Council Minutes
VILLAGE OF MADISON
Regular Council Meeting
February 17, 2015

RECORD OF PROCEEDINGS

Mayor Britton called the meeting to order at 7:32PM.

Mayor Britton invited all in attendance to join in the Pledge of Allegiance to the Flag. Mayor Britton requested that everyone observe a moment of silence. Council Members Mr. Frager, Mr. Hamercheck, Mr. Donaldson, Mr. Mabe, Mr. Cahill, Mr. Takacs and Mr. Vest were in attendance. Also in attendance were Administrator Dwayne Bailey, Fiscal Officer Kristie Crockett, Police Chief Dawn Shannon, Law Director Mr. Szeman and Village Engineer Mr. Haibach.

MINUTES

Mayor Britton announced minutes to be approved for the Council Meeting held on February 2, 2015.
Motion for approval made by Mr. Vest, seconded by Mr. Mabe.
Questions/Discussions – None
Roll call on approval, 7 yeas. Motion carried.

PAY ORDINANCE

Mayor Britton presented Pay Ordinance No. 2316: $32,292.70 for payroll and $77,180.89 for current and upcoming expenses, for a total of $109,473.59 .
Motion for approval made by Mr. Vest, seconded by Mr. Takacs .
Questions/Discussions – Mr. Vest questioned Chief Shannon on how the SRO overtime works. Chief Shannon explained that any hours the officer works over 40 hours in a pay period, whether it be SRO hours or Village hours, he is to be compensated at overtime rate. Even though the SRO hours are reimbursed by the school, he is technically a Village employee and we are required to pay the overtime. Chief Shannon explained that she hopes to be able to utilize other part-time officers so that we don't have the overtime situation, however; sometimes it is unavoidable. Another option discussed was possibly having two SRO's rather than one. This situation would allow us to be able to schedule more Village hours for each of those 2 officers and not fall into an overtime status.
Roll call on approval, 7 yeas. Motion carried.

OLD BUSINESS

ORDINANCE 17-2013: – AN ORDINANCE ACCEPTING THE BID OF TRAX CONSTRUCTION COMPANY FOR WATER LINE INSTALLATION FOR THE STATE ROUTE 528 SOUTHERLY WATER LINE CONSTRUCTION PROJECT, PHASE 1 (PART A), AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH SAME, AND DECLARING AN EMERGENCY. (item has been tabled since 05/06/2013).

Mr. Bailey gave an update that he had spoken with Mr. Heigle from OWDA, and explained that when the MOU with the County is completed, we would have to re-bid the project. Mr. Heigle said there would be no risk associated with removing this legislation from the table.
Motion to remove Ordinance 17-2013 from the table made by Mr. Mabe, seconded by Mr. Takacs.
Questions/Discussion: Mr. Vest asked if there was a timeline or expiration of the funds available on the OWDA Loan. Mr. Bailey explained that he has had contact with OWDA (as well as OPWC) in relation to our timelines for the project. He stated that we had extended our project timeline to the end of December 2015. Should we need to extend it further, we would need to communicate to OWDA (and OPWC) so we are all in agreement. Mr. Bailey assured that we are in good standing at this time and it is documented. Mr. Hamercheck questioned if we would be able to administratively remove the item from the agenda rather than vote it down. Mr. Szeman explained it would be more appropriate to take the vote since there was a successful bidder on the project.

Roll call on motion to remove from table, 7 yeas. Motion carried.

Motion for approval made by Mr. Takacs, seconded by Mr. Donaldson.
Roll call on approval, 7 nays. Motion defeated.

ORDINANCE 2-2015: AN ORDINANCE REPEALING ORDINANCE NO. 29-2005, AS AMENDED, AND REENACTING, AMENDING, REVISING AND ENACTING FOR CODIFICATION PURPOSES PART THREE, TRAFFIC CODE, AND PART FIVE, GENERAL OFFENSES CODE, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, AND DECLARING AN EMERGENCY. (2nd Reading).

Audience member Jack Lading requested that an explanation of Ordinances 2 and 3 – 2015 be given so the public can have a better understanding of the purpose of this legislation.

