

Council Minutes  
VILLAGE OF MADISON  
Regular Council Meeting  
July 20, 2015

**RECORD OF PROCEEDINGS**

Mayor Britton called the meeting to order at 7:30PM.

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 July 6, 2015.

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

Questions/Discussions – Mr. Cahill stated that the legislation for utility software through Link Computer was discussed in executive session on June 15, 2015 and he noted that he was not present for that meeting. He added that it was also discussed at the June 6, 2015 regular Council meeting and he stated that Mr. Hamercheck went into great detail and he does not see that the minutes reflect that. Mr. Hamercheck stated that his primary concern was the request for information that led to the legislation being tabled. Mr. Hamercheck stated that the amendment attached to the contract did not answer all the questions that had been asked; primarily relating to the memorialization of specifically what was presented to the Village. Mr. Frager stated that it is noted in the minutes. Mr. Hamercheck stated that he is concerned over the lack of detail in the minutes. He added that a violation of Sunshine Laws is very important. Mr. Hamercheck stated that he reviewed the audio recording of the meeting and he wants to be sure that the Village is protected and wants it documented that he stated that the agreement needs to be voted on based on what was discussed in the public and not what was discussed in an executive session. Mr. Szeman stated that Council must decide if they want to approve the minutes or if they prefer more detail be added to the item being discussed. Mr. Cahill stated that he is requesting more detail. Mr. Bailey asked if it is being requested that a certain portion of the audio be transcribed ‘word for word’. Mr. Hamercheck stated that is not necessary. Mr. Bailey stated that he can have Mrs. Conaway review the audio and add more detail or Mr. Hamercheck can read what he wants added to the minutes and he will have Mrs. Conaway amend the minutes to reflect. Mr. Szeman stated that he prefers to have a complete set of minutes voted upon for record keeping purposes. Mr. Vest and Mr. Frager rescinded their motion to approve. Mr. Hamercheck noted that he is specifically speaking of the audio index from 46:19 through 1:03:20. Mr. Bailey asked for confirmation that Mr. Hamercheck is looking for that to be transcribed word for word. Mr. Hamercheck stated that word for word is not necessary.

No action was taken on the minutes.

## **PAY ORDINANCE**

Mayor Britton presented Pay Ordinance No. 2326: \$50,013.32 for payroll and \$122,984.02 for current and upcoming expenses, for a total of \$172,997.34.

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

Questions/Discussions – Mr. Vest questioned warrant 13429 to Wex Bank. Mrs. Crockett stated that this is a fuel purchase for Marathon. He also question warrant 13409 issued to Lake County Department of Utilities. Mrs. Crockett explained that we get a sewer credit for the Middle School meter. She will contact LCDU as to the reason for the monthly credit and report back to Council.

Mr. Cahill questioned if we are still paying overtime for plant checks. Mrs. Crockett stated yes. Mr. Cahill questioned the amount. Mrs. Crockett stated that the employee receives three (3) hours each day. Mr. Hamercheck stated that he thought we had changed that policy. Mr. Bailey and Mrs. Crockett stated that the employee checks both plants twice per day. Mr. Cahill questioned why the employees are being compensated three hours for 10-15 minutes of work. Mr. Bailey stated that the employee has the choice of taking that time as overtime or as ‘comp’ time. Mr. Cahill stated that he feels that this is excessive amount of time for a short period of work. Mr. Hamercheck stated that this is similar to the scandal in Cuyahoga County and we need to be careful. He stated that plant checks are a regularly scheduled event and not an emergency. Mayor Britton stated that we reduced the compensation that the employees conducting plant checks receive from two ‘call outs’ to one each day several months ago. Mr. Hamercheck stated that he recalls that Mr. Chapman conducted a time study as to the actual time involved in the traditional plant checks. Mr. Bailey stated that he does not feel that compensating an employee fifteen minutes to come in on a weekend and perform plant checks is sufficient. Mr. Hamercheck stated that they should not be compensated more than the time study shows what is required. Mayor Britton stated that we can hire a full time employee for the weekends. Mr. Hamercheck stated that would be fine if it is more cost effective. Mr. Takacs stated that there is an issue of equity to an employee. We are asking an employee to take time out from their weekend, drive to the plants in their personal vehicle to conduct the plant checks and they should be compensated appropriately. No one would take time out of their weekend to perform these duties and only receive half an hour of compensation. Mr. Takacs stated that these employees are doing us a favor versus the cost that we would have hiring someone additional to perform these duties. Discussion took place regarding CBA employees call out times and whether traditional employee call out times should mirror the CBA. The commute time of the employee was discussed. It was discussed to review the time study and research the issue further. Mr. Bailey notated that we do perform burials at Fairview on Saturdays.

Roll call on approval, 7 yeas. Motion carried.

