



**RICHFIELD VILLAGE COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 3, 2020
6:30 p.m.**

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

OTHERS PRESENT: Mayor Wheeler, Police Chief Swanson, Fire Chief McLean, Finance Director Turk, Service Director Papp, Planning and Zoning Director Frantz, and Law Director Cortes.

MOTION: TO EXCUSE THE ABSENCE OF MRS. BESHARA.

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

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES OF THE FEBRUARY 12, 2020 WORK SESSION AND THE FEBRUARY 18, 2020 REGULAR MEETING, AS CORRECTED.

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

COMMUNICATIONS AND PETITIONS:

Pat Healey of the Cemetery Board asked for Council to table Ordinance 43-2019 permanently. The board is making major changes to the cemetery rules, and the rules in the ordinance are not being considered.

Ed Tishel wrote a letter to Council about the elimination of a ditch in front of his property on Brecksville Road.

MAYOR'S REPORT

Wheeler asked Council to approve his appointment of George Seifert as the Assistant Fire Chief.

MOTION: TO APPROVE THE APPOINTMENT OF GEORGE SEIFERT TO THE POSITION OF ASSISTANT FIRE CHIEF.

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

McLean discussed Seifert's qualifications and lauded him as a homegrown leader who has become the seventh assistant fire chief in the village's history.

The mayor asked Council for an executive session to discuss the hiring of a public official, purchase of property, and economic development.



Wheeler also talked about his recent meetings with AT&T about the village communications; John Urbanic about ad packages for economic development; ODOT (with Brian Frantz) about moving up the improvement of Route 303 to coincide with the installation of new water lines; and CP Consultants about federal road funds to widen Route 303 and Broadview Road.

DEPARTMENT HEAD REPORTS:

Chief Swanson – Police

Calls for Service:

Village 1205, Township 236

Report:

Our officers have been eagerly pursuing all the training opportunities offered to them this year. Some of the training programs our officers and supervisors have been scheduled for and attending are: Corrections/Jail Training, Search and Seizure Updates, Criminal Patrol Techniques, Testifying in Court, Advanced Impaired Driver Detection, Core Criminal Investigation, Child Death Investigations, Sexual Assault Investigations, Latent Print Development, Cyber/Dark Web Investigations, Essential Emergency Response, Ohio Trauma Triage, Report Writing for Police Officers, Night Time/Low Light Shooting, School Resource Officer Training, Pursuit and Drivers Training, Smith and Wesson Armors School, Taser Training, Supervising a Field Training Program, Management Rights, and Edged Weapon Training.

Rachel Alaimo has begun planning for the 2020 Richfield Safety Town, which is scheduled for June 22-26 from 9 a.m. to 12 noon at the Richfield Elementary School. We are working in conjunction with the Fire and Service Departments to make this year another successful program. Some of the content of the program is: Good Touch/Bad Touch, Address and Telephone Number drills, Traffic and Bicycle Safety, School Bus Safety, Water Safety, Alice Training for Kids, 911 Instruction, Fire & Tornado Drills, Burn and Fireworks Safety, The FD Smoke House, Gun Safety and Tours of the Police and Fire Departments. Student and Volunteer Applications are available on our website and in the dispatch center.



Chief McLean– Fire

Report:

- Calls for service: Village EMS 58, Village Fire 7, Township EMS 10, Mutual Aid 10. Total 85.
- Training hours for the month of February: EMS 29.5, Fire 141.5, Special Operations 4 total 175 hours.
- Our regional Investigation team responded to a fire in Copley.
- I was asked by the mayor to review data from The Valley Fire District on their apparatus and maintenance, and general budgetary figures. We met to discuss this on the 25th and they have a considerable amount of equipment that needs to be replaced in the next three years. We also discussed other operational concerns with staffing and response with this venture.
- We have two people that are taking the State of Ohio Inspectors certification at TRI-C, over the next month.
- I attended the monthly Summit County Safety Council meeting. The topic was Mental First Aid for the workforce. It was a very good presentation.
- We also are sending each shift on a walkthrough of Olesia's Taverne at 3960 Broadview Rd. to view all the renovations.
- We handled a spill at Ward Trucking and worked with the regional EPA and the terminal manager.
- I will be asking the Mayor and Council for the appointment of George Seifert to the position of Assistant Fire Chief. I also want to thank all of you for attention to this important position.
- We are looking forward to the work session overview at the Fire Department on March 11.

