

**REGULAR SESSION OF COUNCIL  
MINUTES  
JANUARY 19, 2016**

Council President Swan called the meeting to order at 6:30 pm. The Pledge of Allegiance followed.

ROLL CALL: Ellis, Healey (arrived at 6:35), Hudak, Kahoe, Lanford, Lyons and Swan ABSENT: None.

OTHERS PRESENT: Mayor Beshara, Police Chief Morgan, Fire Chief Mihalek, Service Director Baker, Park and Recreation Director Jocek, Planning & Zoning Director Frantz, Finance Director Turk, Law Director Hanna.

**APPROVAL OF MINUTES:**

**MOTION:** TO APPROVE THE MINUTES FROM JANUARY 4, 2016 ORGANIZATIONAL MEETING AND FROM THE JANUARY 5, 2016 MEETING AS CORRECTED (BY THE MAYOR).

Moved by Kahoe seconded by Lanford. ROLL CALL: Ellis, yea; Healey, yea; Hudak, abstain; Kahoe, yea; Lanford, yea; Lyons, yea; Swan, yea. Motion passed.

**DISCUSSION:** Mayor had corrected a date and name spelling.

**COMMUNICATIONS AND PETITIONS:** None.

**MAYOR'S REPORT:**

- Reported that RJRD is holding a public Stakeholder and Strategy Meeting on February 11<sup>th</sup> at 6:30 pm in Council Chambers. Jeff Kerr from EDG will be in attendance. This is the first in a series of these meetings.
- Swore in Andrew Willis as a part-time EMT. Chief Mihalek gave a brief history of Mr. Willis' employment at the Village. Mr. Willis is a lifetime resident of Richfield and has been working in the Fire Department on his own time learning the equipment while finishing his education for the EMT position.

**DEPARTMENT HEAD REPORTS:**

**Chief Morgan – Police**

Report stood as submitted.

Report

In April 2015, Sergeant Chris Fyffe observed two suspicious vehicles behind the Pilot Travel Center. Further investigation revealed that Sgt. Fyffe had interrupted the transfer of over 100 pounds of marijuana.

The driver of the semi was immediately arrested; the other party fled and was arrested following a quick investigation to determine his identity.

The semi-truck and trailer were forfeited after court proceedings were completed. The vehicles will be sold and the proceeds split between the Summit County Prosecutor's Office and the police department to further combat drug activity.

Sergeant Fyffe is to be commended for his observation and action in this instance.

**Legislation:**

Disposal and auction of truck and trailer.

**Chief Mihalek – Fire**

Report stood as submitted.

**Report**

We have had many motor vehicle crashes with the return of the winter weather. Please be careful, especially on our hills within our community and also the interstates, as the wind gusts become a huge factor in these open areas.

University Hospitals has recently updated our current protocols for medical care in the field. These protocols are the playbook we operate under to deliver the best patient care possible.

We would like to thank University Hospitals as they have given us a Lucas Device. A Lucas Device is a piece of equipment that delivers constant CPR in cardiac arrest. This device can deliver far superior chest compressions than a human. This device will increase the chances for survival in all our cardiac arrest patients. This device is valued at well over \$16,000.

Chief Mihalek had Lt. Purkey read an e-mail that he had written to the Chief that day concerning the outstanding service by Ron Boryk and Chris Najsztup. A truck had rolled over and the driver's arm was pinned under the cab of the truck. Inflatables were used to raise the vehicle off his arm and the driver was placed on a back board for transportation to the hospital in a quick efficient manner. There is no report available on the condition of the driver.

**Director Baker-Service**

Report stood as submitted.

**Report****Legislation –****Summit County Road Paving**

Resolution 2-2016 will be on for second reading. This resolution will allow the Village to participate with Summit County on the bidding of our road pavement program for 2016. We have allocated \$300,000.00 for this project in the capital budget. I will respectfully ask for the suspension of the 3<sup>rd</sup> reading and adoption. Summit County is asking for participator legislation and final estimates by February 2, 2016.

Service Director to bid for 2016 asphalt, stone and pipe materials.

There will be legislation on the agenda allowing the Service Director to have their annual bid request for their summer materials of stone, pipe and asphalt. This is to bid only. The current contracts for these materials expire on April 1, 2016.

