

Council Minutes
VILLAGE OF MADISON
Regular Council Meeting
February 16, 2016

RECORD OF PROCEEDINGS

Prior to the beginning of the meeting, a motion to proceed with the Committee of the Whole meeting as well as the regular Council Meeting for February 16, 2016 being held at Lakeland Community College Madison Campus, 201 Water Tower Drive #102, Madison, Ohio 44057

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

Questions/Discussions – None

Roll call on approval, 5 yeas. Mr. Hamercheck was not in attendance for the vote. Motion carried.

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. Takacs and Mr. Vest were in attendance. Also in attendance were Administrator Dwayne Bailey, Fiscal Officer Kristie Crockett, Police Chief Dawn Shannon and Law Director Mr. Szeman. Village Engineer Mr. Haibach was absent.

MINUTES

Mr. Bailey read proposed amendments to the January 19, 2016 meeting minutes as requested by Mr. Hamercheck. These amendments will be attached to the previously approved meeting minutes.

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

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

Mayor Britton announced minutes to be approved for the Council Meeting held on February 1, 2016.

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

Questions/Discussions – Mr. Hamercheck requested an amendment to the portion of the minutes within the approval of the pay ordinance detailing that the former fiscal officer for the Village failed to apply for the property tax exemptions for Village owned properties. Mr. Hamercheck requested that the potential dollar figure could be \$100,000.00 in real estate tax that the Village has paid that we may not actually owe. Mr. Frager seconded the amendment

Roll call on approval as amended, 6 yeas. Motion carried.

PAY ORDINANCE

Mayor Britton presented Pay Ordinance No. 2340: \$33,491.41 for payroll and \$61,174.58 for current and upcoming expenses, for a total of \$94,665.99.

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

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

VISITORS COMMENTS (Agenda items Only): Mr. Szeman stated that everyone will have an opportunity to speak. He stated that the five (5) minute speaking rule will be enforced. He stated that no questions will be answered this evening. He stated that all questions will be answered and will be made public to enable people who were not able to be present this evening an opportunity to be informed. He stated that no decision has been made in reference to the police issue and added that Mayor can make a recommendation but only Council can make a decision. He added that this is an opportunity to open a dialogue with the community on the issue. All written correspondence should be directed to the Village Administrator. He stated that Chief Shannon was not involved in this process. He added that when looking into alternatives for police protection within the Village; that it would put her into an untenable position which they did not want to do. He stated that anger toward Chief Shannon is completely misplaced in his opinion and added that he and Mayor Britton have nothing but respect for her. Mr. Szeman added that they apologize for her being put in this position. Mr. Szeman stated that name and address need to be provided when addressing the Mayor and Council except for members of law enforcement; according to state law they do not have to provide their address.

Linda Whipple (37 Safford Street)

Thanked Mayor Britton for his written statement but added that she wishes there would have been better communication about the police department issue prior to it being in the media. She asked for better communication with the community.

Matt Gasper (950 W. Main Street)

Spoke in opposition to the dissolving of the police department. Spoke in regards to the fire station issue.

What would happen if the contract with Madison Township gets increased after five (5) years?

If the Village disbands the police department why we need an Administrator? (the rest of question was inaudible due to applause).

Craig Winkleman (444 Oak Hollow)

Spoke in regards to contract negotiations between the Safety Advisory Group and the police union. He stated that it is apparent that the Safety Advisory Group was in discussion with the Township regarding police services during the contract negotiations last fall. He stated that it is his opinion that the Council members of the Safety Advisory Group (Mr. Takacs, Mr. Mabe and Mr. Frager) have approved the dissolving of the police department which would indicate that they are going to vote in favor of it.

Richard Fike (62 S. Lake Street)

Spoke in opposition to the dissolving of the police department. He stated that he feels betrayed that no one approached him or his business to discuss the police issue. He

Page 3

commended the police department for their efforts. He stated that the Township is governed by State laws but the Village is governed by Village ordinances. He expressed concern over the loss of Mayor's court and the inability to enforce noise ordinances. He requested that dissolving the police department be seriously reconsidered.

