

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

Office: 330.659.9201 • www.richfieldvillageohio.org

RICHFIELD VILLAGE COUNCIL REGULAR MEETING MINUTES

TUESDAY, JULY 17, 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, Service Director Papp, Parks and Recreation Director Jocek, Planning & Zoning Director Frantz, Finance Director Turk and Law Director Hanna.

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES OF THE JUNE 14, 2018 WORK SESSION, THE JUNE 18, 2018 SPECIAL MEETING, THE JUNE 19, 2018 PUBLIC HEARING, THE JUNE 19, 2018 REGULAR MEETING AND THE JUNE 26, 2018 SPECIAL MEETING.

Moved by Kahoe, seconded by Healey. YAY: Domanick, Healey, Kahoe, Lyons.

ASBTAIN: Wheeler. Hudak voted yay for June 26 and abstained from the rest. Lanford voted yay for June 14 and abstained from the rest.

COMMUNICATIONS AND PETITIONS: None.

MAYOR'S REPORT:

Beshara said 125 people attended the food truck event at the Town Hall pavilion on July 10, sponsored by the Richfield Chamber of Commerce. The next one is scheduled for Sept. 14 at National Interstate from 11:30 a.m. to 2 p.m.

DEPARTMENT HEAD REPORTS:

Chief Morgan – Police

Report:

Calls for Service:

June	Village	1025
	Township	222



Report:

I loved every aspect of Safety Town !!
My son thoroughly enjoyed his time with everyone this past week. He learned a wealth of information that will greatly benefit him as he starts Kindergarten this fall. I appreciate all the information they send home each day, so parents are informed of what activities the children participate in throughout the week. I don't have any suggestions. I'm just thrilled the Village of Richfield offers such a fantastic opportunity for our children! THANK YOU !!

The preceding message came from a resident after Safety Town graduation.

Chief McLean – Fire

- Calls for the month of June 2018: Village EMS-43, Fire-24, Twp. EMS-23, Twp. Fire 7
Mutual Aid given 12, Total Response 109
- Congratulations to Cory Tessmer, one of our part-time members, for completing his paramedic training at Akron General on June 15.
- Congratulations to Tom Sullivan, one of our part-time members, who was promoted to Lieutenant on July 2 with Strongsville Fire. Tom assists with our Fire Training.



- We conducted the water delivery drill on June 30 with Medina County on I-271. We flowed 1,300 gallons per minute for over 40 minutes. This means we transported water from a 5-mile site, a 4-mile site, and a 6-mile site to the median strip on the freeway and flowed it. This training will be beneficial for any large incident on a freeway in our state where water delivery is required. Richfield is part of this statewide response plan for water delivery.
- We have completed the public records request for the township. We will present it to them on August 2.
- The Insurance Service Office conducted its audit on June 26. The representative was here for 4.5 hours going over all the records and data they had requested. We will have the results of the audit in 3 or 4 months.
- I am getting prices for promotional testing, entrance level testing and the strategic long-range plan. This will come from the Ohio Fire Chiefs Association, which we have used in the past. I would like to start the promotional testing process this fall, as Lt. Jones will be retiring.

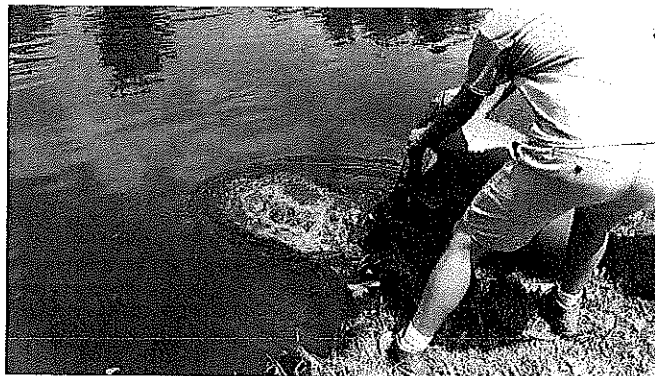
Director Jocek - Parks and Recreation

Report:

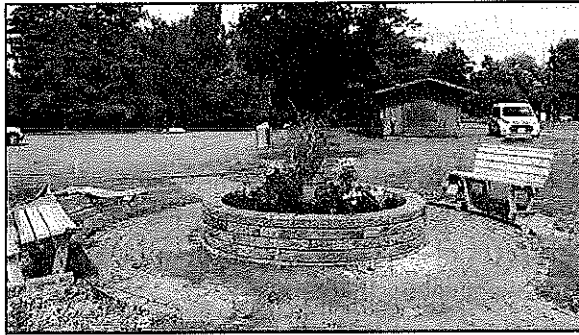
- We have had a great recreational summer. Day Camp has been very good and the weather has been our friend. The kids have been great and we get a lot of compliments on their behavior on our field trips.
- The community garden is FABULOUS this year due to the talents of our gardeners, but also the weather has been a gardener's dream. Do stop by Eastwood and see for yourself. The Eastwood Fall Fest is fast approaching, Saturday, September 8th from 11 a.m. to 5 p.m. We have a great band this year, a Crosby, Stills, Nash and Young tribute band, Long Time Gone.



