

McDONALD VILLAGE COUNCIL
WEDNESDAY, NOVEMBER 7, 2018
REGULAR COUNCIL MEETING

Visitors: Dan Leskovac and Ken Miner

Staff: Fiscal Officer Rick Sebastian, Police Chief Bill Woodley, Solicitor Douglas W. Ross, Village Administrator Thomas Domitrovich, and Office Manager Char McCracken

1. The November 7, 2018 meeting of McDonald Village Council was called to order by Mayor Glen M. Puckett at 6:05 p.m.

Roll call:

Mr. O'Brien – present	Mr. Harvey – present
Mr. Seitz – absent *	Mr. Lewis – present
Mr. Fisher – present	Mr. Bradley – present

* Mr. Seitz was absent due to his work schedule

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 October 17, 2018 council minutes.

It was moved by Mr. Fisher to approve the October 17, 2018 minutes as mailed:

Roll call:

Mr. Fisher – aye	Mr. O'Brien – aye
Mr. Harvey – aye	Mr. Lewis – aye
Mr. Bradley – aye	

Motion carried.

4. Adoption of agenda:

It was moved by Mr. Fisher to amend the agenda as follows:

11. Legislation A - change from a second reading to an emergency reading
- Legislation E – change from a first reading to a second reading
- Legislation F – change from a first reading to an emergency reading
- Legislation G – change from a first reading to an emergency reading

4. Adoption of agenda cont'd.

Roll call:

Mr. Fisher – aye
Mr. Harvey– aye
Mr. Bradley– aye

Mr. O'Brien – aye
Mr. Lewis – aye

Motion carried.

5. Mayor's report - Mayor Puckett gave the monthly court report as follows:
For the month of October, Mayor's Court had computer fund \$91, costs \$215, fines \$772, Niles Municipal Court fines \$667, parking tickets \$45, and police reports \$5, for a grand total of \$1796.00.

6. Report of Village Officials:

Village Administrator Thomas Domitrovich stated the Street Department is picking up leaves at the curb. He asked the residents to bring their leaves to the curb and not in the street.

Stick pickup will end November 15 for this year. They will resume in the spring. They will pick up if there is an emergency such as a tree comes down.

He commented on Christmas in the Village and the need for cookies. This is our 37th year and it will be held on November 24, at 6:30 p.m.

Mr. Bradley stated that the Street Department was out early this morning to pick up the branches that were blown down the last couple days. He doesn't know of any other community that provides this service and commends the men.

Mr. Domitrovich stated that shortly after that they moved onto the trees. We have five large trees that have to come down. The industry is leased out on the equipment we lease to finish these five trees. We have an employee climbing the trees to try and finish.

Police Chief Bill Woodley - Chief Woodley submitted his end of the month report as follows: For the month of October, the Police Department answered 163 calls from the 911 center, investigated 27 formal complaints, conducted 38 traffic stops resulting in 11 citations and gave 28 verbal warnings. They made 12 criminal arrests. They responded to 4 animal complaints, 3 alarm drops, 13 parking violation, responded to 3 calls for suspicious activity, 1 call for suspicious

6. Report of Village Officials cont'd.

person, 5 calls for suspicious vehicle, 1 check welfare call, 9 noise complaint calls, 6 calls for unknown problem, 2 calls for lockout, 2 calls for intoxicated persons, and 29 medical calls. The department completed the Daily Training Bulletins for October. Lt. Ronghi, attended a 40-hour training course in Richfield, Ohio for Core Criminal Investigations. Officer Bucan led the Halloween parade for the kids at Roosevelt Elementary School.

Fire Chief Todd Stitt – Chief Stitt had recently submitted his end of the month report. It is as follows: For the month of October the Fire Department responded to 28 EMS calls and 11 Fire calls. They ordered the new ambulance, cascade system, and the hoods, gloves and gear washer. The SCBA's (air packs) are currently being bid out with the bid opening date to be held on November 20, at 2:00 p.m. at the Weathersfield Township building.

Solicitor Ross – no report.

7. Committee reports:

President Pro Tem Mr. Lewis reported on tonight's Caucus where the following items were discussed: agenda, Fiscal Officer's report, Council minutes, legislation, and executive session with possible action to follow.

