

McDONALD VILLAGE COUNCIL
WEDNESDAY, DECEMBER 7, 2016
REGULAR COUNCIL MEETING

Visitors: Cliff DeZee, Joseph Dugan, Kenneth Suich, and John Miskell

Staff: Fiscal Officer Robin DeBow, Fire Chief Nick Kish, Police Chief Lou Ronghi, Solicitor Douglas W. Ross, and Village Administrator Thomas Domitrovich

1. The December 7, 2016 meeting of McDonald Village Council was called to order by Mayor Glenn W. Holmes at 6:15 p.m.

Roll call:

Mr. O'Brien – present
Mr. Seitz – present
Mr. Klase – present

Mr. Harvey – present
Mr. Puckett – present
Mr. Lewis – 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 November 16, 2016 council minutes.

It was moved by Mr. Puckett, seconded by Mr. Klase to approve the November 16, 2016 minutes as mailed:

Roll call:

Mr. Puckett – aye
Mr. O'Brien – aye
Mr. Seitz – aye

Mr. Klase – aye
Mr. Harvey – aye
Mr. Lewis – aye

Motion carried.

4. Adoption of agenda:

It was moved by Mr. Harvey, seconded by Mr. Lewis to amend the agenda to add the following:

Legislation I – add a resolution for NextEra for our electric aggregation

Roll call:

Mr. Harvey – aye

Mr. Lewis – aye

4. Adoption of agenda cont'd.

Mr. O'Brien – aye
Mr. Puckett – aye

Mr. Seitz – aye
Mr. Puckett – aye

Motion carried.

5. Mayor's report

Mayor Holmes stated for the month of November Mayor's Court had computer fund I \$40, costs \$92, additional costs \$39, fines \$252, Niles Municipal Court fines \$718.90, and parking tickets \$115 for a grand total of \$1256.90.

Mayor stated he attended a number of meetings with business relative to the Village, some noteworthy, some not.

6. Report of Village Officials:

Village Administrator Thomas Domitrovich reported the leaf pickup will end December 16 for the leaf vac. We will pick up bags after that date.

He also stated that he has been working at length with the solicitor, fiscal officer and office manager regarding a lot of the legislation on tonight's agenda.

Mayor broke protocol and asked for a short recess. After the recess the meeting continued. Mr. Domitrovich commented on the renewal of the package insurance with the Ohio Plan. He received three quotes and this year we are saving about \$6000 with the Ohio Plan. He thanked the Police Chief for implementing the Lexipol plan to come into compliance with State standards and the Ohio Plan was the only package insurance company that respects that and gives us a nice discount during the years. We paid around \$30,000 last year and this year the quote was \$24,000 which was a nice savings.

The Mayor stated the Solicitor had a family emergency that he had to attend to and won't be finishing the meeting with us.

Police Chief Lou Ronghi stated for the month of November his department investigated 23 formal complaints, made 24 traffic arrests and 6 criminal arrests. They answered 152 calls from the 911 center. The midnight shift found 2 business doors unsecured, issued 7 parking citations, investigated 2 alarm drops and performed 2 residential security checks. The officers have completed all the training for the month of November for Lexipol.

6. Report of Village Officials cont'd.

Fire Chief Nick Kish stated for the month of November the Fire Department answered 13 EMS calls and 8 fire calls (1 burning complaint, 1 hazardous material, 1 electrical wire down, 2 carbon monoxide investigations, 2 service calls, 1 mutual aid auto accident) for a total of 21 calls. The average response time is 4.8 minutes with the national average of 9 minutes. The department attended 40 man hours of training.

Mayor stated they did a great job with the Christmas tree lighting.

Solicitor Douglas W. Ross – In his absence, Mayor Holmes stated he would answer any questions but there were none.

7. Committee reports:

President Pro Tem Mr. O'Brien reported on tonight's Caucus where the following items were discussed: agenda, Fiscal Officer's report, Council minutes, legislation, NOPEC agreement. They will be moving the last meeting of the month from December 21 to December 22 and it will be held at the Community Room with the times being the same. They also discussed the Relay of Life.