**The Mayor and Finance Director to enter into a contract for the purchase of 3 police vehicles and a service department vehicle.**

There will be legislation on the agenda allowing the Mayor and Finance Director to enter into a contract with Montrose Ford for the purchase of 3 police vehicles and a service department vehicle. This purchase is being made through the state bid (CUE) program. We will be asking for the suspension of the second and third reading to allow for the order to be made on the vehicle so they may get into inventory to be made. Delivery is 6 to 8 weeks.

**Projects****Village Green / Knopp House**

Will present drawings old and new (2016) in reference to the Village Green for review. Will continue to get pricing as asked by Council including the dismantling of the Knopp house for removal.

**3921 Brecksville Road**

Will present drawings and plan information for 3921 Brecksville Road. This information will include planning numbers for space requirements, drawings and location of outside material storage. Preliminary costs were prepared for the build of the site.

These materials will be submitted for your review and given as to provide a basis for good discussion on Tuesday January 26, 2016 with the Planning and Zoning Commission.

Director Baker commented that Andrew Willis had worked three summers for the Service Department and on behalf of the Service Department gave Mr. Willis best wishes in his new position.

**Director Jocek: - Recreation**  
Report stood as submitted.

Report

I want to thank the Mayor and Council members, Healey and Lanford, for coming to our Open House to see the new fitness equipment and fitness programs. I hope that the rest of you will take the time to stop in on Saturday, February 20<sup>th</sup> starting at 10:30 am for our next Open House.

Our next big events will be the second annual ART Show (Masonic Hall) which features many local artists and their wares. Most art work will be for sale. We have moved the date of our show to coordinate with the Log Cabin Art Show so that people will be able to make many stops in Richfield and enjoy the day.

Ironically Easter is early this year and the Easter Egg Hunt will be held the same day as the Art show, Saturday, March 19<sup>th</sup> at 11 am at the Town Hall. (Don't worry it's over in a flash!)

We are taking reservations for the 2016 community garden plots already. We do not have too many to fill.

We have spotted ice skaters on the ice rink...it's about time!

The new ball field lights have been installed and we cannot wait to test them in the dark. It will be a great upgrade to the field.

Check out our web pages. We are offering many new programs this year.

Judy Soroczak has started as a Recreation Assistant. She is proving to be a valuable asset to the recreation department

**Director Frantz – Planning and Zoning**  
Report stood as submitted.

Report:

The Planning Commission organized at their meeting on January 12<sup>th</sup> and reappointed Chuck Boester as chairman, Ralph Waszak as Vice-Chairman and Dan Holahan as Secretary. Another item related to organizing, the Commission discussed their accomplishments from 2015 (see attached) and what goals they would like to achieve in 2016. The first priority of the Commission in 2016 will be to being working on a more detailed design scheme for the south Wheatley properties. After the design scheme is formulated, we will be able to finalize the details of a new zoning district that encompasses the desired design and the zoning regulations needed to implement them to achieve a cohesive development. I will keep Council apprised as the Commission will be seeking its input.

At this meeting, the Commission also met with Roadmasters truck driving training school about their interest to move into the office space on the former Bencin property. The Commission had a productive conversation with Roadmasters and determined some minor amendments to their site plan were needed. Regarding the use, the Commission concurred Roadmasters is an appropriate use of the land and will likely approve the conditional use permit.

Finally, the Commission recommended approval of amendments to certain sections of the R-3 Zoning District to clarify definitions, densities and associated setback standards. Related to this, changes are also being proposed to the senior housing requirements in the Conditional Use Chapter of the Planning and Zoning Code. The Commission is requesting Council set a public hearing pursuant to Section 1109.11 of the Planning and Zoning Code.

The plat to create a new approximate four-acre lot in Kinross Lakes that will lead to the construction of a restaurant at the corner of Brecksville Road and Kinross Lakes Parkway will be discussed at the Commission's February 9<sup>th</sup> meeting. We will keep Council apprised of information as it comes available.

**Director Turk - Finance**

Report stood as submitted.

Report:

**2015/2016 Financial Books**

The 2015 financial books are closed and the 2016 financial books are open. Year end highlights will be distributed with the December financial reports. I will work on the State's annual financial report that is due by March 1<sup>st</sup>.

**2014/2015 Audit**

The State Auditor for the first time in many years audited (versus having an independent public accounting firm complete the audit) the Village and Townships 2012/2013 books. It was the most detailed audit the Village and Township experienced. Prior audits conducted by independent public accounting firms utilized 200 hours or less to complete the Village's audits. The State Auditor ended up utilizing 317 hours to complete the last audit.