Asked where the approved police levy dollars would go if the Village no longer has a Police Dept.?

Joe Robinson (no address given)

He requested the decision of dissolving of the police department be reconsidered.

Jack Lading (603 W. Main St.)

How much thought/pre-planning has gone into this decision?

How many township cruisers will be in the Village?

How will a Township officer respond to the Village if there is a train blocking the crossing?

Paul Goda (431 W. Main Street)

Are the drawings for the reconfiguring of the old Fire Station being completed to include the Police Department?

Laura Haynes (691 W. Main Street)

She expressed appreciation in the police department's assistance with her elderly mother over the years. She stated that the MVPD and Chief Shannon have been very supportive over the years with Safety Town.

If the Police Department is dissolved will there still be Safety Town?

Margo Strunk (77 Square Drive)

She spoke in favor of keeping the Village Police Department. She commended the department on knowing the community.

Wes Purvis (3073 Princeton Street)

Spoke in opposition to the dissolving of the Police Department. He disputed the projected savings and expressed concern over the size of the Township and the police demands on that department already.

Tom Austin (Exec. Dir. Of the OPBA)

Spoke in regards to collective bargaining.

Rex Killian (25 Safford Street)

Stated that he is Chief Shannon's brother in law. He stated that he does not understand the numbers that have been presented. He added that he is contemplating selling his home due to the political issues within the Village. He spoke in regards to how high his water bill is. (additional comments were inaudible due to applause).

Susan Guthrie (667 West Main Street)

Page 4

Stated that she supports the Madison Village Police Dept. and stated that she will not live in the Village without its own police department. She cited high water costs. She expressed concern over the lack of manpower per shift through the Township Police Department.

Tod Baker (78 Parkway)

Stated that he hopes that Council is taking into consideration what is being said this evening. He added that the community voted to approve collective bargaining and also approved a police levy in support of the police department.

Was the levy money put toward the Police Department and pulled back money from the general fund?

How does the 2016 Budget compare to the final appropriations of 2015? Are we looking at a real number in 2016 or an inflated number?

Are the savings that we are receiving taking into account the revenue/equipment lost? (Mayor's Court, Equipment, etc.)

Tony Bruno (563 West Parkway)

Referred to comments made on Mr. Takacs' Council Facebook page stating that the Village would be entering into a contractual agreement as if the decision had already been made. He cited information from an article published in the News-Herald shortly after the November election. He questioned the language in the police levy as to it only being able to be used for the police department and not being used to fund police services through another source or for anything else.

Is this agreement a 'done deal'?

Adam DeMarco (6342 Ledge Rd. Thompson, Ohio)

Stated that he is a potential future business owner within the Village. Spoke in regards to the codification of Village ordinances.

When is the Village going to move forward with codifying the Village ordinances?

Was Tony Long ever reprimanded for using the \$10,000.00 earmarked for the codification and used for the fire station down payment?

Was the Auditor of State ever notified that the \$10,000.00 that was earmarked for the codification used for the fire station down payment?

Has Tony Long's bonding company been put on notice since his conviction for the accounting irregularities including not filing for the real estate exemptions?

Why were Tony Long's misapplications of funds not investigated until now?

How can the Council and Mayor make such a drastic change?

Per the charter, the Mayor is to enforce all laws and how is he going to do so without a Police Department?

Will there be a charter amendment voted on by the people?

Steve Toward (144 Willowbend)

Stated that a lot of damage is being done by the police ordinances on the agenda. He expressed concern over being able to sell his home.

Scott Drury (1064 West Main St.)

Spoke in opposition of dissolving the police department. He stated that he feels safe in the Village with our police department.

Charles DeWalt (427 Hyder Drive)

Stated that the police department is the best it has even been. He commended the department for their efforts and stated that Chief Shannon is seen as a role model for her work within the schools. He cited former issues between the Village and the Township over the Senior Center. He requested that Council reconsider dissolving the police department. (additional comments were inaudible due to applause).

