



## **RICHFIELD VILLAGE COUNCIL REGULAR MEETING MINUTES**

**TUESDAY, MAY 1, 2018**

After the public hearing, the regular meeting began at 7:38 p.m.

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

**OTHERS PRESENT:** Mayor Beshara, Fire Chief McLean, Parks and Recreation Director Jocek, 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 17, 2018, PUBLIC HEARING.

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

Minutes for the April 12 work session and the April 17 regular meeting were not acted upon and were moved for formal approval at the next council meeting.

### **COMMUNICATIONS AND PETITIONS:**

Frantz notified Council that the Planning and Zoning Commission approved Council's referral for the location of the water tower as described in Resolution 33-2018.

The Ohio Division of Liquor Control notified Council of a proposed transfer of the Taverne of Richfield's liquor permit from Food Coma LLC to Finesse Management Co. LLC.

Temporary liquor permit was presented on behalf of the Richfield Town Trust and there should be a motion to approve by Council.

### **MAYOR'S REPORT:**

The mayor requested an executive session regarding personnel and the purchase of property.

### **DEPARTMENT HEAD REPORTS:**

#### **Chief Morgan – Police**

Calls for the month of April: 1,103 in the village and 257 in the township.

#### **Report:**

Officer Ryan Kellackey completed a week-long Crisis Intervention Training hosted by the County of Summit ADM Board.



CIT provides officers alternative methods and enhances cognitive abilities for dealing with individuals who have experienced or are experiencing traumatic issues in their lives. This invaluable training has proven to reduce injuries and unnecessary arrests; build community relationships; and promote job satisfaction. Some of the topics included: Post traumatic stress disorder, mental illness in the elderly, substance abuse and crises with kids and adolescents. The majority of Richfield officers have completed CIT training.

Lt. Davis attended the Summit County Emergency Management workshop on hazard mitigation. A hazard mitigation plan has been developed as a guide to address hazard prevention needs, opportunities and activities that will create a disaster-resistant Summit County.

I met with the race organizer for the Sweet Corn 5 and 10k run to be held in lieu of the bicycle ride. We are finalizing route details and logistics for this new event. Additional details will be provided in the near future.

#### **Chief McLean – Fire**

The chief delivered an oral report.

#### **Director Jocek - Parks and Recreation**

##### **Report:**

- We had a successful Community Project Pride. We filled eight 6'x6'x6' bins with recyclable electronic equipment. We also filled a large box truck to the rim with shredded paper. Chief Morgan participated by collecting a paper box of old drugs to be disposed of. The goal of the day was to clean up the streets of Richfield, and I am happy to report that the majority of the streets and developments were done.



- On the same day, we had a fun program to celebrate the 5<sup>th</sup> anniversary of the Carter/Pedigo Story Walk. The children read the story “The Lorax” and received a dogwood tree to plant.
- This is just a reminder to All Council members. You are invited to the Recreation Open House on Saturday, May 5<sup>th</sup> from 9–11 a.m. at the Recreation Center. The Park Board will be there to hear, listen and collect opinions from Richfield Residents on a Community Center and hopefully the Council will be there also.

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

#### **Report:**

- 1) At their meeting held on April 24<sup>th</sup>, the Planning Commission took the following actions:
  - a. approved signage for Pink Velvet Studios, located at 3838 Brecksville Road; and
  - b. recommended approval of Council’s request to locate a million-gallon water tower on parcels 5000056, 5000057 and 5000058.

Planning Commission also discussed Council’s proposed amendment to Chapter 1159 of the Planning and Zoning Code to include indoor shooting ranges as a conditional use. Bill Hanna and I formulated suggested amendments to the Council legislation and Commission discussed them and substantially agreed with most of the amendments. An informational hearing is scheduled for the May 8<sup>th</sup> Planning Commission meeting. I expect the Commission to make a recommendation back to Council for its May 15<sup>th</sup> meeting.

