

Village of Middlefield Council Minutes
April 11, 2024

Council met in regular session Mayor Garlich called the meeting to order at 7:00 p.m. with the following members present: Mayor Ben Garlich, Mr. Rick Seyer, Mr. Carl Hornung, Mr. Scott Klein, Ms. Kaitlyn Arganti, Mr. Sam Morrow, and Mr. Bill Blue.

Also present: Ms. Leslie McCoy- Village Administrator, Chief Tucholski, Lt. Graley, Mr. Nick Giardina- Fiscal Officer, Mr. Luke McConville- Solicitor, Mr. Alex Duncan, Ms. Melissa Channel, Ms. Kim Breyley, Mr. John Boksansky- Zoning Inspector, Mr. Roger Hanna, Ms. Ann Wichert- Maple Leaf, and Mr. Kyle Kaplan.

1. Opening Ceremony: Pledge of Allegiance was recited.

2. Agenda: No deletions. Addition: Ms. McCoy would like to add a motion under new business to allow for the purchase of a new sewer jet out of the infrastructure income tax fund and placing it in the capital improvement plan. (New Business # 3)

3. Approval of Minutes: March 14, 2024 *Mr. Blue made a motion to approve the March 14, 2024 minutes, motion seconded by Mr. Morrow. All in favor: Yeas (6).*

4. Payment of Bills: *Mr. Blue moved to authorize payments totaling \$632,073.62, motion seconded by Mr. Hornung. Roll call: Yeas (6).*

5. FISCAL OFFICER'S REPORT: Income Tax and Financials – The report is included in the packet. Mr. Giardina stated water and sewer are up compared to the prior year and income tax is slightly down compared to the prior year. Mr. Giardina stated total receipts are up overall and expenses are down. Mr. Giardina stated individual income tax is strong in the Village due to wages going up. Mr. Giardina stated withholdings are also up compared to a year ago and the infrastructure fund is positive.

6. AMBULANCE REPORT – Report is included in the packet. Mayor Garlich stated they did by a new ambulance unit.

7. FIRE DEPARTMENT REPORT – Report is included in the packet.

8. ECONOMIC DEVELOPMENT: Report is included in the packet. Ms. McCoy stated she has been working on finishing up the Hartville Hardware project. Ms. McCoy stated her and Mr. Boksansky met with the owners of the Rite Aid building for potential ideas for that property. Mayor Garlich recommended replenishing the Storefront Renovation Program fund, there are a lot of benefits to this. Ms. McCoy stated Mr. Giardina would need to create a new line fund under General. Mr. McConville recommended making an ordinance to make it easier for auditing purposes.

9. ZONING REPORT: Report included is included in packet. Mr. Boksansky stated for the month of March he was able to issue 11 out of 12 zoning permits. Middlefield Tavern would like to place some tables in front of the mural for people to sit at. Mayor Garlich told Mr. Boksansky to meet with the property owner and get a proposal. Mr. McConville stated since it is Village property he recommends coming up with a lease that has rules and regulations.

10. STREETS, SIDEWALKS & UTILITIES REPORT – Report is included in the packet. Chief Tucholski stated there were some pump repairs at the water and wastewater

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plants. The guys have been street sweeping, brush pickup has started. Chief Tucholski stated the service garage driveway will be repaired. Chief Tucholski stated lawn mowing started at the parks and municipal building.

11. POLICE REPORT – Report is included in the packet. Chief Tucholski stated for March there was 457 calls for service. Chief Tucholski stated Brooke, Robert, Chris, and Cody are doing very well in their training.

12. PARKS & RECREATION REPORT – Report is included in the packet. Ms. McCoy stated spring registration just closed and all of the numbers are good. A few of the sports have two teams. The Huskie Locker is open, fireworks are July 3 with a rain date of July 5. Ms. McCoy stated the volleyball courts at Mineral Lake will be redone with the remaining park grant money. Discussion held regarding the huskie locker and possibly accepting donations to purchase things the locker needs.