Erin (no last name or house number provided - Hyder Drive)

Stated that she recently moved to the Village from the Township. She stated that the roads are taken care of and she frequently sees officers patrolling. Expressed concerns over the cost of the contract with the Township in the future. She requested transparency from Council and asked that they listen to what people are saying. She stated that this meeting is a really good thing; the community showing support of the department.

How are the 'rules' going to work with one department covering both the Township & the Village?

Mark Bashore (205 Manchester Court)

He stated that he feels that the Mayor and Council have a difficult job trying to work with the dollars that they have. He encouraged economic development to promote tax income into the Village. He added if we grow the community then we can grow the police department.

Why was there nothing publicized about this prior to the legislation being brought forth?

Dan Osborne (143 West Parkway)

Spoke in favor of the police and fire departments. He asked why we need a Council and a Mayor if we are getting rid of infrastructure and the police department.

If Council knew this was going to happen, why did we purchase the new police car? Did this come forward when the police union supported the Mayor's opponent in the election?

Walt Richardson (East Main Street)

Expressed concern that the officer assigned to the Village will be called out of the Village for an emergency in the Township leaving the Village unprotected.

Leah Turner (35 West Main Street)

Stated that she is aware that this is a money issue and not an easy problem to fix. She stated that this issue makes her more aware that she wants to be involved in the community.

If the current Village officers were the children of our Council would we still be making this decision?

David Strunk (77 Square Drive)

Spoke in regards to the savings and costs listed in the letter issued by Mayor Britton. How is the Township going to provide the same service at the rates that are listed in the contract to the Village when they pay their officers more than the Village pays?

Tammy Boyer (987 Abbey Drive)

Expressed displeasure at how the police issue has been handled. She stated that this affects everyone in the Village and the community should have been more informed before now. She stated that she is a homeowner in the Village and in the Township and she sees much more of a police presence in the Village. She stated that the Village police know the residents. (additional comments were inaudible due to applause).

Makenzie Burnheimer (256 River Street)

What is the Council's plan when this fails? (additional comments were inaudible due to applause).

Laura Bollas (602 Sunset)

Stated that she chooses to live in the Village because she feels safe. She stated that it is important to her and her family to keep our Village police department.

OLD BUSINESS

ORDINANCE 1-2016: - AN ORDINANCE AMENDING ORDINANCE NO. 35-2007 AND REENACTING, AMENDING, REARRANGING, REVISING, AND ENACTING FOR CODIFICATION PURPOSES CHAPTER 182 OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, LEVYING AN EXCISE TAX OF THREE PERCENT ON HOTEL AND BED AND BREAKFAST LODGING TRANSACTIONS WITHIN THE VILLAGE OF MADISON. (3rd Reading)

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

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

ORDINANCE 2-2016: - AN ORDINANCE ENACTING CHAPTER 111 OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, ESTABLISHING RULES OF COUNCIL FOR THE VILLAGE OF MADISON. (3rd Reading)

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

Questions/Discussions – Mr. Donaldson questioned if under the heading "Calling of special meetings" (page 2 section 111.012) do we want to leave that as written only? He asked for clarification that the sending of an email is confirmation of due service and that a phone call is not a permitted action. Mr. Szeman stated that it is Council's decision. Mr. Takacs stated that the archaic format of physically coming to a person's door to schedule a special meeting is not practical when most people rely on e-mail correspondence. It is the option of each Councilperson to have on-file their preferred method of contact. Mr. Hamercheck asked for clarification (page 6, section 111.07) titled "Executive Session". He stated he has not been able to find information as to the ability for Council to turn an Executive Session into a 'black hole of information' where

everything that is discussed is confidential. He stated that he sent an e-mail with other questions/concerns that was not responded to. Mr. Takacs stated that he replied to his email this afternoon. Mr. Hamercheck stated that he did not receive it. Mr. Frager inquired if the Mr. Szeman could address Mr. Hamercheck's concerns. Mr. Szeman stated that Council could wave confidentiality during regular session to discuss a specific issue that was discussed in an executive session. It was stated that this is a 'Home Rule' issue. Mr. Szeman asked if Mr. Hamercheck is making a motion to amend this ordinance. Further discussion took place regarding executive sessions. Mr. Hamercheck referred to the Revised Code referring to the Open Meetings Act and the language referring to Council Executive Sessions.

