

REGULAR COUNCIL

September 20, 2007

Mayor Poole called the meeting to order at 7:30 p.m. with the following members present: B. Blue, E. Davis, C. Hofstetter, J. Jemison, S. Klein, and B. Wallace.

Also present: C. Osborne – Fiscal Officer, D. Weir - Admin., Tom Lee - Solicitor, B. Provost – Village Engineer, S. Roessner – Zoning Inspector, M Hatch – Recreation Director, Police Lt. Fabian, Charlotte Brown, Duane S. Siracki, Sally Bell – Geauga co. Dept. on Aging, Carl Hornung, John Borkholder, Ann Wishart – Maple Leaf, Jennifer McKeivitt – News Herald.

Agenda: Add to Public Participation – Sally Bell, Dept. on Aging
New Business – Sanyo Construction pay request #1
Delete from Old Business: Lisza Wright

Minutes of September 6, 2007 meeting were presented for approval. Davis noted one correction. Davis moved to approve the minutes as amended. Hofstetter seconded. Roll Call: All Yeas (6).

Payment of Bills Totaling \$176,678.62 was presented for payment. Jemison moved to authorize the payment of bills totaling \$176,678.62. Blue seconded. Roll Call: Yeas (6).

Recreation Director's Report – August: included in the council packet.

Bank Report – August: included in the council packet.

Financial Report – August: included in the council packet.

Investment Report – August: included in the council packet.

Detail Trial Balance – August: included in the council packet.

CCA Report – August: included in the council packet.

PUBLIC PARTICIPATION

Sally Bell, Geauga County Department on Aging, presented the Mayor and Council with the 2007 Geauga County Outstanding Senior Supporter of the Year award.

Davis stated the Village Community/Senior center is used daily by various groups, including the Village's recreation programs, and isn't large enough anymore to accommodate this high volume. Davis stated the deck on the north side of the building is rarely used and questioned if the deck could be removed and an additional room built in its place. Bell stated the Dept. on Aging has tracked, on a daily basis, the number of participants in the building and will provide this information to council.

Charlotte Brown, a resident on Cloverdale Rd. in Middlefield Township, questioned the possibility of being connected to the Village's water and sewer system. Brown stated she would like to sell her house and was told the current septic system isn't up to code and it will be too costly for her to upgrade it. Brown stated prior to the Cloverdale subdivision, her address was on Lake Ave., but when the Housing Authority took over the property, they were obligated to change her address to Cloverdale.

Lee stated the sewers in the Cloverdale subdivision are owned by the Housing Authority and are restricted to a certain number of houses. The only way to tie into the Village's water and sewer system is to annex property into the Village. Lee stated because Brown noted her house is located far from Lake Ave., and the Village's water and sewer lines, it would be very expensive for her to connect to the system. Lee stated with the new septic system code regulations it may become a future issue for the Village of homeowners wanting to be tied into the Village utility system. Mayor Poole apologized to Mrs. Brown stating he doesn't believe the Village can help her with this issue.

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FIRST READING

Resolution 07-33: Adopting a Public Records Policy as Required by Section 149.43 of the Revised Code, and Declaring an Emergency.

Hofstetter introduced Res. 07-33, read by title only, moved to waive the required readings and declare an emergency. Blue seconded. Roll Call: All Yeas (6).

Wallace moved to **pass** Res. 07-33 seconded by Davis. Roll Call: All Yeas (6).

Ordinance 07-135: Extending the Employment Contract of Marie Shipek as a Village Employee for Three Years, Through December 6, 2010, Pursuant to Specified Terms and Conditions.

Discussion held regarding Shipek's request for additional vacation time.

Jemison introduced Ord. 07-135, read by title only, and moved to place it on first readings. Wallace seconded. Roll Call: All Yeas (6).

SECOND READING

Ordinance 07-134: Amending Existing Section 1116.03(c)(1) and 1115.20 of the Codified Ordinances to Clarify the Village's Regulations for Political Signs.

Davis introduced Ord. 07-134, read by title only, and moved to place it on second reading. Hofstetter seconded. Roll Call: All Yeas (6).

A public hearing is scheduled for Oct. 18, 2007 beginning at 8:00 p.m.

THIRD READING – none before Council.

PENDING PASSAGE

Ordinance 07-130: Accepting for Dedication a Dedication Plat for Municipal Parking.

ENGINEER'S REPORT - included in the council packet. Provost stated the power company won't be out any time soon to connect service to the equipment. This will push the testing of the equipment to spring 2008.