Park & Buildings Mr. Puckett stated Park and Buildings met last night at 6:00 p.m. They discussed a facility use agreement with the school. Everyone has a copy of the proposal. We are going to look at it and dissect it and come to an agreement with that. They have been approached by the Relay for Life to hold their event in McDonald. It's been in Liberty in prior years. It will be a community event.

It was moved by Mr. Puckett, seconded by Mr. O'Brien to allow the Relay for Life event to be held in McDonald.

Discussion: Mr. O'Brien stated he has attended that Relay for Life for a number of years and it is a good thing and I think it is nice that we could move it here to the Village.

Mr. Harvey asked if that is next year and Mr. Puckett answered yes in 2017.

Roll call:

Mr. Puckett – aye

Mr. O'Brien – aye

7. Committee reports cont'd.

Mr. Harvey – aye
Mr. Klase – aye

Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

Safety Committee Mr. Lewis reported Safety met yesterday at 6:27 p.m. In addition to what the chiefs have discussed one issue was the golf cart issue. We decided as a Council to table that until it becomes to some further vetting out. Also we discussed the need to look in 2017 to some form of regulation with medical marijuana based businesses. We need to be proactive. That will be looked at further by Safety in January. We closed at 6:34 p.m.

Finance & Capital Improvement Mr. Seitz stated we have some legislation this evening, some of which we don't like to do, but we have a second reading to amend the water rates. As businesses leave our little community unfortunately so do their tax dollars. We can no longer afford to handle this the way we have done in the past. We certainly need to increase these rates to remain solvent in this area and we appreciate everyone's support on this.

Mayor Holmes commented on Mr. Seitz being on the international stage by appearing on CNN.

Service Committee Mr. Harvey stated Service met last evening at 6:48 p.m. and went over the legislation for tonight's meeting. It is quite lofty and some are emergency readings and some aren't. Sometimes the emergency readings are out of our control since we don't receive the information in a timely manner for it to have three readings. We closed at 7:00 p.m.

It was moved by Mr. Harvey, seconded by Mr. O'Brien to move the next regularly scheduled meeting from Wednesday, December 21, to Thursday, December 22 at 6:00 p.m. in the Community Room.

Roll call:

Mr. Harvey – aye
Mr. Seitz – aye
Mr. Klase – aye

Mr. O'Brien – aye
Mr. Puckett – aye
Mr. Lewis – aye

Motion carried.

7. Committee reports cont'd.

Planning Commission Mr. Klase – no report. Planning Commission will meet Wednesday, December 14, at 7:00 p.m.

Community Chest Mr. O'Brien – Community Chest is moving right along with in the holiday spirit helping out people in need.

8. Remarks from persons or groups present: Joseph Dugan, 501 W. Marshall Rd. my comment and question tonight and please don't take this to be (inaudible). I'm by nature a fact finding person and I have found myself at odds with myself over the 28% increase in the water rate. I have been talking to others in the Village unfortunately on line but that's all I got. There is a lot questions as to why this is happening. There are young families, three, four, five people paying \$300 to \$600 a month in water rates. I didn't ask them for a bill but I have to take their word for it. None of this affects me. I don't care about the 28% rate. I don't consume but there are people that do. Now unfortunately, again, not attributional, this is not a representative government. It's not like you have three streets of people that you respond to, that you sit down and talk to, get their feedback and come to council with their desires vs whatever you think is best where they have a specific voice in the room such as these meetings that you hold individually. The city I came from in Virginia we had those. That representative on Council had meetings, had open sessions, we talked and they took our desires. You don't have that and you probably can't have that. My concern as I try to look into it so I can become smarter and I can converse better is I have looked back at my own bills and there was a capital water change of \$18 I'm assuming per household. To me and my meager math background, accounting background, a capital charge is a capital fund for capital improvements. That based on the population that comes off the website is 1300 and some odd homes that are that I'm assuming are accountable for. Now that's about \$25,000 grand a quarter in capital dollars. Now on the first of September I read where the rate went up but the capital change went down. Now if the comment that we're spending Village dollars between \$10 and \$13,000 per quarter, Mayor in your conversation with a news article, if we are putting in \$10-\$13 when at one time we were collecting \$25, the question is why did we drop the capital rate. When we went down to \$12 it still brought us netted us almost \$16,000 a quarter so I'm confused on where have all these dollars gone if they are capital dollars per se. On top of that it came to me that they said in an article that they have a Two Million Dollar surplus. You have a Two Million Dollar surplus and we're hitting up \$600 water bills at a 28% raise yet we are saying that we don't need the capital charge to be reduced to \$12. We do. So I'm just a little concerned about it and it seems like a roller coaster ride here on the