Roll call on approval, 5 yeas 1 nay (Hamercheck) Motion carried.

ORDINANCE 3-2016: - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR VILLAGE INSURANCE WITH GLATFELTER PUBLIC PRACTICE INSURANCE COMPANY AND DECLARING AN EMERGENCY.

(2nd Reading)

ORDINANCE 4-2016: 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, 2016 TO AND INCLUDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY. (2nd Reading)

ORDINANCE 5-2016: AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO VARIOUS OTHER FUNDS AS PREVIOUSLY BUDGETED, AND DECLARING AN EMERGENCY. (2nd Reading)

NEW BUSINESS

ORDINANCE 6-2016 - AN ORDINANCE ACCEPTING THE BASE BID OF C.I.R., INC. FOR THE S.R. 528 RIVER ROAD WATERLINE IMPROVEMENTS PROJECT, AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH SAME, AND DECLARING AN EMERGENCY. (1st Reading)

Motion to suspend made by Mr. Takacs, seconded by Mr. Vest.

Questions/Discussions – Mr. Bailey stated that suspension and passing of this legislation would be helpful but is not necessary. He added that twelve (12) bids were received. Mr. Vest asked for the cost. Mr. Bailey replied \$371,598.00. Mr. Bailey stated that we would enact our OPWC grant/loan (\$230,000/\$70,000) with the balance being funded by an OWDA loan. Mr. Mabe asked when the contractor will be ready to start. Mr. Bailey stated that it will take approximately a month to get all contracts exchanged and signed. OPWC has been waiting for us to move forward with this project and Mr. Bailey needs approved legislation to request a notification to proceed on the project.

Roll call on suspension, 5 yeas, 1 abstention (Hamercheck) Motion carried.

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

Questions/Discussions – None

Roll call on approval, 5 yeas, 1 abstention (Hamercheck) Motion carried.

ORDINANCE 7-2016 - AN ORDINANCE DISSOLVING THE VILLAGE POLICE

DEPARTMENT, AND DECLARING AN EMERGENCY. (1st Reading)

ORDINANCE 8-2016 - AN ORDINANCE ACCEPTING AN AGREEMENT WITH THE TOWNSHIP OF MADISON TO PROVIDE POLICE PROTECTION SERVICES TO THE VILLAGE, AND DECLARING AN EMERGENCY. (1st Reading)

Questions/Discussions – Mr. Vest asked the councilmen that sit on the Safety Advisory Group to explain why they feel that this is in the best interest of the Village. Mr. Frager stated that all questions that have been asked this evening will be answered. Mr. Bailey suggested that all questions with answers can be published on the website. Mr. Takacs stated that Council solicits as much input as possible prior to making a decision. He added that Council chose to move this meeting as well as future meetings to this location to accommodate more people. Mr. Takacs requested a public hearing for specifically ordinances 7 & 8-2016 and that all questions/answers proposed this evening and any questions submitted to the administration be available in a written format.

It was stated that the next regular Council meeting will be held on March 7th at 6:30pm and the public hearing would be held at 7:30pm at Lakeland Community College Madison Campus, Room #102.

