Council Minutes
VILLAGE OF MADISON
Regular Council Meeting
June 20, 2016

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. Hamercheck, Mr. Donaldson, Mr. Mabe, Mr. Takacs and Mr. Vest were in attendance. Also in attendance were Administrator Dwayne Bailey, Law Director Mr. Szeman, Police Chief Dawn Shannon and Village Engineer Mr. Haibach. Councilman Duane Frager and Fiscal Officer Kristie Crockett were not at the meeting.

MINUTES

Mayor Britton announced minutes to be approved for the Council Meeting held on June 6, 2016.
Motion for approval made by Mr. Vest, seconded by Mr. Mabe.
Questions/Discussions – None
Roll call on approval, 5 yeas. Motion carried.

PUBLIC HEARINGS:

Ordinance 18-2016: An ordinance amending the codified ordinances of Madison Village, Ohio, Part Seven – Planning and Zoning, Section 5.3, to increase the maximum height of buildings in the B-4, Interstate Business District, and the B-5, Interstate Business Industrial District, from 35 feet to 50 feet.
Questions/Discussions - None

Resolution 11-2016: A resolution approving and adopting the tax budget of the Village of Madison for the fiscal year commencing January 1, 2017, submitting the same to the county auditor, and declaring an emergency.
Questions/Discussions – Mr. Bailey gave a quick synopsis of the resolution.

FIRST HEARING OF PERSONS BEFORE COUNCIL: None

PAY ORDINANCE

Mayor Britton presented Pay Ordinance No. 2348: $63,024.07 for payroll and $ 100,747.44 for current and upcoming expenses, for a total of $163,771.51.
Motion for approval made by Mr. Donaldson, seconded by Mr. Vest.
Questions/Discussions – Mr. Mabe questioned the overtime in the Police Department and asked if there would be disciplinary action taken because of the overtime. Chief Shannon responded that there is no disciplinary action needed. The overtime is due to the call offs and shifts that were not filled when the schedule came out, as well as one full time officer calling-off due to illness. The disciplinary procedures are being followed.

Mr. Hamercheck questioned warrant number 14866 in the amount of $25,000.00. Mr. Bailey explained that this check is for Madison Preserve project. It is for the return of partial bond of drainage work and pavement repairs that were to be completed. This portion of their agreement check list has been completed to the engineer's satisfaction. Mr. Takacs asked if this is a "normal practice" to return partial bonds. Engineer Haibach stated that in this case there was a schedule of values. When the work is completed and approved, the bond money is released. Mr. Takacs was concerned that if the bond money is released too early there may not be monies available should the work not be completed. Mr. Bailey explained that this is a cash deposit, and what bond money is being returned is correct. There is still enough bond money to cover the completion of the project.
Mr. Takacs inquired about warrant #14891 for C.I.R. Incorporated for $1,463.04 for a hydrant at the corner of Genung Street and Lake Street. He asked if they performed the work or provided the hydrant. Mr. Bailey explained that it was for work. Mr. Takacs was concerned because our crew did not perform the work. Mr. Bailey explained that this was an emergency. The hydrant was discovered to be inoperable during routine hydrant flushing. At the time of discovery, our crew was short staffed and had a "full plate". We did not have the manpower to do this. Mr. Takacs felt that for future projects of this nature, that our employees would be able to handle this in-house rather than contracting it out.
Roll call on approval, 5 yeas. Motion carried.

OLD LEGISLATION:

Ordinance 18-2016: An ordinance amending the codified ordinances of Madison Village, Ohio, Part Seven – Planning and Zoning, Section 5.3, to increase the maximum height of buildings in the B-4, Interstate Business District, and the B-5, Interstate Business Industrial District from 35 feet to 50 feet. (3rd Reading)
Motion for approval made by Mr. Vest, seconded by Mr. Mabe.
Questions/Discussion: While reviewing the matrix, Mr. Takacs discovered a possible discrepancy in zoning codes for height requirements in B-1, M-1 & M-2 with them being listed at 60 feet. Mr. Szeman stated that this was in the original zoning code and would need to be researched by Planning & Zoning Commission to verify accuracy. Mr. Takacs requested that that be done and for Planning & Zoning to bring forward for any necessary changes.
Roll call on approval, 5 yeas. Motion carried.