Recreation

Project Pride is Saturday, April 25, 2020. Vito Sinopoli, Bath Township Administrator, will be calling a meeting to solidify details. Paper and electronic shredding will occur behind Town Hall and the company has been scheduled.



The Arbor Day Tree Giveaway is Saturday, April 25, 2020. 1000 trees were ordered for the program and those varieties include: Bald Cypress, Norway Spruce, Red Maple, Flowering White Dogwood, Butterfly Bush, Rose of Sharon, River Birch, Balsam Fir and the Redbud. The website and Facebook will be updated shortly to market the event. The department will provide support to assist the Public Tree and Landscape Commission members.

The 2020 Art Show has been **cancelled** due to low participation by artisans. There was a very small number of visitors to the show in 2019. This was an event sponsored by the Village at no charge to the artisans.

Community Garden: The community garden has 40 gardens and there are approximately 25 available gardens for 2020. Any returning gardener should contact the Recreation Staff as soon as possible to submit their annual application and payment to secure their spot. Since there are spaces available, returning gardeners may request a change of location.

The Annual Easter Egg Hunt is Saturday, April 4, 2020, behind Town Hall beginning promptly at 11 a.m. There will be no egg dyeing activity following the hunt for 2020.

25th Village Anniversary for Tree City USA is Thursday, June 11, 2020 behind Town Hall. Parks and Recreation staff will have a table for attendees showcasing the Monarch Butterfly Way Station at Eastwood Preserve.

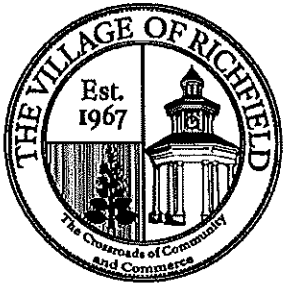
Summer Camp Assistants are being sought and anyone interested should contact the Recreation Department or the Mayor's Office, dbluso-rogers@richfieldvillageohio.org or call 330-659-9201, ext.234. Online job description and application is on the Village's website, "Employment Opportunities" and also at Kent State University and the University of Akron. Four (4) camp counselors are needed.

The Summer Concert Series has been completed. Each concert will have a food truck that will begin serving at 6:30 p.m. and during the concert. Concerts begin at 7 p.m. and conclude at 9 p.m. An application for the NOPEC Grant for \$1,500.00 was completed on February 3, 2020 to offset costs. All concerts will be at the Village Green.

- Friday, June 26, The Big 5 Band, Swenson's Food Truck
- Friday, July 10, The Pop Tarts, Hatfield's Good Grub Food Truck
- Friday, July 17, ReBeats, Ye Olde School Treats and Eats Food Truck
- Friday, July 31, Swizzle Sticks, Swenson's Food Truck

Akron RubberDucks Richfield Night is in process and possible dates are in June or August.

- Anyone registering for a program, community garden plot or to rent a facility are reminded that they will need to visit the Village website to enroll into RecDesk. Recreation Assistants are available to assist walk-ins at the recreation office.



Director Papp – Service

Report:

1) Based on discussions at the February 12 Workshop and subsequent Council meetings the following streets will be including in the 2020 paving program: a. Base

STREET	FROM	TO
Cemetery	(Main Loop)	
Berkley Rd	Cul-de-sac (South)	Cul-de-sac (North)
Wheatley Rd	Ext. Dead End (West)	Dead End (East)
Timberwood Trail	Rustic Wood Trail	Cul-de-sac
High Street	Grant	Mill Street
Cascade Oaks Trail	Deer Path Trail	Cul-de-sac
Swan Lake Dr	Forest Ridge Dr	Evergreen Lane
Congress Pkwy	Brecksville Rd	Dead End (East)
Harold Dr	Virginia Dr	I-77 Bridge
Pine Lake Cir	Swan Lake Dr	Cul-de-sac

b. Alternates:

STREET	FROM	TO
Deer Creek Tr (E)	Deer Path Trail	Townsend Rd
Evergreen	Cul-de-sac	Cul-de-sac
White Tail Ct	Deer Creek Trail	Cul-de-sac
Deer Creek Tr (W)	Deer Path Trail	Cul-de-sac
Red Doe Cir	Deer Creek Trail	Cul-de-sac



The 2020 Capital Budget for asphalt paving is \$1,200,000. The two worst roads might require portions of the road to be reconstructed which is not reflected in the estimates. The Village will be taking pavement cores to improve our understanding of the existing pavement structure so that we can make a better determination of the approach. The current estimate for the base bid roads is \$1,500,000. Our goal is to advertise to go out to bid Friday, March 6, 2020.