## **OLD BUSINESS**

**ORDINANCE 30-2015: - AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE CHARTER OF MADISON VILLAGE AND DECLARING AN EMERGENCY.** (2<sup>nd</sup> Reading)

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

Questions/Discussions – Mr. Mabe stated that the reason that this was not suspended at the last meeting was to allow members of the community to voice their questions and opinions. Mr. Mabe questioned if any inquiries or comments were received by the administration. Mr. Bailey stated no. Mr. Vest reminded Council that they do not have the authority to stop this from being

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put onto the ballot. He added that Council's vote is to allow it to be put onto the ballot and does not reflect how Council feels about the verbiage. Mr. Hamercheck asked for confirmation that the purpose of the suspension is to ensure that the legislation is received by the board of elections in time for placement on the November ballot. Mr. Vest confirmed. Mr. Szeman stated that there is a deadline of August 5, 2015 and the board of elections would greatly appreciate receiving it ahead of time.

Roll call on approval, 7 yeas, Ordinance suspended.

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

Questions/Discussions –

Roll call on approval, 7 yeas. Motion carried.

### **NEW BUSINESS**

**ORDINANCE 31-2015: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF LAKE COUNTY, OHIO TO SUPPLY THE VILLAGE WATER WORKS UTILITY WITH POTABLE DRINKING WATER AND FOR COOPERATIVE INFRASTRUCTURE IMPROVEMENTS, AND DECLARING AN EMERGENCY.** (1<sup>st</sup> Reading)

**RESOLUTION 16-2015: A RESOLUTION CONGRATULATING PARK UNITED METHODIST CHURCH UPON THE CELEBRATION OF THEIR 150<sup>th</sup> ANNIVERSARY.** (1<sup>st</sup> Reading)

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

Questions/Discussions – Mr. Szeman read the resolution aloud.

Roll call on approval, 7 yeas. Motion carried.

**GENERAL REQUESTS - P.O. Request to The Crown Liebing Co. in the amount of \$7,710.00 for the purchase of a raw pump for the WWTP.**

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

Questions/Discussions – Mr. Bailey stated that this is covered under permanent appropriations.

We had hoped to be able to rebuild the one we currently have however the casing is too worn.

Mr. Borsi is obtaining quotes for the installation cost. The existing motor will be reused.

Roll call on approval, 7 yeas. Motion carried.

P.O. Request to Smith Electrical in the amount of \$4,495.00 to update the electrical on the sludge lagoon to accommodate new mixers.

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

Questions/Discussions – None

Roll call on approval, 7 yeas. Motion carried.

**VISITORS COMMENT** – Mrs. Nancy Mante (6 Appaloosa Trail) asked if the Village is going to be spraying for mosquitoes. Mayor Britton confirmed that the Village was sprayed last Thursday. Chief Shannon stated that she will check into the schedule through the Lake County General Health District and get back to Mrs. Mante with their schedule. Mr. Bailey stated that he will ask Mrs. Conaway to share that information on the Village's Facebook page as well. She asked for clarification as to what a plant check is. Mrs. Mante stated that there is an issue with people leaving grass cutting on the sidewalk when they are mowing. She said that there is loose asphalt on Appaloosa and she throws the chunks of asphalt into the field when she sees them.

Jack Lading (603 West Main Street) spoke in regards to the mosquitoes. He stated that there is a device that emits a high pitch noise to deter mosquitoes. He asked if that high pitch noise could be announced through the emergency sirens. Mr. Hamercheck explained that is not a possibility.

## **STAFF REPORTS**

**Engineer** (given by Mr. Haibach) – Mr. Haibach stated that he spoke with Insight Pipe today regarding the second part of the sanitary sewer rehabilitation project. He noted that he has had difficulty getting a hold of them over the past couple of weeks. They anticipate being on-site in about three (3) weeks. The recent wet weather has delayed them from getting here sooner. Mr. Bailey stated that there are a few repairs that still need to be taken care of from the Snavely portion of the project.

Mr. Haibach stated that he and Mr. Bailey have spent quite a bit of time researching drainage issues within the Village. Currently he is focusing on the area between Dayton Road and Buck's pond. Mr. Bailey added that it is giving us a better picture of the areas that need to be addressed. Mr. Bailey stated that the Parkway area drainage is working as it was designed to. He added that they discovered that a flood plain from the Buck pond to the west has been filled in leaving flood water nowhere to go. Mr. Bailey believes that it is an easy problem to fix and he is going to be contacting the affected property owners in the near future. He has already contacted Tim Miller at Lake County Storm Water and he is on board to assist. Mr. Vest provided details of a culvert in that area. Mr. Bailey stated that he was not aware of the culvert but stated that he believes that it is not working properly. Mr. Bailey stated that we identified a large area of flooding due to collapsed culverts. American International has approved our request to access their property to research our options.

