

REGULAR COUNCIL

DRAFT

DRAFT

May 1, 2008

Mayor Poole called the meeting to order at 7:35 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, C. Ehrhart – Director of Streets & Utilities, Police Chief Stehlik, M. Hatch – Recreation Director, John Borkholder, Stuart Friedman, and Ann Wishart – Maple Leaf.

Agenda: Add to New Business – water & sewer rate study
Shook pay request #6
Add to First Reading: Ord. 08-114

Minutes of April 3, 2008 meeting were presented for approval. Klein moved to approve the minutes as presented. Davis seconded. Roll Call: Yeas (6).

Payment of Bills Totaling \$189,658.59 was presented for payment. Jemison moved to authorize the payment of bills totaling \$189,658.59. Hofstetter seconded. Roll Call: Yeas (6).

Payment of Bills Totaling \$178,713.40 was presented for payment. Wallace moved to authorize the payment of bills totaling \$178,713.40. Jemison seconded. Roll Call: Yeas (6).

Director of Streets & Utilities – April: Routine maintenance at WWTP and WTP, routine equipment maintenance, meter reading and meter replacement, replaced floats, sewer main repair on Lake Ave., street sweeping, monthly chipping on the first Wednesday of each month has begun and will continue until November. Ehrhart stated he was notified the topcoat for the St. Rt. 608 paving project will be May 5 & 6, weather permitting. Orwell gas extended the gas line from the municipal center to the new water treatment plant. Ehrhart commended Sgt. Tucholski for his great job in scheduling officers to maintain traffic control during the paving and gas line projects.

Police Report – April: included in the council packet. Chief Stehlik stated not included in the report is the felony sentencing and indictment, part of the sentencing was a result of the investigation by Lt. Fabian. Therefore, Lt Fabian was chosen as Geauga Co. Bar Assn Law enforcement officer of the year.

The police department received notice they will be given a chance to win a new cruiser. The drawing hasn't been scheduled.

Zoning Inspector's Report – April: no report.

Engineer's Report – April: no report.

Recreation Director's Report – March: Hatch stated the spring programming has begun. This year there are a combined 13 baseball and softball teams. Also, thus far there are 10 men's league teams.

The spring soccer program has begun and the peewee soccer program has the largest number of participants since the Village began offering the program. Former Cleveland Crunch goalie, Otto Orf, instructed a soccer coach's clinic and was well received. Orf will hold a soccer camp and needs a minimum of 50 kids to register

Hatch stated flag football has been offered this spring for the first time, and has been well received. This program has been a successful fall program, as well.

The annual Safety First program will take place in June for the 5 and 6 year old kids.

The sports complex on N. Thompson is near completion. The laser leveling of the ball field has been completed and the field mix has been delivered.

Community Days is scheduled for the last weekend in July. The theme is Christmas in July.

Hatch and Ammons attended a youth sports summit where they learned Senate Bill 46 it will require background checks on all volunteers. Also discussed at the summit were the coaches and parents codes of conduct.

Currently working on the summer brochure.

Ambulance Report – March: included in the council packet.

Cemetery Sexton Annual Report: included in the council packet.

Bank Report – March: included in the council packet.

Financial Report – March: included in the council packet.

Investment Report – March: included in the council packet.

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

CCA Report – March: included in the council packet.

PUBLIC PARTICIPATION

Mayor Poole stated the manager of the new Cortland bank, located in Harrington Sq., invited all to attend the ribbon cutting and open house on May 15, 2008, from 5:00 p.m. to 7:00 p.m.

FIRST READING

Ordinance 08-114: Authorizing the Hiring of Brandon L. Savage to the Full-Time Position of "Police Officer Class B", Establishing Compensation and Declaring an Emergency.

Blue introduced Ord. 08-114, read by title only, moved to waive the required readings and declare an emergency. Wallace seconded. All in favor: All Yeas (6)

Hofstetter moved to **pass** Ord. 08-114, seconded by Jemison. All in favor: All Yeas (6).