The State Auditor did notify us that they are going to switch back to having an independent public accounting (IPA) firm complete the Village's and Township's audits. The State is going to release the Request for Proposals on January 20<sup>th</sup>, they will hold a pre-proposal conference on January 27<sup>th</sup>, and proposals are due back to the State on February 10<sup>th</sup>. The winning IPA will be able to commence the engagement on March 6<sup>th</sup>. A copy of the draft report is scheduled to be done by June 2<sup>nd</sup>, an exit conference held by June 13<sup>th</sup> with the final report delivered by June 30<sup>th</sup>.

**Recommendations/Considerations:** None

**Legislation:**

**A. *Resolution No. 3-2016 – Accepting the Proposal of Ohio Plan Risk Management, Inc. for Property and Casualty Insurance coverage***

This resolution is being submitted for first reading only. We are still awaiting the renewal quote from Ohio Plan. The current coverage with Ohio Plan that expires on February 29<sup>th</sup> costs us \$69,779. Depending on the renewal quote, this resolution will be amended before consideration of adoption at the February 16<sup>th</sup> Council meeting. I will share the renewal information

Mr. Kahoe asked if there were any amounts for the property and liability insurance. Director Turk indicated that the numbers had not yet been received and depending on the amounts bids may be requested from other firms. Mr. Kahoe asked that the bidding take place regardless of the amounts. Director Turk indicated that the requests would go out the next day for quotes.

**Law Director Hanna**

Mr. Hanna asked for an Executive Session to discuss pending litigation without any action afterward.

REPORT OF COMMITTEES: President Swan asked if anyone had any committee report. (See Pat Healey below.)

**Mr. Kahoe** – Tree and Landscape Committee; Building & Grounds

No report.

**Mr. Ellis**- Safety Committee

No report.

**Mr. Hudak**- Finance

No report.

**President Swan**- Planning & Zoning Commission; Cemetery Board

**Mr. Lyons**

**Mrs. Lanford** – Human Services Commission

**Mrs. Healey** – Parks & Recreation Board Representative

Mrs. Healey reported that Parks & Recreation met last night and went over a number of activities that are being planned or organized for the coming season.

### **CAUCUS (Council's discussion of agenda items, including motions to modify agenda)**

There was a discussion on Ordinances and Resolutions on the agenda. (See Resolution 4-2016 for the discussion on the vehicles that was done at this time.)

### **COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY**

#### **ORDINANCES AND RESOLUTIONS.**

##### First Readings:

**RESOLUTION 3-2016** Offered by All of Council

**A RESOLUTION ACCEPTING THE PROPOSAL OF OHIO PLAN RISK MANAGEMENT, INC. FOR PROPERTY AND CASUALTY INSURANCE COVERAGE FOR THE VILLAGE AND ITS EMPLOYEES AND DECLARING AN EMERGENCY.**

**RESOLUTION 4-2016** Offered by All of Council

**A RESOLUTION AUTHORIZING THE PURCHASE OF THREE (3) FORD EXPLORERS FOR THE POLICE DEPARTMENT AND ONE (1) FORD EXPLORER FOR THE SERVICE DEPARTMENT FROM MONTROSE FORD THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.**

**MOTION:** TO SUSPEND 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 4-2016.

Moved by Ellis seconded by Kahoe. Upon roll call motion passed unanimously.

**MOTION:** TO ADOPT RESOLUTION 4-2016.

Moved by Lanford seconded by Lyons. Upon roll call motion passed unanimously.

**DISCUSSION:** None at adoption. (From Caucus - Mrs. Lanford asked why Explorers were being purchased instead of a smaller and more fuel efficient model. Chief Morgan and Director Baker responded that fuel efficiency is always poor on police vehicles due to the large amount of idling. The Explorers are a little larger (and this space can be well utilized) and are more durable than the other vehicle. The durability more than makes up for the slightly lower fuel efficiency than the other model.)

**RESOLUTION 5-2016** Offered by All of Council

**A RESOLUTION AUTHORIZING THE SALE BY PUBLIC AUCTION OF A TRUCK AND TRAILER FORFEITED BY COURT ORDER TO THE RICHFIELD POLICE DEPARTMENT AND NO LONGER NEEDED FOR VILLAGE PURPOSES.**

**MOTION:** TO SUSPEND 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 5-2016.

Moved by Lyons seconded by Lanford. Upon roll call motion passed unanimously.

