

Council Minutes  
VILLAGE OF MADISON  
Regular Council Meeting  
March 2, 2015

**RECORD OF PROCEEDINGS**

Mr. Takacs, Council President, called the meeting to order at 7:30PM. He announced that Mayor Britton would not be in attendance this evening due to a family emergency.

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

**MINUTES**

Mr. Takacs announced minutes to be approved for the Council Meeting held on February 17, 2015.

Motion for approval made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions – None

Roll call on approval, 7 yeas. Motion carried.

**PAY ORDINANCE**

Mr. Takacs presented Pay Ordinance No. 2317: \$46,995.95 for payroll and \$11,062.10 for current and upcoming expenses, for a total of \$58,058.05.

Motion for approval made by Mr. Frager, seconded by Mr. Vest.

Questions/Discussions – None

Roll call on approval, 7 yeas. Motion carried.

Mr. Takacs announced that Matt Jarvis was in attendance and at this time presented him with the resolution that was passed at the last Council meeting honoring him for earning the Eagle Scout award. Mr. Takacs congratulated him on behalf of Council.

**OLD BUSINESS**

**ORDINANCE 2-2015:** AN ORDINANCE REPEALING ORDINANCE NO. 9-2005, 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. (3<sup>rd</sup> Reading).

Motion for approval made by Mr. Frager, seconded by Mr. Vest.

Questions/Discussions – None

Roll call on approval, 7 yeas. Motion carried.

**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

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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. (3<sup>rd</sup> Reading)

Motion for approval made by Mr. Cahill, seconded by Mr. Frager.

Questions/Discussions – Mr. Vest asked if the issue of customers outside of Village limits will be addressed in the future. Mr. Szeman stated that Council does have that option at any time. Mr. Bailey stated that this is the final year with the automatic increase within bulk water agreement.

Roll call on approval, 7 yeas. Motion carried.

**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. (2<sup>nd</sup> Reading)

Questions/Discussions – Mr. Takacs stated that this is a summary of the 2015 budget. Mrs. Crockett stated that she made a revision to address the suggestion made by Mr. Vest and created a line item for election expenses. That amount was \$2,500.00. She also added additional dollars to legal expenses; \$1,500.00 for charter review and \$5,000.00 for any additional legal expenses. She added that there has been a large amount of overtime incurred by the M & R department due to the winter weather and explained that there is an additional appropriations ordinance on tonight's agenda to enable the payroll for M & R to be covered. She added that if the permanent 2015 budget not be approved this evening, that Council suspends and passes the supplemental appropriation ordinance. She stated that if no action is taken on either ordinance, that there will not be enough money to cover the next M & R payroll. Mr. Bailey added that between the snow removal and water breaks, the month of February has been very difficult. Mr. Takacs stated that the permanent budget must be filed by April 1<sup>st</sup> and it is Council's choice to pass it this evening or to let it go to the 3<sup>rd</sup> reading and then suspend and pass the supplemental ordinance that Mrs. Crockett referred to. Mr. Takacs suggested that Council opt to suspend and pass the permanent budget and then the supplemental ordinance could be withdrawn. Mr. Frager asked for clarification that the only items that were changed were the items Mrs. Crockett just explained and that the balance of the budget remained as presented. Mrs. Crockett confirmed. Mr. Takacs stated that the finance committee approved the presented budget at their most recent meeting. Mr. Vest stated that he preferred that Council let this ordinance go to the 3<sup>rd</sup> reading and suspend and pass the supplemental ordinance. Mr. Hamercheck and Mr. Cahill agreed. Mr. Bailey stated that the supplemental ordinance includes enough money to cover two pay periods if necessary. Mr. Donaldson asked if the M & R budget would need to be increased in the 2015 budget. Mrs. Crockett stated that will not be necessary.

**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. (2<sup>nd</sup> Reading)

Motion for approval made by Mr. Donaldson, seconded by Mr. Vest.