Motion to approve made by Mr. Takacs, seconded by Mr. Mabe

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

Mr. Vest stated that he learned of this legislation when he read about it on FaceBook and he was not happy. He stated that he does not like the contract and asked if this is the final draft. It was discussed that Council can review the contract and make changes to be reviewed by the Township. Mr. Takacs stated that the Safety Advisory Group was not part of the contract negotiating process. Mayor Britton and the Village administration worked out the details of the contract with Madison Township. Mr. Vest requests that our current rules regarding our officers staying within municipal boundaries unless needed for back-up be included in the contract. He does not feel that business checks should need to be requested; it should be a service provided. He added that vehicle lockouts should also be a service. He stated that the Township police department should have someone representing them at Village Council meetings more frequently than once per quarter. Compensation for equipment was discussed. Zoning violations was discussed. Mr. Vest stated that he feels that the base and pass through charges are too much with the interest listed as excessive. Mr. Vest stated that he does not approve of the fact that the Village will have no authority over the police protection services provided by the Township. Mr. Vest referred to the bid that he stated he received from the Sheriff's department. Mr. Vest stated that he was part of the budget process. He stated that he did not make a police budget with the thoughts that it would transfer elsewhere. He stated that he made that police budget to keep our police department. He added that he would not have included the capital improvements nor voted in favor of a new police car if the plan was to eliminate the department.

Mr. Hamercheck stated that he learned of this legislation when he began receiving phone calls Friday evening. He cited a statement from the Safety Advisory Group report "Mr. Takacs, Mr. Frager and Mr. Mabe will sponsor this legislation forthwith" and

Page 9

added that he interprets that as that they fully participated in the process. Mr. Takacs replied that after the administration presented the information to the Safety Advisory Group and asked what the Group wanted to do moving forward. The Group presented this to Council for discussion. He added that the vote is the key element not the sponsorship. He added that the purpose of the sponsorship is to bring it out to Council. He added that sponsorship does not indicate which way a person will vote.

Mr. Hamercheck asked Mrs. Crockett if a final budget is able to be amended in reference to Mr. Takacs indicating that the reason the legislation was moving forward was due to the final budget needing to be submitted. She confirmed.

Mr. Mabe asked Mr. Hamercheck if he feels that it should not have been brought in front of Council and the public, because that is what he is insinuating. Mr. Hamercheck stated that is not the case and stated that he did not want to elaborate. He added that he is surprised that Chief Shannon was not involved in the process. Mayor Britton stated that four (4) years ago he was approached by Council to go to the Township and the County and identify what it would cost the Village to have police services from them. Chief Shannon took part in that process. It was stated that Mayor Britton, Mr. Takacs, Mr. Vest and Mr. Hamercheck were on the Safety Advisory Group at that time. Mr. Frager stated that this has been a topic of discussion for more than four (4) years. Mayor Britton stated that the prices obtained at that time were larger than the quotes we have recently received. Mayor Britton stated that during the budget process it was discussed that with funding being an issue to research this option once again. Mayor Britton added that both attorneys worked on the details of the contract and it was reviewed by the administration of both the Township and the Village. Mayor Britton brought it in front of the Safety Advisory Group. He added that he did not include Chief Shannon because she was 'in the middle' the last time and he did not want her to be in that situation again. He stated that it needed to be brought in front of Council to discuss due to the potential savings available. Mayor Britton added that the purpose for the legislation was to bring the topic to the public. He added that he anticipated that the quotes would have been much higher in price and it would not have even been something to consider, but when the quotes came in and the figures came in where they did, he felt that Council needed to make the decision. Mr. Hamercheck stated that the last time it was discussed it was an open discussion from the beginning. Mr. Frager stated that the only difference between when it was discussed four (4) years ago is that there is a proposed contract involved. He added that there was a contract discussed four years ago but the Safety Advisory Group was the only members of Council that reviewed it. At that time, the Safety Advisory Group stated that it was not a cost effective where this time it is. Mr. Frager stated that he is not aware of the details as to how the media became involved but added that this legislation was advertised the same way all legislation is. Mr. Hamercheck stated that it was his impression that we were under good faith negotiations with our police officers and the union representatives with a one (1) year contract extension with no changes and we were going to move forward

with a new contract in April. The ability to use the police levy dollars to fund another entity was discussed.