Mr. Szeman explained all of our traffic and general codes. These codes haven't been updated for nearly 10 years. We cite most of our traffic and general offenses under our local code although they mostly mirror the Ohio Revised Code. Over the past 10 years, the Ohio General Assembly has made revisions to different laws, and by updating our codified ordinances, this will harmonize our local laws with the Ohio Law. Mr. Bailey stated we have a copy of this traffic and general offenses codification available for public view if anyone should want to look at it.

ORDINANCE 3 – 2015: AN ORDINANCE REPEALING ORDINANCE NO. 9-2004, AS AMENDED, AND REPEALING ORDINANCE NO. 10-2004, AS AMENDED, AND REENACTING, AMENDING, REARRANGING, REVISING, AND ENACTING FOR CODIFICATION PURPOSES ARTICLES ONE, THREE, AND FOUR OF PART NINE, STREETS AND UTILITIES, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, CONCERNING THE RATES, RULES, REGULATIONS, CONDITIONS OF SERVICE AND GOVERNANCE OF THE VILLAGE WATER WORKS AND SANITARY SEWER SYSTEM UTILITIES. (2nd Reading)
Questions/Discussion: Mr. Takacs asked if the tap-in fees regarding inside the Village –vs- outside the Village and "whos' area is whos'" as far as boundaries are concerned, was updated or amended to reflect any changes. Mr. Bailey stated that the old language is still in the code, however; there was some discussion between he and Mr. Szeman regarding this issue. Mr.

Bailey stated that it may be better suited to be incorporated in the system rules and regulations as far as requests for outside tie-ins go. The fee structure regarding inside/outside the municipality for the tie-ins can be amended to be reflected in this ordinance at a future reading in the next few weeks if that is what is desired. Mr. Bailey further explained that his primary focus was to prevent someone from forcing the Village to accept a tie-in that would compromise our current capacity at the waste water treatment plant, and it also provides that the person would be responsible for the expense of upgrading the capacity and being liable to prove otherwise. Mr. Bailey stated it would be Council's decision to determine what fees would be amended for outside the Village tap-ins.

NEW BUSINESS

ORDINANCE 7-2015: AN ORDINANCE MAKING PERMANENT APPROPRIATIONS FOR THE CURRENT EXPENSES AND FOR OTHER EXPENDITURES OF THE VILLAGE OF MADISON, STATE OF OHIO, FOR THE PERIOD BEGINNING JANUARY 1, 2015 TO AND INCLUDING DECEMBER 31, 2015 AND DECLARING AN EMERGENCY. (1st Reading)

ORDINANCE 8-2015: AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO VARIOUS OTHER FUNDS AS PREVIOUSLY BUDGETED, AND DECLARING AN EMERGENCY. (1st Reading)

Questions/Discussion: Mrs. Crockett explained that this ordinance goes with Ordinance 7 – 2015, which allows for the transfers of monies out of the general fund into the various funds listed on the ordinance to pay expenditures through 2015. Once the final appropriations are approved, these transfers will be made, as previously budgeted as we do annually.

ORDIANANCE 9-2015: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AND TO CHANGE THE ZONING OF PERMANENT PARCEL NO. 02-A-008-B-00-025-0 FROM B-1, GENERAL BUSINESS DISTRICT, TO B-2, HIGHWAY BUSINESS DISTRICT. (1st Reading)

Questions/Discussion: Mr. Bailey explained that Great Lakes Tattoo is looking to relocate its' business from its' current location to the old Red Apple Frame Shop. The current zoning of the old frame shop is B1, in which a tattoo parlor is not listed as a permitted use, however; rezoning to a B2 would allow that parcel to accommodate that as a permitted use. We are essentially moving that zoning district boundary one parcel to the South from where it currently ends. A public hearing is required for this change, and one is scheduled for March 16th, 2015 at 7:30pm. Mr. Vest stated that the Planning Commission recommends that this move forward for approval, and that they see no problem with this permitted usage. Mr. Vest also stated that Great Lakes Tattoo has assured P&Z that no changes to their scope of business/operations will occur.