8. Remarks from persons or groups present cont'd.

water rates. Now, again, will it personally affect me? No. I have a big garden. I water it and I pay for my water and I'm glad to do so it is fine. I wish I could drill a well, I know there is water down there and I don't understand that either but these are the kind of things that I have concerns about it. I know that this is the second reading. I don't think my comments are going to stop the passage of this. It is just that I think the people need to know here is what we have done and this is what we have tried and it did or did not make it and this is what we have to do. People need to know that. We've had a conversation last year about 16-18 months ago about putting stuff on the website other than the notes or the minutes that come a couple weeks later. I'm still having a hard time with that. I had a world-wide network when I worked for the Army and I had finalize minutes of a world-wide network of individuals in seventy two hours. Minutes drafted, minutes emailed, minutes noted, passed in seventy-two hours. I just don't get it. I don't know why that happens but the information is not getting to the people. I expected to have 10-15 people with me tonight. I don't know why. They said they were going to be here to voice or let me voice for them but that's okay. I told them I would do it and I'm here. What I have is a letter here to the Council perhaps most likely for the Fiscal Officer, I don't see Peggy here to hand it to but this is a request for information and I would like to have the disclosure to me, the several slices of information of basically what happened to the \$18 change and those quarterly funds. If there are repairs being done I haven't seen them. I think I found one person alive who noted that they saw there was a water break and they saw it fixed. I'm assuming we had to contract out to that because we don't have the assets so there was a contracting charge because you wouldn't take those funds for city employees' work. It just asking, it is a simple question, asking for disclosure of the collection and distribution of public funds based on the water department's usage whatever you want to call it. I have a letter here that I've signed. It is far more in depth that what I spoke about. It may sound harsh but again, that is my analytical side. I ask for facts and I'm just asking for a written response just so I know and I can better understand what is happening. I would like to submit this to council and someone can enter into the record and I am not opposed to this posted as an addendum to the minutes. Mr. Dugan gave the letter to Chief Ronghi who in turn gave to Fiscal Officer Robin DeBow after the meeting. Mr. Dugan stated thank you I don't expect a response...

Mayor Holmes stated typically I don't respond but it is important that I do maybe to some degree here. You being an informational specialist you realize that the media sometimes they get it right and sometimes they get it wrong. The 13,000 were talking about was a water loss from water breaks. We try to do things that are non-intrusive to the public. I assure that there has been numerous breaks

8. Remarks from persons or groups present cont'd.

over the years from lack of pressure, more pressure and a number of different things. We have an aging infrastructure. Some of it 100 years old and some of it is 119 years old depending on when it was put in. Capital money you cannot use for usage. Capital is designated for capital improvements. If we get a grant then that money can stay there just in case the water tower has a hole in it or major waterline breaks then we can use those funds without having to get another grant or loan. We're not going to operate based on grants we have to operate based on facts and everyone operates their households the same way. The money in water capital is about \$500,000. There is money in sewer capital. We got a \$800,000 grant to replace our sewer line. We would be broke in both of those funds if we didn't so we worked extremely hard to make sure the Village was in sound fiscal shape and we are going to continue to do that. Just because we have doesn't mean we can spend it on frivolous things. Mr. Dugan started to say something but Mayor Holmes stated I heard you out now let me talk and then I'm going to move on to the next person. General fund money is used for general funds. We do have a slow decline in our general fund. We've done a lot of things, a lot of mental gymnastics to make sure that our general fund doesn't bleed. We have about \$500,000 in that as well. If a major industry closes then we have to curtail service though. I have an open door policy. The website is something that we do out of a nicety. We could if we were the Army or anybody else we could develop that over and over again but we count our pennies and dollars add up. We have open meetings every first and third Wednesday of the month. I have an open door policy. Anyone that has ever called me they can sit down and talk to me for an hour or two and three hours and extrapolate any amount of information they want. They don't have to go on line and do that and move forward with misinformation. We removed employees probably to austerity continuously to try and keep everybody's tax dollars efficient. I love being a public servant. I really, really do. Sometimes folks, whether is it actuarial or not, or whether their analytical side comes out, it seems as if they put a strap to the public service back. They don't think about the good things that are happening all around them. They kind of analyze the negative. Sometimes knowledge brings forth and I just got this but sometimes overthinking things, brings forth pain and suffering. Maybe not to the individual that does but to everybody else especially when they take great pride in serving the place they call home. One of the things that happens when people do that moving forward they embarrass themselves, they embarrass this community, and they embarrass us because we work extremely hard trying to keep this place solvent. I appreciate your time. Anyone else that would like to address Council?

