



RICHFIELD VILLAGE COUNCIL REGULAR MEETING MINUTES

TUESDAY, APRIL 17, 2018

ROLL CALL: Domanick, Healey, Hudak, Kahoe, Lyons and Wheeler. Lanford arrived at 6:35.

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

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES OF THE APRIL 3, 2018, REGULAR MEETING, AS CORRECTED.

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

COMMUNICATIONS AND PETITIONS: None.

MAYOR'S REPORT:

Beshara discussed a letter regarding zoning enforcement that was sent by Mike Kahoe to Councilman Wheeler. She thanked him for raising valid questions and noted that the village has sent reminders of sign regulations to 189 businesses.

The mayor addressed the tone of the letter, calling it "harsh and coarse" and noting that it included a personal attack. As mayor and a 33-year resident, Beshara appealed to residents' "better nature" and stated that dealing with "hurtful and antagonistic" comments should not be part of her job.

She said she tells her staff to hang in there and keep their heads up, and she asks the public to present their concerns in a respectful manner.

Beshara swore in Thomas "Bart" Randolph as a new part-time police officer.

She then turned the floor over to Frantz, who introduced the water tower discussion. He pointed out the service department's three-dimensional topographical map of the village before introducing Cleveland Water Commissioner Alex Margevicius.

The commissioner said the history of the water tower concept dates back to 1967, when land was set aside for that purpose in the Forest Ridge subdivision. When talk of the tower's construction commenced in 2013, the public made it clear that the water tower location was too close to residences.



Cleveland looked at 13 other sites in Richfield, some privately owned and others owned by the village. Negotiations with Seabreeze for a property near 3000 Brecksville Road began in 2016.

The tower site is located 1,500 feet from Interstate 271, 1,200 feet from Congress Parkway and 900 feet from Brecksville Road.

The commissioner said the Cleveland Water Department would have to create a 10th “pressure district” for the Richfield water tower. In order to provide the correct 50 psi of water pressure, the tower will be 220 feet high.

The water representatives displayed visual aids depicting the water tower from seven vantage points throughout the village.

Hudak asked about the timetable. Margevicius said the project could be bid in the final quarter of 2018. Construction would take place in 2019 or 2020, depending on the contractors’ schedule.

Wheeler asked about the cost. Jose Gonzalez of the water department said the tower and the pump station (which will be located at the service garage at 3921 Brecksville Road) will each cost \$3 million to \$4 million.

MOTION: TO OPEN COMMENTS TO THE PUBLIC ON THE WATER TOWER ISSUE.

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

Robert Glover of Mill Street asked if the tower would have the capacity to handle the needs of buildings in the village that have yet to be built. The commissioner said yes.

Robert Dody of Broadview Road said the water tower would benefit Richfield businesses.

Diane Stevens of Broadview Road said some people might complain about the tower, but she asked Council to “stick to your guns.”

The Cleveland water personnel will return on May 15 for more discussion of the project, including input from the public.

MOTION: TO ADD RESOLUTIONS 31-2018 THROUGH 36-2018 TO THE AGENDA.

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

Beshara said she would deliver the State of the Village address at the Days Inn on May 2.

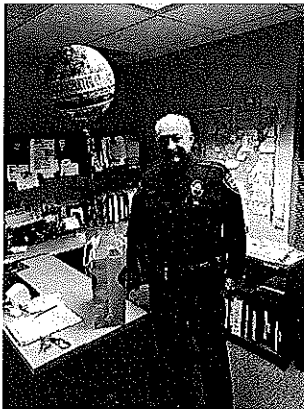


DEPARTMENT HEAD REPORTS:

Chief Morgan – Police

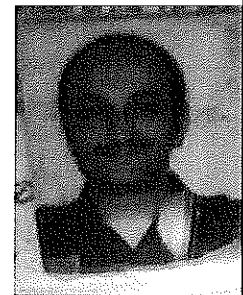
The chief thanked Kenny and John from the service department for outfitting the new cruisers with their equipment.

