

Council Minutes  
VILLAGE OF MADISON  
Regular Council Meeting  
April 4, 2016

**\*Due to technical issues, there was no audio recording of this meeting. The minutes are completed based on memory/notes.**

**RECORD OF PROCEEDINGS**

Council President, Mr. Takacs called the meeting to order at 7:30PM.

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. Takacs and Mr. Vest were in attendance. Also in attendance were Administrator Dwayne Bailey, Fiscal Officer Kristie Crockett and Assistant Village Engineer Mr. Meluch. Mayor Britton and Law Director Mr. were absent.

**MINUTES**

Mr. Takacs announced minutes to be approved for the Council Meeting held on March 21, 2016. Motion for approval made by Mr. Vest, seconded by Mr. Mabe.

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

**PUBLIC HEARING:** None

**FIRST HEARING OF PERSONS BEFORE COUNCIL:** None

**PAY ORDINANCE**

Mr. Takacs presented Pay Ordinance No. 2343: \$52,947.24 for payroll and \$31,562.53 for current and upcoming expenses, for a total of \$84,509.77.

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

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried.

**OLD LEGISLATION:** None

**NEW LEGISLATION:** None

**PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:** Mr. Takacs asked for a motion to approve the following as candidates for the Board of Tax Review: Mr. Roger Smart, Mr. Mike Evangelista and Mrs. Cheryl Swackhamer. It was stated that one (1) appointment is a mayoral appointment and two (2) are Council appointments.

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

Questions/Discussions – None

Roll call on approval, 6 yeas. Motion carried

Motion to draft a letter of cancellation to CCA, effective for the tax year beginning 1-1-2017 made by Mr. Frager, seconded by Mr. Donaldson.

Questions/Discussions – The transition process was discussed including a potential dip in revenue during transition. Notification to employers was also mentioned. It was stated that this letter will be held before mailing until answers to these questions are obtained.

Roll call on approval, 6 yeas. Motion carried

**ADMINISTRATOR’S REPORT:** Mr. Bailey presented a sample of the pavers to be used in the Growing Green on Main Street project. He stated that the preconstruction meeting will be held on April 12, 2016. He added that once this meeting is held then a meeting with the Village merchants will be scheduled to fully inform them of the project and making them aware of any impact to traffic in front of or near their business.

Mr. Bailey reported that the 528 water line project is scheduled to begin this week.

Mr. Bailey congratulated Carter Lumber, D’Abates Market, Young Sushi, ChemMasters, David Allen Salon and Roman’s IV as the first recipients of the Madison Means Business award. He provided details of the event held on March 31, 2016.

- **Engineer’s report** (given by Mr. Meluch) – Preconstruction meeting for Growing Green on Main Street project to be held April 12<sup>th</sup>. Parking will be brick pavers in a basket weave pattern. The project will be completed in phases.
- **Fiscal Officer’s report** – Mrs. Crockett reported that she received notice that the State has approved the property tax exemptions that were filed in August. There are five (5) parcels: Madison Street/Alley, River St./Booster pump station, 33 N. Lake St., Senior Center Parcel, Senior Center vacant parcel adjacent to the park. The state reported that they will process refunds for three (3) years only. We are anticipating receiving a refund of \$17,000.00-\$19,000.00. It will take approx. four (4) to six (6) weeks to receive the official letter from the state. Once we receive that letter we will proceed with the county auditor to begin the refund process.

Mrs. Crockett stated that fifteen (15) tax payers participated in CCA day this past Saturday. She added that there are 188 ‘Failed to File’ accounts for Mr. Szeman to move forward with. Last fall there was an outstanding balance of \$60,515.41 within 167 accounts. We have receive payments in the amount of \$20,361.09, there are 39 accounts on payment plans totaling \$16,297.00 and 37 accounts totaling \$22,667.89 for our legal department to pursue. Mrs. Crockett will contact Mr. Szeman to start further collection actions.

Mrs. Crockett stated that the first quarter of 2016 “overall” budget is at 24.27% revenue collected and 16.07% YTD spent in appropriations

**COMMISSION AND COMMITTEE REPORTS: None**

**FINAL HEARING OF PERSONS BEFORE COUNCIL: Mary Ann Froebe** (Madison Township) Spoke in regards to the Cahill/Hamercheck lawsuit against the Village. She added that the township residents paid 80% of the improvements to fire station one. She stated that Mr. Hamercheck should drop the lawsuit and we should all start working together. ~~Mr. Hamercheck stated that our Law Director is not in attendance and added that pending litigation should not be discussed in an open meeting.~~ Amended: 4/18/16 *Regarding Mary Ann Froebe relative to what is indicated in current meeting minutes, I did not say that. I did state words to the effect of referring to information that is a public record. The claimed new building cost by the Fire District is in excess of \$243,000.00. During this time period, the Auditor of State in their audit report indicated that the monies were not spent in compliance with the Revised Code relative to competitive bidding. The threshold for competitive bidding is \$50,000.00. I went on to encourage Mary Ann to review all of the information that is publicly available and work backwards towards a root cause of the dispute. I expressed a belief that she would likely form a much different opinion after she looked into the facts and not just scratch the surface.*