Mr. Hamercheck added that the police levy was advertised to the public as a way to fund their police officers in their department not to be used to fund other police services. Mr. Hamercheck read from a flyer titled: Madison Village Police, Why should I vote for the police levy? He stated that it reads #1 Paying for our police force and talks about the budgetary expenses and our underpaid safety forces. He added that it lists vehicles and the mileage on them. Item #4 reads: Most importantly we in the Village want our police force. Outsourcing our policing functions has proven to cause poor citizens services, increased response time to emergencies, and reduced capacity to control escalating costs. What this means is someone outside the Village would be determining what we pay for police protection. Item #5 stated that it costs thirty-five (35) cents per day to keep our police under your control and policing your streets with the vehicles and equipment that they need. He added that this is how the levy was 'sold' to the public and now we are 180 degrees out from that. Mr. Mabe asked who published that document. Mr. Hamercheck stated that it was a creation of members of this Council working in conjunction with the levy committee. Mr. Mabe stated that he did not assist with that document and this is the first he has heard of it. Mr. Hamercheck stated that there is information being brought forward for the first time and he is insistent that minutes are kept for the Committee of the Whole meetings to explain what we meant when we put legislation together moving forward. He stated that he is not certain that fraud is the correct term to be used but feels that we are breaking the trust of the public if we use the police levy funds for anything other than to fund the Madison Village Police Department. He added that he naively believed that some things would be taken care of that haven't been. He added that he will be having his legal counsel contact Mr. Szeman to ask him "what in the bloody (explicative) you are talking about". Mr. Hamercheck referred to the Village Charter and spoke of the section regarding the police department and questioned whether the Charter is the authority figure. Mr. Hamercheck spoke of equitability and fairness.

ORDINANCE 9-2016 AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ADVERTISE FOR BIDS FOR THE GROWING GREEN ON MAIN STREET PROJECT, PHASE I, AND DECLARING AN EMERGENCY.

Motion to suspend made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions – Mr. Bailey asked Council to consider a suspend and pass.

Roll call on suspension, 5 yeas, 1 abstention (Donaldson) Motion carried.

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

Questions/Discussions – Mr. Bailey stated that the low bid will be brought back to Council for final award.

Roll call on approval, 5 yeas, 1 abstention (Donaldson) Motion carried.

Mr. Donaldson stated that he abstaining because he is employed by Lake County Soil and Water and his office is involved with this project.

RESOLUTION NO. 6-2016 - A RESOLUTION RECOGNIZING AND HONORING HEARN PLUMBING AND HEATING FOR 70 YEARS IN BUSINESS

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

Questions/Discussions – Mr. Bailey stated that Hearn's will be invited to a future meeting to accept it.

Roll call on approval, 6 yeas. Motion carried.

GENERAL REQUESTS – Mr. Bailey stated the Council reviewed an option from NOPEC to reduce our electricity costs for village owned buildings as well as street lights. Changing to this option will save approximately \$6,000.00 per year
Motion for approval made by Mr. Vest, seconded by Mr. Donaldson.

Questions/Discussions – Mr. Bailey stated that we can opt out at any time.

Roll call on approval, 6 yeas. Motion carried.

VISITORS COMMENT – None

STAFF REPORTS

Engineer (given by Mr. Haibach) – Mr. Haibach was not in attendance. Mr. Bailey stated that the Growing Green on Main Street project is preparing to go out to bid and the 528/River Road water line project is ready to begin contract documents.

Fiscal Officer – Mrs. Crockett stated that 2015 is closed and the financials have been submitted to the auditor of state. The 2014-2015 audits with Charles Harris and Assoc. will begin the week of February 29th. It is scheduled for approx. two weeks. Mrs. Crockett will be out of the office March 22-24th for the annual Auditor of State training in Columbus, Ohio. CCA tax payer assistance day will be Sat. April 2nd from 9:00am – 12:00pm at Village Hall.

Police Chief – Chief Shannon thanked everyone that was in attendance this evening. She stated that the officers in the department have not once stopped caring or stop the safety in the Village even after they became aware of the police issue.

Administration Report: - Mr. Bailey provided information regarding a flyer that will be inserted with the water bills notifying them of a violation that we received for the second quarter of 2015. He explained that we use a third party lab for our testing and they placed our samples into the wrong vials which invalidated the test. We are required to notify our customers. He added that there was nothing wrong with the water and clarified that we utilize the water from Lake County Department of Utilities and their test came back fine. The third party lab has assured us that they will take steps to ensure that this does not happen again in the future.