**MOTION:** TO ADOPT RESOLUTION 5-2016.

Moved by Ellis seconded by Lanford. Upon roll call motion passed unanimously.

**DISCUSSION:** Chief Morgan requested that the readings be suspended so that the vehicles can be placed in the February auction.

**RESOLUTION 6-2016 Offered by All of Council**

**A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE A REIMBURSEMENT AGREEMENT WITH DOMINION EAST OHIO GAS FOR THE RELOCATION OF UTILITIES ON THE SOUTH SIDE OF WHEATLEY ROAD, AND DECLARING AN EMERGENCY.**

**MOTION:** TO SUSPEND 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 6-2016.

Moved by Ellis seconded by Kahoe. Upon roll call motion passed unanimously.

**MOTION:** TO ADOPT RESOLUTION 6-2016.

Moved by Lyons seconded by Kahoe. Upon roll call motion passed unanimously.

**DISCUSSION:** None.

**ORDINANCE 7-2016 Offered by All of Council**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1130 OF THE VILLAGE OF RICHFIELD'S ZONING CODE, ENTITLED "R-3 CLUSTER RESIDENTIAL DISTRICT," AND DELETING CERTAIN SECTIONS OF CHAPTER 1173 OF THE VILLAGE'S ZONING CODE, ENTITLED "CONDITIONAL USES" TO FACILITATE THE AMENDMENTS TO CHAPTER 1130 AND BE CONSISTENT THEREWITH.**

*Second Readings:***RESOLUTION 2-2016 Offered by All of Council**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY FOR THE MAINTENANCE OF ROADWAYS LOCATED WITHIN THE VILLAGE AND DECLARING AN EMERGENCY.**

**MOTION:** TO SUSPEND 3<sup>RD</sup> READING OF RESOLUTION 2-2016.

Moved by Lanford seconded by Kahoe. Upon roll call motion passed unanimously.

**MOTION:** TO ADOPT RESOLUTION 2-2016.

Moved by Lyons seconded by Kahoe. Upon roll call motion passed unanimously.

**DISCUSSION:** Mr. Lyons indicated that this is an annual contract and should be adopted so that the County can complete its process.

*Third Readings:***RESOLUTION 79-2015 Offered by All of Council**

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH FEDERAL SIGNAL FOR THE PURCHASE OF ONE OUTDOOR WARNING SIREN SYSTEM, AND DECLARING AN EMERGENCY.**

**ORDINANCE 85-2015 Offered by All of Council Referred to P&Z 12/1**

**AN ORDINANCE TO ADOPT UPDATED SUBDIVISION RULES AND REGULATIONS, AS PROPOSED BY THE PLANNING AND ZONING COMMISSION, AND TO REPEAL ORDINANCE NO. 40-1994 AND OTHER ORDINANCES INCONSISTENT.**

Returned from P&Z. Public Hearing set for January 19<sup>th</sup> at 7:45 pm.

**DISCUSSION:** Mark Majewski, AICP Northstar Planning & Design LLC, was introduced by Director Frantz. Mr. Majewski gave a brief synopsis of the changes in the Subdivision Regulations that were being proposed.

Inactive Items:

**ORDINANCE 66-2015 Offered by All of Council Referred to P&Z for 60 days on 9/15; Recommendation returned undecided; Meeting w/P&Z, Historical Society and Council at 1/26/16 P&Z meeting.**

**AN ORDINANCE DETERMINING THAT THE KNOPP HOUSE SHOULD BE MOVED FROM ITS PRESENT LOCATION TO A LOCATION ADJACENT TO THE OLD TOWN HALL.**

