VILLAGE OF RICHFIELD
Crossroads of Community and Commerce

REGULAR SESSION OF COUNCIL
MINUTES

NOVEMBER 1, 2016

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

ROLL CALL: Ellis, Healey, Hudak, Kahoe, Lyons and Swan. ABSENT: Lanford (arrived as meeting ended).
OTHERS PRESENT: Mayor Beshara, Police Chief Morgan, Assistant Fire Chief McLain, Parks and Recreation Director Jocek, Planning & Zoning and Interim Service Director Frantz, Finance Director Turk and Law Director Hanna. Absent: None.

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES FROM OCTOBER 18, 2016 REGULAR AS SUBMITTED.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously

COMMUNICATIONS AND PETITIONS: The Council Clerk indicated that a letter from A. Michael Samolis had been received and given to all members of Council, in which he expressed his opposition to the formation of a Yellow Creek conservancy district and asking for help in resolving this matter.

MAYOR'S REPORT:

The Mayor stated:

- Information has been placed on the website concerning FirstEnergy cancelling their electric supply to NOPEC effective January 1st. NOPEC is looking for another supplier.
- Joyce Remec, Clerk of Courts, is retiring November 30th after 23 years of service with the Village. She served as assistant to Mayors Waszak and Larson.
- Stephanie Landry, Assistant to the Mayor, is retiring November 30th after 37 years of service to the Village. She served as assistant to Mayors Lyons and Beshara over the last 12 years.

DEPARTMENT HEAD REPORTS:

Chief Morgan – Police

Report stood as submitted with the addition of the calls for the month of October: 1202 Village and 174 Township.

Report

Statistics for October not available at this writing.

John Dunn, a Cleveland resident, entered a guilty plea of Drug Trafficking in Heroin following a year-long investigation.

He also was convicted of corrupting another with drugs in connection with the overdose death of a Richfield resident.

He will be sentenced on December 15, 2016.

Michael Simmons entered a plea of guilty to one charge of grand theft in connection with an investigation conducted by the Ohio Bureau of Investigation. Simmons was the coordinator of the Shop With a Cop program and a Richfield Police officer. The grand theft charge is a felony of the fourth degree. Simmons is scheduled for a restitution and sentencing hearing on December 1, 2016.

Asst. Chief McLain for Chief Mihalek – Fire

Report stood as submitted with the addition of the calls for October: 41 Village EMS, 25 Village fire, 20 Township EMS, 5 Township fire.

Report

Fire & EMS Training:

We have concentrated on water delivery to the fire ground, supply lines, rural hitch evolutions and brought in all the neighboring departments with tankers for training drill.

Conducted vehicle extrication, evaluated new battery style cutters and spreaders to used with the new ambulance.

EMS training is ongoing once a month from University Hospital

General Fire Dept. Operations:

- We have received the all-terrain vehicle for RJRD, being outfitted at the Service Dept.
- We are working on specifications and have had three ambulance builders bring in demo trucks to look at and review.
- The Hydrant flushing was completed and the cooperation with Cleveland Water on repairing broken hydrants has been fantastic. All new hydrants have also been painted by the Fire Dept.
- Working with the Federal Signal on the tornado siren installation
- Inspections are ongoing, and plan reviews for National Interstate, and the old Snap On building

Director Jocek – Recreation

Report stood as submitted and called attention to the many events coming up.

- Another successful "Haunted Woods" was held over the past two weekends. Having moved from the Rec Center to the Johnson Barn/Richfield Woods has been a challenge but with great success. We handled the rain on the first two days but Saturday proved to be better and we had a continuous supply of body to scare. Our hayride was also a lot of fun for both adults and kids.
- If you have not stopped at Eastwood Preserve to see the new Eagle Scout projects please do so. There is a potting bench with a roof and two benches in the south path trail. There will be another project installed soon; it is the extension of the water line in the gardens down to the third garden. We are excited to have this many great projects.
- I bring up a sad reminder that starting November 19 and for the next three Saturdays we will be holding our annual "Holly Days" at The Eastwood House. It is the start of the Christmas season! Please drop in and see all the wonderful arts and crafts we will be selling from 9 am until noon each Saturday.
- Just a reminder that Tree Lighting will be held on Friday, November 25th at 6:00 pm at Masonic Hall. Please plan on attending.
- There will be another concert by Jay Nye on Thursday, December 15 at 7:00 pm at Masonic Hall. If you have not had a chance to hear Jay perform this is your last chance of the year. See you there.

Recommendations/Considerations:

President Swan stated that the event last night at the Fire Station was good. Mr. Hudak stated that he thought that last night was attended by the largest group of children that he has seen. Mrs. Healey thought that it was a good article about the Eagle Scout projects in the Richfield Times.