Park & Buildings Mr. Harvey stated Park and Buildings met Monday at 6:25 with a full committee. One of the items discussed was Christmas in the Village, which is on November 24, at 6:30 p.m. Other items discussed was the time capsule, camera, concession stand, and fall baseball. They received a note from Bill Gorman regarding a library box. They also discussed the renovation of the second floor of the Rec Center. The meeting closed at 6:41 p.m.

Mr. Bradley made an observation on the renovation of the second floor for a Council Chambers. Have we ever looked into putting a mechanical stair lift at the Municipal Building to utilize the current Council Chambers?

Mr. O'Brien stated that it was addressed when he first got on Council. He called Boardman Medical over to access the situation. Once stair case is too narrow. The other one will need a ramp to bring it to the correct height. It would be quite expensive to do that. Boardman Medical did not think it was a good idea at that time. The installation of an elevator would have to take place on the outside of the building.

7. Committee reports cont'd.

Mr. Bradley stated when you look at the cost upstairs of remodeling something for \$80,000 to \$100,000 possibly, I believe you could put a stair lift on the wide stairs for probably under \$6000. We could put a ramp in and the cost could be \$10,000 to open up our council chambers versus the possibility pipe dream of \$100,000 for remodeling when this community can't pay it. I just think it needs to be looked at again by many people who have the system to put those it.

Solicitor Ross stated first of all we can hold any meetings we want to right now on the second floor Council Chambers. The law is such that our Council Chambers is fine. If we get contacted by someone who asks for accommodation then we have to accommodate them. It is not that you can't use that floor if you want to. If somebody does ask to accommodate them for one reason or another then you have to. That is the law.

Safety Committee Mr. Seitz – In Mr. Seitz's absence, Mr. Lewis gave the report. Safety met Monday at 6:40 p.m. and closed at 6:50 p.m. They discussed two items of legislation regarding the Fire Department which both will be read as an emergency this evening. One is accepting the bid for the ambulance and the other is the bid for the cascade system. They also discussed the police fleet. One of the old cruisers is currently in the shop again. He thanked Office Bucan for escorting the football team. He gave them a loud and proud escort and took them as far as he could go. He wished the football team the best of luck at Mogadore.

Finance & Capital Improvement Mr. Lewis stated Finance met Monday evening at 5:32 p.m. and closed at 5:58 p.m. We discussed several items one of which was a notice we received from Ohio Police and Fire Pension Fund regarding a payoff of a loan that was created back in 1968. Long story short at the time the fund was not sustainable and many municipalities could not pay the lump sum amount to remain part of the fund. We have been paying the bi-annual payment at 4.25% and they have given us the opportunity to pay off the current balance owed rather paying the bi-annual payment through 2035. That will resolve in a saving for the Village of \$14,612.80. Instead of paying the fund \$46,462.82 all the way until 2035 they propose that we could just pay it off waiving all that interest at the amount of \$31,850.02. This is a financial responsibility that the Village does have. There is no running from it, there is no negotiating it, the number is the number. I ask Council's approval to allow our Fiscal Officer Sebastian to pay off the remaining balance of \$31,850.02 as of November 30, on the Police and Fire Pension Fund.

It was moved by Mr. Lewis to pay the balance of our loan.

7. Committee reports cont'd.

Roll call:

Mr. Lewis – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Fisher – aye

Motion carried.

Mr. Lewis also stated that Finance discussed the 2019 budget. We are looking at some spend down. A lot of it is numbers that we have prepared for. One is the Niles sewer project. Thanks goodness we put the additional charges on the water bill to have our residents prepared for that. Otherwise we could be stepping backward. We are ahead in that.

We also discussed the creation of a monthly expense workbook. Our Fiscal Officer has been working on that diligently. Starting in 2019 we are looking at being more transparent. This will allow our department heads to look at day to day operations as to exactly where we stand and what we are spending and where we need to cut back. It is a great opportunity to hone in on the books. There will be a first vote on the budget next meeting. We are waiting on package insurance and a quote for health insurance.

Service Committee Mr. Fisher stated Service met Monday at 5:59 p.m. We discussed the gas aggregation. Our Village Administrator informed us that Tom Bellish will supply us with a number today. We moved onto health care. The Fiscal Officer has done some shopping and we have come up with an 8% increase which probably meets the national average. Even though it is a slight increase we can offer our employees a seamless transition next year. We changed the NOPEC grant legislation to an emergency so we could have a rep from NOPEC come in and sit down and finish the application process with us so we have it finished before December 1. Anytime you get grant money it is best to further along legislation as fast as we can.