UNFINISHED BUSINESS: Mr. Hudak wanted the record to reflect his strong suggestion that all four Ford Explorers be rustproofed, not merely undercoated. The warranty on these vehicles is not the same as those in the past where this process voided them. Director Baker indicated that police vehicles are not usually rustproofed because they are not retained long enough to re-coop the expense, however, Chief Morgan and the mechanic will discuss this option.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR (On any item): Mark and Diane Stevens, 3474 Broadview, presented the water issue they are faced with. Their well is a low yielding well and no longer produces enough volume and a water hydrant exists just 350' from them. They wanted to know if a line could be extended to their house from the hydrant. They wanted to know why the water tower was not on the agenda and would a water line be extended to them once this is in place. If they drill a new well there is only a 50/50 chance that it will be successful. The Mayor indicated that a site is being negotiated with the property owner and until negotiations are completed there cannot be an announcement. Once the water tower is started it will take about 18 months before it is complete. The question on lines cannot be answered until the tower placement is approved/announced. Director Baker has given the Stevens a couple of options that might tide them over until a water line is constructed. Mr. Lyons indicated that a water line had been extended in the nearby area and assessments were in the \$11,000 to \$12,000 range. A new well with a 50/50 chance is going to cost in excess of \$16,000. The Mayor indicated that this will be looked into. President Swan concluded by saying that it is always going to take longer than anticipated.

Robert Glover, 3905 Mill Street, indicated that the siren legislation has been read three times but is once again on the agenda for discussion, along with the Service Building and the Village Green. The agenda appears to him that Council is going around in circles. He feels that the siren would be a good idea so that when other technologies go down it could still operate. Mr. Hudak responded that just because something is on the work session does not mean Council is going around in circles, but all three things needs to be talked about in light of developments. Mr. Kahoe felt that it was good that Council was discussing the \$1 million going into a building for the Service Department in light of the needs that go beyond the use of that building and the requests from Planning & Zoning regarding outdoor storage.

**MOTION: TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION**

Moved by Hudak seconded by Lyons. Upon roll call motion passed unanimously.  
*Council Adjourned to Executive Session at 7:25 pm and returned at 7:40 pm.*

**MOTION: TO SUSPEND THE MEETING FOR THE PURPOSE OF HOLDING A PUBLIC HEARING.**

Moved by Hudak seconded by Healey. Upon roll call motion passed unanimously.  
*Council Suspended the meeting at 7:45 pm and returned at 7:52 pm.*

**WORK SESSION****Discussion Topics****1. Warning siren system**

Chief Morgan has met again with 911 Cellular to discuss options that may work even though 911 cell calls still go to Richfield. He has also met with the other company suggested. The other company keeps the data produced while 911 Cellular is merely an application utilized by the Village. (No additional information on these systems was available at this time as Chief Morgan had been excused.) The siren is for weather related events only, works off of battery and radio signals so it will operate when technology or electricity is absent. It was suggested that weather radios be made available to residents who would want additional coverage and that there were FEMA grants available for their purchase. The item was deferred to the Safety Committee for further investigation.

**2. Service building and property plan**

Director Baker gave out a cost proposal and a plot design for a new Service Department facility. These were from 2003 and did indicate that the current building at 3921 Brecksville be demolished. The current plan is to move the Sign, Sewer and Landscape Departments to the renovated building, however, there would be no offices and there would be more items stored outdoors. In January 2013, it had been decided to stop analysis of the entire property. Council feels that the analysis should continue simultaneously with the renovation plans that started with a \$113,000 roof repair and has evolved into a \$1.1 million renovation. Planning and Zoning wants to have discussion on the appearance, landscaping and outdoor storage (which is non conforming) at 3921 Brecksville Road at the joint meeting on January 26<sup>th</sup>. These three items will be on the agenda under the discussion. Identical agendas (P&Z & Council) will be issued.

**3. Green or Village square plan**

This discussion was brought about because of the vandalism of the Blue Spruce on the Village Green and the donation of replacement trees. A handout was given out that showed proposed concepts. These will become part of the Knopp House discussion. A couple of businesses were suggested for costs 1) an Amish group for moving the house, and 2) Big Trees for the cost of obtaining another tree. Director Baker will pursue both of these cost estimates. Jim Fry indicated that his suggested order of options were 1) leave house where it is; 2) move it across the Green; 3) he will take and place on his property.

**Old Business**

President Swan indicated that Committee assignments still need to be made. Mr. Kahoe suggested that he appoint the chairperson and let that individual choose his other members. President Swan will work on assignments.

The Items in Process (listed in the box on the agenda) were reviewed with Sidewalks and Tracking employee benefits being removed and Briarwood being added back into the list.

**New Business**

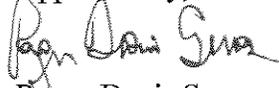
None.

ADOURNMENT: President Swan adjourned the meeting at 8:23 pm.

Respectfully submitted,

  
Carolyn Sullivan  
Council Clerk

Approved by,

  
Roger Davis Swan  
President of Council