

**Village of Middlefield Council Minutes
October 10, 2024**

Council met in regular session Mayor Garlich called the meeting to order by **roll call** at 7:00 p.m. with the following members present: Mayor Ben Garlich, Mr. Carl Hornung, Ms. Kaitlyn Arganti, Mr. Sam Morrow, and Mr. Bill Blue. Mr. Scott Klein is excused. Mr. Christopher Michalakes is present and will be marked as present after he is sworn in under oath.

Also present: Ms. Leslie McCoy- Village Administrator, Chief Tucholski, Lt. Graley, Mr. Nick Giardina- Fiscal Officer, Mr. Luke McConville- Village Solicitor, Mr. Alex Duncan, Ms. Melissa Channel- Warren Tribune, Ms. Kim Breyley, Ms. Ann Wishart- Maple Leaf, Mr. John Boksansky- Zoning Inspector, Ms. Jennifer Nugen- Community Care, Lt. Tony Yeropoli- Fire Department, Mr. Kyle Kaplan, and Mr. Roger Hanna.

1. **Opening Ceremony:** Pledge of Allegiance was recited.

2. **Motion to Appoint Council Member- “Nomination by Council Pro Tempore Scott Klein of Christopher Michalakes to the Position of Council Member, to Serve for the Unexpired Term of Mr. Seyer.”**

Mr. Hornung made a motion to appoint Mr. Christopher Michalakes as the replacement to Mr. Rick Seyer on Village Council, motion seconded by Mr. Morrow. All in favor: Yeas (4).

Mayor Garlich swears in Christopher Michalakes under oath.

3. **Agenda:** No additions/ deletions.

4. **Approval of Minutes:** September 12, 2024 and September 19, 2024. **Mr. Hornung made a motion to approve September 12, 2024 minutes, motion seconded by Ms. Arganti. All in favor: Yeas (5). Mr. Hornung made a motion to approve September 19, 2024 minutes, motion seconded by Mr. Morrow. All in favor: Yeas (5).**

5. **Payment of Bills:** **Mr. Hornung moved to authorize payments totaling \$839,317.59, motion seconded by Mr. Morrow. Roll call: Yeas (5).**

6. **FISCAL OFFICER’S REPORT: Income Tax and Financials** – The report is included in the packet. Mr. Giardina stated income tax, water, and sewer is down about 8% overall. Water and sewer categories are up but income tax is where it is down. Mr. Giardina stated that this is probably due to the economy slowing down. Mr. Giardina stated the Village accounts do still look good overall and are still positive due to expected reimbursements.

7. **AMBULANCE REPORT** – Report is included in the packet. Ms. Nugen stated for the month of September in the Village there was 58 calls for service. The average response time for the Village was 4 minutes and 7 seconds. Ms. Nugen stated the new ambulance unit is now on the road.

8. **FIRE DEPARTMENT REPORT** – Report is included in the packet. Lt. Yeropoli stated there were 67 runs for service for the month of September. Lt. Yeropoli stated September was a heavy training month for the department.

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9. ECONOMIC DEVELOPMENT: Report is included in the packet. Ms. McCoy stated there is still \$8,000 left in the storefront renovation program. Ms. McCoy stated she will be attending trainings to see what new program opportunities are out there.

10. ZONING REPORT: Report is included in packet.

11. STREETS, SIDEWALKS & UTILITIES REPORT – Report is included in the packet. Chief Tucholski stated there have been a lot of repairs at the WWTP and WTP, park and building maintenance, and street cleaning. Chief Tucholski stated leaf pickup will probably start next week. Spraying for mosquitos will most likely happen one more time.

12. POLICE REPORT – Report is included in the packet. Chief Tucholski stated for September there was 477 calls for service. Chief Tucholski stated everything is going well and CPT trainings are completed. Trot with a Cop event is Saturday, October 19, 2024 at 10 am. Safety town and the D.A.R.E. programs are both being revitalized. Chief Tucholski stated loss prevention team at Walmart is doing a very good job identifying thefts and reviewing their camera footage.

13. PARKS & RECREATION REPORT – Report is included in the packet. Ms. McCoy stated Fall sports are wrapping up and Winter sports registration is open until November 1st. Trick or Treat is October 31st 5:30p-7:30p followed by a costume contest at the Middlefield Fire Department. Ms. McCoy stated Mineral Lake grant will be closing out.