Report:



On April 1, 2018 Officer Ben Gentile retired from the Richfield Police Department after serving since 1991. Officer Gentile was a full-time detective with the Regional Transit Authority. He retired from RTA several years ago. We will be honoring Officer Gentile June 5 at the council meeting.

Note: Time is a cruel, cruel companion.



Mayor Beshara will request the approval of her appointment of Bart Randolph as a part-time police officer to fill the position vacated by Officer Gentile.

Bart Randolph is a graduate of Wadsworth High School, after which he earned a Bachelor of Arts degree from Walsh University. Bart majored in Business Management and was a member of the Walsh University football team.

Bart attended the police academy at the University of Akron in 2015 and is now employed by the Summit County Metro Parks as a park ranger. Bart was highly recommended by both past and present employers and will be a welcome addition to the Richfield Police Department.

Safety Town preparations are underway. There will be one session this year (AM only) and will be held the week of June 18 at Hillcrest Elementary. Graduation will be held following the last session on Friday June 22 at Hillcrest. Graduation was previously held in council chambers on the Monday following the last session. Applications for Safety Town participants and volunteers are available on the Village website on the Police page. The first vehicle taken out of service was sold at auction (on Govdeals) for \$5,800.00. The money from the sale of the vehicle returns to the general fund.

Ken Horn and John Luther have outfitted two of the three new vehicles in record time. Our thanks to them. The third should be completed by the end of this week.

Chief McLean – Fire

McLean said the new ambulance arrived on April 6 and would be in action shortly.

- We took delivery of our ambulance on 4-6. All items met our specification and the price was \$1,400 lower than the contract and P.O. All the shifts and I are mounting and prepping the unit for service. All members are going through a driver's training class and road course with the unit, and it



should be able to respond to calls in about 10 days.

- Six members will be attending the Fire Department Instructor conference and trade show in Indianapolis from 4-22 to 4-28. This has become the world's largest Fire Training exposition and trade show for our industry.
- We will be hosting a Red Cross blood drive on May 19th at the Fire Station.
- On May 5th is our 5K Run and walk. Also, a pancake breakfast will be held by the Explorer Post from Bath and Richfield.
- We are looking forward to the work session on May 10th at the Fire Station.

Director Jocek - Parks and Recreation

Report:

- This past weekend we held The ART Show at the Masonic Hall. I hope that most of you had a chance to attend. A variety of artists who work in many different mixed media were there, along with jewelers and sculptors.
- Saturday, April 21, 2018 from 9 am until Noon is Community Project Pride. This is the clean up Richfield Day. Please consider picking up trash in your neighborhood or business area or anywhere else you see trash. This is the time to recycle your old computers and electronics. You may also shred those boxes of papers that have been accumulating in your house.
- On Saturday April 21 we will be celebrating the 5th anniversary of the Carter/Pedigo Trail Story Boards. The celebration will consist of the Dr. Seuss story The Lorax. We will also give away trees to participants who may choose to plant them on the trail or to plant them in a pot to take home.
- Arbor Day/Tree Giveaway is Saturday, April 28 from 9 am until trees are gone. This will be at the Town Hall Pavilion.
- We have received \$1,500 from NOPEC. This money will go toward our summer concerts.



- I have also applied for a “Grow Green Compost Giveaway” for a truck load of green compost for the Eastwood Gardens. We will be notified by May 8. Five community gardens will be awarded in the Summit area. It will be put into our compost pile. I realize that most people won’t get excited about this, but the addition of green compost will only make our compost pile like gold!
- I have requested a resolution to apply for a grant for the repair of the Eastwood Preserve Barn.
- This is just a reminder to All Council members. You are invited to the Recreation Open House on Saturday, May 5th, 2018 from 9-11 am at the Recreation Center. The Park Board will be there to hear, listen and collect opinions from Richfield residents on a Community Center.