- As in years past, Council had manned the corn table at Community Day. Kiwanis is asking if the Council would consider doing it again this year. The time would be from 11 a.m. until corn is gone...8 p.m.?
- The Park Board is planning to man a table at Community Day to continue to get input from the community about a Community Center. Any Council person wishing to join them would be welcomed.
- Just a reminder that Community Day Weekend starts on Friday, August 10 with the parade and party in the park. Saturday, August 11, is the Safety Services open house and Masonic/AMVETS Steak Fry. Sunday, August 12 is Community Day.
- I was called by the RJRD that they were collecting the last of the fish from the lower lake and asked if we could use them. We sent a crew of two to collect the fish in garbage cans and then proceeded to take them to Richfield Woods Lake. We have not restocked the lake in over 10 years and this was a great way to do it. We probably received 150 fish of assorted varieties.



- Two new Eagle Scout Projects have been completed in the last two weeks. One is located by the Stone Garden Playground at the Town Hall. A seven-foot bench has been constructed under the pergola. The second project is the replacement of two benches at Richfield Woods by the upper parking lot and the circle flower planter. Along with the benches, the planter was refilled and the addition of perennials makes it a beautiful place to sit.



Director Papp – Service

Report:

The following is a summary of activities for the Service Department:

- 1) Highways
 - a. Ongoing brush pick-up
 - b. Asphalt repairs on Deer Creek
- 2) Grounds
 - a. Ongoing mowing, trimming and weeding of properties
 - b. Planting of flowers at Town Hall and Village limit signs
 - c. Removal of old play equipment at Richfield Woods Park
- 3) Utilities
 - a. Air release valve replacements
 - b. Hillcrest pump station caulking
 - c. Pump station filter replacements
 - d. Started Safety Program classes
 - e. Kinross lighting and slope issue inspection
 - f. Humphrey Road preconstruction meeting



- 4) Vehicle & Property Maintenance
 - a. Ongoing fleet maintenance
 - b. LED lighting conversion in service bays
 - c. New outfitting of Fire and Service trucks
 - d. Quotes for various capital projects, dumpster enclosure, etc.

- 5) Service Administration & Engineering
 - a. Small cell wireless ordinance review
 - b. Right of Way ordinance review
 - c. Biweekly Supervisors Meetings start-up
 - d. Department organizational review
 - e. Copier contract review
 - f. Cemetery rule review
 - g. Revere High School & Bus Garage plan review
 - h. Motor Road Study review
 - i. Humphrey Road culvert construction start-up
 - j. Miscellaneous resident drainage issues
 - k. Utility/ROW Permit reviews

Director Frantz – Planning & Zoning

Report:

- 1) At their meeting held on June 26th, the Planning Commission took the following actions:
 - a. Provided preliminary plan approval to construct a new 5,500 square foot medical office building on 3667 Brecksville Road. Moreover, approval was provided to add onto the existing historic home located at 3659 Brecksville Road.
 - b. Conducted a second pre-submission conference to discuss improvement plans for property located at 3857 Brecksville Road. Improvements include two building additions, exterior of the building and parking modifications.
 - c. Approved a request to remove existing vinyl fencing around a 42' x 46' patio area and install new fencing at property located at 4880 Brecksville Road. This approval is for the new Cozumel restaurant that will be opening in the next month or so.



At their meeting held on July 10th, the Planning Commission took the following actions:

- a. Approved a request to remove and update an existing 4.3' x 9.75' (~42 SF) wall sign on the building located at 3080 Revere Road. The new sign will denote the name change for Hillcrest Elementary to Richfield Elementary School; and
 - b. Conducted a pre-submission conference with McDonald's for a façade renovation and signage update to the property located at 3921 Wheatley Road.
- 2) The Planning Commission has been working on proposed amendments to Chapter 1113 (non-conformities) and Chapters 1103 (definitions), 1149 (C-2 General Business), and 1173 (conditional uses) to include regulations for car wash facilities. The Commission has settled on the proposed language and will be requesting Council refer the amendment to them to begin the formal amendment process outlined in Chapter 1109 of the Planning and Zoning Code. I anticipate referral legislation will be added to Council's August 7th meeting agenda.
- 3) We are working with an interested business to locate their corporate headquarters in Richfield. The current discussions center on construction of either one or possibly two smaller 30,000-40,000 square foot buildings. The potential employee count ranges between 50-100, with a payroll of approximately \$8 million-\$10 million. As conversations progress, we will request an executive session with Council to disclose the pertinent information.

