

McDonald Village Council
Wednesday, August 19, 2020
Regular Council Meeting

Staff: Solicitor Douglas W. Ross, Village Administrator Thomas Domitrovich, Fiscal Officer Lori Canada, and Office Manager Amy Cunningham.

1. The August 19, 2020 meeting of McDonald Village Council was called to order by Mayor Glen M. Puckett at 6:06 p.m.

Roll call:

Mr. Harvey – present
Mr. Fisher – present
Mr. Schmidt – present

Mr. Lewis – present
Mr. DeZee – present
Mr. Joynes – present

2. Pledge of allegiance

One minute of silence in remembrance of American troops serving throughout the world and the recitation of the Lord’s Prayer.

3. Approval of the July 15, 2020 and July 29, 2020 council minutes.

It was moved by Mr. Fisher to approve the July 15, 2020 and July 29, 2020 minutes as mailed:

Roll call:

Mr. Fisher – aye
Mr. Lewis – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

Motion carried.

4. Adoption of agenda:

It was moved by Mr. Fisher to amend the agenda to add the extra minutes and to change Legislation A to an emergency:

Roll call:

Mr. Fisher – aye
Mr. Lewis – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

4. Adoption of agenda cont'd.

Motion carried.

5. Mayor's report- Mayor Puckett gave the monthly court report as follows: For the month of July, Mayor's Court had Niles Municipal Court Fines \$1,350.00, parking tickets \$205, and law enforcement fund \$25 for a total to the city of \$1,580.00.

Mayor Puckett thanked Daniel Daniluk Law Firm. They paved the parking lots behind the Community Room. Their responsibility is about half of that. They donated the rest of the paving and sealing to the Village and did the whole parking lot. The Village greatly appreciates this.

6. Report of Village Officials:

Village Administrator Thomas Domitrovich stated that we have new recycling dumpsters at the Street Department garage area. There used to be three large, blue dumpsters but they have been removed. These dumpsters were at a cost. We now have two new green dumpsters from Geauga-Trumbull Solid Waste Management District. Mr. Domitrovich thanked Jennifer, their director, for helping us to get free front-load dumpsters to help us continue to recycle in the Village. We did not have any problems with Republic. We are just trying to cut costs. We encourage all residents to recycle everything that they have at our dumpsters. We are asking kindly to break down cardboard and not leave anything on the ground.

Mr. Domitrovich thanked our Water Department. They worked today on a water main break. They did this in very good time and with everything in-house.

Police Chief Bill Woodley was not present but he previously distributed his end of the month report for July and it is as follows:

For the month of July, the Police Department investigated 25 formal complaints and made 32 traffic stops resulting in 10 traffic citations. They made 1 residential security check 14 bank drops, 2 criminal arrests, and issued 5 parking tickets. The Police Department completed their DTBs (daily training bulletins) for the month of July.

Fire Chief Todd Stitt was not present but his monthly report was submitted to Council.

Solicitor Ross stated that, in regards to the Joe Dugan public records lawsuit, the Trumbull County Common Pleas Court dismissed Mr. Dugan's claims rightfully. The Eleventh District Court of Appeals affirmed that dismissal. Mr. Dugan and his lawyer then attempted to appeal to the Ohio Supreme Court. As expected, the Ohio Supreme

6. Report of Village officials cont'd.

Court did not accept that appeal. So, Mr. Dugan's public records case is now concluded. Solicitor Ross is glad to report that, as far as he knows, Mr. Dugan has no pending actions, claims, or frivolous lawsuits against the Village.

Mayor Puckett thanked Solicitor Ross for all the work he has done.

7. Committee reports:

President Pro Tem Mr. Lewis stated that the following items were discussed this evening: agenda, fiscal officer's report, minutes, legislation, Planning Commission, and the Facilities Use Agreement. September meeting dates will be Committee meetings on September 1 and Council meetings on September 2 and 16. We also discussed summer recess.

It was moved by Mr. Lewis to exit summer recess.

Roll call:

Mr. Lewis – aye
Mr. Fisher – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

Motion carried.

Park & Buildings Mr. Harvey thanked Hannah Jones and all the Park Attendants. They did a great job this year under very different circumstances. The park program concluded last Friday. The Community Room is still closed. We are hoping to resume communications on the Cindy Green memorial project. The Fire Department Social Organization announced that the October 10th 100-year reunion has been cancelled. Mr. Harvey reminisced about the 75-year celebration. Mr. Harvey talked about former firefighter Ray Lewis, who recently passed away. Ray Lewis recruited Mr. Harvey to the Fire Department along with many others. Mr. Harvey said that upcoming events are all on hold.

