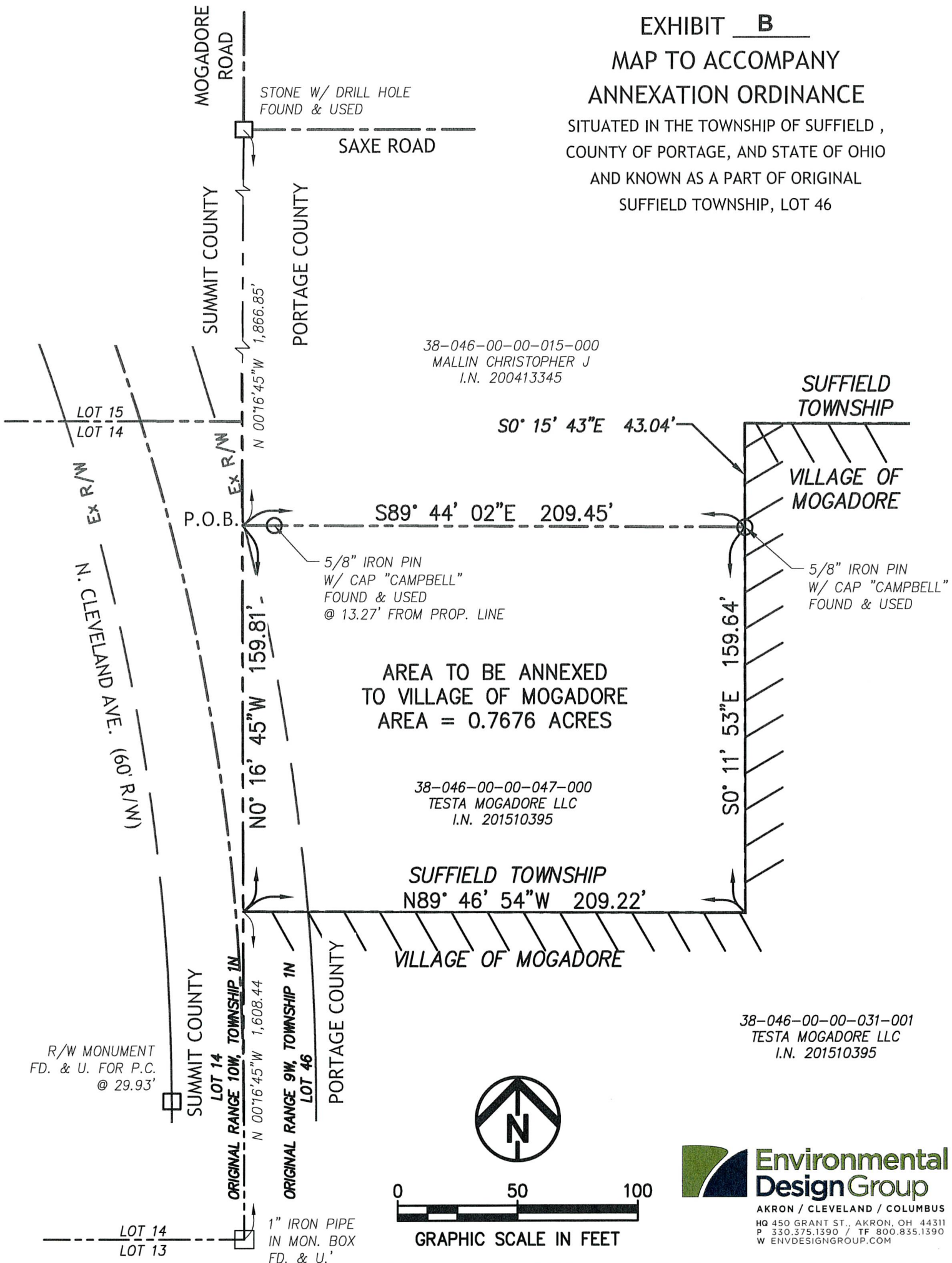
Kassidy Parbel, Clerk
Portage County Commissioners' Office



EXHIBIT B

MAP TO ACCOMPANY
ANNEXATION ORDINANCE

SITUATED IN THE TOWNSHIP OF SUFFIELD,
COUNTY OF PORTAGE, AND STATE OF OHIO
AND KNOWN AS A PART OF ORIGINAL
SUFFIELD TOWNSHIP, LOT 46



Environmental Design Group
AKRON / CLEVELAND / COLUMBUS
HQ 450 GRANT ST., AKRON, OH 44311
P 330.375.1390 / TF 800.855.1390
W ENVDESIGNGROUP.COM