



**RICHFIELD VILLAGE COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, JANUARY 21, 2020  
6:30 p.m.**

**ROLL CALL:** Beshara, Boester, Domanick, Lyons, Phillipbar, Stoppenhagen and Waszak.

*OTHERS PRESENT:* Mayor Wheeler, Police Chief Swanson, Fire Chief McLean, Finance Director Turk, Service Director Papp, Planning and Zoning Director Frantz and Alex Cortes of the Walter Haverfield law firm.

**APPROVAL OF MINUTES:**

**MOTION:** TO APPROVE THE MINUTES OF THE JANUARY 2, 2020 ORGANIZATIONAL MEETING, THE JANUARY 7, 2020 REGULAR MEETING, AND THE JANUARY 15, 2020 SPECIAL MEETING.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

**COMMUNICATIONS AND PETITIONS:** None.

**MAYOR'S REPORT**

Jonah Shultz, who is running for Congress, asked for the people's support in the March 17 Republican primary.

Wheeler asked Council to enter executive session to discuss land acquisition.

**MOTION:** TO ENTER EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

Executive session lasted from 6:39 to 6:50 p.m.

He also asked Council to approve his appointments of Ellen Daniels, John Evans Jr., Stephanie Landry, Ed Luther and Jim Smith to the Charter Review Commission. Landry resigned from the Cemetery Board, and Wheeler asked Council to appoint Pat Healey to complete Landry's term, which runs through the end of 2020. The mayor also asked Council to reappoint Jeff Ferrara and John Hudak to the cemetery board for new three-year terms running through the end of 2022.

**MOTION:** TO APPROVE THE APPOINTMENTS OF ELLEN DANIELS, JOHN EVANS, STEPHANIE LANDRY, ED LUTHER AND JIM SMITH TO THE CHARTER REVIEW COMMISSION.

Moved by Waszak, seconded by Beshara. Upon roll call, motion passed unanimously.

**MOTION:** TO APPROVE THE APPOINTMENTS OF PAT HEALEY, JEFF FERRARA AND JOHN HUDAK TO THE CEMETERY BOARD.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.



Wheeler said the Summit County Health Department reported 1,553 drug overdose emergencies in 2019, and 67 so far in 2020.

The mayor said he spoke with Papp about seven roads that will need repair this year. The mayor stated that we have \$1.2 million allocated, but in all probability, it will be a higher number than this. This topic will be discussed at the Feb. 12 work session. He is also working with Frantz on economic development.

The 2020 North Coast Urban Forestry Conference will take place in Kirtland on March 6.

#### **DEPARTMENT HEAD REPORTS:**

##### **Chief Swanson – Police**

###### **Report:**

I would like to make a motion for Council to accept a very generous donation to the police department from Edna Schmeller in the amount of \$500. The police department is very grateful for thoughtfulness of Mrs. Schmeller for this donation.

Mayor Wheeler and I have been in the planning stages of completely revising the police department's Policy and Procedure manual and Rules and Regulations/Standards of Conduct manual. These are very voluminous manuals and are the backbone of the department. They have not been completely updated in many years and need to be integrated together into one manual, and coincide with our labor union Collective Bargaining Agreement. We have reached out to, and have been in negotiations with, a company named Lexipol to revamp these manuals.

Lexipol is a nationwide company who provides Public Safety Policy and Training Solutions. Our insurance provider has partnered with Lexipol and offer significant discounts on the yearly subscription fees, which speaks volumes on the necessity of implementing this. Lexipol serves 519 Public Safety Agencies in Ohio and 3700 nationally. Proven results are: 37% fewer claims, 45% reduced frequency of litigated claims, 48% reduction in severity of claims, and 67% lower incurred costs. See attached Power Point slides.

Mayor Wheeler and I worked to negotiate the full implementation cost of this and a yearly subscription fees from \$28,000 to \$21,108. Furthermore, of this



cost, our insurance carrier will reimburse us \$4,359, reducing the bottom line to \$16,749 for this year. The full implementation of this includes a complete revamping of these manuals, which involves bi-weekly meeting with Lexipol staff for upwards of 4 months.