SECOND READING

Ordinance 08-111: Authorizing Various Activities Related to the Middlefield Community Days Event, Waiving the Prohibitions of the Codified Ordinances Regarding Same.

Davis introduced Ord. 08-111, read by title only, and moved to place it on first reading. Hofstetter seconded. All in favor: All Yeas (6).

Mayor Poole deviated from the agenda to accommodate the 8:00 p.m. public hearings

OLD BUSINESS – none before council.

NEW BUSINESS

- 1. Landscaping Proposal at Knox Park** – Weir stated George Knox’s grandson, Ryan Drabek owner of Crabtree Landscaping, would like to donate materials and his landscaping services to beautify George Knox Park, a value of \$3,270.00. *Hofstetter moved to accept the landscaping proposal from Crabtree Landscaping, in the amount of \$3,270.00, seconded by Davis. All in favor (6).*
- 2. Letter of Support for the Middlefield Volunteer Fire Department** - Weir stated the fire department has applied for a grant for air purifying respirators and Fire Chief Reed has requested a letter of support from the Mayor and Council to attach to the grant application. Blue stated the safety committee discussed this and recommends supporting the fire department’s request. *Blue moved to direct the Village Administrator to draft a letter of support for the Middlefield Vol. Fire Department grant application for air purifying respirators, seconded by Klein. All in favor: All Yeas (6).*

PUBLIC HEARINGS

At 8:00 p.m., Mayor Poole opened the public hearing for Ord. 08-108. Hearing no comments from those in attendance, Mayor Poole closed the public hearing at 8:01 p.m.

At 8:01 p.m., Mayor Poole opened the public hearing for Ord. 08-109. Hearing no comments from those in attendance, Mayor Poole closed the public hearing at 8:02 p.m.

THIRD READING

Ordinance 08-108: Enacting New Section 1151.01(e), 1153.035, 1157.03(i), and 1155.015, and Amending Existing Section 1140.06(a), 1115.01, 1155.08(a), 1157(b), 1165.06 and 1165.07(e) of the Codified Ordinances to Create the New SR Senior Residential Zoning District and to Make Changes in the Zoning Code Related Thereto.

Klein introduced Ord. 08-108, read by title only, and moved to place it on third reading. Davis seconded. All in favor: All Yeas (6).

Davis moved to **pass** Ord. 08-108, seconded by Klein. All in favor: All Yeas (6).

Ordinance 08-109: Amending Existing Section 1140.11(g) of the Codified Ordinances to Allow for the Posting of a Performance Bond to Obtain a Temporary Occupancy Permit Under Specified Circumstances.

Klein introduced Ord. 08-109, read by title only, and moved to place it on third reading. Hofstetter seconded. All in favor: All Yeas (6).

Blue moved to **pass** Ord. 08-109, seconded by Wallace. Roll Call: All Yeas (6).

NEW BUSINESS - continued

- 3. Final Pay Request for the Northview Drive Improvement Project** – Weir stated request in the council packet is in amount of \$11,402.71. This afternoon Weir received notice the maintenance bond has been posted and the engineer authorized the release of the entire retainage, in the total amount of \$13,852.71. *Hofstetter moved to authorize the final pay request to Mr. Excavator for the Northview Dr.*

Improvement project, in the amount of \$13,852.71, seconded by Jemison. All in favor: All Yeas (6).