**Police Chief** – Chief Shannon said that she is looking into hiring another full time officer before the end of the year. She stated that the department is experiencing a high amount of overtime. Mr. Cahill asked if she has figures as to the expense/savings of hiring another full time officer. She stated that the largest benefit is to having a person committed to working the necessary hours and not relying on part time officers to cover those shifts. She added that she is in the process of selecting an SRO for South Elementary.

Chief Shannon passed out the sample design of the decals for the new police car. It is anticipated to be taken to Northeast the week of August 1<sup>st</sup>.

Chief Shannon reminded everyone to lock their vehicles. There was an incident in Huntington Woods this past week where two (2) unlocked cars in the same driveway were entered and items were taken.

Mr. Hamercheck asked about speed limit signs in 'diaper alley'. He stated that there does not appear to be signage on both streets in both directions. Chief Shannon said that she will look into it. Mr. Bailey stated that all regulatory signs within the Village are being replaced through a grant we received in conjunction with Madison Township. Mrs. Mante asked where 'diaper alley' is located. Mr. Hamercheck replied that it is Eagle and Union streets.

It was stated that the new weight limit sign at the entrance of Parkway Estates was hit by a car this weekend. She asked Parkway residents to call the police when they witness a vehicle entering Parkway that appears to be over the five (5) ton weight limit.

**Administration Report:** - Mr. Bailey reported that Mr. Donovan Buchs is a Village resident that is on the Lake County Sherriff's dive team and he received permission from the Village to conduct a training exercise in the pond near Amy Drive. American International was contacted and they permitted it as well.

Mr. Bailey stated that we applied for a CDBG grant to assist with the funding to make repairs and improvements to the former fire station which is being converted to the Village Police Department and Administrative offices. Unfortunately we were not awarded a grant. He is meeting with Rita Betton to see what we can improve on within our application for future grants.

Mr. Bailey stated that he recently met with Mr. Charles Raimer from NOPEC for the purpose of discussing a new service that NOPEC is offering. It is an aggregate program for street lighting. He added that, unfortunately for NOPEC, yet to our benefit, the competitors in the electricity supply industry learned that NOPEC was working on this program and reduced their rates to what we would have benefited from by joining NOPEC's program. In our case, we are seeing a reduction of 23% compared to what we have been paying. This equates to \$500.00 per month; \$6,000.00 per year.

Mr. Bailey recognized Park United Methodist Church's 150<sup>th</sup> anniversary and announced that the Village will be celebrating our 150<sup>th</sup> anniversary in 2017 and stated that we have begun to set money aside within the budget for our celebration.

The EPA visit has been rescheduled for August 11, 2015. Mr. Bailey is very pleased with Mr. Jim Borsi and the efforts that he has taken to move things forward at the Waste Water Treatment Plant.

Mr. Bailey stated that the Hyder Drive area fared well during the recent heavy rains and he added that a great deal of rain fell in a very short period of time.

**Misc. Reports/Comments:** - Mr. Cahill asked if ODOT has any plans to address the area near the north booster pump station. Mr. Bailey stated that we were able to get some pictures of the issues that we are having during the last heavy rain. ODOT must make initial steps to work with the private land owners. Mr. Bailey stated that he does not know the time frame.

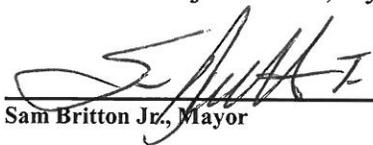
Mr. Cahill asked for an update of the tall grass at the former Homer Nash Kimball property. Mr. Bailey stated that he has contacted Mr. Szeman regarding this. The land owner stated that he is going to be baling hay on that property. Mr. Cahill expressed concern over animals living within the tall grass/hay.

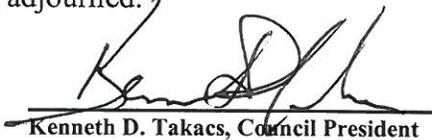
**Mayor's Report:** -

Upcoming dates:

Mon.	Aug. 3 <sup>rd</sup>	Regular Council Meeting 7:30pm
Mon.	Aug. 10 <sup>th</sup>	Planning & Zoning Meeting 7:00pm
Mon.	Aug. 17 <sup>th</sup>	Committee of the Whole Meeting 6:30pm
Mon.	Aug. 17 <sup>th</sup>	Regular Council Meeting 7:30pm

Motion to adjourn at 8:37pm made by Mr. Mabe, seconded by Mr. Frager.  
Roll call on adjournment, 7 yeas. Meeting adjourned.

  
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Sam Britton Jr., Mayor

  
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Kenneth D. Takacs, Council President

8-17-15  
DATE

Attested:

  
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Kristie M. Crockett, Fiscal Officer

8-17-15  
\_\_\_\_\_  
DATE