Going forward into 2021 and 2022, there are annual subscription fees of \$8,718, and our insurance carrier will reimburse us \$2,615 in 2021; and \$1,743 in 2022. The yearly subscription provides policy management, policy training to all of the police department staff, very important policy updates and Standards of Conduct updates along with continued policy implementation. The policy training aspect of the subscription is very important, as it will keep all the department members familiarized with our Policies and Standards of Conduct.

We have also worked with the Finance Director, and the aforementioned funds are available in the 2020 police departments budget. We have also forwarded the agreement to Alejandro Cortes with Walter Haverfield for review.

Restructuring our Policies and Standards of Conduct and utilizing the community questionnaire I mentioned in my previous report to Council, will serve as our Strategic Plan for the police department in 2020—for which funds were budgeted.

**MOTION:** TO ACCEPT EDNA SCHMELLER'S DONATION OF \$500 TO THE POLICE DEPARTMENT.

Moved by Domanick, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.

Domanick complimented Assistant Chief Fister for helping with a dog-barking issue during the temporary absence of the animal warden.

#### **Chief McLean – Fire**

##### **Report:**

- We met with Revere School Administration on January 10 to go over in detail the all hazard plan (school shooter). We will be doing a presentation for Council in the next month on this plan, and also it will be presented at a school board meeting.



- We met with Brian Frantz and the county land bank at 2459 Donna Drive and issued a letter of unsafe occupancy, per Ohio Fire Code.
- We are rescheduling our ice rescue class.
- We are continuing to participate in the regional code 10 agreements. This is with several regional departments that participate in a Fire Investigation Team, Fire Training and Fire Prevention.
- We successfully conducted over 280 basic fire inspections in 2019; this does not include re-inspections, fire alarm tests and hood tests. A detailed report will be given on February 18.
- I would request a motion to accept a \$1,000 donation from Mrs. Schmeller from Everett Road for the Fire Department.
- I also need the safety committee to sign some State of Ohio Dependency Board paperwork for 2020. This is filled every year and it is to assure if we have a line-of-duty death at a fire, that this committee will handle all the benefits for the family.

**MOTION:** TO ACCEPT EDNA SCHMELLER'S DONATION OF \$1,000 TO THE FIRE DEPARTMENT.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

## Recreation

### Report:

Parks and Recreation Administrative Assistants are preparing for the spring/summer program offerings as they solidify contracts/agreements with recreation groups. The Administrative Assistant for Graphics is working on standardizing media communications, updating the website and producing fliers. Preparations for the summer camp programs are underway, along with advertising for camp counselors.

The afterschool multisport program will begin on April 14. This program features a variety of sports and games, and it is held on Tuesdays from 3:30 p.m. to 4:30 p.m. until May 12 at the Richfield Elementary Gym. The cost is \$55.

The Hummingbirds Soccer program begins April 14 and ends May 19, also at Richfield Elementary. The 2-4-year-olds program starts at 5:30 p.m. and the 5-6-year-olds begin at 6:30 p.m. Children will learn how to play and enjoy soccer. The cost is \$80 for Village residents and \$85 for non-residents. To enroll, please contact the department office.



The Fitness Center is open Mondays and Wednesdays from 8:30 a.m. to 4 p.m., Tuesdays and Thursdays from 8:30 a.m. to 5:30 p.m. and on Fridays from 8 a.m. to 3:30 p.m. There is a walk class on Tuesday evenings from 6 p.m. to 7 p.m. Cost is \$15 per month or \$30 for three months.

Tae Kwon Do, sponsored by Mountain Martial Arts, is held every Thursday at Masonic Hall from 5:45 until 7:15 p.m. Families are encouraged to participate together!

Early registration for Yoga, T-Ball and Spring soccer is underway. These programs are held at Town Hall, and registration can be processed through PayPal or contact the Recreation Center.

The Second Annual Snowbird Festival, hosted in conjunction with Richfield Township and Richfield Joint Recreation District, is Sunday, January 26 from 1 to 4 p.m. This is a “thank you” to the residents, and there is no charge for the events or refreshments. Anyone interesting in volunteering should contact Mindy Remec at 330-659-4700 or email the volunteer coordinator at [volunteer-info@rjrd.org](mailto:volunteer-info@rjrd.org).