Also discussed was the Ohio Edison franchise agreement. Our Solicitor has sent multiple communications with Ohio Edison. There have been some minor changes and at this point we are ready to move back into our second reading.

7. Committee reports cont'd.

We briefly mentioned the garbage contract then we had some discussion on the bucket truck usage and contracting it. The VA did inform Council that his men took down 50 trees this year. We still have five left to take down. We have been without a bucket truck for several years. We may have to look at that in the future. However, we do know that is an item that we use quite often. When we get the revenue sources, we can revisit that. We are going to contact Trumbull County to see if they have equipment they can share with us. They discussed the package insurance. It will be due by November 30 so the legislation will have to be passed as an emergency. The quotes are good for 30 days so we do this is business as normal. We discussed the issue of social media. Solicitor Ross will research the issue and may come back with a uniform policy.

Planning Commission Mr. Bradley – no report.

Community Chest Mr. O'Brien – no report.

8. Remarks from persons or groups present: Dan Leskovac, 420 Utah Avenue commended the Village Administrator and Street Department on the repair of the hole on Second St.

Secondly, he commended everyone involved with the 100th anniversary. It was phenomenal. It was great. A lot of people saying October Fest next year. I came to the Historical Society and shared information on the gas explosion of 1986.

He asked about the property formally known as Standard Slag, was that turned over to the Village. Mr. Domitrovich stated it was sold to George and Spiro Bakeris. They are the train brothers that fix the trains. They purchased the property in 2010, 2011 for the tune of Two Million Dollars. There was no written agreement that could be found to say they gave us the land.

Mr. Harvey stated we would like to see it developed. Mr. Domitrovich stated they are the gentlemen that made a lot of things happen with commercial property in Lordstown.

9. Old Business: none

10. New Business: none

11. Legislation:

A Emergency reading of Resolution No. 1797-18 Authorizing All Actions Necessary To Accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grants (S).

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

Roll call:

Mr. Fisher – aye	Mr. O’Brien – aye
Mr. Harvey – aye	Mr. Lewis – aye
Mr. Bradley – aye	

It was moved by Mr. Fisher that Resolution No. 1797-18 be passed as read.

Discussion: Mr. Fisher stated this was to ensure that we sit down with a rep from NOPEC and submit our application before December 1.

Roll call:

Mr. Fisher – aye	Mr. O’Brien – aye
Mr. Harvey – aye	Mr. Lewis – aye
Mr. Bradley – aye	

Motion carried.

11. Legislation cont’d.

B Second reading of a Resolution For The Purpose Of Authorizing The Mayor And Fiscal Officer To Enter Into A Second Amendment To Endorsement Agreement with Constellation NewEnergy-Gas Division, LLC.

It was moved by Mr. Fisher, that the resolution pass second reading as read.

Discussion: Mr. Fisher stated this is a program we offer our residents to opt into. We’ve had some pretty favorable rates and this year is no exception. The current quoted price is \$3.18 per mcf.

Roll call:

Mr. Fisher – aye	Mr. O’Brien – aye
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11. Legislation cont'd.

Mr. Harvey – aye
Mr. Bradley – aye

Mr. Lewis – aye

Motion carried.

C Second reading of a Resolution For The Purpose Of Amending Resolution No. 1795-18 Establishing Special Fund 109.000.41830 To Receive Donated Funds For Use In The R.E.S.T. Program Conducted In the Village Community Room.

It was moved by Mr. Lewis that the resolution pass second reading as read.

Roll call:

Mr. Lewis – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Fisher – aye

Motion carried.

D Second reading of an Ordinance To Amend Appropriations For 2018 To Various Divisions Of The Village Government For Each Of The Several 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 2018.

It was moved by Mr. Lewis the ordinance pass second reading as read.

Roll call:

Mr. Lewis – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Fisher – aye

Motion carried.