Questions/Discussions – At this time, it was clarified that this piece of legislation is a companion to Ordinance 7-2015 and it cannot be passed prior to the passage of Ordinance 7-2015. Mr. Donaldson and Mr. Vest withdrew their motions and Ordinance 8-2015 is recorded as 2<sup>nd</sup> reading.

**ORDINANCE 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. (2<sup>nd</sup> Reading)

Questions/Discussions – Mr. Bailey stated that there will be a public hearing within the March 16, 2015 Council meeting. Mr. Mabe asked if notifications of the public hearing had been completed. Mr. Bailey confirmed.

## **NEW BUSINESS**

**ORDINANCE 10-2015:** - AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR VILLAGE INSURANCE WITH GLATFELTER PUBLIC PRACTICE INSURANCE COMPANY AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)

Questions/Discussions – Mr. Takacs stated that this can go three readings. He added that the administration will report all claims to Council within a timely fashion.

**ORDINANCE 11-2015:** - AN ORDINANCE PROVIDING FOR ADDITIONAL TEMPORARY APPROPRIATIONS AND ADJUSTMENTS TO VARIOUS LINE ITEMS FOR THE CURRENT EXPENSES AND FOR OTHER EXPENDITURES OF THE VILLAGE OF MADISON, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2015, TO AND INCLUDING MARCH 31, 2015, AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)

Motion for suspension made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions – Mr. Takacs confirmed that this is the supplemental appropriations that was mentioned prior in the discussion within Ordinance 7-2015.

Roll call on suspension, 7 yeas. Ordinance suspended.

Motion for approval made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions – None

Roll call on approval, 7 yeas. Motion carried.

**RESOLUTION 6-2015:** - A RESOLUTION RECOGNIZING AND HONORING DOUGLAS M. COVERT AS 2014 OFFICER OF THE YEAR.

Motion for approval made by Mr. Hamercheck, seconded by Mr. Cahill.

Questions/Discussions – Mr. Takacs stated that the Geneva-Madison Knights of Columbus historically had an officer of the year program for law enforcement and it has been resurrected. They contacted the Village police department and the officers voted Officer Covert as officer of the year. He will be recognized at a ceremony next Saturday. Mr. Takacs congratulated Officer Covert on behalf of Council.

Roll call on approval, 7 yeas. Motion carried.

**GENERAL REQUESTS** – P.O. Request in the amount of \$2,120.66 to C.I.R. Inc. for repair of a water main break located at 49 Park Street.

Motion for approval made by Mr. Mabe, seconded by Mr. Vest.

Questions/Discussions – Mr. Bailey stated that this break was in a main and it is the Village's responsibility. Mr. Cahill inquired to Mr. Bailey why our road department did not handle this break. Mr. Bailey stated that this break occurred late at night and added that the road crew had been snow plowing for more than ten hours that day; therefore we did not have the manpower available to address it. Mr. Bailey stated that after hours breaks are often more cost effective to call in C.I.R. rather than utilize our staff. Mr. Bailey added that there is currently a break that we

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may also be calling in a contractor to assist with as our staff is snow plowing. Mr. Cahill asked if any materials were used in this break or whether it was only labor. Mr. Bailey provided Mr. Cahill with the list of materials used. Mr. Bailey stated that we carry an inventory of parts to address minor water breaks. If we call in a contractor to work on a break and a part is required that we have in stock, we will use our part instead of paying the contractor to provide it. Mr. Bailey stated that he has quotes for contractor standard rates so we are aware of the cost per hour ahead of time. Currently there are two contractors the Village has available for this type of work.

Roll call on approval, 7 yeas. Motion carried.

Work authorization request in the amount of \$39,500.00 to CT Consultants for engineering services for the 319 grant.

Motion for approval made by Mr. Frager, seconded by Mr. Mabe.

Questions/Discussions – Mr. Bailey stated that this amount was already approved prior for URS prior to us parting ways with them. This is a necessary process to move that authorization to CT. Mr. Bailey stated that these dollars will be reimbursed to us via the EPA grant and Lake County Stormwater funds.