8 Remarks from persons or groups present cont'd.

Mr. Seitz stated that was fantastic, Mayor.

Jack Miskell, 841 Connecticut Ave. When I first saw in the paper we were having a 28% increase I think that is a heck of increase on everyone in this Village. If you look at it, if you think about it if you average water is \$130 and you run it up to \$163. Most people didn't get a raise that would be equivalent to that. I think that is asking a lot from the people of this Village without even if you could possibly bring it in gradually. I don't know anyone in this room that had an increase of 28% in salary.

Mayor Holmes stated Mr. Miskell I know you serve on Board of Zoning Appeals and I've known you for years and here again it is a public meeting and feel free to come and comment as much as you want. One of the things I think you may know or you may not know that region wide almost tristate we are the third lowest water rates in the area. It's not like we are the highest. I'm going to say and I'm going to use this term and I hope it is kept in context. We had our rates artificially low. We were doing everything in our power not to raise the rates, not to have them comparable to surrounding communities rates because we care about people not working, we care about people not getting increases. A little community like McDonald having the third lowest water rates even after this increase in the area, is it a source of pride, no. Would we like to keep them lower, yes but I think it is tremendous that we are not dealing with folks like Niles or Youngstown that pretty much own Meander Water Service. We have two employees in water and we cross function everybody to try and keep that as efficient as possible. There was some things that we probably continue to try to do, speculating out on contracts and fixed costs and water loss objectively, subjectively, wishful thinking that we can keep those rates. We haven't passed on the same amount of rates that we have received from MVSD since I've been here.

Mr. Miskell stated they have gone up pretty steadily over the course of the last...

Mayor Holmes stated and we are still the lowest though. We can't eat everyone's rates. You can't buy a loaf of bread for what you bought 20 years ago.

Mr. Miskell said I understand that.

Fiscal Officer DeBow asked if she could throw some figures out. Twenty-eight percent increase is on the water usage only. It does not include water capital, and did not include sewer or sewer capital. Twenty-eight percent, the rates are going from \$3.89 per thousand gallons used to \$5.00. If the average home in the Village

8. Remarks from persons or groups present cont'd.

uses 12,000-13,000 gallons that charge is going from \$47 every three month to \$60. That is \$13 per quarter divided by 3 that is a \$4.33 raise per month. Just for clarification.

Mr. Miskell stated I understand that. When we pass a school levy they say it is only a \$1 a day but guess what a \$1 a day after a while adds up. The school has a rainy day fund.

Mayor Holmes replied we can't give free water.

Mr. Miskell stated we had to pass a school levy that they said wasn't an increase but it was technically an increase.

Mayor Holmes said we had nothing to do with that.

Mr. Miskell said I understand that but that is another dollar coming out of the consumer's wallet.

Mayor Holmes stated Jack, I'm going to talk to you very directly. You understand that we cannot give free water.

Mr. Miskell stated I'm not looking for free water.

Mayor Holmes stated I know.

Mr. Miskell said I'm looking for possibly...

Mayor Holmes said you said they have been going up steadily over a period of time, right? I don't know how steadily you want it to go. We can both hold on to it like we did now and give a 28% or we can go 3% a year or 5% a year and it would be the same thing. Either dynamic wouldn't be healthy or happy with us. We have squeezed water out of a rock to keep these rates as low as we have. I'm only talking to you like this Jack because I think you know better.