RESOLUTION 2-2015: A RESOLUTION HONORING JOHN DENISON FOR BEING CHOSEN BY THE MADISON-PERRY AREA CHAMBER OF COMMERCE TO RECEIVE ITS 2014 COMMUNITY SERVICE AWARD.
Motion for approval made by Mr. Vest, seconded by Mr. Mabe
Questions/Discussions – None
Roll call on approval, 7 yeas. Motion carried.

RESOLUTION 3-2015: A RESOLUTION HONORING BETTY JEAN (B.J.) GREEN FOR BEING CHOSEN BY THE MADISON-PERRY AREA CHAMBER OF COMMERCE TO RECEIVE ITS 2014 HERITAGE AWARD
Motion for approval made by Mr. Takacs, seconded by Mr. Vest.
Questions/Discussions – None
Roll call on approval, 7 yeas. Motion carried.

RESOLUTION 4-2015: A RESOLUTION HONORING AND RECOGNIZING MADISON VETERINARY HOSPITAL AS THE RECIPIENT OF THE MADISON-PERRY AREA CHAMBER OF COMMERCE 2014 BUSINESS OF THE YEAR
Motion for approval made by Mr. Vest, seconded by Mr. Donaldson.
Questions/Discussions – None
Roll call on approval, 7 yeas. Motion carried.

RESOLUTION 5-2015: A RESOLUTION RECOGNIZING AND HONORING MATT JARVIS OF BOY SCOUT TROOP 52 UPON EARNING AND RECEIVING THE RANK OF EAGLE SCOUT
Motion for approval made by Mr. Vest, seconded by Mr. Frager.
Questions/Discussions – None
Roll call on approval, 7 yeas. Motion carried.

GENERAL REQUESTS – None

VISITORS COMMENT – None

STAFF REPORTS

Police Chief – Chief Shannon announced that the Geneva-Madison Knights of Columbus have re-implemented the program that recognizes local law enforcement and fire fighters. Village Officer Doug Covert has been voted by his peers as the 2014 Officer of the Year in our department. The recognition dinner will be held on March 7th at 5:30pm at the K of C Hall in Geneva if any of Council would like to attend. Chief asked that anyone interested in attending to please let her know before next Wednesday. Chief Shannon also stated that the Reverse 911 is still a work in progress, and she will be getting with our Engineer Mr. Haibach to determine the different flood zones for the Village. She also announced that Kelly Rothwell, our new Village Police/Mayors Court Clerk has been working out very well and she is very happy with her.

Engineer (given by Mr. Haibach) – Mr. Haibach explained that CT is rebidding the Sanitary Sewer Rehab Project and the Legal Notice went to the paper today, and the bid opening is scheduled for March 5th. The SWIF Grant and the 319 Grant is moving along rather well, and he has been in contact with Martha Spurbeck from the EPA to ensure we have everything in place to continue to move forward with these projects. Mr. Haibach will have work authorizations in

place to present to Council on these 2 projects for the next meeting. Mr. Bailey reminded Council that there was previous approval for the 319 Grant engineering given to URS, so that will become null & void. Mr. Haibach stated that all costs are incorporated within the structure of the Grant. Also, he stated he is working on the rebidding of the completion of the project for the waterline extension, once the MOU with the County is finalized. Mr. Takacs questioned the cost for engineering on the Sewer Rehabilitation was. Mr. Haibach stated that is approximately set for $138,000, however; we have budgeted $150,000 and plant to maximize the funds on the project.

Administration Report (given by Mr. Bailey): - Mr. Bailey stated that the Sewer Rehab Project is crucial to our relationship with the EPA at this time with relation to our Mercury Variance and being pro-active in our I&I efforts. Mr. Bailey has been in contact with our new representative at the Ohio EPA and been able to communicate that we are moving forward. Mr. Bailey congratulated all the recipients of the MPACC awards, as well as Matt Jarvis for his Eagle Scout Award. He announced the MPACC award ceremony is March 12th and invited all of council to participate if they are able. Tickets are $36.00 per person at the Perry Community Center. Mr. Bailey announced that our Senior Center is involved in a coin challenge with the Eastlake Senior Center, raising money for meals. He encouraged all in attendance to please donate to this cause for the Madison Senior Center. Mr. Takacs questioned Mr. Bailey about the current staffing situation in the Main office due to Mrs. Conaway being out on medical leave, and expressed concerns of being short-handed. Mr. Bailey assured Council that between himself, Mrs. Crockett, and the potential of John Koeth and Kathy Humphrey being available to fill-in if Mrs. Grafton were to become ill or need a day off due to sick children, that we would be able to cover such a situation. Mrs. Conaway's expected return date is early March.

