

## REGULAR COUNCIL

**DRAFT**

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**August 7, 2008**

Council President J. Jemison called the meeting to order at 7:34 p.m. with the following members present: B. Blue, E. Davis, C. Hofstetter, J. Jemison and S. Klein. Mayor Poole is excused.

Also present: C. Osborne – Fiscal Officer, D. Weir - Admin., Steve Roessner – Zoning Inspector, C. Ehrhart – Director of Streets & Utilities, Police Chief Stehlik, John Borkholder, Gary Schoenwald and Ben Nicastro – Geauga Co. Airport.

Agenda: Add to Public Participation – Ben Nicastro

Minutes of July 3, 2008 meeting were presented for approval. Klein moved to approve the minutes as presented. Blue seconded. All in Favor: All Yeas (6).

Payment of Bills Totaling \$462,474.04 was presented for payment. Blue moved to authorize the payment of bills totaling \$462,474.04. Hofstetter seconded. All in Favor: All Yeas (6).

Director of Streets & Utilities – July: Routine maintenance at WWTP and WTP, routine equipment maintenance, meter reading and meter replacement, routine park maintenance, watering flowers, sewer main cleaning, and ball field maintenance. Davis questioned the maintenance at Eagle Park. Ehrhart stated every morning the equipment needs to be adjusted and the company states that just part of the maintenance of a splash park.

Police Report – July: included in the council packet. Chief stated July was another busy month. The new 2008 Chevrolet Malibu Hybrid cruiser will average 27-28 mpg. The gasoline cruisers average 6-13 mpg. Chief feels this should be an approximate savings in fuel costs of \$2,500.00 per year. One of our cruisers will be converted to the K-9 car, and a cage will be donated to us by the sheriff's department. Chief Stehlik commended Marie Shipek for her outstanding work in the department resulting in a clean LEADS audit.

Zoning Inspector's Report – July: included in the council packet. Roessner stated the Get Go opened last Thursday there were no problems during construction.

Engineer's Report – July: no report.

Recreation Director's Report – July: included in the council packet. Hatch stated the summer programming is ending and the fall programming has begun. Hatch stated she's currently working on winter programming.

Hatch thanked Charlie, the service crew and Chief Stehlik for their help with Community Days. Holding the fishing derby on Saturday evening instead of in the morning didn't affect the number of participants. Hatch requested moving Community Days to the first weekend in August due to competing events. Hofstetter stated in the past when we had more vendors, there's too much competition they didn't make any money. Also, we provide a free meal, which also cuts into their profits.

Ambulance Report – June: included in the council packet.

Bank Report – June: included in the council packet.

Financial Report – June: included in the council packet.

Investment Report – June: included in the council packet.

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

CCA Report – June: included in the council packet.

## **PUBLIC PARTICIPATION**

**Ben Nicastro, Village representative to the Airport Authority** – no questions from council.

## **FIRST READING**

### **Resolution 08-06: Authorizing the Village Administrator to Enter into a Two-Year Extension of the Existing Agreement with Geauga Local Access Cable Corporation for the Provisions of Local Access Cable Programming.**

Davis stated she would like to have our Council meetings broadcast on GTV. Municipalities now pay a flat fee in lieu of the past franchise fee. Discussion held.

Klein introduced Res. 08-06, read by title only, and moved to place it on first reading. Wallace seconded. All in favor: All Yeas (6).

### **Resolution 08-07: Expressing Support for the Grant Request y the Police Department of the Village of Middlefield for Funding for the Village's D.A.R.E. Program, and Declaring an Emergency.**

Blue introduced Res. 08-07, read by title only, moved to waive the required readings and declare an emergency. Klein seconded. All in favor: All Yeas (6).

Wallace moved to *pass* Res. 08-07, seconded by Davis. All in favor: All Yeas (6).

### **Resolution 08-08: Authorizing the Village Administrator to Enter into a Pipeline Agreement Between the Village and Hans Rothenbuhler & Son, Inc. to Permit the Installation of an Underground Pipeline for Effluent Discharge.**

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

### **Ordinance 08-121: Authorizing and Directing the Village Fiscal Officer to Make Payment to the Cardinal School District, in the Amount of \$32,764.53, in Compliance with the Village's 2007 Revenue Sharing Obligations Mandated by Section 5709.82(C)(2) of the Revised Code.**

Klein introduced Ord. 08-121, read by title only, and moved to place it on first reading. Davis seconded. All in favor: All Yeas (6).

### **Ordinance 08-122: Authorizing and Directing the Village Fiscal Officer to Make Payment to the Cardinal School District, in the Amount of \$35,886.79, in Compliance with the Village's 2007 Revenue Sharing Obligations Mandated by Section 5709.82(C)(2) of the Revised Code.**

Davis introduced Ord. 08-122, read by title only, and moved to place it on first reading. Hofstetter seconded. All in favor: All Yeas (6).