2) The Service Director attended the first Cemetery and Tree & Landscape Meetings of 2020.

3) The Service Department completed Hepatitis B immunization for all employees last week.

4) The Service Director attended a conference on Living Streets which discussed examples of integrating technology with our transportation network.

5) The Service Director attended a CUE general membership meeting to discuss salt and other combined purchasing

6) The Service Director attended workshop discussing ReWorks and recycling options

7) The Service Director attended a preconstruction meeting which was held for the Highlander Parkway Crosswalk/Brecksville Road Sidewalk and the Historic Building ramp.

8) The Service Department worked to create the list of streets for crack sealing and guardrail repairs.

9) The Service Director held interviews for selecting a Crew Leader for the Grounds Division.

10) The Service Department is advertising for Summer help for the 2020 season.

Recommendations/Considerations:

1) The Service Department recommends that Council grant permission to bid the above streets as the base bid and with the noted alternates and adjust the total capital expenditure for the paving program to \$1,500,000.

2) The Service Department recommends the motion noted below for the V-box spreader & video system.

3) The Service Department recommends the motion noted below for the 2020 fertilizer and weed control service.

4) The Service Department recommend that Council grant to enter into an agreement with Summit County to participate in there 2020 Road Repair Program for guardrail and crack sealing.

Motions/Legislation:

1) Resolution No. 15-2020 providing permission to go out to bid for 2020 Asphalt Paving Program which will be on for first reading on 03/03/2020. Please consideration waiving 2nd and 3rd readings and adoption as an emergency.

2) Motion to approve an expenditure of \$42,977 to Henderson Products, Inc. for V-box spreader with liquid de-icing tanks and the associated video monitoring system. This item is a part of the 2020 Capital Budget and is budgeted at \$40,000. The excess cost will be covered by equipment expenditures which come under budget. The noted price is through the state bid Sourcewell (NJPA).

3) Motion to approve an expenditure of \$23,450 to Lawn Matters for fertilizer and weed control for the Village properties. This item is part of the 2020 Operating Budget. The Village received 3 quotes for this work. The other quotes were from TruGreen at \$24,445 and Lewis Landscape at \$36, 624.

4) Resolution No. 14-2020 providing permission to enter into an agreement with Summit County Engineers to participate in their pavement repair bidding which will be on for first reading on 03/03/2020. Please consideration waiving 2nd and 3rd readings and adoption as an emergency.



MOTION: TO APPROVE THE EXPENDITURE OF \$42,977 TO HENDERSON PRODUCTS INC. FOR A V-BOX SPREADER WITH LIQUID DE-ICING TANKS. Moved by Domanick, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.

MOTION: TO APPROVE THE EXPENDITURE OF \$23,450 TO LAWN MATTERS FOR WEED CONTROL AND FERTILIZER. Moved by Domanick, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.

Director Frantz – Planning & Zoning

Todd Hunt, an expert in zoning and land-use law, is in attendance to discuss Ordinance 5-2020. Architect Rob Morgan came up with options for parking at the Heinle House and the center of town.

The court hearing on the Brush Road property took place earlier today. The judge issued a compliance order that included the removal of the animals by April 20.

Report:

- 1) At their recent meeting on February 25th, the Planning Commission conducted a work session and discussed:
 - a. 2019 accomplishments and 2020 goals (see table at the end of the minutes). The primary focus for the Commission in 2019 was the South Wheatley architectural and form base analysis. The analysis was substantially completed, with only two sections remaining to be drafted. I expect the final draft of the study will be completed by the middle of April; at which time we will begin the adoption process. The other large project the Commission completed in 2019 was an update to several chapters of the Planning and Zoning Code. The most significant of those updates was a rewrite of the non-residential design standards (section 1171.11).

In 2020, the Commission is focused on the completion of the South Wheatley project initially, but they intend to begin working on the Commercial Historic District and the Council adopted Historic District boundary. The intent is to “round-out” 2020 by beginning a review of the Village’s Comprehensive Land Use Plan. The Commission may also begin examining the north end of Brecksville Road while they update the general hose updates was a rewrite of the non-



residential design standards (section 1171.11). significant of those updates was a rewrite of the non-residential design standards (section 1171.11).