**Craig Winkleman** (444 Oak Hollow) Questioned why the Township is not paying 80% of the \$189,000.00 for the improvements made to fire station one. He stated "That's my story and I am sticking to it." Amended: 4/18/16 *Regarding Craig Winkleman: As Mr. Winkleman was clearly preparing to pose some obviously awkward questions to my colleagues on council, I felt it appropriate to suggest to Chairman Council President Takacs in the absence of legal counsel, and given the direction this conversation is clearly going, I believe Mr. Szeman would be displeased with all of us if we continue on this path. Mr. Takacs ended the conversation with Mr. Winkleman. I believe that's when Mr. Winkleman said, "that's my story and I'm sticking to it."*

**Paul Goda** (431 West Main) Spoke in regards to the fire district using fire station one for storage. Amended: 4/18/16 *Regarding Paul Goda: Mr. Goda was specifically referring to the contract between the Village and the Fire District and quoting same. Mr. Goda was interrupted by Councilman Vest who told Mr. Goda what he was reading was Mr. Goda's opinion. Mr. Goda indicated to Mr. Vest that he was actually reading from the contract and that the contract is not an opinion. Mr. Vest indicated that was also Mr. Goda's opinion. Some discussion continued regarding engineering and architecture services that would also likely benefit the Fire District at the Village's expense.*

**NEW BUSINESS**

**Mayor's Report:** - Mayor Britton was not in attendance.

Upcoming dates:

Mon.	Apr. 11 <sup>th</sup>	Planning & Zoning Meeting, 7:00pm
Mon.	Apr. 18 <sup>th</sup>	Committee of the Whole Meeting, 6:30pm
Mon.	Apr. 18 <sup>th</sup>	Regular Council Meeting, 7:30pm

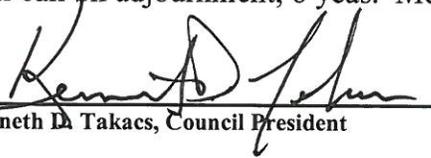
**FINAL HEARING OF PERSONS BEFORE COUNCIL:** Mary Ann Froebe (Madison Township) Spoke in regards to the Cahill/Hamercheck lawsuit against the Village. She added that the Township residents paid 80% of the improvements to fire station one. She stated that Mr. Hamercheck should drop the lawsuit and we should all start working together. Mr. Hamercheck stated ~~that our law director is not in attendance and added that pending litigation should not be discussed in an open meeting.~~ referring to information that is a public record. The claimed new building cost by the Fire District is in excess of \$243,000.00. During this time period, the Auditor of State in their audit report indicated that the monies were not spent in compliance with the Revised Code relative to competitive bidding. The threshold for competitive bidding is \$50,000.00. Mr. Hamercheck encouraged Mary Ann to review all of the information that is publicly available and work backwards towards a root cause of the dispute. Mr. Hamercheck expressed a belief that she would likely form a much different opinion after she looked into the facts and not just scratch the surface.

**Craig Winkleman** (444 Oak Hollow) Questioned why the Township is not paying 80% of the \$189,000.00 for the improvements made to fire station one. Mr. Hamercheck suggested to Chairman Council President Takacs in the absence of legal counsel, and given the direction the direction this conversation is clearly going, I believe Mr. Szeman would be displeased with all of us if we continued on this path. Mr. Takacs ended the conversation with Mr. Winkleman. He Mr. Winkleman-stated "That's my story and I'm sticking to it."

**Paul Goda** (431 West Main) Specifically referring to the contract between the Village and the Fire District and quoting same, Mr. Goda Spoke in regards to the fire district using fire station one for storage. Mr. Goda was interrupted by Councilman Vest who told Mr. Goda what he was reading from was Mr. Goda's opinion. Mr. Goda indicated to Mr. Vest that he was actually reading from the contract and that the contract is not an opinion. Mr. Vest indicated that was also Mr. Goda's opinion. Some discussion continued regarding engineering and architecture services that would also likely benefit the Fire District at the Village's expense.

**ADJOURNMENT**

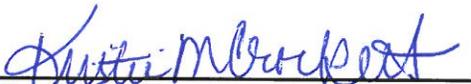
Motion to adjourn at 8:09pm made by Mr. Frager, seconded by Mr. Mabe.  
Roll call on adjournment, 6 yeas. Meeting adjourned.

  
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Kenneth D. Takacs, Council President

  
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Mark V. Vest, Council Vice-President

4-18-16  
DATE

Attested:

  
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Kristie M. Crockett, Fiscal Officer

4-18-16  
DATE