The Snowbird event schedule is:

Akron Zoo Winter Animals	2:30-3:15 p.m.	Gund Hall
Siberian Husky Club of Greater Cleveland	2 p.m. 3 p.m. Meet and greets with dogs and owners from 1-4 p.m.	Waterfront Shelter
Storytime and activity sponsored by the Richfield Library	1:30 p.m. 2:30 p.m.	Gund Hall
Horse-Drawn Carriage Rides	1-4 p.m.	Old Pack Out Building
Refreshments	1-4 p.m.	Gund Hall

*Parks and Recreation respectfully requests a motion by council to authorize \$1K for the 2020 Snowbird Festival.*

**MOTION:** TO AUTHORIZE THE EXPENDITURE OF \$1,000 FOR THE 2020 SNOWBIRD FESTIVAL.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

### Director Papp – Service

Papp said the Service Department spread as much salt over the weekend as it did during the entire month of December. Beshara thanked the Service Department for removing the tree at Fairview Cemetery.

**Report:**



- 1) The Village will be entering into an agreement for service with Broadview Heating and A/C for heating tube replacements in the Service Department's A and B Bays, which is part of the 2020 Capital Budget for \$11,664.
- 2) The Village will be entering into an agreement for services with Wadsworth Solution for the boiler replacement, which is part of the 2020 Capital Budget for 14,441.
- 3) The Service Department made a formal offer to Keith Blaze for Maintenance Technician position to fill the retirement of Ken Egnatuk. Mr. Blaze has accepted the offer and will start February of 2020.
- 4) The Service Department has been working on utility service issues with respect to a minor subdivision at 2636 Brecksville Road.
- 5) The Service Department held organizational meetings on the 2020 Capital Budget.
- 6) The Service Department received and reviewed the 2019 PCR for the Village from GPD.
- 7) The Road Division worked on snow events, drainage project, removal of the Holiday Decorations and securing of the "Frank's Nursery" property
- 8) The Utilities Division and Director met with CTI Consultants to go over the draft of the Brecksville Road force-main and pump station study.
- 9) The Grounds Division worked with Hammon Tree for the removal of the very old and very large maple tree at top of the hill at Fairview Cemetery.
- 10) The Grounds Division is working on the fertilization and weed control request for quotes.
- 11) Service Director attended Portage Summit Mayors, City Managers, Service Directors Group meeting.
- 12) The Properties and Vehicles Division developed an equipment location/storage list.
- 13) Continued work on the 2019 Service Department Annual Report

### **Director Frantz – Planning & Zoning**

Frantz thanked McLean for his help with the inspection of the Donna Drive property.

### **Report:**

- 1) At their recent meeting on January 14<sup>th</sup>, the Planning Commission took the following actions:
  - a. Approved a request from Ohio Hardwood Furniture to grant a one-year extension of their conditional zoning certificate;
  - b. Reviewed the referral legislation for an amendment to Section 1103.03 of the Planning and Zoning Code to clarify the definition of accessory use and



- accessory building. The Commission identified the Informational Hearing date for the amendment for the January 28<sup>th</sup> meeting; and
- c. Participated in a presubmission conference with property owner Michael Gerbasi, of 4642 W. Streetsboro Road and 3930 Broadview Road. Mr. Gerbasi shared plans that include improving the driveway access/parking lot between his properties and neighboring property (4646 W. Streetsboro Road, Dancing Paws Animal Clinic) in connection with a grant from the Richfield Town Trust.
- 2) At their recent meeting on January 8<sup>th</sup>, the Board of Zoning Appeals (BZA) took the following actions:
    - a. Adopted Conclusions of Law related to their denial of a request for a use variance to operate a car detailing business from the property located at 4920 Brecksville Road.
    - b. Approved a request to allow 1'9" side yard setback variance from Section 1130.07 of the Zoning Code to permit an 18'3" side yard setback instead of a 20' setback as required for the property located at 4044 Appleridge Lane.
  - 3) Performed property inspection of 2459 Donna Drive with Chief McLean and Summit County Land Bank on January 9<sup>th</sup>. Property is condemned/uninhabitable and scheduled for demolition in the coming weeks.
  - 4) Completed comprehensive review of Ordinance 17-2016 RCD/R-3 proposed text amendment to Chapter 1128 of the Planning and Zoning Code. Planning Commission recommended approval to Council at their 5/10/16 meeting. Formal action wasn't taken by Village Council on the Commission's recommendation, other than placing the associated ordinance (17-2016) on their inactive agenda. This will be brought back to Council for review and approval at an upcoming meeting.
  - 5) Continued working on updates to the Sign Code, in particular the section treating temporary signs. We expect to have a draft of an amendment by mid-February. My expectation is to engage Council and Planning Commission in the review process to ensure the Sign Code is comprehensive and one that can be enforced in a uniform manner.