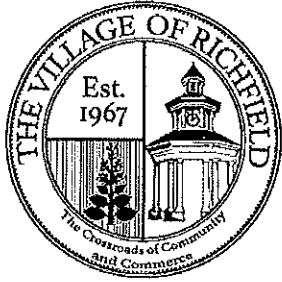
Director Turk – Finance

Report:

2019 Tax Budgets

I filed the 2019 Village and RJRD Tax Budgets with the County Budget Commission by July 11, 2018 before the July 15th deadline. Formal adoption of the Tax Budget by Council is not required.

The Tax Budget provides the basis for the Village's official Certificate of Estimated Resources. By law, the Village cannot adopt an appropriations budget that exceeds the Certificate. This document establishes the outside limits on spending.



Workers' Compensation Rebate

Once again due to the large cash surplus the Bureau of Workers' Compensation had in its treasury, they rebated monies back to public employers. We received \$109,356.75 from the Bureau this week. Last year's rebate was \$89,231.34.

Income Tax

June's income tax collections came in 24.5%, or \$177,687 higher than June 2017. One company's withholdings accounted for \$133,389 (or 75%) of the increase for the month. Year-to-date receipts are \$5,796,013, or 11.4% higher than 2017. A separate memo will be sent out with more details.

Audits

The State Auditor has approved Charles E. Harris's audit of the RJRD and it is available on the State Auditor's website, at RJRD, or in our office. Charles E. Harris has submitted the Village's audit to the State Auditor for his approval. Once the State Auditor approves the audit report, I will distribute it and place it on our website.

Recommendations/Considerations:

If Resolution Number 57-2018, authorizing the purchase agreement of the Wheatley Road property is adopted, then if possible, I respectfully request that Council consider suspending second and third readings, and consider adopting the below resolution appropriating the money for purchase.

Legislation:

- 1) Resolution No. 62-2018, Authorizing appropriations and cash transfer for the purchase of Permanent Parcel Number 5001902 on Wheatley Road and declaring an emergency**

If possible, this Resolution is submitted for first reading, suspension of second and third readings and approval of the resolution if Resolution Number 57-2018, authorizing the purchase agreement is adopted. This Resolution appropriates the monies to purchase 6.61 acres located on Wheatley Road. We are requesting \$430,000 for the purchase payment in 2018, \$5,000 to cover the potential for environmental testing of the property, and \$10,000 to cover potential closing costs on the property, for a total appropriation of \$445,000. In addition, then an appropriation and a cash transfer are also being requested to enable the transfer of cash from the Income Tax Fund to the Land Acquisition Fund to cover the purchase.



Law Director Hanna: The challenge to Senate Bill 331 has been dismissed. The 9th District Court of Appeals sent the case back to the Common Pleas Court after vacating the Summit County court's adverse judgment based on technical deficiencies. This means that the only decision in which a judge ruled against municipalities and in favor of the state has now been nullified and is over.

COMMITTEE REPORTS:

Domanick said Community Days are scheduled for Aug. 10-12. The Park Board will seek residents' opinions on a community center.

Hudak said the parade participants will gather on Aug. 10 at 6:30 p.m. and step off at 7 o'clock. The Steak Fry on Aug. 11, sponsored by the Masonic Lodge and Sons of AMVETS, will raise money for Revere scholarships. The Sweet Corn Challenge on July 29 will be a 5K and 10K run concentrated around Richfield Woods Park.

CAUCUS

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY: None.

ORDINANCES AND RESOLUTIONS

MOTION: TO KEEP ORDINANCE 65-2017 ON THE INACTIVE AGENDA FOR AN ADDITIONAL 90 DAYS.

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

First Readings:

RESOLUTION 62-2018

Offered by All of Council

A RESOLUTION TO MAKE APPROPRIATIONS AND CASH TRANSFER FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, DURING THE YEAR ENDING DECEMBER 31, 2018 AND DECLARING AN EMERGENCY

MOTION: TO WAIVE SECOND AND THIRD READINGS OF RESOLUTION 62-2018.

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

MOTION: TO ADOPT RESOLUTION 62-2018.

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



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ORDINANCE 63-2018

Offered by All of Council

AN ORDINANCE ENACTING NEW CHAPTER 917 "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE RICHFIELD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

MOTION: TO WAIVE SECOND AND THIRD READINGS OF ORDINANCE 63-2018.