Mr. Miskell stated all I'm saying is to me that is a significant increase.

Mayor Holmes said it is and it is a mistake. I'm going to go as far as to say that is a mistake because if you speculate out years trying to keep hopeful and wishful thinking and it doesn't happen there is your mistake. That is speculation. You can do it in a smart market either you become rich or you become poor. We did that

8. Remarks from persons or groups present cont'd.

here thinking and hoping that not to throw Thomas under the bus he wants to talk here and I want to protect him because I appreciate the service he gives to the Village but it is the Village Administrator's job to justify to Council what the water rates should be. He sets the water rates and he has been very reluctant to suggest to Council to increase the rates. Mr. Domitrovich, and then I'm going to move on.

Mr. Miskell stated I have a second question. If you come to the top of Ninth Street, why is that road still a mess? At the very top of Ninth Street where the road is like, this is between Ninth and New Jersey they patched it and it is awful. I drive across there every day to go to work.

Mayor Holmes replied this is the first I've heard of it.

Mr. Miskell stated it is right where you turn. Why hasn't that been patched appropriately?

Mr. Domitrovich stated that is the first I've heard of it.

Mayor Holmes said Thomas do you want to respond to the first set of questions and then I'm going to move on.

Mr. Domitrovich replied relating to the water bill I think there is going to be a lot of misunderstanding because of the article in the newspaper. Echoing the sentiment of the Fiscal Officer it is only on the water rates it isn't 28% across the bill that you see. That bill does include four charges. I use 24,000 gallons in a quarter and it would equal .30 cents a day. If anybody is at fault like the Mayor said, I have to a fault have tried to keep our water rates lower than anybody else's and less of a burden to anybody in our community but with outstanding circumstances right now that I can't control anymore whether they are water breaks, Mr. Dugan you mentioned that you didn't see any repairs. We've probably done close to \$100,000 in repairs on line replacements in this community. Our distribution system just isn't McDonald. We serve Weatherfield District as well and we have to maintain those lines in the hilltop district. People that come not with a complaint about the water rates going up I've had people come to my office that show me a bottle of water that is full of orange water. I have to change that line. That is what the capital charge is there for. We have to maintain that. When I have to change a line I need \$100,000 right now. There is very little emergency funding out there through the state that you don't have to stand in line for a year to get. So the charges are very low and probably for ten

8. Remarks from persons or groups present cont'd.

plus years I've been able to keep them very low but unfortunately there are some things going on in the treatment process of water instigating breaks and causing line replacement that I can't control anymore and I cannot calculate that low rate into the budget anymore. Our budget went \$50,000 out of whack this year. We really need to budget smarter so we don't have to have more raises but that maybe we can maintain this for a long time to come. I can't run a deficit budget. Nobody can run a deficit budget. It isn't anything that we don't need. It will be money in and money out. I'll put that report together maybe to show Mr. Dugan but it will be budget neutral on the general side for water. It isn't going to be a savings account. It has nothing to do with saving money but it will have everything to do with keeping a budget to run in the black.

Mayor Holmes stated it is necessary for enterprise funds to stay solvent.

Mr. Miskell stated I have a third point and then I won't bother you anymore. Behind the plaza where Redmond's is and where Vertical Runner used to be, I've addressed this with a couple Councilmen separately there are still trees that are going to come down and they are going to come out on New Jersey. I don't know who owns the property but I've addressed it, it is a safety concern. You can drive by there and you can see the trees. One fell back into the woods the other one is leaning against another tree. If you gentlemen would at least drive by and look.

Mayor Holmes answered yes we will.

Mr. Domitrovich answered that he has a hired on tree specialist in the Village and we went and looked at it after the Planning Commission meeting. The tree is attached to the ground, the roots are fine and the tree is a live healthy tree and it is not going to fall down. We will remove it. Aesthetically it does look like it is a problem but it a healthy tree and it is not going to fall down.

Mayor Holmes said so you have addressed this a while ago?

Mr. Domitrovich answered yes. It is not going to fall down.

Mayor Holmes stated I'm going to say this again I pride myself in keeping an open door policy. It is a small village. People can approach me and talk to me anytime. I'd like to have that level of respect. Jack, I see you all the time.