Interim Director Frantz – Service

Director Frantz – Planning and Zoning

Report stood as submitted. Director Frantz called attention to the sidewalk along Brecksville Road that is nearly complete with the final pour being done today; and, to the low bidder Spano on the emergency storm water project off of Brecksville Road.

Report:

SERVICE

1) The annual street striping program is complete for 2016.

2) The sidewalk extension project from 303 to Hawthorne is close to completion and will be done no later than November 15th per the contract.

3) We solicited four bids and received four bids to complete the emergency stormwater project off of Brecksville Road, near UPS. A break-down of the bids are as follows:

a.	Fabrizi Trucking	$113,431.00
b.	Lockhart Concrete Co.	$149,900.00
c.	Kenmore Construction Co.	$167,385.00
d.	Spano Brothers Construction	$100,858.60

Spano Brothers Construction is the low bidder and has been recommended by the Village engineer to complete the work. Spano is currently finalizing the work on the Brecksville Road sidewalk project. I am requesting Council suspend three readings and award the contract to Spano Brothers Construction.

4) The construction at 3921 Brecksville Road is close to completion. I anticipate the vast majority of the work being completed by November 15th, with only the office build-out to remain. Anticipated occupancy is prior to the Thanksgiving holiday. An itemized change order request is being presented to Council at its up-coming meeting.

5) The senior path project is complete, with the only remaining item being the addition of some barn stone to cover the exposed stormwater pipes. This work will be completed by Service Department staff.

6) Decorative light poles will be installed in the new parking lot in the center of town. Approximately four or five poles will be installed and should be completed in the next 60 days.

Planning

7) We continue to meet with the interested builder/developer for the former Richfield Elementary and discussed the potential to redevelop the property into single family home sites. This project appears to be moving forward and demolition of the buildings could occur during the first quarter of 2017. We will keep Council apprised as this project moves forward.

8) Finally, the Planning Commission met on October 25th and gave site plan approval to Cutting Edge Concrete to construct a 3,300-square foot addition on the rear of their existing building at 4767 Brecksville Road.

Recommendations/Considerations: None

Legislation: Approval of the change order request for 3921 Brecksville Road

Mrs. Healey commended Director Frantz on his completing or starting of the many projects in the Service Department. She is impressed with his work. Director Frantz stated that this is mainly due to the cooperation of the Mayor and the dedicated Service Department work force.

Director Turk – Finance

Report stood as submitted.

Report

2017 Budget Update

The capital improvement budget continues to be worked on and will be discussed again at the work session on November 1st. The 2017 appropriation measure excludes the capital improvement accounts and will be amended before its adoption on December 6th to reflect the final decisions on the projects. The goal is to have first reading of the 2017 budget at the November 1st Council meeting and adoption of the budget at the December 6th Council meeting.

Income Tax Collections

October's income tax revenue to-date is up 2.5%, or by $20,177, compared to October 2015. Year-to-date income tax revenue is up 7.3% over the same time period last year. A 2% increase was built into the budget. A separate memo will be sent out next week after the close of the month with the final numbers.

Third Quarter Sewer Billings

The third quarter sewer billings were mailed out today. Payments are due by Tuesday, November 29th.

Quarterly Federal and State Payroll Reports Filed

The required employer's quarterly Federal and State tax returns for the Village and RJRD were prepared and submitted to the respective authorities.

Recommendations/Considerations:

Council's consideration of suspension of the third readings and consideration of approval of the additional appropriation Resolution No. 72-2016 as amended October 27, 2016 at 3:30 p.m. The request is to appropriate monies for the following: legal expenses related to the Economic Development projects; Service garage change orders; two retirement payouts. National Interstate Insurance has agreed to reimburse $25,000 of the legal fees associated with their economic development project.

Resolution No. 70-2016 authorizing the necessary tax levies and certifying them to the County Auditor is up for third reading and consideration of approval.

Legislation:

A. ***Resolution No. 72-2016 To Make Appropriations for Current Expenses and Other Expenditures***

This resolution as amended 10/27/16 is being submitted for second reading with consideration for the suspension of the 3rd reading and for its adoption at the November 1, 2016 Council meeting. Overall appropriations are being decreased by $136,200. The request is to appropriate monies for the following: legal expenses related to the Economic Development projects; Service garage change orders; two retirement payouts. National Interstate Insurance has agreed to reimburse $25,000 of the legal fees associated with their economic development project. We have paid $11,093 in legal fees to-date and have a $14,500 bill pending and the remaining appropriation in the fund is $8,906. The requested allocation of $15,500 will cover the existing expense and the forecasted expenditures anticipated through the remainder of the year. In addition, I also need to appropriate and transfer $15,500 of cash from the Income Tax fund into the Economic Development fund to cover the anticipated legal services related to the various projects.