PUBLIC PARTICIPATION:

- 1) Public Hearing May 9, 2024 7:30pm on Ordinance 24-119

FIRST READING –

1. **RESOLUTION 24-07 A RESOLUTION APPROVING THE COUNTY WIDE 9-1-1 PLAN PER ORC 128.08, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 24-07 by title only. **Mr. Klein made a motion to waive the required reading and declare Resolution 24-07 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6). Mr. Blue made a motion to Place on first reading Resolution 24-07, motion seconded by Ms. Arganti. All in favor: Yeas (6).**
2. **ORDINANCE 24-119 AN ORDINANCE REZONING 2 PARCELS OF LAND ON KINSMAN ROAD FROM “R-1”, SINGLE-FAMILY RESIDENTIAL” TO “GC, GENERAL COMMERCIAL,” AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-119 by title only. **Mr. Hornung made a motion to waive the required reading and declare Ordinance 24-119 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6). Mr. Blue made a motion to Place on first Reading Ordinance 24-119, motion seconded by Mr. Morrow. All in favor (6).**
3. **ORDINANCE 24-120 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 182.22 ENTITLED “JOB RETENTION GRANT PROGRAM,” AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-120 by title only. **Ms. Arganti made a motion to waive the required reading and declare Ordinance 24-120 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6). Mr. Hornung made a motion to PASS Ordinance 24-120, motion seconded by Mr. Morrow. All in favor: Yeas (6).**
4. **ORDINANCE 24-121 AN ORDINANCE CORRECTING A SCRIVENER’S ERROR IN THE SECOND “WHEREAS CLAUSE” IN RESOLUTION 24-03, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-121 by title only. Ms. McCoy stated this is correcting a grammar error in the

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Resolution. Mr. Morrow made a motion waive the required reading and declare Ordinance 24-121 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6). Mr. Hornung made a motion to **PASS** Ordinance 24-121, motion seconded by Mr. Morrow. All in favor: Yeas (6).

5. **ORDINANCE 24-122 AN ORDINANCE CORRECTING A SCRIVENER'S ERROR IN ORDINANCE 24-113, NUNC PRO TUNC, BY CORRECTING THE AMOUNT APPROPRIATED IN THE LOCAL FISCAL RECOVERY FUND, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-122 by title only. Mr. Giardina stated this is to correct the posted number in the Ordinance. Mr. Blue made a motion to waive the required reading and declare Ordinance 24-122 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6). Mr. Morrow made a motion to **PASS** Ordinance 24-122, motion seconded by Mr. Hornung. All in favor: Yeas (6).
6. **ORDINANCE 24-123 AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH SHERPA DEVELOPMENT COMPANY, LLC, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-123 by title only. Ms. McCoy stated this the agreement for 10 years and 75% tax abatement. Mr. Morrow made a motion to waive the required reading and declare Ordinance 24-123 an emergency, motion seconded by Ms. Arganti. All in favor: Yeas (6). Mr. Hornung made a motion to **PASS** Ordinance 24-123, motion seconded by Mr. Klein. All in favor: Yeas (6).

SECOND READING

1. **RESOLUTION 24-06 A RESOLUTION APPROVING A MORATORIUM ON THE GRANTING OF ANY PERMIT THAT WOULD ALLOW AN ADULT USE PROGRAM CULTIVATOR, PROCESSOR OR RETAIL DISPENSARY OF MARIJUANA, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 24-06 by title only. Ms. Arganti made a motion to waive the required reading and declare Resolution 24-06 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (Blue, Hornung, Klein, Arganti) No (Morrow, Seyer).
2. **ORDINANCE 24-116 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A TRAINING REIMBURSEMENT AGREEMENT WITH OFFICER ROBERT HAMILTON, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-116 by title only. Mr. Blue made a motion to place Ordinance 24-116 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (6). (Ordinance was mistakenly placed on second reading for the 4/18 council agenda. Ordinance 24-116 passed by emergency at the 3-14-24 Council Meeting)
3. **ORDINANCE 24-117 AN ORDINANCE AUTHORIZING VARIOUS ACTIVITIES RELATED TO THE SANCTUARY IN MIDDLEFIELD & MARY YODER'S AMISH KITCHEN 5K RACE, WAIVING THE PROHIBITION OF THE CODIFIED ORDINANCES REGARDING SAME.** Mayor Garlich introduced Ordinance 24-