**Ordinance 08-123: Extending the Probationary Period for Police Officer Derrick Pilarczyk, and Declaring an Emergency.**

Klein introduced Ord. 08-123, read by title only, moved to waive the required readings and declare an emergency. Blue seconded. All in favor: All Yeas (6).

Wallace moved to *pass* Ord. 08-123, seconded by Davis. All in favor: All Yeas (6).

**Ordinance 08-124: Increasing the Rate for Nathan Bushek, Effective August 11, 2008 and Declaring an Emergency.**

Klein introduced Ord. 08-124, read by title only, moved to waive the required readings and declare an emergency. Blue seconded. All in favor: All Yeas (6).

Hofstetter moved to *pass* Ord. 08-124, seconded by Wallace. All in favor: All Yeas (6).

**SECOND READING**

**Ordinance 08-117: Enacting New Chapter 1309 and New Section 1101.02 and Amending Existing Section 1101.01(b) of the Codified Ordinances to Create an Exterior Property Maintenance Code.**

Davis introduced Ord. 08-117, read by title only, and moved to place it on second reading. Klein seconded. All in favor: All Yeas (6)

A public hearing is scheduled for September 4, 2008, beginning at 8:00 p.m.

**Ordinance 08-118: Amending Existing Sections 1101.01(b), 1133.05(a)(3), 1135.02 Through 1135.06 (inclusive) and 1153.09(b)(2), and Enacting New Section 1135.07 of the Codified Ordinances to Shift the Approval, Responsibility and Authority for Conditional Uses from the Board of Zoning Appeal to the Planning Commission, and Implementing Certain Technical Changes.**

Davis introduced Ord. 08-118, read by title only, and moved to place it on second reading. Hofstetter seconded. All in favor: All Yeas (6)

A public hearing is scheduled for September 4, 2008, beginning at 8:00 p.m.

**Ordinance 08-119: Adopting the Proposed Comprehensive Plan Update as Recommended by the Planning Commission.**

Klein introduced Ord. 08-119, read by title only, and moved to place it on second reading. Wallace seconded. All in favor: All Yeas (6)

**Ordinance 08-120: Extending the Authorization for Kraftmaid Cabinetry to Utilize Two Temporary Office Trailers, Pending Completion of the Planned Kraftmaid Office Expansion.**

Blue introduced Ord. 08-120, read by title only, and moved to place it on second reading. Hofstetter seconded. All in favor: All Yeas (6)

**THIRD READING**

**Ordinance 08-115: Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of the Village of Middlefield, Ohio.**

Klein introduced Ord. 08-115, read by title only, and moved to place it on third reading. Davis seconded. All in favor: All Yeas (6).

Klein moved to **pass** Ord. 08-115, seconded by Wallace. All in favor: All Yeas (6).

**OLD BUSINESS** – none before council.

**NEW BUSINESS**

1. **Phillip Miller Construction Donation to the Yoder Brothers Baseball Field -**  
*Blue moved to accept the donation from Phillip Miller Construction, in the amount of \$1,000.00, seconded by Klein. All in favor: All Yeas (6).*
2. **Abcon Pay Release and Change Order Eagle Park Landscaping Contract –**  
Weir stated the change order adjusts the amount of the contract due to the trees that died and grass not growing. Weir recommends not releasing the \$2,552.00 retainer until the maintenance bond is posted and it changes the terms of the contract and only pay \$5,257.00. Weir stated the Village can re-seed the area at a much lower cost. Blue stated he and Hofstetter visited the site and noticed several areas of low-lying areas. Ehrhart stated the park wasn't engineered properly. The landscaper was the final contract to be completed and, once the asphalt was installed, the landscaper needed to adjust her design. Discussion held regarding relying on various contractors to follow their individual contracts. Ehrhart suggested closing the park in September and amend the landscaping. Blue questioned if Provost would have a punch list for this project. Cornet stated if the contractors complied with their contracts, the engineer wouldn't find anything wrong with the project.  
*Davis moved to authorize the pay request to Abcon, in the amount of \$5,257.00, seconded by Klein. All in favor: All Yeas (6).*  
*Davis moved to authorize the change order, in the amount of \$20,174.80, seconded by Klein. All in favor: All Yeas (6).*
3. **Astro Pool Final Pay – Hofstetter moved to authorize the final pay request to Astro Pool, in the amount of \$5,000.00 seconded by Jemison. All in favor: All Yeas (6).**
4. **Final Pay Request – Jack Gibson WWTP - Hofstetter moved to authorize the final pay request to Jack Gibson Construction for the WWTP construction, in the amount of \$50,000.00, seconded by Jemison. All in favor: All Yeas (6).**

**COMMITTEE REPORTS** – included in the council packet.

**CALENDAR** – no changes.

Being no further business at this time, Klein moved to adjourn at 9:52 p.m.

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Fiscal Officer

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Mayor