$102,000 is needed to cover the following Service garage change orders: build offices $40,000; office design by GPD $10,000; epoxy flooring $19,000; computer/communications equipment $8,000; and $25,000 for a water line bore and trench box. In addition, $126,784 was spent or encumbered in 2015 for engineering ($92,000) and repairs ($34,784) and I thought this was part of the original $1 million project estimate so I reduced these amounts from the $1 million. I was informed that these costs are in addition to the $1 million original estimate. The total costs anticipated to be spent on the project is $1,388,484. I also need to appropriate and transfer $226,400 of cash from the Income Tax fund to cover these expenses.

Separation payments of approximately $15,000 each due to the retirement of the Mayor's Assistant and the Mayor's Court Clerk at the end of November require appropriations also.

Appropriation reductions of $650,000 are also requested that will not be utilized this year and are being placed into the 2017 Capital Improvement Budget for the Briarwood Pump Station and the review of the Briarwood water lines & conditions and the water line improvements.

B. ***Resolution No. 70 - 2016 To Authorize the Necessary Tax Levies and Certify Them to the County Auditor.***

This resolution is being submitted for third reading and consideration of adoption. This is an annual request accepting the amounts and tax rates as determined by the County Budget Commission, and authorizing the necessary tax levies and certifying them to the Summit County Fiscal Officer. Political subdivisions of the State must provide approved resolutions to the County Fiscal Officer by November 11, 2016.

C. ***Resolution No. 73- 2016 Adopting the Uniform and Clothing Allowance for 2017.***

This resolution is being submitted for first reading only. The allowances mirror the current allowances for non-bargaining employees for 2016 with the exception of the full-time janitor as the position was expanded to janitor/building maintenance technician. The allowance is going from $150 to $450.

D. ***Resolution No. 74- 2016 Authorizing Advances of Local Taxes.***

This resolution is being submitted for first reading only. This is an annual request per ORC 321.34 that entitles the Village to receive the advancement of the semi-annual settlement of local taxes and any other advances from the County. The Auditor may order the Treasurer to pay an amount not to exceed 25% of the Village's share of the undivided property taxes less the Auditor's and Treasurer's processing fees prior to the first day of April.

E. ***Resolution No. 75- 2016 Authorizing to Expend Funds for a Holiday Party.***

This resolution is being submitted for first reading only. This authorizes the expenditure of $900 (same as last year) for a holiday party for the employees and administrative officials.

F. ***Resolution No. 76- 2016 Adopting a Schedule of Positions, Salary Rates and Wages for Personnel for 2017.***

This resolution is being submitted for first reading only. The Ordinance incorporates a two percent (2%) cost-of-living adjustment effective December 26, 2016 for all members of the non-bargaining unit employees, excluding Council members and the Mayor whose salary is fixed by Ordinance No. 36-2015. The respective Collective Bargaining Unit Agreements define the collective bargaining unit employees' wages.

G. ***Resolution No. 77 – 2016 To Make Appropriations for Current Expenses and Other Expenditures of the Village for 2017.***

This resolution is being submitted for first reading only. The 2017 appropriation measure excludes the capital improvement accounts and will be amended before its adoption on December 6th to reflect the final decisions on the capital projects. The goal is to have first reading of the 2017 budget at the November 1st Council meeting and adoption of the budget at the December 6th Council meeting.

Law Director Hanna
No report.

REPORT OF COMMITTEES:
Mr. Kahoe – Tree and Landscape Committee; Building & Grounds; Insurance
No report.

Mr. Ellis- Safety Committee; Fire Dependency Board
No report.

Mr. Hudak- Finance, Cemetery Board
Mr. Hudak stated that the Finance Committee meeting planned for tonight should be delayed until Council members can look at the papers handed out this evening.

President Swan- Planning & Zoning Commission; RJRD
President Swan stated that RJRD is working on the list of buildings that need to be removed from the property.

Mr. Lyons – Township Liaison
No report.

Mrs. Lanford – Human Services Commission
No report.

Mrs. Healey – Parks & Recreation Board Representative

Mrs. Healey reported that the Jubilee Committee's next meeting is November 9th in Town Hall at 6:30 pm.

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

(There was no discussion on any Ordinance or Resolution)

COMMENTS FROM THE FLOOR ON AGENDA ITEMS ONLY - None.

ORDINANCES AND RESOLUTIONS.

First Readings:

RESOLUTION 73-2016 Offered by All of Council

A RESOLUTION ADOPTING THE UNIFORM AND CLOTHING ALLOWANCE FOR 2017.

CAUCUS DISCUSSION: None.

RESOLUTION 74-2016 Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR TO EXPEND FUNDS FOR A HOLIDAY PARTY FOR THE EMPLOYEES OF THE VILLAGE OF RICHFIELD AND DECLARING AN EMERGENCY.

CAUCUS DISCUSSION: None.