PUBLIC PARTICIPATION:

FIRST READING –

1. **RESOLUTION 24-17 A RESOLUTION AUTHORIZING MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 24-17 by title only. Ms. McCoy stated this is for 50% funding on 5 street repairs. **Ms. Arganti made a motion to place Resolution 24-17 on first reading and declare an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (5). Mr. Hornung made a motion to PASS Resolution 24-17, motion seconded by Ms. Arganti. All in favor: Yeas (5).**

2. **RESOLUTION 24-18 A RESOLUTION DECLARING THE INTENT OF THE VILLAGE TO DISPOSE OF UNNEEDED, OBSOLETE OR UNFIT MUNICIPALLY OWNED PERSONAL PROPERTY VIA AN INTERNET AUCTION IN CALENDAR YEAR 2025, AND AUTHORIZING SUCH DISPOSITON.** Mayor Garlich introduced Resolution 24-18 by title only. Discussion held to possibly amend Resolution 24-18 to be for 2 years instead of 1 year. **Mr. Hornung made a motion to amend Resolution 24-18 to be for a 2 year period, motion seconded by Ms. Arganti. All in favor: Yeas (5). Mr. Blue made a motion to place Resolution 24-18 on first reading, motion seconded by Mr. Hornung. All in favor: Yeas (5).**

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- 3. ORDINANCE 24-154 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A UTILITY EASEMENT AGREEMENT WITH THE GEAUGA PARK DISTRICT, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-154 by title only. **Mr. Blue made a motion to place Ordinance 24-154 on first reading and declare an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (5). Mr. Hornung made a motion to PASS Ordinance 24-154, motion seconded by Ms. Arganti All in favor: Yeas (5).**
- 4. ORDINANCE 24-155 AN ORDINANCE EMPLOYING GAVIN RUSSELL, AS A FULLTIME STREETS LABORER, AT THE RATE OF \$18.31 PER HOUR, EFFECTIVE OCTOBER 11, 2024, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-155 by title only. Chief Tucholski stated Gavin Russell is a great employee. Chief Tucholski stated the title of Ordinance 24-155 needs to be amended to take out seasonal. **Mr. Hornung made a motion to amend title of Ordinance 24-155 to take out seasonal, motion seconded by Mr. Blue. All in favor: Yeas (5). Mr. Morrow made a motion to place Ordinance 24-155 on first reading and declare an emergency as amended, motion seconded by Mr. Hornung. All in favor: Yeas (5). Mr. Hornung made a motion to PASS Ordinance 24-155, motion seconded by Ms. Arganti. All in favor: Yeas (5).**
- 5. ORDINANCE 24-156 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH LAKE AVENUE LAND PARTNERS, LTD. AND MIDDLEFIELD TOWNSHIP AND APPROVING THE FORM OF ANNEXATION PETITION, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-156 by title only. **Mr. Hornung made a motion to place Ordinance 24-156 on first reading as emergency, motion seconded by Ms. Arganti. All in favor: Yeas (5).**
- 6. ORDINANCE 24-157 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1153.11 TO PROHIBIT ADULT USE CANNABIS DISPENSARIES THROUGHOUT THE VILLAGE, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-157 by title only.

DISCUSSION HELD:

Mr. Morrow stated he has read that having a recreational marijuana dispensary can be beneficial to a municipal due to the revenue tax that would be collected and given back to the municipal. Mr. Morrow presented statistics to Council on the amount of revenue that would be collected by a Village if they allowed an adult use cannabis dispensary. Mr. Morrow stated he would be in favor of an adult cannabis dispensary because of the benefits like revenue tax that it could potentially bring to the Village of Middlefield.

Chief Tucholski stated marijuana is a gateway drug that anyone would be able to purchase and possibly resell to someone who is underage. Chief Tucholski stated that is the last thing that the Village needs as it would not be a positive addition for the Village of Middlefield.

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Mr. Giardina stated yes, there would be possible revenue for the village with a dispensary but then that would also offset due to having to hire another officer for the dispensary. Pensions, benefits, and payroll would all be factors in offsetting the revenue.

Mr. Blue stated the State Government is currently passing a bill that states they would be reviewing and restructuring revenue taxes on marijuana dispensaries.

Mr. Hornung made a motion to place Ordinance 24-157 on first reading as an emergency, motion seconded by Mr. Blue. All in favor: Yeas. Mr. Hornung, Mr. Michalakes, Mr. Blue, Ms. Arganti. (4) No: Mr. Morrow (1).