**Recommendations/Considerations: None**

**Legislation: Laddie Road vacation (Ordinance 1-2020) & Zoning Code Amendment (Ordinance 5-2020)**



## Director Turk – Finance

### 2019 Year End Financial Close

We officially closed the 2019 financial books and opened up the 2020 financial books on Monday, January 13<sup>th</sup>.

### Payroll

Payroll processed the 2020 pay raises for the January 9<sup>th</sup> pay. W-2s are available on our payroll system to download, and hard copies of the W-2s are being distributed today to department heads. 1099s will be completed and mailed out before the end of the month.

### Quarterly Federal & State Payroll Reports

The quarterly Federal and State Payroll reports have been prepared and were filed this week.

### Income Tax

The Income Tax forms (both regular and withholding) have been updated by staff and are expected to be mailed next week. The first withholding payment is due February 15, 2020.

### 2018-2019 Audit

We have begun gathering documents as Charles E. Harris & Associates has requested to begin the audit of the 2018-2019 financials.

### Sewer Bills

Staff will work on the fourth quarter sewer bills with Service, and the goal is to get the bills out on January 24<sup>th</sup> or shortly thereafter.

### **Recommendations/Considerations:**

Planning and Zoning is working on an agenda item for the January 21st meeting. If this item is submitted, then there will also be a supporting appropriation/transfer agenda item also submitted.

### **Legislation:**

#### ***A. Resolution No. 7-2020 Accepting the Proposal of Ohio Plan Risk Management, Inc. for Property and Casualty Insurance Coverage.***

This resolution is submitted for first reading only. We are still awaiting the renewal quote from Ohio Plan so this resolution will be amended before adoption at the February 18<sup>th</sup> Council meeting. We are also expecting proposals from three other brokers. The current coverage with Ohio Plan expires on February 29<sup>th</sup> and costs us \$60,694.





Ohio Plan offers the “Plan Advantage Program,” which is a renewal premium credit that may be rewarded to a member on an annual basis based upon the number of consecutive years of membership, loss ratio calculation, and risk management practices. Currently we get a 7.3% credit (\$4,808 credit) and that credit can climb by 1% each year basically with a maximum credit of 20%. They also will reimburse 50% (\$4,359) of the Lexipol subscription fee that the Police Chief is considering subscribing to this year.

Ohio Plan has been in existence since 1988, and it is a not-for-profit entity that services only public entities. They have over 760 Ohio public entity clients with over a 90% retention rate. Services are provided from Toledo. The briefing memo provides additional details.

***B. Resolution No. 6-2020 Authorizing to Enter into an Agreement with VFIS for Accident and Sickness Insurance Coverage for Firefighters.***

This resolution is submitted for first reading only. We are still awaiting the renewal quote from VFIS, so this resolution will be amended before adoption at the February 18<sup>th</sup> Council meeting to reflect the final recommendation. Other brokers have indicated that they can submit quotes. VFIS can provide their customers education, risk control, and management programs for little or no cost. Examples of the training would include emergency vehicle driver training, or emergency vehicle response safety classes, etc. This insurance was picked up primarily to have coverage for the part-time fire employees and it is extended to the full-time employees also. The current coverage expires on February 29<sup>th</sup> and costs us \$4,463 the same as 2018 costs. The briefing memo provides additional details.

**Mr. Cortes:** He was on a conference call with the Motley Rice law regarding the opioid litigation. It is moving slowly due to the drug companies’ bankruptcies.