1. **Northview Drive Improvements** – Progress is satisfactory at this time. The curbing on the east side of the street will be installed Sept. 21, and on the west side shortly thereafter. The project will be completed the first week of November.
2. **Sports Park at N. Thompson Ave.** – Miller has been making steady progress and will be spraying the grass seed this week. This project completion date is Nov. 1, 2007.
3. **Municipal Parking Lot Improvements** – Currently finalizing the contracts. Provost stated this is a 3 week project, beginning early to mid October and the project completion date is Nov.1, 2007.

OLD BUSINESS

1. **Bonner Property Annexation** – Dick Bonner and Jerry Petersen were present to answer questions regarding the project. Discussion held regarding the annexation and the rights held by the Middlefield Township Trustees to object to any annexations. The county commissioners ultimately have the final decision to grant the annexation. Lee stated the planning commission has focused on the condition of the road. The Village would like this road dedicated along with an additional piece of land where another road could be built in the future. Bonner considered this proposal and stated it is acceptable to him. Bonner currently has commercial and industrial projects, as well as, future projects. The planning commission will work with Bonner on these projects. The plans are compliant with the comprehensive plan once this property is in the Village. If those terms are acceptable to council, Lee needs authorization from council to work with Bonner and Petersen to enable this annexation to move forward. Lee stated anything that's not consistent with current zoning would be considered a pre-existing non-conforming use, and the Village has provisions in its zoning code to govern those issues. Some of these issues can be addressed in the annexation agreement. Davis stated she discussed this annexation with two of the Middlefield Township Trustees and was told by them they're in favor of the annexation as long as the township continues to receive the property taxes. Discussion held regarding the existing well and septic system on the property. The EPA requires if water and sewer are provided, septic systems cannot be used and wells can be used for certain purposes to process water under certain circumstances, which hasn't been discussed and will need to be addressed.

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Bonner stated he wouldn't keep the well once he ties into the Village's utility system. The zoning issues from the planning commission have been solved. *Davis moved to authorize Tom Lee to move forward with the annexation agreement for the Bonner property on Madison Rd, seconded by Hofstetter. Roll Call: Yeas – 5. Nays – Blue.*

- 2. Designee for Public Records Training per House Bill #9** – Lee stated Because of some of the language in the public records law every public official is not required to attend these training session, and could a appoint a designee to attend on their behalf. Discussion held regarding what constitutes as public records, on what medium and appropriate manner in which to produce them. *Klein moved to appoint Carol Osborne as the official designee for the public records training for Middlefield Village, seconded by Davis. Roll Call: All Yeas (6).*

NEW BUSINESS

- 1. Wanda York – Gas line Right-of-Way through the Cemetery** – York stated Reserve Energy took a lease on the Cardinal School property and prior to drilling the well, they need access to Rt. 87 to tie into those lines. Because the well is on school property, the school will receive a limited amount of free natural gas, and royalties. Reserve Energy is currently seeking access through private properties, at a compensation cost of \$1.00 per foot. York stated the most direct route is through the Village cemetery. The maps show the line coming along the east side of the cemetery along the edge of the road. All disturbed property will be restored, even in the future as the ground settles. The pipe is a 30-year, 2-3 inch plastic pipe, buried approximately 30-36". York stated the depth of the line will be agreed upon by both parties. Also, York proposed placing the meter on the east side of the cemetery property, enclosed in an aesthetically pleasing fence. York stated this project should take no more than one week. Lengthy discussion held regarding the current condition of the road in the cemetery, possible damage and repair, and the consequences of another gas company purchasing the well, etc. York stated the gas lines aren't removed once the well is closed. The gas lines are sealed with cement. *It is the consensus of council not to allow Reserve Energy to place gas lines through the Village cemetery.*
- 2. Sanyo Construction Pay Request #1** – Blue moved to authorize pay request #1 to Sanyo Construction for the Eagle Park Picnic Pavilion, in the amount of \$65,304.10, seconded by Davis. Roll Call: Yeas – 5. Abstain: Klein

Committee Reports – included in the council packet.

CALENDAR

Streets and Sidewalks – rescheduled to Oct. 31, 2007, 8:00 a.m.

Finance and Ordinance – rescheduled to Oct. 31, 2007, 9:00 a.m.

Being no further business at this time, Klein moved to adjourn at 9:14 p.m.

Fiscal Officer

Mayor