SECOND READING

- 1. ORDINANCE 24-141 AN ORDINANCE APPOINTING THE FIRM OF STEPHEN HOVANCSEK & ASSOCIATES AS VILLAGE ENGINEER FOR THE PERIOD JANUARY 1, 2025 THROUGH DECEMBER 31, 2025, AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR THE PROVISION OF SAID SERVICES.** Mayor Garlich introduced Ordinance 24-141 by title only. **Mr. Blue made a motion to place Ordinance 24-141 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (5).**
- 2. ORDINANCE 24-142 AN ORDINANCE HIRING ADVANCED ACCOUNTING CONSULTANTS TO ASSIST THE VILLAGE'S FISCAL OFFICER WITH CERTAIN ACCOUNTING AND BOOKKEEPING FUNCTIONS, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 24-142 by title only. **Mr. Hornung made a motion to place Ordinance 24-142 on second reading, motion seconded by Ms. Arganti. All in favor: Yeas (5).**
- 3. ORDINANCE 24-143 AN ORDINANCE AUTHORIZING THE MAYOR AND VILLAGE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH DENNIS M. COYNE, ESQ. TO PROVIDE CHIEF PROSECUTOR SERVICES FOR 2025.** Mayor Garlich introduced Ordinance 24-143 by title only. **Mr. Hornung made a motion to place Ordinance 24-143 on second reading, motion seconded by Mr. Morrow. All in favor: Yeas (5).**
- 4. ORDINANCE 24-144 AN ORDINANCE EMPLOYING LUKE F. MCCONVILLE AS VILLAGE SOLICITOR AND LEGAL COUNSEL FOR THE VILLAGE OF MIDDLEFIELD FOR THE PERIOD JANUARY 1, 2025 THROUGH DECEMBER 31, 2025.** Mayor Garlich introduced Ordinance 24-144 by title only. **Mr. Morrow made a motion to place Ordinance 24-144 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (5).**
- 5. ORDINANCE 24-151 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 24-151 by title only. **Mr. Hornung made a motion to place Ordinance 24-151 on second reading, motion seconded by Mr. Blue. All in favor: Yeas (5).**

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THIRD READING

OLD BUSINESS

NEW BUSINESS

1. **Web Site Report – Kim Breyley: Included in the packet.**

COMMITTEE REPORTS and COMMUNICATIONS

Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Dietrich/Ms. Shaffer) – September meeting minutes included in the packet. Mr. Boksansky gave a summary of the Planning and Zoning meeting on October 8, 2024.

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

Economic Development Committee (Ms. McCoy, Mr. Klein, Ms. Arganti, Mr. Michalakes, Mr. Dietrich, Ms. Breyley, Ms. Martin) – No meeting in September.

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

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

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

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

OCTOBER- (Subject to change)

October 8, 2024 5:30PM STREETS, SIDEWALKS & UTILITIES

October 8, 2024 6:00PM PLANNING COMMISSION

October 10, 2024 5:30PM RECREATION COMMITTEE

October 10, 2024 6:00PM FINANCE & ORDINANCE COMMITTEE

October 10, 2024 6:30PM SAFETY COMMITTEE

October 10, 2024 7:00PM COUNCIL

October 14, 2024 Columbus Day – Village Offices Closed

October 19, 2024 Trot with a Cop

October 31, 2024 Trick or Treat Village Wide 5:30p-7:30p & Halloween Party at Fire House

NOVEMBER- (Subject to change)

November 11, 2024 Veterans Day – Village Hall Closed

November 12, 2024 5:30PM STREETS, SIDEWALKS & UTILITIES

November 12, 2024 6:00PM PLANNING COMMISSION

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November 14, 2024 5:30PM RECREATION COMMITTEE
November 14, 2024 6:00PM FINANCE & ORDINANCE COMMITTEE
November 14, 2024 6:30PM SAFETY COMMITTEE
November 14, 2024 7:00PM COUNCIL
November 28, 2024 Thanksgiving Day - Village Offices Closed
November 29, 2024 Village Offices Closed

DECEMBER - (Subject to change)
December 10, 2024 6:00PM PLANNING COMMISSION (If Needed)
December 12, 2024 5:30PM FINANCE & ORDINANCE COMMITTEE
December 12, 2024 6:00PM COUNCIL
December 25, 2024 Christmas Day – Village Offices Closed

General Discussion:

EXECUTIVE SESSION-

ADJOURNMENT

Mr. Hornung motioned to adjourn the Council meeting at 7:59 pm, motion seconded by Ms. Arganti. All in favor: Yeas. (5)

PENDING

Tabled: Resolution 21-08

Approved: _____
MAYOR

Attest: _____
FISCAL OFFICER