Mr. Miskell said I can't believe that no one has noticed the street. It has been like that over two years.

8. Remarks form persons or groups present cont'd.

Mayor Holmes stated I hear you. Would anyone else like to address Council?
Mr. Suich you only have two minutes, we don't have all day.

Ken Suich, 973 McDonald Ave. stated concerning water rates. I'm a business owner and I just went out a bought another \$22,000 machine that is water cooled. This is making me very, very nervous. I understand what you are saying about the rate going up but 28%.

Mayor Holmes stated I think everyone would have felt better if we did it just incrementally automatically when we have an increase.

Mr. Suich said that is my concern.

Mayor Holmes said I hear you. I want you guys to remember we are the third lowest in the region. I can give you a copy of this and I hopefully everybody appreciates the diligence that we take and the pride we take in keeping the water rates the lowest in the area.

Mr. Suich said that is why I picked the water cooled equipment instead of the air cooled on the roof.

Mr. O'Brien stated it would have cost you more to put it on the roof, too.

Mayor Holmes said I'm glad there hasn't been a whole lot of fanfare here. I would appreciate if you would talk to me personally instead of on line. Moving forward in my statehouse position I think we can get a lot more accomplished that way and the boogie man wouldn't be out there as much. Mr. Miskell, the same with you. Ken I know I'm going to hear from you.

Mr. Suich said Dairy Queen is making me redo my sign and I talked to Mr. Border and I have a couple more questions, should I talk to him.

Mayor Holmes said get a permit. You brought this up years ago and never did get a permit or sign.

Mr. Suich said no, no this a different sign. Those were the only two questions I had.

9. Old Business: none

10. New Business:

A Hearing on the vacation of Ninth St. from Pennsylvania Ave. to New Jersey.

Mayor Holmes stated that the area Mr. Miskell brought up, there is a 48" main storm sewer line underneath that property but the Mills live there and now Mazza is living on the other side of it and they have asked for the vacation of the property and split it between the two. We need to have a hearing so that everyone would understand our intentions. Both parties are aware of it and they understand it. The only parties affected are the Mills and Mazzas. If there are any comments or concerns, please speak now. Mayor asked for a motion to open the public hearing.

It was moved by Mr. Harvey, seconded by Mr. Puckett to open the hearing for discussion.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

Mayor asked for any comments or questions on the Ninth St. vacation but there were none. Mayor asked for a motion to close the hearing.

It was moved by Mr. O'Brien, seconded by Mr. Puckett to close the public hearing regarding the Ninth Street vacation.

Roll call:

Mr. O'Brien – aye
Mr. Harvey – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

11. Legislation

A Third reading of a Resolution No. 1775-16 Authorizing The Mayor And Fiscal Officer To Enter Into An Agreement With The Trumbull County Defender's Office For The Benefit Of The Village, Providing For Services To Be Rendered By Trumbull County, Acting Through Its Board Of Commissioners, At A Pro-Rata Share Of Five Hundred Dollars (\$500) For One (1) Year Commencing January 1, 2017 and Ending December 31, 2017.

It was moved by Mr. Harvey, seconded by Mr. Puckett that Resolution No. 1775-16 be passed as read.

Discussion: Mr. Harvey stated this is pretty much a renewal on this contract that they provide the service and he is looking for passage.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

B Second reading of an Ordinance For The Purpose Of Amending Previous Village Ordinance N. 3182-15 Regarding Water Rates And Authorizing The Village Administrator To Amend And Increase The Water Rates And Schedule Beginning September 1, 2016, Which Will Be Reflected In The Fourth Quarter Billing In January Of 2017.

It was moved by Mr. Seitz, seconded by Mr. O'Brien that the ordinance pass second reading as read.

Discussion: Mr. Seitz stated we really hate to do this but it is completely necessary and we certainly don't want to burden any resident in this Village. We certainly appreciate you folks coming down and voicing your opinion.

Mayor Holmes echoed those sentiments and said it show they care.

Roll call:

Mr. Seitz – aye
Mr. Harvey – aye

Mr. O'Brien – aye
Mr. Puckett – aye

11. Legislation cont'd.

Mr. Klase – aye

Mr. Lewis – aye

Motion carried.