Director Frantz – Planning & Zoning and Service

Frantz asked Council to add Resolution 37-2018, regarding bids on the Humphrey Road culvert project.

MOTION: TO ADD RESOLUTION 37-2018 TO THE AGENDA.

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

Report:

- 1) At their meeting held on April 10th, the Planning Commission took the following actions:
 - a. approved a signage replacement for United Rentals located at 3351 Brecksville Road;
 - b. approved a ground monument sign and a wall sign for Group Management Services for their new building located at 3750 Timberlake Drive;
 - c. approved a Conditional Use permit for Boyco Trucking to operate a truck and transfer terminal from the property located at 2901 Brecksville Road;
 - d. approved a sign for Brookdale Hospice for their tenant space located at 3380 Brecksville Road; and
 - e. introduced Council’s proposed amendment to Chapter 1159 of the Planning and Zoning Code to include indoor shooting ranges as a conditional use.



Pursuant to Section 1173.07 (d) of the Planning and Zoning Code, I am asking Council's consideration to waive their "call-up" authority so I can issue the conditional zoning certificate to Boyco Trucking, as recommended by the Commission.

- 2) HM Miller is in the process of repairing the 16" force main that experienced a break recently. The break is adjacent to Brecksville Road, just north of the 77-south ramp. HM Miller is the selected contractor that can accommodate the work schedule and will begin to perform the work early next week, weather dependent. This time sensitive project is being completed on a time and materials basis. We anticipate the work being completed within a week after commencement. We will keep Council up to date as the project progresses.
- 3) Based on direction from Council at their work session, GPD will begin to prepare construction documents to install a lift on the side of Old Town Hall. As agreed by Council, a small enclosure on the side of the building will be constructed to protect occupants from the weather elements. Once we have the construction cost estimate and associated bidding documents, we will seek Council authorization to bid the project.
- 4) We are finalizing the easements with the neighbors for the Humphrey Road culvert project and should have signatures before this Tuesday. If we obtain the executed easements before Tuesday, we likely will introduce legislation at the 4/17 Council meeting. The intent is to bid the culvert project and the Humphrey Road resurfacing project together to get better pricing. Based on this schedule, I anticipate the project commencing around June 11th.

Recommendations/Considerations: None

Legislation: Kinross Lakes South Road Dedication (3rd reading); Referral legislation for water tower site to Planning Commission (9.06 of the Charter); all related water tower legislation (first readings)

MOTION: TO WAIVE COUNCIL'S CALL-UP AUTHORITY FOR THE PLANNING AND ZONING COMMISSION'S APPROVAL OF THE BOYCO TRUCKING TERMINAL.

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

Director Turk – Finance

Report:

Income Tax

2017 Income Tax returns are due Tuesday, April 17th.



Quarterly Federal & State Payroll Reports

The quarterly Federal and State Payroll reports have been prepared and will be filed before the end of the month.

Recommendations/Considerations:

None

Legislation:

1) Ordinance 29-2018: An Ordinance enacting a new cemetery fee schedule and declaring an emergency

This Ordinance is submitted for first reading only. The Cemetery Board has requested Council to consider increasing the rates for plots/graves/lots as follows:

| <u>Plots/Graves/Lots</u> | <u>Current Rates</u> | <u>Proposed Rates</u> |
|--------------------------|----------------------|-----------------------|
| Veteran | \$325.00 | \$450.00 |
| Residents | \$400.00 | \$600.00 |
| Non-Residents | \$525.00 | \$725.00 |

| <u>Cremation Only Plots/Graves/Lots</u> | <u>Current Rates</u> | <u>Proposed Rates</u> |
|---|----------------------|-----------------------|
| Veteran | | \$225.00 |
| Residents | | \$300.00 |
| Non-Residents | | \$360.00 |

These rates were last increased in 2011.

All the remaining rates and charges remain the same.

The rate increase will go into effect June 1, 2018.