NEW LEGISLATION:

Ordinance 19-2016: An ordinance authorizing an advance from the general fund to the special project fund for the Village of Madison's Growing Green on Main Street Project (AKA "SWIF" grant) and declaring an emergency (1st Reading)
Motion for suspension made by Mr. Vest, seconded by Mr. Mabe.
Discussion/Questions: None.
Roll call on approval of suspension, 5 yeas. Motion carried.
Motion for approval made by Mr. Mabe, seconded by Mr. Vest.
Discussion/Questions: None.
Roll call on approval, 5 yeas. Motion carried.

Resolution 11-2016: A resolution approving and adopting the tax budget of the Village of Madison for the fiscal year commencing January 1, 2017, submitting the same to the county auditor, and declaring an emergency (1st Reading)
Discussion/Questions: Administrator Bailey did report that at the next council meeting they will ask that council suspend and pass this resolution in order to meet the County's deadline. Mr. Hamercheck asked Mr. Szeman to add the ORC #121.22 to the resolution. Mr. Szeman will have it added by the next meeting.

Resolution 12-2016: A resolution entering into a consent and participation agreement with the Ohio Department of Transportation for the resurfacing of State Route 84 within the Village, and declaring an emergency (1st Reading)
Motion for suspension made by Mr. Vest, seconded by Mr. Mabe.
Discussion/Questions: Mr. Hamercheck asked that the ORC #121.22 be added to resolution. Mr. Szeman stated that it will be added to section 6.
Roll call on suspension, 5 yeas. Motion carried.
Motion for passage on the amendment made by Mr. Mabe, seconded by Mr. Donaldson.
Discussion/Questions: None.
Roll call on approval (as amended), 5 yeas. Motion carried.

Resolution 13-2016: A resolution vacating a sanitary sewer easement as recorded in Vol. 896, Pg. 993 and Vol. 896, Pg. 927 of the Lake County Records, and declaring an emergency (1st Reading)
Discussion/Questions: Mr. Szeman apologized that the two attachments to this resolution were not included in the council packets. The first attachment is the legal description and the second is a sketch showing the easement where the sanitary sewer will be vacated. Mr. Bailey was able to provide council with the attachments. Mr. Hamercheck verified with Mr. Szeman that from a legal perspective that we should proceed with this, Mr. Szeman agreed the Village Engineer's recommendation. Mr. Haibach verified that the previous contractor vacated the easement properly.
Motion to suspend made by Mr. Vest, seconded by Mr. Donaldson.
Discussion/Questions: None.
Roll call on suspension: 5 yeas. Motion carried.
Motion for approval made by Mr. Vest, seconded by Mr. Mabe.
Questions/Discussion: None.
Roll call on approval: 5 yeas. Motion carried.

Resolution 14-2016: A resolution authorizing the Mayor to execute a lease addendum with the Lake County General Health District for space located at 33 East Main Street, known as Stratton Place, and declaring an emergency. (1st Reading)
Questions/Discussion: Mr. Szeman apologized that the attachment was not enclosed in the packet. Mr. Bailey has spoken with the Director at the Lake County Health District and he understands the need in the rate increase and thanked the Village for working with them over the past years.
Motion to suspend made by Mr. Vest, seconded by Mr. Takacs.
Questions/Discussion: None.

Roll call on suspension: 5 yeas. Motion carried.
Motion for approval made by: Mr. Mabe, seconded by Mr. Takacs.
Questions/Discussion: None.
Roll call on approval: 5 yeas. Motion carried.

PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:

A P.O. request in the amount of $2,850.11 to Davis Race Cars for the emergency repairs that were done to the CAT mini-hoe.
Questions/Discussion: Mayor Britton did consult with Mr. Takacs in regards to this repair. Mr. Mabe questioned why the machine broke. Mr. Bailey explained that it was a used piece of equipment, and although this isn't a common repair it is due to normal wear and tear and in no means due to misuse.
Motion for approval made by Mr. Takacs, seconded by Mr. Donaldson.
Roll call on approval: 5 yeas. Motion carried.