4. **Water & Sewer Rate Study** – Weir stated he received a quote from Arcadis to perform a detailed rate study, which involves reviewing the Village's past 3 fiscal years, our debt obligations, and future capital improvement projects, such as the downtown pump station. The Village has never had a rate study performed and this study will recommend to the Village future rate increases. The rate increase in January 2008 will not be enough to cover our debt for the wastewater treatment plant. Also, this study will project how much of the debt payments will be paid from which fund, and it will determine if our current rate structure is the best and what we should be charging. In the future, council needs to determine how much of the income tax fund will subsidize the water and sewer fund, which affects future capital projects. Hofstetter stated the utility committee discussed this cost estimate and feels it's too high. Blue stated he'd rather discuss this rate study when the water plant is complete and operating. Davis stated a detailed rate study is necessary because our current water and sewer rates are not sufficient to make the debt payments. Lee stated whether council authorizes this study now or in the future, a professional study needs to be done for many reasons. The water and sewer rates need to support their respective funds. The Village water and sewer rates are very low compared to other municipalities and, while council may make a political decision at this time not to raise utility rates so that these funds are self-sustaining, Lee stated with the closing of two industries in the Village, council needs to make hard choices as to which projects need to take priority and, if the income tax fund is subsidizing the utility funds, there won't be funds available for various other major improvements. Lee stated requirements from many agencies who loan money need to know if your utility funds are self-sustaining. Discussion held regarding other firms that perform this study. Weir stated Arcadis has provided their services in the past and he and council know their quality of work. Arcadis has designed our WWTP and WTP so they have history on these projects. Weir if we should default on our loan payments, OWDA has the right to set the water and sewer rates to help us repay the loans. Blue stated knowing the rates were low and we had a 5-year plan, he feels, at this point, its futile to spend \$35,000.00 to have a study tell us what we already know. Blue suggested reviewing the water and sewer revenue in 2-3 years to we see where we are. Davis fears if this study is deferred, we may find that we'll need to raise the rates substantially. Mayor Poole agrees that Weir has put together a rate structure and agrees \$35,000.00 is a great expense to tell us to raise rates. Ehrhart noted that this year 2 major industries have closed, which wasn't expected last year, and council needs to keep that in mind. Davis stated if this study can show us how to avoid a hole that wasn't seen, we should move forward with it. Hofstetter stated since Arcadis is so familiar with the Village, he suggests Weir discuss this study with Arcadis to trim so of the proposed components. Discussion held regarding Weir's spreadsheet versus having a professional report compiled. Weir stated his projection didn't include any rate increases for the next 5 years. Blue suggested before authorizing Arcadis to compile the data, to review Weir's projections. Will discuss at the next council meeting. Davis reminded council the Village because 2 industrial plants have closed, the Village isn't receiving their revenue from income tax or water and sewer usage. Klein stated if Arcadis would cut the cost to \$20,000.00 he would be in favor of the study.
5. **Shook pay request #6** – Blue moved to authorize pay request #6 to Shook for the water treatment plant improvement project, in the amount of \$178,348.00, seconded by Wallace. All in favor: All Yeas (6).

COMMITTEE REPORTS – included in the council packet.

CALENDAR

Recreation Committee meeting – 1st Thursday @ 6:45 p.m. June, July, Aug

May meeting – 22nd @ 6:30 p.m.

Council summer schedule – 1st Thursday of each month for May, June, July, Aug.

At 8:40 p.m. Klein moved to adjourn into executive session for purposes of pending litigation, land acquisition, personnel compensation and personnel discipline. Wallace seconded. All in favor: All Yeas (6).

The meeting reconvened at 9:05 p.m.

Regarding the Community Development Grant Application (CDBG) for the sidewalks from St. Lucy's to the Village line, Weir stated the CCNC has two options:

1 – Apply for the full amount of the engineer's estimate. This could result in the project not being funded or:

2 – Apply with a contribution from the Village towards cash and in-kind, increasing the likelihood for funding from CDBG.

Weir suggested a cash contribution of \$33,282.30 and in-kind contribution of \$11,650.00. The amount required from CDBG would be \$72,282.30. Discussion held. Council agreed with the contribution amounts and instructed Weir to contact St. Lucy's with a request to consider a cash contribution towards the project. Solicitor Lee to prepare an ordinance for the June council meeting.

Being no further business at this time, Blue moved to adjourn at 9:19 p.m.

Fiscal Officer

Mayor