Mayor Puckett stated that the park program has closed. The park will still be open for exercise but, as far as the equipment, it will be closed. The park attendants are no longer available to sanitize on a regular basis. Mayor Puckett stated that, in the last two days, there have been gatherings with no social distancing. At one point, the Village Administrator broke up a group of about 30 at the park. It would be nice if we could keep things open. Mayor Puckett stated that he understands that we are

7. Committee reports cont'd.

outside but we still have to practice social distancing. We need to follow what the Board of Health and the State are recommending. Mayor Puckett understands that other communities might not be following the guidelines but our job is to keep people as safe as possible. Mayor Puckett stated again how much he would love to open the park but, due to the situation that we're in right now, we need to keep everybody safe. Mr. Domitrovich stated that we love the kids in this town and we do everything we can for them but we are in a global pandemic. To protect everybody in this community, whatever our personal feelings are, we have to act to protect everybody. That means we're going to break up groups that gather. The groups that do gather, there will be parameters. They will have to take temperatures, check symptoms, wear masks. The kids that are showing up are not wearing masks. They are from different families and we're trying to teach them safe practices. It's not just a break-up. They have to hear it from us. We're not going to stop. We have to continue to try and protect them all the way through even if that means we have to break up groups in our parks. This is not what we want to do but it is a safety practice right now.

Safety Committee Mr. Fisher stated that both the fire chief and police chief submitted their month-end reports. We received word that the police cruiser might be in production and there is a possibility we might have a cruiser by the end of September. The Trumbull County Fire Chief's Association received a COVID grant that will result in McDonald receiving 18 masks with cylinders and 20 reusable gowns. There is a 10% match but our fiscal officer informed us that we are able to use the local COVID money as our match.

Finance & Capital Improvement Mr. Lewis stated that our department heads have submitted their lists of needs for the COVID fund. They are currently getting pricing for the larger ticket items. We will have further updates during our September Committee Meetings so we can spend those funds by the October deadline. Mr. Lewis stated that we've been informed that we're going to lose about \$17,000.00 in local government funding. Our funding will be a little over \$20,000.00 for 2021. For 2020, that number was \$37,500.00. Our budget meetings will be delayed until September because we don't know how bad the hit from COVID is going to be with regard to the finances. Each and every day, we're getting more news that's presenting a hit to that budget. We will have a temporary budget by the end of September submitted. We asked all our department heads to take a look at wherever they can cut spending for not only the remainder of this year but especially for 2021 budget. Mr. Lewis stated that there was a discussion on the utilization of the funds for our paving project. Our match was \$90,000.00 for the 2020 paving project. We will discuss this further in the September meeting. This grant is available and is not something that we need to

7. Committee reports cont'd.

utilize immediately. Mr. Lewis stated that we need to continue to prepare for the worst and hope for the best. We've been very fiscally responsible. He asks that everyone continues to do so.

Service Committee Mr. Schmidt stated that the Republic recycling containers are now gone. He thanked Jennifer from Geauga-Trumbull Solid Waste Management District for getting us two green containers at no cost. Mr. Schmidt stated that the paving project will be put on hold until we see what the future has in store for us. This doesn't mean we're not going to get the project completed. It just means that we are going to be very cautious on how we spend our money. Mr. Schmidt stated that we moved forward with the purchase of the lift truck. This will help us with decreasing our expenditures out to rental companies. This will allow our employees to remove trees as needed. Mr. Schmidt stated that Council entered into executive session during the Committee meetings.

It was moved by Mr. Schmidt to terminate the Facility Use Agreement effective December 31, 2020.

Discussion: Mayor Puckett stated that other than what has been portrayed by some people, this is strictly a financial issue. The Village donates over 300 man hours to the school. We provide free ambulance service, along with maintenance of boys' baseball, girls' softball, girls' tennis, Jr. high and Varsity cross country, both boys and girls, Positive Impact Day, grade school picnics, Senior Class Day, Ram Roast, and we set up the reviewing stand. Basically, the Village is in a situation where we can no longer donate those kind of hours to the school financially. The actual cost of what we do is above \$16,000.00. In the new agreement, we are asking the school to pay \$13,500.00. Mayor Puckett believes this is an extremely fair deal for the school. Again, Mayor Puckett stated that this is strictly financial. He would like to put a couple things to rest. From watching the school board meetings, some of the things that bothered him were that the police and fire departments at the graduation festivities. As was portrayed to our Superintendent when he first asked to have the graduation, it was explained to him that, at the time, we were in full quarantine with the COVID. We have part-time officers that either work at the prison or were deployed by the National Guard. This left us with six full-time officers. Those officers were picking up every shift around the clock for a few weeks. When they were asked to work at the high school graduation, two of them actually stepped up and were paid by the school for their time there. They didn't have to do this but they did. Mayor Puckett just thought that they should be acknowledged because there were police at the graduation.