Mr. Bailey requested residents to write/e-mail to Senator John Eklund in regards to the Unionville Tavern preservation efforts.

Misc. Reports/Comments: - Mr. Frager thanked Lakeland Community College for their assistance in enabling us to have our meeting here with very little notice. Mr. Frager added that Lakeland has offered these accommodations to the Village when needed in the future.

Motion to adjourn at 10:02pm made by Mr. Vest, seconded by Mr. Takacs.
Roll call on adjournment, 6 yeas. Meeting adjourned.



Sam Britton Jr., Mayor



Kenneth D. Takacs, Council President

3/7/16
DATE

Attested:



Kristie M. Crockett, Fiscal Officer

3-7-2016
DATE



WHY SHOULD I VOTE FOR THE POLICE LEVY?

1. Paying for our police force accounts for 65% of the entire Madison Village budget. The State of Ohio has drastically reduced yearly funding to Madison Village. Five years ago we received \$177,000.00 from Columbus. This year we will receive approximately \$44,000.00.
2. In 2010 Madison Village residents voted to allow the police to form a collective bargaining unit. Council was required to negotiate a contract with the police. The end result after good-faith negotiations by both sides necessitated raising the wages of our underpaid safety forces to a level commensurate with other police forces. It is far more costly to continue losing trained veteran officers to other higher paying communities and then training new officers to replace the veterans. The new pay scale will allow the village to keep police officers that far too often go to other higher paying communities.
3. Two police cars are 8th years old and each has mileage over 130,000.00. It is imperative that police vehicles perform at a high level of performance. To continue paying for expensive repairs and maintenance month after month is a waste of your tax dollars and keeps needed police cars off the streets while repairs are done.
4. Most importantly, we in the village want our own police force. Outsourcing our policing functions has proven to cause poor citizen services, increased response time to emergencies, and our reduced capacity to control escalating costs. What this means is someone outside the village will be determining what we pay for police protection.
5. **35 cents per day.** That's the cost to keep our police under your control and policing your streets with the vehicles and equipment they need. This levy will **ONLY** fund the police budget. No funds generated by this levy will be used for any other purposes.

On May 7th Please Vote To Support Your Police

Questions asked by the public at the February 16, 2016 Council Meeting

Matt Gasper (950 W. Main Street)

What would happen if the contract with Madison Township gets increased after five (5) years?

There are potential costs increases either way, with services contracted or with our police department. If costs go up, we would have to pay those increased costs.

If the Village disbands the police department why do we need an Administrator? (the rest of question was inaudible due to audience clapping).

The administrator has nothing to do with the operations of the police department.

Richard Fike (62 S. Lake Street)

Where would the approved police levy dollars would go if the Village no longer has a Police Dept.?

They would be used to pay for contracted police services

Jack Lading (603 W. Main St.)

How much thought/pre-planning has gone into this decision?

This issue has been a discussion topic for over 10 years and actually proposals have been sought out at least 4 times.

How many cruisers will be in the Village?

There will be one vehicle per shift, the same coverage that is currently in place.

How will a Township officer respond to the Village if there is a train blocking the crossing?

The Township would be already on duty in the village; back up would be required (we already deal with this situation).

Paul Goda (431 W. Main Street)

Are the drawings for the reconfiguring of the old Fire Station being completed to include the Police Department?

Yes

Laura Haynes (691 W. Main Street)

If the Police Department is dissolved will there still be Safety Town?

This would be a decision of the Township police department.

Tod Baker (78 Parkway)

Was the levy money put toward the Police Department and money pulled back from the general fund?

The PD levy provided some relief to the general fund by allowing a reduction of general fund transfer in to the police budget by approx. \$100,000.00. All levy dollars have been placed in the restricted PD fund and are restricted for police services only.

How does the 2016 Budget compare to the final appropriations of 2015?

The 2015 final appropriation was \$644,138.00. The 2016 budget is \$656,100.00.

