



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

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RICHFIELD VILLAGE COUNCIL REGULAR MEETING MINUTES

**TUESDAY, APRIL 3, 2018
6:30 p.m.**

ROLL CALL: Domanick, Healey, Hudak, Kahoe, Lanford, Lyons and Wheeler.

OTHERS PRESENT: Mayor Beshara, Police Chief Morgan, Fire Chief McLean, Parks and Recreation Director Jocek, Finance Director Turk and Law Director Hanna. **ABSENT:** Planning & Zoning and Interim Service Director Frantz.

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES OF THE MARCH 20, 2018, REGULAR MEETING, AS CORRECTED.

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

COMMUNICATIONS AND PETITIONS: Mr. Wheeler's family expressed their gratitude for the flowers the village sent to his mother-in-law's memorial service.

Also, the Summit County ADM Support Committee asked the village for support for its ADM Recovery Challenge Obstacle Course 5K on May 19.

MAYOR'S REPORT

Council members and village employees must attend Drug-Free Workplace training on April 9 at 6:30 p.m. or April 10 at 8:15 a.m. Also, the fire department will conduct AED training on April 10 at 10:15 a.m.

The Mayor's Fitness Challenge will kick off on April 14 from 10 a.m. to noon. Beshara will deliver her State of the Village address on May 2 at Days Inn.

President Trump's visit went off without a hitch on March 29. The police, fire, service and recreation employees pulled together to do an amazing job. The village looked great and the president was safe.

DEPARTMENT HEAD REPORTS:

Chief Morgan – Police

Report:

Calls for the month of March: 1,025 in the village and 252 in the township.



Detective Sgt. Swanson and Lt. Davis learned on March 22 that a dignitary would be visiting Richfield on March 29. It turned out to be President Trump. Swanson and Davis coordinated the motorcade route with the Secret Service, and everything was ready on March 28. A total of 86 police officers and 13 service department personnel worked to secure the 40-acre parcel, including representatives from the SWAT team and several other communities. The service department secured and cleaned up the route, and a motorcade representative was impressed. Swanson and Davis will receive commendations at a future Council meeting for their efforts.

Chief McLean – Fire

The chief visited the new squad vehicle, which should arrive at the end of the week. Council is invited to see it at the May 10 work session. Chief Morgan said Council can see the new police dispatch area on the same night.

- Calls for the month of March: EMS 48, Fire 16, Township EMS 16, Township Fire 2. Mutual Aid given 13. **Total response: 97.**
- The new SCBA are in service and on the apparatus. All members went through an agility test with them. I want to thank Lt. Ellis for leading this project and thank Council for the appropriation.
- We hosted a turnpike meeting on March 23. This is in regards to mutual aid for turnpike response only. We had 17 communities here to discuss this concept using fire departments that respond on the turnpike, instead of traditional mutual aid that may not be familiar with the turnpike. Richfield will draft the guidelines, as we received a positive response from the turnpike safety director and the fire departments. Also discussed was the turnpike billing process for response out of your area.
- The presidential visit project started with an incident action plan in coordination with the police department. The additional planning went on with the officers and the county special operations team for Haz Mat. The fire department was identified as the safe house for the motorcade



and for decontamination of the motorcade. We had the county Decon unit set up in our station along with an additional response crew. Some of the same plans were utilized from the last visit 14 years ago.

- On station command: Lt. Jones with a crew of nine
- On station: Lt. Keener Akron Fire
- On scene command: Chief and nine, Brecksville Chief Zamiska
- Communication center: Lt. Ellis
- Town response: Bath and Brecksville fire departments
- Richfield, Valley, Bath, Akron, Green, Granger, Hudson, Summit County Haz Mat
- 28 firefighters in eight departments for total of 248 man-hours

Director Jocek - Parks and Recreation

During the computer collection portion of Project Pride, the collectors are not able to accept cracked screens.

The ReWorks facility on Graham Road will conduct tire recycling on Thursdays from June 7 to Sept. 27. You can turn in up to 10 tires for \$1 each. The facility will also accept hazardous materials, but not latex paint.

Beshara thanked Jocek for planting flowers and for getting the Boy Scouts to clean out the ditches before the President arrived.

Report:

- Program Reminder:
 - The ART Show: Saturday, April 14, 10 am – 4 pm Masonic Hall
 - Project Pride, Clean Up Richfield: Saturday, April 21, 9 am – Noon
 - 5th Anniversary of Story Walk/Carter/Pedigo Trail: Saturday, April 21, 10:30 am
 - Arbor Day/Tree Giveaway: Saturday, April 28, Town Hall Pavilion 9 am
- I have received another mini grant from the Summit Food coalition and the NeighborFood Mini Grant committee. This grant is for \$500 for use at the Eastwood



Community Garden. The funds will go toward the new boxed garden that an upcoming Eagle Scout will be putting in for the special needs students/residents of Richfield.