Law Director Hanna

Hanna said the Ohio legislature has passed House Bill 478, regarding small cell wireless poles and antennae. This increased the village's authority over the right-of-way.



COMMITTEE REPORTS:

Domanick said the art show was well-attended. He also thanked McLean for including tornado safety tips for the Arbor Day tree giveaway. Domanick said the Rec Center open house and Firemen's 5K/pancake breakfast are both scheduled for May 5.

CAUCUS (See discussion under legislative items)

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY: None.

ORDINANCES AND RESOLUTIONS

First Readings:

ORDINANCE 29-2018

Offered by All of Council

AN ORDINANCE ENACTING A NEW CEMETERY FEE SCHEDULE TO INCREASE THE RATES FOR PLOTS/GRAVES/LOTS AND DECLARING AN EMERGENCY

ORDINANCE 30-2018 (Public hearing May 1 at 6:30 p.m.) Offered by All of Council

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 5145 BRECKSVILLE ROAD FROM THE GENERAL BUSINESS DISTRICT TO THE INDUSTRIAL DISTRICT

RESOLUTION 31-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH THE CITY OF CLEVELAND FOR THE PURCHASE OF VILLAGE PROPERTY FOR THE CONSTRUCTION OF A NEW WATER TOWER; AND DECLARING AN EMERGENCY

RESOLUTION 32-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A PERMANENT NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT AGREEMENT WITH THE CITY OF CLEVELAND FOR THE CONSTRUCTION, INSTALLATION, AND OPERATION OF A PUMPING STATION FACILITY; AND DECLARING AN EMERGENCY

RESOLUTION 33-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A LAND SWAP AGREEMENT WITH SEABREEZE NORTH CORPORATION; AND DECLARING AN EMERGENCY

MOTION: TO REFER TO THE PLANNING AND ZONING COMMISSION THE PROPOSED LOCATION FOR A WATER TOWER DESCRIBED IN RESOLUTIONS 31-2018 AND 33-2018, PURSUANT TO SECTION 9.06 OF THE CHARTER.

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



RESOLUTION 34-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A PERMANENT AND EXCLUSIVE OPERATIONS, ACCESS AND UTILITY EASEMENT AGREEMENT WITH THE CITY OF CLEVELAND FOR THE CONSTRUCTION, INSTALLATION, AND OPERATION OF A PUMPING STATION FACILITY; AND DECLARING AN EMERGENCY

RESOLUTION 35-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A NON-EXCLUSIVE TEMPORARY EASEMENT AGREEMENT WITH THE CITY OF CLEVELAND FOR THE CONSTRUCTION OF A PUMPING STATION FACILITY; AND DECLARING AN EMERGENCY

RESOLUTION 36-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT FOR IMPROVEMENTS TO THE BOOSTED THIRD HIGH DISTRICT WITH THE CITY OF CLEVELAND; AND DECLARING AN EMERGENCY

RESOLUTION 37-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE AND SOLICIT BIDS FOR THE HUMPHREY ROAD CULVERT PROJECT, AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 37-2018.

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

MOTION: TO ADOPT RESOLUTION 37-2018.

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

Second Readings:

RESOLUTION 28-2018 (ref. to PZC on April 3, 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

Third 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



MOTION: TO ADOPT ORDINANCE 25-2018.

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

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

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR: Kelly Clark asked about properties being swapped as described in Resolution 33-2018. Frantz said the other property is the Soni property, formerly High Point Trucking on Congress Parkway.

Addressing the mayor's earlier comments, Clark said she was bullied on the RJRD and was frustrated not to receive help. She discussed the anti-hate legislation the village passed in 2017 and urged residents to go back and read it.

Beshara said she may have an executive session with Council on May 1 regarding land acquisition.

WORK SESSION: The next work session is scheduled for May 10.

Lyons adjourned the meeting at 8:22 p.m.

Respectfully Submitted:

Jeff Gorman
Clerk of Council

Mike Lyons
Council President