Are we looking at a real number in 2016 or an inflated number?

They are real numbers.

Are the savings that we are receiving taking into account the revenue/equipment lost? (Mayor's Court, Equipment, etc.)

Some equipment would buy used for the initial outfitting of the Village zone of the Township PD force. Mayor's Court is essentially budget neutral; it pays for itself through fees and fines. Mayor's Court for 2016 is projected to be a loss of \$2,000.00.

Tony Bruno (563 West Parkway)

Is this agreement a 'done deal'?

No

Adam DeMarco (6342 Ledge Rd. Thompson, Ohio)

When is the Village going to move forward with codifying the Village ordinances?

Ongoing, in house.

Was Tony Long ever reprimanded for using the \$10,000.00 earmarked for the codification and used for the fire station down payment? The down payment to the Fire District was from the general fund and approved by the vote of Council, accordingly there is nothing to investigate or recover.

Was the Auditor of State ever notified that the \$10,000.00 that was earmarked for the codification used for the fire station down payment?

Earmarked funds are not the same as appropriated funds. There was never Council authorization to spend \$10,000.00 on codification of Village ordinances, therefore nothing encumbered those funds.

Has Tony Long's bonding company been put on notice since his conviction for the accounting irregularities including not filing for the real estate exemptions?

Even assuming that real estate exemption applications (which remain pending) were not timely filed, surety bonds do not cover matters of negligence.

Per the charter, the Mayor is to enforce all laws and how is he going to do so without a Police Department? The Mayor does not directly enforce the traffic and general offenses which occur in the Village, only sworn officers can legally do so. His or her role is to ensure that the laws are being enforced and whether that occurs through Village employees or via contracted services, the Mayor's role remains the same. Contracting police services assigns authority; it does not abdicate authority.

Will there be a charter amendment voted on by the people?

No

Erin (no last name or house number provided - Hyder Drive)

How are the 'rules' going to work with one department covering both the Township & the Village?

Township officer will have the authority to enforce village laws within municipal boundaries

Mark Bashore (205 Manchester Court)

Why was there nothing publicized about this prior to the legislation being brought forth?

The proposed legislation and subsequent three reading rule is the procedure for publication/ advertizing legislation.

Dan Osborne (143 West Parkway)

If Council knew this was going to happen, why did we purchase the new police car?

The PD car was ordered before the proposal from the Township was received.

Did this come forward when the police union supported the Mayor's opponent in the election?

No...discussions on this topic have occurred off and on for 10 years.

David Strunk (77 Square Drive)

How is the Township going to provide the same service at the rates that are listed in the contract to the Village when they pay their officers more than the Village pays?

Township overhead is spread over 21 FT officers; Village is spread over 3 FT officers.

Makenzie Burnheimer (256 River Street)

What is the Council's plan when this fails?

We would have the option to contract with the Sherriff's Dept. or to reestablish a Village PD.

Additional question received

There was some confusion over budget number in the Mayor's open letter to the community.

In clarification of the 2015 numbers: There was no identification of \$39,500.00 being part of the appropriation pension fund.

Actual numbers cost year one TWSP proposal \$575,000.00

Madison Village 2015 budget total appropriation \$644,183.07, Consisted of:
\$369,934.07 dollars transfer from the general funds

\$39,500.00 from PD pension fund of which \$16,000.00 was transferred in from the general fund)

\$234,749.00 from PD levy

Madison Village 2016 budget \$656,100.00, Consists of:

\$372,000.00 dollars transfer from the general funds

\$40,500.00 from PD pension fund of which \$16,000.00 was transferred in from the general fund

\$243,600.00 from PD levy

Mayor Britton stated that adding 3 FT officers would cost \$179,900.00. This number includes wages and benefits. Township increased staffing for new Village zone would include 4 FT officers, 1 PT officer and a PT clerk which is the source for \$295,392.00

If the agreement is dissolved the Township would not have use for equipment that was transferred to establish the Village zone. The equipment that is currently used would have an undetermined useful life at that time.