Mayor's Report: - Mayor Britton announced he has a Charter Review Committee in place. They include Village residents: Jerry Gardner, Cheryl Swackhammer, Mike Gehring, Kathy Lynn, Ward Buck, Vince Loparo, and Jack Josza. The Mayor requested a motion to approve said committee.
Motion to approve by Mr. Takacs, seconded by Mr. Vest.
Questions/Discussion: Mr. Donaldson asked how many of these residents served on the previous Charter Committee? Mayor Britton answered the first three.
Roll call on approval, 7 yeas. Motion carried.

Misc. Reports/Comments: - Mr. Frager asked about an update to the status of any projects introduced by Mr. Cahill to Lake County Storm Water since he served as our representative. Mr. Cahill answered that each community has put together a list of their potential projects and the cost associated with them. We currently have a couple of projects underway right now (SWIF and 319 Projects), but we haven't heard on the final approval of any other. Mr. Bailey followed up with that we cannot apply for additional grants until at least one of these projects is completed because there is a 2-project limit with the EPA. Another potential project is the detention basin over off of Hyder Drive. We have done some test digs of the soil to determine if the quality of it would be worthy enough to exchange the soil material for the labor of the contractor. Once the contractor makes the determination if this would be a workable agreement, we would need to meet with Mr. Sidley (the owner of the property), and then with Mr. Haibach to design the shape

and volume of the basin. Mr. Bailey explained that there is in excess of $500,000 worth of potential storm water projects we submitted to Lake County Storm Water. Another project that has been added to the list is the sewer manholes in the backyards of Deerfield. In the event of heavy rain when the creek overflows, these manholes become submerged and now it becomes a storm water issue. We should be able to correct this problem with the opportunity and availability of the County storm water funding. Mr. Frager questioned if the Hyder Drive detention basin is next in line for funding. Mr. Bailey stated that he does not anticipate a lot of out of pocket expense for this project at this time until engineering. Realistically the timeline for that project would be to start in 2015, and continue to progress over the next 24 months. Mr. Cahill explained that we need to space-out the projects as we move forward at a steady pace. Ideally he would like us to start at Dana's Park and move up through to the Hyder Project. We are on a good trajectory right now. Mr. Bailey stated that we want to be able to use our $70,000 in storm water money as grant matching money to be able to turn it into a $200,000 project. Mr. Cahill stated that we are in a good position to be able to get matching funds on a county, state, federal level. Mr. Vest asked about budgeting dollars for 2015 for the Charter Review to be able to cover legal consulting and election costs. Mr. Szeman stated that any costs should be dramatically less than the original charter. Mayor Britton stated that we would look into that. Mr. Vest stated that our road crews have been doing a great job keeping our roads clear with all the snow. Also, he complimented Ruthie Turkenburg, our school crossing guard, on how hard she works to keep the sidewalks and crosswalks safe and clear for our kids. Mayor Britton also complimented our road department and Village staff for all the hard work, and doing a great job. Mr. Bailey thanked Mr. Jack Lading for his previous comments on keeping the hydrants clear of snow. He noticed several hydrants that had been shoveled around, and appreciated Mr. Lading for bringing it to everyone's attention.

Motion to adjourn at 8:19pm made by Mr. Cahill, seconded by Mr. Vest.
Roll call on adjournment, 7 yeas. Meeting adjourned.

Sam Britton Jr., Mayor

Kenneth D. Takacs, Council President

3-2-15
DATE

Attested:

Kristie M Crockett
Kristie M. Crockett, Fiscal Officer

3-2-15
DATE