7. Committee reports cont'd.

Mayor Puckett then mentioned the comment that was made about how this vote happens and let's see who's for the kids. He stated that he takes extreme offense to this. From everybody in this administration, from the Mayor, who donates a lot of time to the youth of McDonald. Both of his kids attend McDonald Schools and they both play sports. Basically, everyone in this administration has a child, grandchild, niece, nephew, a brother or sister that coaches. Some of the people on this administration coach. To make an assumption that we're against the kids. The only thing he has to say about this is shame on you for even making that comment. It's offensive to the Mayor and anybody involved with this administration.

Mr. Schmidt stated that, with the termination date that we have, we did extend it until the end of this year. This should not affect any sporting events. The sporting events will probably be more affected due to COVID. The current agreement that we have does not allow for any reimbursement to the Village from the district. With the amount of materials and the proper maintenance that's required for these facilities, it is just too much for the Village now. For years, we've done this. In today's day and age, unfortunately, right now, this is not something that we can move forward without any reimbursement.

Mayor Puckett stated that he did meet with John Saganich, President of the school board. He thought the meeting went extremely well and he looks forward to meeting with him in the future.

Mr. Fisher stated that he has had a lot of contact with some of the people from the school, as others have had. There has been some very fruitful conversation. It shouldn't be a really contentious issue. We're really not that far off from having something to submit. We couldn't charge for anything next year with the current contract. We either had to redo it or get rid of it and submit something else. This we had to do for our financial health. That has nothing to do with anything other than the financial health. Mr. Fisher is extremely confident, having heard all of the conversation that just adding a couple things into the contract for peace of mind for the school. He believes this will probably be a pretty easy piece of legislation to have in place by the end of the year. Mr. Fisher stated that he doesn't think we'll go on without skipping a beat. He thinks this will be a pretty smooth transition into a new contract. Mr. Schmidt agreed with Mr. Fisher. He believes we can work through this.

Roll call:

Mr. Schmidt – aye
Mr. Lewis – aye

Mr. Harvey – aye
Mr. Fisher – aye

7. Committee reports cont'd.

Mr. DeZee – aye

Mr. Joynes – aye

Motion carried.

Planning Commission Mr. Fisher stated that Planning Commission had two different meetings. On Wednesday, July 29, we had a Special Council Meeting. Following that, we had a public hearing for the Planning Commission to introduce a zoning change at 452 Pennsylvania Avenue. All of the proper individuals in the area were notified and given an opportunity to appear. Nobody appeared and there was no communication sent to the Village. We closed the public hearing. Immediately afterwards, we had a Planning Commission meeting where we voted to approve and submit our recommendation to Council to approve a zoning change at 452 Pennsylvania Avenue.

It was moved by Mr. Fisher to have a public hearing to rezone 452 Pennsylvania Ave from CA to RA.

Roll call:

Mr. Fisher – aye

Mr. Harvey – aye

Mr. Lewis – aye

Mr. DeZee – aye

Mr. Schmidt – aye

Mr. Joynes – aye

Motion carried.

There was an error in the motion. It was supposed to be RA to CA.

Mr. Fisher stated that there was also a meeting on August 12, where we met to entertain a replat request from the school at the old Roosevelt Elementary property. The Planning Commission approved the replatting of that lot into 12 different lots.

Community Chest Mr. DeZee no report.

8. Remarks from persons or groups present: none.

9. Old Business: none.

10. New Business: none.

11. Legislation

A. Emergency Reading Of Ordinance No. 3252-20 Authorizing The Use Of Blanket Purchase Orders For Expenditures And Setting The Dollar Limit And Other Criteria For Such Certification.

It was moved by Mr. Lewis to suspend the Rules of Council.

Roll call:

Mr. Lewis – aye
Mr. Fisher – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

Motion carried.

It was moved by Mr. Lewis that Ordinance No. 3252-20 pass emergency reading as read.

Discussion: Mr. Lewis stated that this was going to be a third reading. We are passing this as an emergency due to summer recess. This will enable us to waive the 30 days for it to take effect in order to help the fiscal officer to begin using the blanket purchase orders immediately.

Roll call:

Mr. Lewis – aye
Mr. Fisher – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

Motion carried.

12. Fiscal Officer's report:

Mrs. Canada stated that the bills for the Fiscal Officer's report total \$182,938.16.

I, Lori Canada, Fiscal Officer of the Village of McDonald, Ohio do hereby declare that the bills are true and correct and the money is in the bank to pay them.

It was moved by Mr. Lewis to accept the Fiscal Officer's report and pay all bills.

Roll call:

12. Fiscal Officer's report cont'd.

Mr. Lewis – aye
Mr. Fisher – aye
Mr. Schmidt – aye

Mr. Harvey – aye
Mr. DeZee – aye
Mr. Joynes – aye

Motion carried.

13. Miscellaneous: none.

14. Adjournment

The meeting was adjourned on a motion by Mr. Harvey at 6:47 p.m. All voted aye.

Mayor

Attest to:

Fiscal Officer