RESOLUTION 75-2016 Offered by All of Council

A RESOLUTION AUTHORIZING ADVANCES OF LOCAL TAXES.

CAUCUS DISCUSSION: None.

ORDINANCE 76-2016 Offered by All of Council

AN ORDINANCE TO ADOPT A SCHEDULE OF POSITIONS, SALARY RATES AND WAGES AND TO OTHERWISE FIX AND DETERMINE COMPENSATION FOR PERSONNEL OF THE VILLAGE OF RICHFIELD, TO AMEND ORDINANCE NO. 49-2016 AND OTHER ORDINANCES NOT CONSISTENT, AND DECLARING AN EMERGENCY.

CAUCUS DISCUSSION: None.

RESOLUTION 77-2016 Offered by All of Council

A RESOLUTION TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, DURING THE YEAR ENDING DECEMBER 31, 2017 AND DECLARING AN EMERGENCY.

CAUCUS DISCUSSION: None.

RESOLUTION 78-2016 Offered by All of Council

A RESOLUTION WAIVING FORMAL BIDDING AND ADVERTISING REQUIREMENTS AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS TO AND REROUTING OF A STORM SEWER IN THE VICINITY OF 3495 BRECKSVILLE ROAD, AND DECLARING AN EMERGENCY.

CAUCUS DISCUSSION: None.

MOTION: TO SUSPEND 2ND AND 3RD READINGS OF RESOLUTION 78-2016.

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

MOTION: TO ADOPT RESOLUTION 78-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
DISCUSSION: Director Frantz indicated that the work is to be completed within 69 days from contract acceptance.

RESOLUTION 79-2016 Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A CHANGE ORDER TO THE VILLAGE'S AGREEMENT WITH HEMMINGER CONSTRUCTION FOR RENOVATIONS TO THE SERVICE DEPARTMENT BUILDING AT 3921 BRECKSVILLE ROAD, AND DECLARING AN EMERGENCY.
CAUCUS DISCUSSION: None.
MOTION: TO SUSPEND 2ND AND 3RD READINGS OF RESOLUTION 79-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
MOTION: TO ADOPT RESOLUTION 79-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
DISCUSSION: None.

Second Readings:
RESOLUTION 72-2016 Offered by All of Council

A RESOLUTION TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, DURING THE YEAR ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY.
CAUCUS DISCUSSION: None.
MOTION: TO SUSPEND 3RD READING OF RESOLUTION 72-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
MOTION: TO ADOPT RESOLUTION 72-2016 AS AMENDED OCTOBER 27, 2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
DISCUSSION: None.

Third Readings:
RESOLUTION 70-2016 Offered by All of Council

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
CAUCUS DISCUSSION: None.
MOTION: TO ADOPT RESOLUTION 70-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
DISCUSSION: President Swan asked why this needs to be done each year. Director Turk indicated that that is the way the County requires compliance and that by making this Resolution the Village is given the money sooner than if it was not adopted.

RESOLUTION 71-2016 Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY FOR THE RICHFIELD SITE OF THE SUMMIT COUNTY REGIONAL RADIO SYSTEM AS SET FORTH IN THE CONTRACT ATTACHED AS EXHIBIT A, AND DECLARING AN EMERGENCY.
CAUCUS DISCUSSION: None.

MOTION: TO ADOPT RESOLUTION 71-2016.
Moved by Hudak seconded by Kahoe. Upon roll call motion passed unanimously.
DISCUSSION: None.

UNFINISHED BUSINESS: Mrs. Healey read a note from the Historical Society thanking the Village for the repair of the ramp. There were 63 attendees from HEOIMC representing 27 different museums.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR None.

WORK SESSION
Discussion Topics

1. Finance Committee of the Whole – Director Turk handed out the proposed 2017 budget as it currently exists and indicated that there will be some changes forthcoming as areas finalize the amounts. Director Frantz handed out a Capital Improvement Budget Worksheet with changes and putting in 2017 amounts for the items that may be done with loans. President Swan asked that tonight's meeting be delayed at least a week so that Council can review the documents. The delay was agreed to and some possible dates looked at with it possibly being held off until the November 15th meeting.

   Old Business – President Swan stated that the applications for Council Clerk have been reviewed and there are 4 individuals that will be interviewed along with 2 that may be included if no one can be found in the group of 4. President Swan asked for an additional person to join the interview process. Mike Lyons agreed to join the group if he can arrange the times appropriately.

   Mr. Hudak stated that he felt the Village Police personnel have been very responsive and understanding while helping an individual who lives and works in the Village was being stalked. Mr. Hudak thanked Chief Morgan for his efforts in this matter.

   New Business – None.

ADOURNMENT: President Swan adjourned the meeting at 6:57 pm. (Mrs. Lanford arrived)

Respectfully submitted,
Carolyn Sullivan
Council Clerk

Approved by,
Roger Davis Swan
President of Council