- 2) We completed the quarterly Northeast Ohio Regional Sewer District (NEORS) update for the Briarwood project. As part of advancing the project, the Village's legal team consisting of Todd Hunt from Walter Haverfield and Catherine Cunningham of Kegler Brown in Columbus, Ohio had a productive conference regarding annexation on February 7th with Sheldon Berns, legal counsel for the private party annexing the vacant land surrounding existing Briarwood and donating the sewer lines to the Village. As a reminder, the annexation is part of the Village's overall project but is not necessary to construct the Briarwood Area Wastewater Pump Station & Force Main Improvement Project. Berns and his engineer, Dan Neff, are in the process of scheduling a meeting with the Summit County Law Director to discuss a pre-filing annexation petition review prior to their formal filing with the Summit County Council. The submission should happen this week. Both the Village attorneys and the developer's attorneys are in agreement with the contents of the map and petition.

The Service Director has determined the benefited property owners and will begin calculating the property assessments. After this step, an assessment board will be recommended by the Mayor and approved Village Council.

A development agreement, tax increment financing agreement and legislation, and zoning and annexation legislation have either been drafted or are near completion for introduction to Village Council in March. All agreements and legislation are contingent upon the County Council's approval of the annexation. In the attorneys' opinions, the annexation petition and map meet all State code requirements and, therefore, the County Council has no discretion to disapprove the annexation.

Finally, we have submitted a reimbursement request to NEORS for the fees to update to the plans and acquire the necessary agency approvals. I expect we will receive the full \$33,899.10 reimbursement as requested.

These are significant milestones in the project and we hope to be in position to bid the Briarwood Area Wastewater Pump Station & Force Main Improvement Project late summer of this year.

- 3) We submitted an application to NEORS for \$120,000 through the Community-Cost Share Program in connection with the Slowbe property acquisition. As a reminder to Council, the intent is to utilize a portion of the Slowbe parcel for stormwater management. The goal is to maximize the storage of a basin on the Slowbe property to account for as much of the future development of the south Wheatley Road development as possible.



- 4) We met with Rob Morgan to discuss Council's request to obtain conceptual layouts regarding use of the Heinle property and the possible addition of public parking in the "uptown" area. I expect to provide a proposal to Council at the upcoming meeting on Tuesday.

Recommendations/Considerations: None

Legislation: Referral legislation regarding extension of Columbia Road pursuant to Section 9.06 of the Village Charter

Director Turk – Finance

Turk corrected an erroneous report in the Richfield Times called "Analysis reveals deficit spending." The village actually is operating with a surplus of \$400,000. The Times will write a correction.

Report:

2019 Annual State Reports

Per the Ohio Revised Code, the 2019 annual finance reports for the Village and the JEDD have been completed and filed with the State Auditor's office before the March 1st deadline. The required legal ad stating that the reports are complete and available for inspection in the Finance office was published in the February 27th, West Side Leader.

Income Tax

With one more day to go, February's income tax collections are up 25.9%, or up by \$183,232 compared to February 2019. Net profits and withholding collections are both up while individual collections are down compared to February 2019. Year-to-date collections are up 13.8%, or up by \$212,405. A separate memo will be sent out with the final February information and more details.

Application to Defer Recoupment Charges on Land Converted from Agricultural Use

I completed and filed this application for the 3974 Wheatley Road (Wierzbicki Property). "Current Agricultural Use Valuation (CAUV) is granted only to agricultural property. Once the property no longer meets the definition, the property owner is required to repay the county the tax savings received during the three prior years. On this property the tax savings is \$1,492.10. The state has provided for deferral of the repayment when agricultural property is purchased by a "public entity". The recoupment is deferred as long as the property remains principally undeveloped. If the land has been developed, or converted in a way that the deferral no longer is appropriate,



then the auditor will charge the recoupment, in this case the \$1,492.10. So instead of paying \$3,727 in property taxes for the first half of 2019, we will pay \$2,234.90.

Applications for Real Property Tax Exemption and Remission

I completed and filed this application for both the 3871 Broadview Road (Heinle) property and the 3974 Wheatley Road (Wierzbicki) property. The Ohio Department of Taxation can take up to two years to rule on the exemptions but the earliest we have received a ruling has been three months. Exemption cannot be sought until property taxes for an entire year of obtaining title to the property have been paid. The Heinle property application should be approved. Due to the rent payments received on the Wierzbicki property the application may not be approved for exemption until the next fiscal year. I tried to stress that no profit was received since the rent payments offset exactly the interest payments that we had to pay the tenant on the taxable real estate acquisition note.