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117 by title only. **Mr. Blue made a motion to place Ordinance 24-117 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

- 4. ORDINANCE 24-118 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MIDDLEFIELD, OHIO.** Mayor Garlich introduced Ordinance 24-118 by title only. **Mr. Hornung made a motion to place Ordinance 24-118 on second reading, motion seconded by Ms. Arganti. All in favor: Yeas (6).**

THIRD READING

- 1. ORDINANCE 24-104 AN ORDINANCE AUTHORIZING VARIOUS ACTIVITIES RELATED TO HIS DAUGHTER’S BACK ALLEY EVENT, WAIVING THE PROHIBITION OF THE CODIFIED ORDINANCES REGARDING SAME, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-104 by title only. **Mr. Hornung made a motion to PASS Ordinance 24-104, motion seconded by Mr. Morrow. All in favor: Yeas (6).**
- 2. ORDINANCE 24-109 AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2024 ENERGIZED COMMUNITY GRANT, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-109 by title only. **Mr. Morrow made a motion to PASS Ordinance 24-109, motion seconded by Mr. Hornung. All in favor: Yeas (6).**

OLD BUSINESS

NEW BUSINESS

- 1. Web Site Report – Kim Breyley:** Included in the packet.
- 2. Squatters/ Adverse Possession:** Mayor Garlich stated this issue has been in the news and luckily does not happen in this area. Mr. McConville stated with a squatter you have to go through the same eviction process as an actual tenant. Mayor Garlich would like to put something in place where this would not be an issue.
- 3. Sewer Jet:** Mr. Hornung made a motion to allow for the purchase of a new sewer jet out of the infrastructure income tax fund and placing it in the capital improvement claim, motion seconded by Mr. Morrow. All in favor: Yeas (6).

COMMITTEE REPORTS and COMMUNICATIONS

Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Dietrich/Ms. Shaffer) – March meeting minutes included in the packet.

Streets, Sidewalks, & Utilities (Mr. Seyer/Ms. Arganti/ Ben Garlich) – March meeting minutes included in the packet.

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Economic Development Committee (Mayor Garlich, Ms. Arganti, Mr. Klein, Mr. Michalakes, Mr. Dietrich, Ms. Breyley, Ms. Martin) – March meeting minutes included in packet.

Parks & Recreation (Mr. Blue/ Ms. Arganti/ Mayor Garlich/ Ms. Naples/ Mr. Soltis) – March meeting minutes included in the packet.

Finance & Ordinance (Ms. Arganti/ Mr. Klein/Mr. Blue) – March meeting minutes included in the packet.

Public Safety (Mr. Morrow/ Mr. Hornung/Mr. Seyer) – March meeting minutes included in the packet.

VILLAGE CALENDAR: (ALL MEETING DATES ARE SUBJECT TO CHANGE)

APRIL – (Subject to change)

April 9, 2024 5:30PM STREETS, SIDEWALKS & UTILITIES

April 9, 2024 6:00PM PLANNING COMMISSION

April 11, 2024 5:30PM RECREATION

April 11, 2024 6:00PM FINANCE & ORDINANCE

April 11, 2024 6:30PM SAFETY

April 11, 2024 7:00PM COUNCIL

MAY – (Subject to change)

May 7, 2024 5:30PM STREETS, SIDEWALKS & UTILITIES

May 7, 2024 6:00PM PLANNING COMMISSION

May 9, 2024 5:30PM RECREATION

May 9, 2024 6:00PM FINANCE & ORDINANCE

May 9, 2024 6:30PM SAFETY

May 9, 2024 7:00PM COUNCIL

EXECUTIVE SESSION-

ADJOURNMENT

Mr. Hornung motioned to adjourn the Council meeting at 8:13PM, motion seconded by Mr. Klein. All in favor: Yeas. (5)

PENDING

Tabled: Resolution 21-08

**Approved: _____
MAYOR**

**Attest: _____
FISCAL OFFICER**