ADMINISTRATOR'S REPORT:

Engineer's report – Mr. Haibach reported that he has more site plans to approve for the Madison Preserve project. The SWIF grant Growing Green on Main Street project is almost complete, a few repairs and modifications will be made and finally the design phase of the Parkway Culvert replacement project as well as the base repairs for Hyder Drive monies are expected to arrive in early July. Projects will be out to bid soon after.

Fiscal Officer's report – Mrs. Crockett is on vacation. Mr. Vest inquired about the County Auditor's third party collections. He asked if the Village would be receiving any monies back like the Fire Department did. Mr. Bailey stated that we would unfortunately not be receiving a large payment as the Fire District did.

Administrator's report – Mr. Bailey reiterated Mr. Haibach's report, also the 528 waterline project is almost completely done. Just a reminder that Wednesday is open mic night as well as the outdoor market in the park.

Mr. Vest would like to announce that the Fire District will be holding a special meeting on July 6, 2016 at 7:00. The meeting will be held at the Fire District.
Mr. Takacs asked that council be provided with a 3rd quarter report of expenditures and revenue.
Mr. Hamercheck discussed a letter received from the treasurer's office (Lake County). He feels that a phone call may be warranted to ensure that Madison Village is in receipt of any monies that may be owed to us. Mr. Hamercheck asked that the meeting minutes from April 4th be updated on the Madison Village website. Mr. Bailey will make sure that these are updated.

Police Chief's report – Chief Shannon reported that Officer Caswell, with the help of Mr. Bailey and Mrs. Crockett, submitted the COPS grant for an additional officer.

The award announcement for the grant will be made in September. Safety Town started last Monday, and there are currently 63 students enrolled in it. Friday June 24th will be graduation with the morning class at 9:00 am and the afternoon class at 12:30 pm. Anyone that is interested in watching the graduation or seeing what goes on at Safety Town is welcome. Chief Shannon reminded everyone to be cautious, it is motorcycle season.

COMMISSION AND COMMITTEE REPORTS: None

FINAL HEARING OF PERSONS BEFORE COUNCIL: Paul Goda 431 W. Main Street expressed concern regarding a few of the new parking spots due to the SWIF grant project. Mayor Britton asked Mr. Haibach to look into this to see if anything can be done.

NEW BUSINESS: Mr. Hamercheck directed a question to Mr. Szeman regarding the meeting minutes for the Committee of a Whole. Discussion was had between the two regarding the need to have or not to have meeting minutes. Mr. Hamercheck feels that there should be minutes, however; Mr. Szeman states that they are not necessary based on the council rules. Mr. Szeman will provide Mr. Hamercheck with a citation from the Ohio Supreme Court regarding this issue. Mr. Takacs feels that the minutes are not necessary as well, because the meeting is discussion, ideas, and updates. There is no legislation being passed at these meetings. Mr. Hamercheck is extremely concerned that with there being no minutes now, that perhaps down the road we will find out that there should have been. Mr. Hamercheck expressed great concern about the level of compliance in record-keeping. He is looking for a specific invoice from the Madison Fire District to Madison Village for concrete damages. He asked if anyone has a copy of the invoice because everyone has seen this document. Mr. Bailey interjected that he has never seen this invoice. He has been working with Mrs. Crockett researching this.

Mayor's Report: - Mayor Britton reminded everyone that the Community Social will be on June 29th. He will pick up the hot dogs and supplies that will be given out.

ADJOURNMENT

Motion to adjourn at 8:28 pm made by Mr. Vest, seconded by Mr. Mabe.
Roll call on adjournment, 5 yeas. Meeting adjourned.

Sam Britton Jr., Mayor

Kenneth D. Takacs, Council President

7-5-2016
DATE

Attested:

Kristie M. Crockett, Fiscal Officer

7-5-2016
DATE

Administrator's Report

Question of concern from Councilman Takacs to Administrator Bailey: Words to the effect of after reviewing the tax budget that was sent to Lake County, the Village's expenditures are exceeding revenues by $160,000. Mr. Takacs asked the Administrator to work with the Fiscal Officer to give a report of the Village's finances to Council to help not get in trouble for exceeding the budget as the Village has done before in previous years. Mr. Bailey and Mayor Britton agreed a report would be presented to Council.