- All Council members are invited to the Recreation Open House on Saturday, May 5th, 2018 from 9 am – 11 am at the Recreation Center. The Park Board will be there to hear, listen and collect opinions from Richfield Residents on a Community Center.
- Jocek helped plant flowers around town for the Presidential visit.

Director Frantz – Planning & Zoning and Service

Report:

- 1) I met with the Service Department staff and updated the white board (the capital project list) in the Planning and Zoning office. We are on track with projects and will be coming to Council for authorization to bid: 1) the Humphrey Road paving and culvert project; 2) the Motor Road drainage and ditch elimination project; 3) the Veterans Memorial Park walkway improvement project; 4) the Glencairn generator project; and 5) the Glencairn creek repair project. I will provide Council with an updated Capital project budget at an upcoming meeting.
- 2) We are working with Cavanaugh Construction to execute their contract for the Fairview Cemetery expansion project. As Council is aware, Cavanaugh Construction was the low bidder for the project at \$229,900.00. Cavanaugh plans to start the project in mid-May when the ground is more solid and it's easier to navigate equipment into the site. I will keep Council apprised as the project moves forward.
- 3) Based on direction from Council, GPD is preparing several exhibits to illustrate how a wheelchair lift will look in front of, and on the side of, Old Town Hall. The illustrations will also portray how the lift can be screened from view. The renderings will be available for Council (uploaded digitally) prior to the April 12th work session. The intent is to get final approval from Council as to the location of the lift so we can finalize that capital project this summer.



- 4) Unfortunately, the 16" force main adjacent to Brecksville Road has experienced a break just north of the 77-south ramp. Given this, we are meeting with a contractor immediately to determine the fastest, most cost-effective approach to repairing the damaged pipe. Work on the line will have to begin immediately on an emergency basis without bidding the project. We have tentatively identified HM Miller as the contractor to perform the work, and they will likely begin to mobilize this weekend or early next week. It may be necessary (depending on the cost) to introduce legislation at the Council meeting next week. More information will be available after I meet with the contractor.

- 5) I want to thank the staff of the Service Department for their quick response to President Trump's visit to Richfield. The staff didn't find out about the President's visit until Monday morning, and they worked extremely fast to prepare the town. Also, I want to thank the Mayor for her great idea to spruce up the town with flags, bunting and flowers. These items looked incredible and they didn't go unnoticed. I received word from Chief Morgan that a representative from the President's motorcade specifically noted that the town looked great. Regarding the flowers, we utilized the 2018 beautification budget approved by Council to purchase them in advance of the visit. The Village's Arborist, Walt Dorsey, had a great idea to plant the flowers in their pots so they could easily be removed and placed in the greenhouse and indoors at 3921 Brecksville Road. When the more consistent warmer weather arrives, we will replant the flowers in their permanent location. Finally, thanks to Recreation Director Ruth Jocek for helping the Service Department staff plant the flowers. It truly was a team effort to help prepare Richfield for President Trump.

Recommendations/Considerations: None

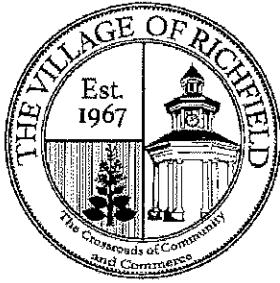
Legislation: Kinross Lakes South Road Dedication (2nd reading)

Director Turk – Finance

Report:

Income Tax

March's income tax collections are slightly up at 0.1%, or up by \$595 compared to March 2017 with one more day of collections. We budgeted \$10,051,656, or a 1.1% increase over 2017 collections. Year-to-date receipts are 6.5% higher than 2017. Individual and withholding collections are both up, while net profit collections are down compared to March 2017. A separate memo will be sent out with the final March information.



2017 income tax returns are due Tuesday, April 17th.

In relation to the income tax litigation, the Court of Appeals filed an entry denying the motion to stay because the agreed temporary injunction in place prior to the trial court's order was set to expire February 24, 2018. Therefore, in the Court's view, reinstating the status quo that existed prior to the trial court's judgement would be null because February 24, 2018 has passed.

In approximately two weeks, the full transcript of the proceedings in the trial court will be completed and forwarded to the Appeals Court, which starts the clock on merit briefing. The brief will be filed within 20 days of the filing of the transcript, and the State's will follow 20 days thereafter.

The case brought by the City of Toledo remains pending in the Lucas County Court of Common Pleas, awaiting a decision on the State's motion to transfer venue.