C First reading of an Ordinance For The Purpose Of Vacating A Certain Portion Of E. Ninth Street That Is Bounded On The West By Pennsylvania Avenue And On The East By New Jersey Avenue And Reserving An Easement For Utilities.

It was moved by Mr. Klase, seconded by Mr. Puckett that ordinance pass first reading as read.

Discussion: Mayor Holmes stated this was asked for by the Mr. Mills and previous owner Mr. Bumback, and now the current owner Mr. Mazza.

Roll call:

Mr. Klase – aye

Mr. Puckett – aye

Mr. O'Brien – aye

Mr. Harvey – aye

Mr. Seitz – aye

Mr. Lewis – aye

Motion carried.

D First reading of an Ordinance For The Purpose Of Providing An Effective Means For Protecting The Village's Public Water System From Contamination Due To Backflow Of Contaminants Through The Water Service Connection Into The Village's Public Water System.

It was moved by Mr. Harvey, seconded by Mr. Puckett that the ordinance pass first reading as read.

Discussion: Mayor Holmes asked Mr. Domitrovich to address this legislation and the VA stated this legislation is necessary according to the Ohio EPA that all incorporated communities that has distribution systems have this legislation on the books. It does give us teeth to fight against businesses or companies that choose not to put black flow restrictions on their water supply line to their business. Water goes into a house or business should never come back and this legislation gives the Village of McDonald the ability to go after those people that don't comply with our ordinances regarding those backflow preventers. In the past we haven't always been able to, if some refused to put one on or do the

11. Legislation cont'd.

annual checks, we didn't have the EPA backing us up. This is their legislation that they give to that says we'll enabling you to go ahead and go after them if they choose not to put the restrictions on the waterlines. It is a safeguard to the community. We've been doing backflow checks in the Village for about 25 years but finally having the legislation to support it not just as a safeguard but now the legal body can act on it as well.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

E First reading of a Resolution Authorizing And Directing The Mayor And Fiscal Officer To Execute An Agreement With The Geauga/Trumbull Solid Waste Management District For The Single Stream Drop-Off Recycling Program Commencing January 1, 2017, And Ending December 31, 2019.

It was moved by Mr. Harvey, seconded by Mr. Puckett that the resolution pass first reading as read.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

Mayor Holmes stated that this is a free service from Geauga Trumbull and appreciated Mr. Domitrovich negotiating it. It is three year program.

F Emergency reading of Resolution No. 1776-16 Authorizing The Mayor And/Or Fiscal Officer Of The Village Of McDonald, Ohio To Prepare And Submit An Application To Participate In The Ohio Public Works Commission State Capital Improvement And/Or Local Transportation Improvement Programs(S) And To Execute Contracts As Required.

11. Legislation cont'd.

It was moved by Mr. Seitz, seconded by Mr. Harvey to suspend the Rules of Council.

Roll call:

Mr. Seitz – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Harvey – aye
Mr. Puckett – aye
Mr. Lewis – aye

Motion carried.

It was moved by Mr. Seitz, seconded by Mr. Harvey that Resolution No. 1776-16 be passed as read.

Discussion: Mayor Holmes stated this is the funding for the 2017 road resurfacing project, all the roads south of Marshall Rd. OPWC requires the legislative authority to approve and show solvency that we can afford the money and we want the money.

Mr. Harvey stated that this will be next year's road resurfacing project. It will be all the roads south of Marshall Rd. and will be a major project. He stated that Council has looked at it road by road, year by year and it would take a long time. Those roads have needed attention for some years and we're going to go ahead and take that loan and get those done at one time. It is a great project for next year.

Roll call:

Mr. Seitz – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Harvey – aye
Mr. Puckett – aye
Mr. Lewis – aye

Motion carried.

G Emergency reading of a Resolution No. 1777-16 For The Purpose Of Authorizing The Mayor, Fiscal Officer, And Village Administrator To Enter Into An Agreement With Ohio Plan Risk Management, Inc. Through Love Insurance Agency, 373 Center Street, Suite A, Chardon, Oh 44024, For The Village's 2016-2017 Package Insurance In The Amount Of Twenty-Four Thousand Forth-Four

11. Legislation cont'd.

And 00/100 (\$24,044.00) Commencing December 1, 2016, And Ending November 30, 2017.