Roll call on approval, 7 yeas. Motion carried.

Work authorization request in the amount of \$27,540.00 to CT Consultants for engineering services for the SWIF grant.

Motion for approval made by Mr. Frager, seconded by Mr. Vest.

Questions/Discussions – Mr. Bailey stated that this amount was already approved prior for URS prior to us parting ways with them. This is a necessary process to move that authorization to CT. Mr. Bailey stated that these dollars will be reimbursed to us via the EPA grant and Lake County Stormwater funds.

Roll call on approval, 7 yeas. Motion carried.

P.O. Request in the amount of \$7,050.00 to Hennig, Szeman & Klammer for legal services.

Motion for approval made by Mr. Frager, seconded by Mr. Vest.

Questions/Discussions – None

Roll call on approval, 5 yeas, 2 abstentions (Cahill, Hamercheck) Motion carried.

P.O. Request in the amount of \$2,000.00 to John Deere Co. for mowers for the cemetery.

Motion for approval made by Mr. Hamercheck, seconded by Mr. Frager.

Questions/Discussions – Mr. Bailey stated that this is for the replacement mower program that we participate in annually. The dollars do not need to be spent at this time however John Deere will not begin the process without a purchase order being issued. Mr. Bailey clarified that through this program we turn in our mowers used at Fairview Cemetery each year and receive two new ones. It was also stated that the cost is \$2,000.00 per mower.

Roll call on approval, 7 yeas. Motion carried.

**VISITORS COMMENT** – Kathy Lynn (209 West Main Street) asked where the money is coming from to fund the purchase order approved for legal fees. Mr. Takacs stated that it will need to come from the general fund. Being that Mr. Cahill and Mr. Hamercheck abstained from voting, Mrs. Lynn questioned if this expense was directed toward the active lawsuit. Mr. Takacs

stated that is correct. Mr. Takacs also added that there is an insurance claim in the amount of \$5,000.00 that might also be utilized.

Craig Winkleman (444 Oak Hollow) Questioned that with the spring weather coming soon, if discussion has taken place with the new engineer to address Hyder Drive and the flooding issues. He asked if money is in the budget to address this. Mr. Takacs stated that discussions have been had and added that funding is in the budget for road repair. Mr. Bailey stated that the stream restoration included in the 319 grant will assist with the flood issues. He added that the SWIF grant project will also assist with flooding. He added that the soil from the test dig on the property that we are interested in putting in a detention basin has been sent out and we are awaiting a response to see if the prospective company is interested. If they are interested, we will move forward with engineering plans. Mr. Bailey stated that we must complete the two active EPA grants before we can apply for any additional EPA grants.

## **STAFF REPORTS**

**Engineer** (given by Mr. Haibach) – Mr. Haibach thanked Council for approving the work authorizations for the two EPA grant projects. He stated that he and Mr. Bailey attended a ‘kick off’ meeting for both grants earlier today. He added that it was a very productive meeting. Mr. Frager asked if there is completion dates for the SWIF or 319 grant projects. Mr. Haibach stated that the SWIF grant is estimated to wrap up design in June at 90% and as for the 319 grant, he stated that he cannot give a specific date at this time due to involvement with the Army Corp. of Engineers. He added that he will have the design as complete as possible when presented to the Army Corp of Engineers. Mr. Bailey added that it is hopeful to have the majority of both projects done before the end of the year but added that the plantings may be done next spring to give the plants a better opportunity for survival.

Mr. Frager asked for a timeline estimate for the Hyder Drive project. Mr. Bailey stated that it is difficult to commit to a completion date but he is hoping to move forward with it this year. He stated that as the work is completed, the issues will immediately improve; therefore the project does not have to be finished to see results.

Mr. Haibach stated that there is a bid opening scheduled for later this week for the sanitary sewer rehabilitation project. He stated that he is anticipating two bids at this time.