E Second reading of an Ordinance Granting To Ohio Edison Company, Its Successors And Assigns, The Right And Privilege To Acquire, Construct, Operate, And Maintain A Complete Electric System For Supplying Electricity For Light, Heat And Power Purposes To The Village Of McDonald, Ohio

11. Legislation cont'd.

It was moved by Mr. Fisher the ordinance pass second reading as read.

Discussion: Mr. Fisher stated we amended this and after months of communication between the Solicitor and their office and a couple minor changes we are ready to move forward.

Roll call:

Mr. Fisher – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Lewis – aye

Motion carried.

F Emergency reading of Resolution No. 1798-18 For The Purpose Of Accepting The Bid From Penn-Care Public Safety Technology, 1317 North Road, Niles, Ohio 44446, For The Purchase Of A 2019 Ambulance With The Bid Amount Of One Hundred Twenty-Nine Thousand Four Hundred Sixty-Six And 00/100 Dollars (\$129,466.00) And Authorizing And Approving The Execution Of Any Contract Documents By The Mayor And Fiscal Officer With Penn-Care For The Purchase Of The 2019 Ambulance.

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

Roll call:

Mr. Lewis – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Fisher – aye

It was moved by Mr. Lewis that Resolution No. 1798-18 be passed as read.

Discussion: Mr. Lewis stated this is just to allow the Village to pay its portion of the ambulance grant.

Roll call:

Mr. Lewis – aye
Mr. Harvey – aye

Mr. O'Brien – aye
Mr. Fisher – aye

11. Legislation cont'd.

Mr. Bradley – aye

Motion carried.

G Emergency reading of Resolution No. 1799-18 Accepting The Bid Of Finley Fire Equipment, 5255 N. State Route 60 NW, McConnelsville, Ohio 43756, For The Fire Department Cascade System And Authorizing And Approving The Execution Of Any Contract Documents By The Mayor And Fiscal Officer For The Purchase Of The Fire Department Cascade System.

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

Roll call:

Mr. Lewis – aye

Mr. O'Brien – aye

Mr. Harvey – aye

Mr. Fisher – aye

Mr. Bradley – aye

Motion carried.

It was moved by Mr. Lewis that Resolution No. 1799-18 be passed as read.

Discussion: Mr. Lewis stated as with the ambulance grant this will allow us to pay our portion on the cascade system.

Roll call:

Mr. Lewis – aye

Mr. O'Brien – aye

Mr. Harvey – aye

Mr. Fisher – aye

Mr. Bradley – aye

Motion carried.

12. Fiscal Officer's report:

Mr. Sebastian reported that the bills for the Fiscal Officer's report total \$48,434.49.

12. Fiscal Officer's report cont'd.

I, Richard Sebastian, 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. Bradley to accept the Fiscal Officer's report and pay all bills.

Roll call:

Mr. Bradley – aye
Mr. Harvey – aye
Mr. Fisher – aye

Mr. O'Brien – aye
Mr. Lewis – aye

Motion carried.

13. Miscellaneous: Mr. Domitrovich thanked Council for moving on legislation A & B. They are both designed to save money for the residents and put money into our coffers in the future for energy wise improvements at our facilities. I, too, would like to congratulate and wish the best of luck to our football team and I would also like to wish good luck and congratulations to the boys and girls cross country teams that also made it to Columbus this weekend.

A Executive Session:

It was moved by Mr. Fisher to go into executive session at 6:43 p.m. for pending litigation with potential action to follow.

Roll call:

Mr. Fisher – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Lewis – aye

Motion carried.

It was moved by Mr. Fisher to exit executive session at 6:59 p.m.

Roll call:

Mr. Fisher – aye

Mr. O'Brien – aye

13. Miscellaneous cont'd.

Mr. Harvey – aye
Mr. Bradley – aye

Mr. Lewis – aye

Motion carried.

It was moved by Mr. Fisher to allow the Mayor to sign an amended conciliation agreement with the Ohio Civil Rights Commission to resolve the suit filed by resident Joe Dugan pertaining to handicapped accessibility.

Roll call:

Mr. Fisher – aye
Mr. Harvey – aye
Mr. Bradley – aye

Mr. O'Brien – aye
Mr. Lewis – aye

Motion carried.

14. Adjournment

The meeting was adjourned on a motion by Mr. Fisher at 7:00 p.m. All voted aye.

Mayor

Attest to:

Fiscal Officer