Law Director: Cortes thanked Frantz and Amy Nauer for their help in preparing him for today's court hearing.

COMMITTEE REPORTS

Cemetery Board: Stoppenhagen said the board selected its officers, including Paul Swan as the president. The board is also reviewing the cemetery rules.

Park Board: Domanick said members of the board recently visited the Brecksville and Valley View recreation centers. The board is working on the community center feasibility study.

Tree and Landscape: Domanick said stewards' names will be added to the Adopt-A-Spots. The Commission is looking for new stewards.

Boester asked the mayor if he is looking for a new recreation director. He said no; he is looking at the department's programs, fees and facilities.

RJRD: Philippbar said the Oviatt House has historical significance as one of the oldest homes in Richfield, and it should be saved. The board has also posted a Park Director position. Gund Hall needs roof repairs, and the board is seeking bids for the restroom restoration. The goal is for Gund Hall to be open for events in the fall.

CAUCUS

MOTION: TO TABLE ORDINANCE 43-2020 INDEFINITELY.

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

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY: None.



ORDINANCES AND RESOLUTIONS

First Readings:

RESOLUTION 14-2020

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 SECOND AND THIRD READINGS OF RESOLUTION 14-2020, RESOLUTION 15-2020 AND ORDINANCE 16-2020.

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

MOTION: TO ADOPT RESOLUTION 14-2020.

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

RESOLUTION 15-2020

Offered by All of Council

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND SOLICIT BIDS FOR THE 2020 ASPHALT PAVING PROJECT, AND DECLARING AN EMERGENCY

MOTION: TO ADOPT RESOLUTION 15-2020.

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

ORDINANCE 16-2020

Offered by All of Council

AN ORDINANCE REFERRING THE EXTENSION OF COLUMBIA ROAD AND RELATED EXTENSION OF PUBLIC WATER AND PUBLIC SEWER UTILITIES INTO RICHFIELD TOWNSHIP TO SERVE THE APPROXIMATE 100 ACRES OF VACANT LAND THAT IS PART OF THE JOINT ECONOMIC DEVELOPMENT DISTRICT BETWEEN THE VILLAGE, TOWNSHIP, AND THE CLEVELAND WATER DEPARTMENT TO THE VILLAGE OF RICHFIELD PLANNING COMMISSION, AND DECLARING AN EMERGENCY

MOTION: TO ADOPT ORDINANCE 16-2020.

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

Second Readings: None.

Third Readings:



4410 W. Streetsboro Rd. • Richfield, OH 44286-0387

Office: 330.659.9201 • www.richfieldvillageohio.org

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

DISCUSSION: Hunt put together new language regarding adjacent lots, and the new version is legal and defensible. He said variance requests must go through the BZA. Waszak said Council would have callup authority on conditional permits.

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

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR: None.

WORK SESSION: None.

MOTION: TO ENTER EXECUTIVE SESSION TO DISCUSS THE PURCHASE OF PUBLIC PROPERTY, ECONOMIC DEVELOPMENT AND THE HIRING OF A PUBLIC EMPLOYEE.

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

Executive session lasted from 8:10 to 9:50 p.m., when Lyons adjourned the meeting.

Respectfully submitted,

Jeff Gorman
Clerk of Council

Mike Lyons
Council President

**2020 Planning Commission
Goals**

Priority 1	S. Wheatley/Crossroads District - Finalize Architectural Design/Form Standards
Priority 1	S. Wheatley/Crossroads District - create a stand-alone planned zoning district
Priority 2	Commercial Historic District Zoning District update & possible property rezoning
Priority 2	Historic District analysis and possible expansion
Priority 2	Briarwood annexation, zoning determination and plan approval
Priority 3	Sign Standards - Illumination, clean up inconsistencies between residential/non-residential and temporary vs. permanent
Priority 4	Access Management Plan - applied to all corridors
Priority 4	Landscaping, lighting, and timbering ordinance
Priority 5	Revisit Master Plan - run simultaneous w/Brecksville Road analysis. Project to start in conjunction with the 2020 Census
Priority 5	Brecksville Road north - analysis and master planning
Priority 5	Map all Village properties and discuss future land use
Priority 6	Nonconforming lot size analysis and possible property rezoning