**Police Chief** – Chief Shannon was not in attendance.

**Administration Report:** - Mr. Bailey asked Mr. Borsi from the WWTP to present his report to Council. Mr. Borsi stated that the WWTP is operating as efficiently as possible despite the weather. He has not been able to remove any solids due to the cold temperatures. A couple of mechanical difficulties have been addressed and overcome. Mr. Bailey stated that the Mercury PMP report was recently submitted and he anticipates hearing feedback shortly. Mr. Bailey added that the report states that we are in compliance with our permit requirements and added that he is pleased with the report that was submitted.

Mr. Bailey congratulated Matt Jarvis for his efforts in obtaining the honor of Eagle Scout.

Mr. Bailey thanked the Village staff including Mrs. Crockett, Mrs. Grafton, Mr. Chapman and Mr. Koeth for all of their efforts while Mrs. Conaway has been out on medical leave. Mrs. Conaway is recovering and should be returning to work soon.

Mr. Takacs asked for an update on the IT conversion. Mr. Bailey stated that it is complete as far as the change in service provider and the e-mail conversions are in process. He added that the migration process is time consuming. He stated that having a Madison Village e-mail forwarded to an external e-mail address is possible but not recommended by our IT provider. Mr. Szeman asked for clarification as to which e-mail is to be used to contact them; their Village e-mail or their external address. That will be done once the conversion is complete. Mr. Hamercheck asked Mr. Szeman's input in regards to records retention purposes. Mr. Szeman stated that it is best to have everything contained in one address. He added that he uses Gmail and is pleased with it. Mr. Bailey stated that the reason our IT provider prefers not to have Village e-mail forwarded to a personal e-mail is for the situation of a records request and deciphering personal and business e-mails.

Mr. Takacs asked how the Village website factors into the services that the IT provider is contracted for. Mr. Bailey stated that the website is still hosted by Suite224 but there are plans to move it to the new IT provider's server in the future and he added that there will not be an additional charge to do so. Mr. Bailey stated that there have been a couple of issues reported with the website over the past day or so and we are looking into it. Mr. Takacs stated he has experienced issues with it as well. He is concerned that the website is an unstable environment and added that it is important to Council that this is addressed. Mr. Bailey stated that Mrs. Conaway handles the website and he has been in contact with her over the issues with it.

**Misc. Reports/Comments:** - Mr. Hamercheck asked about the vote on the p.o. request earlier in the meeting that was 5 yeas and 2 abstentions. He asked if the abstentions add into the majority count therefore it would be seven affirmatives votes. Mr. Szeman confirmed.

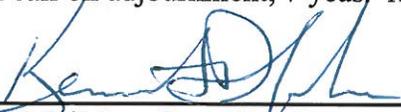
**Mayor's Report:** - Mayor Britton arrived at the meeting at this time and stated that if anyone in attendance lives in the Square Drive or Square Circle area that their water will be turned off due to the water main break.

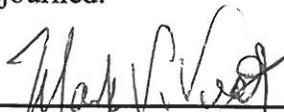
Upcoming dates:

March 9	Planning and Zoning Meeting 7:00pm
March 16	Committee of the Whole meeting 6:30pm
March 16	Public Hearing for Rezoning for 109 N. Lake St. 7:30pm
March 16	Regular Council Meeting 7:30pm (public hearing within)
March 28	CCA Day 9:00am – 1:00pm @ Village Hall
April 3	Village Hall closed in observance of Good Friday
April 6	Regular Council Meeting 7:30pm

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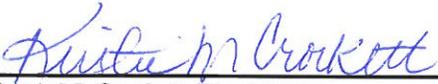
Motion to adjourn at 8:25pm made by Mr. Mabe, seconded by Mr. Frager.  
Roll call on adjournment, 7 yeas, Meeting adjourned.

  
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Kenneth D. Takacs, Council President

  
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Mark V. Vest, Council Vice President

3-16-15  
DATE

Attested:

  
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Kristie M. Crockett, Fiscal Officer

3-16-2015  
DATE