- 2) HM Miller has successfully repaired the 16” force main (adjacent to Brecksville Road) that experienced a break recently. We will have a complete accounting of costs related to this emergency project in the next couple weeks.
- 3) I met with representatives from Specialized Construction Incorporated and they are a full-service paving company that offers a membrane sealant called J-Band. J-Band is product that is applied during the joint preparation process for asphalt repaving projects. It serves as a sealing membrane to the joints that provides stability and significant reduction of cracking at center joints. Many cities in northeast Ohio (Gates Mills, Mayfield, Independence and Macedonia, etc.) are using J-Band in their asphalt roadways and the products are endorsed by a number of local



engineering companies. In fact, Summit County is using J-Band for many of their paving projects and I am considering J-Band for the Humphrey Road paving product. The cost is \$3/lineal foot or approximately \$16,000 of additional cost for Humphrey Road. I have discussed this with Dave Neumeyer, and he supports trying it as well. I will keep Council apprised as we examine this technique more closely.

Recommendations/Considerations: None

Legislation: Resolutions 31 through 36-2018 (2<sup>nd</sup> readings)

### Director Turk – Finance

#### **Report:**

##### **Income Tax**

April's Income Tax revenue to-date is up by 9.3% for the month and up 7.7% year-to-date. We still have three days left in the month. Generally, the first quarter of the year collections are at their highest points and then the percentages tend to drop during the second half of the year. All three components (individuals, net profits, and withholding revenue) reflect increases both for the month and year-to-date. A separate memo will be sent out next week with the final April information.

The April 17<sup>th</sup> filing deadline for 2017 tax returns went fairly smoothly this year. Collections are up, mailings seemed to come in steadily in the weeks prior to the deadline, so we didn't really experience the inundation of filings that usually occurs at the deadline. We also saw an increase in the number of residents that came in for assistance in completing their returns.

##### **First Quarter Sewer Bills**

The first quarter sewer bills were mailed out last week. The sewer bills are due Monday, May 21<sup>st</sup>.

##### **Thank You**

On behalf of Jo Ann Maupin, in memory of her husband Wade, she'd like to express her appreciation for all the acts of kindness shown. The thoughtfulness, consideration and generosity during this difficult time helped make life easier during her time of sorrow and gave her comfort knowing that everyone was there for her. Thank you!

#### **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 second 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**

No report.

**COMMITTEE REPORTS:**

Domanick reminded residents about the Rec Center Open House on May 5. Beverages will be provided, and a discussion will take place about a proposed community center.

Domanick also said the Tree and Landscape Commission used the Senior Center bus to tour village properties to assess landscaping needs. The village gave away more than 1,000 trees at the Arbor Day giveaway. Walt will plant the remaining 25 trees in the woods at village properties. Nine species of trees were distributed.

Healey attended the RJRD meeting on April 23. President Bob Becker said the board needs to prioritize upcoming projects because the levy will be coming up quickly.

Hudak said the Community Days parade will step off at on Friday, Aug. 10 at Town Hall, proceeding to Richfield Woods Park.

Wheeler said the Planning and Zoning Commission is planning for the Cleveland water presentation regarding the water tower. The commission is also discussing the proposal for the indoor gun range.



**CAUCUS (See discussion under legislative items)**

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

**ORDINANCES AND RESOLUTIONS**

**MOTION: TO ADD ORDINANCE 43-2018 TO THE AGENDA.**

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

**MOTION: TO ADD ORDINANCE 44-2018 TO THE AGENDA.**

Moved by Kahoe, seconded by Lanford. YAY: Domanick, Kahoe, Lanford, Lyons and Wheeler. NAY: Healey & Hudak.