Applications for Real Property Tax Exemptions

Applications for real property tax exemptions are being prepared for 4034 Wheatley Road (Bigadza), 4060-4064 Wheatley Road (Zelinski), and 3266 Broadview Road (Orchard). Exemption from property tax is granted through the Ohio Department of Taxation. The exemption may take two or more years to be completed. Once the application is filed, an auditor number will be assigned to the application and a code put on the auditor card to prevent any lien sale for unpaid taxes.

Law Director Hanna

No report.

MOTION: TO ADD RESOLUTION 27-2018 TO THE AGENDA.

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

COMMITTEE REPORTS:

Kahoe talked about a text amendment to be referred to the Planning and Zoning Commission regarding the proposed Valenti gun range. It was drafted by Valenti's attorney, which Wheeler said was Lyons' instruction. Hanna said it was not styled as a resolution, although Council later placed it onto the agenda as Resolution 28-2018.

Hanna said that Frantz was not here and asked if it could wait until the next meeting. Kahoe said the project should move forward, citing the checks and balances that are in place. Lyons noted



that the proposed resolution was given to Council just before the meeting, and that was no way to add something to the agenda.

MOTION: TO ADD RESOLUTION 28-2018 TO THE AGENDA.

Moved by Kahoe, seconded by Hudak. YAY: Healey, Hudak, Kahoe, Wheeler. NAY: Domanick, Lanford, Lyons. **Motion passed 4-3.**

The Tree and Landscape Commission will meet on May 7 at 5:30 p.m. The commission will also tour Richfield on April 23 at 6 p.m.

The Parks and Recreation Department will pass out tips for "How to Prepare for a Tornado" along with the Arbor Day trees. A forum on a community center is scheduled for May 5 at the rec center at 9 a.m. The Firemen's 5K is set for that same morning.

Hudak said the decision to return the Community Day parade to Friday has met with nearly unanimous approval.

Council members discussed the Senior Center vehicle situation, discussing options such as Uber, rentals and leasing. Healey said she would like to see a change in the policy that allows residents of other communities to sign up for trips before Richfield residents.

Healey also said the Richfield Joint Recreation District will pay \$750 to a finance employee who will begin working in the summer.

CAUCUS (See discussion under legislative items)

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY: None.

ORDINANCES AND RESOLUTIONS

First Readings:

RESOLUTION 27-2018

Offered by All of Council

A RESOLUTION TO AMEND RESOLUTION NO. 22-2018 AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT FOR THE SUPPLY OF GENERATED ELECTRICITY FOR SPECIFIED MUNICIPAL ACCOUNTS BY INCREASING THE NOT TO EXCEED AMOUNT TO \$0.065 (SIX AND A HALF CENTS) PER KILOWATT HOUR AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 27-2018.

Moved by Hudak, seconded by Wheeler. Upon roll call, motion passed unanimously.

MOTION: TO ADOPT RESOLUTION 27-2018.

Moved by Hudak, seconded by Wheeler. Upon roll call, motion passed unanimously.



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RESOLUTION 28-2018

Offered by Mr. Kahoe

A RESOLUTION TO AMEND SECTIONS 1159.03 AND 1103.03 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE TO ADD A NEW SECTION 1159.03(b)(13), COMMERCIAL INDOOR FIRING RANGE

MOTION: TO REFER RESOLUTION 28-2018 TO THE PLANNING AND ZONING COMMISSION.

Moved by Kahoe, seconded by Hudak. YAY: Domanick, Hudak, Kahoe, Wheeler. NAY: Healey, Lanford, Lyons. **Motion passed 4-3.**

Second Readings:

ORDINANCE 25-2018

Offered by All of Council

AN ORDINANCE ACCEPTING THE DEDICATION OF A PUBLIC STREET TO WIT: KINROSS LAKES PARKWAY EXTENSION AND DECLARING AN EMERGENCY

Third Readings:

ORDINANCE 66-2017

Offered by All of Council

AN ORDINANCE ENACTING NEW CHAPTER 1183, "MEDICAL MARIJUANA," OF TITLE SEVEN, "ZONING REGULATIONS APPLIED TO ALL DISTRICTS," OF THE CODIFIED ORDINANCES

CAUCUS DISCUSSION: A public hearing is scheduled for April 17 at 6:30 p.m.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR:

WORK SESSION: The next work session is scheduled for April 12 at 6:30 p.m. Topics will include:

- Elevator for Richfield Historical Society building
- Cemetery fees
- Landscaping for new signs
- Senior Center vehicle
- Work-hour ordinance
- Yellow Creek Watershed (Hanna will file a notice of appearance on behalf of the village in the Summit County court case)



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Lyons adjourned the meeting at 7:40 p.m.

Respectfully Submitted:

Jeff Gorman
Clerk of Council

Mike Lyons
Council President