**COMMITTEE REPORTS**

**Park Board:** Domanick said the Park Board would meet on Feb. 3 at 6 p.m. at the Recreation Center.

**CAUCUS**

**COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY:** None.

**ORDINANCES AND RESOLUTIONS**

**MOTION:** TO ADD RESOLUTIONS 8-2020 AND 9-2020 TO THE AGENDA.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.



*First Readings:*

**RESOLUTION 6-2020**

Offered by All of Council

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH VFIS FOR ACCIDENT AND SICKNESS INSURANCE COVERAGE FOR VILLAGE FIREFIGHTERS AND DECLARING AN EMERGENCY**

**RESOLUTION 7-2020**

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 8-2020**

Offered by All of Council

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO A PURCHASE AGREEMENT WITH DAVID SLOWBE, NEDYNE DANZEY AND T700 LAND GROUP, LLC FOR PROPERTY LOCATED ON WHEATLEY ROAD IN THE VILLAGE OF RICHFIELD AND DECLARING AN EMERGENCY**

**MOTION: TO SUSPEND SECOND AND THIRD READING OF RESOLUTION 8-2020.**

Moved by Stoppenhagen, seconded by Domanick. Upon roll call, motion passed unanimously.

**MOTION: TO ADOPT RESOLUTION 9-2020.**

Moved by Domanick, seconded by Waszak. Upon roll call, motion passes unanimously.

**RESOLUTION 9-2020**

Offered by All of Council

**A RESOLUTION TO MAKE APPROPRIATIONS AND A CASH TRANSFER FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, DURING THE YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY**

**MOTION: TO SUSPEND SECOND AND THIRD READING OF RESOLUTION 9-2020.**

Moved by Domanick, seconded by Philipppbar. Upon roll call, motion passed unanimously.

**MOTION: TO ADOPT RESOLUTION 9-2020.**

Moved by Domanick, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.

*Second Readings:*

**ORDINANCE 1-2020**

Offered by All of Council



**AN ORDINANCE VACATING THE UNIMPROVED RIGHT-OF-WAY KNOWN AS LADDIE ROAD**

**RESOLUTION 2-2020**

Offered by All of Council

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH WALTER | HAVERFIELD LLP FOR PROFESSIONAL LEGAL SERVICES FOR THE PERIOD FROM FEBRUARY 1, 2020 THROUGH DECEMBER 31, 2020 AND DECLARING AN EMERGENCY**

**MOTION:** TO SUSPEND THIRD READING OF RESOLUTION 2-2020.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

**MOTION:** TO ADOPT RESOLUTION 2-2020.

Moved by Beshara, seconded by Domanick. Upon roll call, motion passed unanimously.

**RESOLUTION 3-2020**

Offered by All of Council

**A RESOLUTION DECLARING THREE (3) VILLAGE POLICE VEHICLES AS SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE, AND AUTHORIZING THE VILLAGE TO SELL THE VEHICLES BY INTERNET AUCTION, AND DECLARING AN EMERGENCY**

**ORDINANCE 5-2020**

Offered by All of Council

**AN ORDINANCE AMENDING SECTION 1103.03 OF THE PLANNING AND ZONING CODE TO AMEND THE DEFINITION OF ACCESSORY BUILDING AND ACCESSORY USE**

*Third Readings:*

**ORDINANCE 16-2016**

Offered by All of Council

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RICHFIELD FURNACE RUN ASSOCIATES LLC AND WATER AND SEWER LLC AND DECLARING AN EMERGENCY**

**ORDINANCE 17-2016**

Offered by All of Council

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1128 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE, ENTITLED "RCD SINGLE FAMILY CONSERVATION DISTRICT," TO FACILITATE R-3 RESIDENTIAL CONSERVATION DEVELOPMENT**

**ORDINANCE 43-2019** (as amended 11-27-19)

Offered by All of Council



**AN ORDINANCE ENACTING NEW CHAPTER 945, "CEMETERIES" OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE TO UPDATE RULES, REGULATIONS AND FEES IN THE VILLAGE'S CEMETERIES**

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** None.

**COMMENTS FROM THE FLOOR:** None.

**WORK SESSION:** None.

**MOTION:** TO ENTER EXECUTIVE SESSION TO DISCUSS DISCIPLINE OR DISMISSAL OF A PUBLIC EMPLOYEE, HIRING OF A PUBLIC EMPLOYEE, AND ECONOMIC DEVELOPMENT.

Moved by Waszak, seconded by Beshara. Upon roll call, motion passed unanimously.

Executive session lasted from 7:37 to 8:30 p.m., when Lyons adjourned the meeting.

Respectfully submitted,

Jeff Gorman  
Clerk of Council

Mike Lyons  
Council President