*First Readings:*

**RESOLUTION 38-2018**

Offered by All of Council

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN EASEMENT AGREEMENT WITH SCOTT B. JOHNSTON AND JENNIFER JOHNSTON FOR INSTALLATION AND MAINTENANCE OF A STORM SEWER FACILITY AND APPURTENANCES AND DECLARING AN EMERGENCY**

**MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 38-2018.**

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

**RESOLUTION 39-2018**

Offered by All of Council

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN EASEMENT AGREEMENT WITH MARGARET KEENAN SLIFCAK FOR INSTALLATION AND MAINTENANCE OF A STORM SEWER FACILITY AND APPURTENANCES AND DECLARING AN EMERGENCY**

**MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 39-2018.**

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

**RESOLUTION 40-2018**

Offered by All of Council

**A RESOLUTION DECLARING VARIOUS ITEMS OF VILLAGE PERSONAL PROPERTY AS SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE AND AUTHORIZING THE VILLAGE TO SELL SAID PROPERTY BY INTERNET AUCTION AND DECLARING AN EMERGENCY**



**MOTION:** TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 40-2018.

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

**MOTION:** TO ADOPT RESOLUTION 40-2018.

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

**RESOLUTION 41-2018**

Offered by All of Council

**A RESOLUTION AUTHORIZING ACCEPTANCE OF THE BID OF MAR-ZANE, INC. dba ALLIED CORPORATION FOR ASPHALT FOR THE 2018 CONSTRUCTION SEASON; AND DECLARING AN EMERGENCY**

**MOTION:** TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 41-2018.

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

**MOTION:** TO ADOPT RESOLUTION 41-2018.

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

**RESOLUTION 42-2018**

Offered by All of Council

**A RESOLUTION AUTHORIZING ACCEPTANCE OF THE BID OF D.J.L. MATERIAL SUPPLY FOR ASPHALT SEALANT FOR THE 2018 CONSTRUCTION SEASON; AND DECLARING AN EMERGENCY**

**MOTION:** TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 42-2018.

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

**MOTION:** TO ADOPT RESOLUTION 42-2018.

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

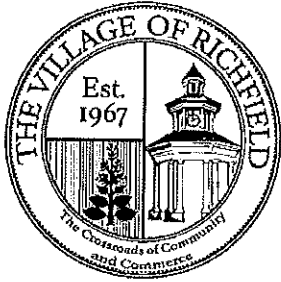
**ORDINANCE 43-2018**

Offered by All of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) UNDER THE MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) FOR THE BRIARWOOD AREA WASTEWATER PUMP STATION AND FORCE MAIN IMPROVEMENTS PROJECT IN THE VILLAGE OF RICHFIELD, AND DECLARING AN EMERGENCY**

**ORDINANCE 44-2018**

Offered by Councilman Kahoe



**AN ORDINANCE AMENDING SECTION 131.01 OF THE ADMINISTRATIVE CODE  
PROVIDING FOR THE COMPENSATION OF THE MAYOR FOR THE TERM COMMENCING  
JANUARY 1, 2020**

*Second 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** (as amended 5-1-18)

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**

**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**

*Third 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**

**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**

**MOTION: TO ADOPT RESOLUTION 66-2017.**

Moved by Hudak, seconded by Kahoe. YAY: Kahoe, Healey, Hudak, Lanford, Lyons and Wheeler. NAY: Domanick. **Motion passed 6-1.**

**UNFINISHED BUSINESS:** Council discussed sending postcards to residents regarding the water tower discussion at the May 15 meeting. Council will provide input, including modifications regarding photos of the proposed water tower site.

**NEW BUSINESS:** None.

**COMMENTS FROM THE FLOOR:** Chris Young of Sawbridge Drive discussed sewer cost issues in her neighborhood and is pleased that the village has received an \$800,000 grant from NEORS for the Briarwood sewer project.

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



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**MOTION:** TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE HIRING, DISCIPLINE OR DISMISSAL OF A PUBLIC EMPLOYEE AND THE PURCHASE OF PROPERTY.

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

Lyons adjourned the meeting at 8:27 p.m.

Respectfully Submitted:

Jeff Gorman  
Clerk of Council

Mike Lyons  
Council President