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

MOTION: TO ADOPT ORDINANCE 63-2018.

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

RESOLUTION 64-2018

Offered by All of Council

A RESOLUTION AMENDING SECTIONS 1103.03, 1149.03, AND 1173.13 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE TO MAKE CAR WASHES A CONDITIONALLY PERMITTED USE IN THE C-2 GENERAL BUSINESS ZONING DISTRICT

MOTION: TO REFER RESOLUTION 64-2018 TO THE PLANNING AND ZONING COMMISSION.

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

RESOLUTION 65-2018

Offered by All of Council

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH AKRON TRACTOR & EQUIPMENT, INC. FOR THE PURCHASE OF A KUBOTA MODEL KX057-4R3AP EXCAVATOR AND ACCESSORY EQUIPMENT, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

CAUCUS DISCUSSION: Papp said the price was lower than the state bid. Frantz said the budget called for \$90,000 for the excavator and the price was \$66,000.

MOTION: TO WAIVE SECOND AND THIRD READINGS OF RESOLUTION 65-2018.

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

MOTION: TO ADOPT RESOLUTION 65-2018.

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



Second Readings:

ORDINANCE 59-2018

Offered by All of Council

AN ORDINANCE AMENDING SECTION 549.08 OF THE GENERAL OFFENSES CODE TO PERMIT THE DISCHARGE OF FIREARMS IN AN INDOOR SHOOTING RANGE IN THE VILLAGE, AND DECLARING AN EMERGENCY

RESOLUTION 60-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE REVERE LOCAL SCHOOL DISTRICT TO EXTEND SEWERS ON EVERETT ROAD

ORDINANCE 61-2018

Offered by All of Council

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$430,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF ACQUIRING A PARCEL OF LAND LOCATED AT 3974 WHEATLEY ROAD, AND ALL BUILDINGS AND OTHER IMPROVEMENTS THEREON, FOR USE FOR VILLAGE RECREATION AND STORAGE PURPOSES; AND DECLARING AN EMERGENCY

CAUCUS DISCUSSION: Turk said the second half of the payment is to take place next year, and that the seller would receive a note from the village with an interest rate of 2.5 percent. Lyons said he did not see the need to borrow money if the village had it. Turk said she could look at the income tax fund, which is the only one she could use to see if the purchase could be fully paid in 2018. Hanna said the rent payments fully offset the interest, and that the seller had sought to split the payment into two years from the beginning. He said he would have more discussions with Turk, the seller, and the seller's legal counsel.

Third Readings:

ORDINANCE 44-2018

Offered by Mr. Kahoe

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

CAUCUS DISCUSSION: Healey handed out a list of mayor's salaries in other local communities. Lyons said this discussion could continue at the next work session.



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ORDINANCE 55-2018

Offered by All of Council

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, AND CONFORMING TRAFFIC AND GENERAL OFFENSE CODE PROVISIONS TO STATE LAW CHANGES AND DECLARING AN EMERGENCY

MOTION: TO ADOPT ORDINANCE 55-2018.

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

ORDINANCE 62-2017 (as amended 5-15-2018)

Offered by All of Council

AN ORDINANCE AMENDING SECTIONS 153.04, 153.11 AND 153.20 OF THE ADMINISTRATIVE CODE IN THE VILLAGE OF RICHFIELD'S CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

CAUCUS DISCUSSION: Pursuant to a request of the administration, Hanna modified the language of this ordinance to include service department workers who are called out under emergency conditions, for Council's consideration.

MOTION: TO AMEND ORDINANCE 62-2017, TO REFLECT THE EMERGENCY CALL-OUT ISSUES AS DISCUSSED.

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

MOTION: TO ADOPT ORDINANCE 62-2017.

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



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UNFINISHED BUSINESS: Lanford asked Morgan if there should be a limit on the types of guns at a shooting range. Morgan said a structural engineer could answer that question. Wheeler said shooting ranges have to be built to federal and state safety standards.

NEW BUSINESS: Domanick said Jim Fry would like to meet with Council to discuss the filming of an 11-part historical miniseries. Eight parts have been filmed. In addition to his own property, he is interested in filming at Hale Farm and Richfield Woods Park.

COMMENTS FROM THE FLOOR: None.

WORK SESSION: In addition to the mayor's salary, other topics for the Aug. 16 work session include the GPD sanitary sewer assessment, the lift at the Richfield Historical Society building, and borrowing for the Wheatley Road property purchase.

Lyons adjourned the meeting at 7:44 p.m.

Respectfully Submitted:

Jeff Gorman
Clerk of Council

Mike Lyons
Council President