It was moved by Mr. Lewis, seconded by Mr. Puckett that the Rules of Council be suspended.

Roll call:

Mr. Lewis – aye
Mr. O'Brien – aye
Mr. Seitz – aye

Mr. Puckett – aye
Mr. Harvey – aye
Mr. Klase – aye

Motion carried.

It was moved by Mr. Harvey, seconded by Mr. Lewis that Resolution No. 1777-16 be passed as read.

Discussion: Mayor Holmes stated that the VA requested quotes from a number of package insurance carriers for a number of months and we just received the quotes and he has time to review the quotes. Mr. Domitrovich stated that the savings from last year quote and our rebate from Lexipol made it an easy decision.

Mr. Harvey stated the process started back in July but as people know a lot of those companies won't give you anything until you are at the expiration. Tom held them to the fire and when you have three companies bidding for this the end results is in our favor. The research has been done and the net results have been a savings to us.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Puckett – aye

Mr. Lewis – aye
Mr. Seitz – aye
Mr. Klase – aye

Motion carried.

H First reading of an Ordinance To Make Temporary Appropriations For 2017 To Various Divisions Of The Village Government For Each Of The Several

11. Legislation cont'd.

Objects For Which The Village Of McDonald, Ohio Has To Provide Out Of The Monies Known To Be In The Treasury Of Said Village During The Year From The Collection Of All The Taxes And From All Other Sources Of Revenue For 2017.

It was moved by Mr. Seitz, seconded by Mr. Harvey that the ordinance pass first reading as read.

Discussion: Mayor Holmes stated this is bare bones, no meat or fat. It is just so we can pay our bills starting 2017. They require a temporary budget by the end of the year. Typically, we'll pass something starting in October, the Chief Fiscal Officer will starting looking at things. That temporary budget becomes a permanent budget. Council thought it necessary to continue to vet trying to squeeze every dollar. I appreciate the Finance Chair and everybody working on behalf of the Village. They are going to vet this issue a little closer working with our department heads and in January we will come up with a permanent budget that we'll need to turn in the County. I appreciate Council's diligence in protecting taxpayers' dollars.

Roll call:

Mr. Seitz – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Harvey – aye
Mr. Puckett – aye
Mr. Lewis – aye

Motion carried.

I First reading of a Resolution For The Purpose Of Entering Into A Service Agreement With NextEra Energy Solutions, LLC To Provide Electrical Aggregation Services For The Village Of McDonald, Ohio, Beginning January, 2017 And Ending January, 2020.

It was moved by Mr. Harvey, seconded by Mr. Puckett that the resolution pass first reading as read.

Discussion: Mayor stated the Village has decided to go with option 2 of the agreement. The Village will realize a 6% saving over a non-aggregated rate or the rate to compare.

11. Legislation cont'd.

Roll call:

Mr. Harvey – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Puckett – aye
Mr. Seitz – aye
Mr. Lewis – aye

Motion carried.

12. Fiscal Officer's report:

Mrs. DeBow reported that the bills for the Fiscal Officer's report total \$92,620.32.

I, Robin DeBow, 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. Seitz, seconded by Mr. Harvey to accept the Fiscal Officer's report and pay all bills.

Roll call:

Mr. Seitz – aye
Mr. O'Brien – aye
Mr. Klase – aye

Mr. Harvey – aye
Mr. Puckett – aye
Mr. Lewis – aye

Motion carried.

13. Miscellaneous: Mr. Harvey thanked everyone for the Christmas in the Village. It was a very nice event and well attended. A lot of people work behind the scenes to make it successful. The people can come in and it doesn't cost them a dime. He thanked everyone involved.

Mayor said the committee did a fine job. Mr. Stamp was there from beginning to end and Mr. Domitrovich rallied everyone together to make sure the event went off seamless together with the Police and Fire Departments. Thank you very much.

14. Adjournment

The meeting was adjourned on a motion by Mr. O'Brien, seconded by Mr. Puckett at 7:20 p.m. All voted aye.

Mayor

Attest to:

Fiscal Officer