



Caucus & Regular Council Meeting Minutes
Tuesday, October 25, 2022
7:00 p.m.

CAUCUS:

The caucus meeting was called to order at 7:00 pm.

ROLL CALL: S. Barr, S. Scaffide, D. Walker, G. Bellan, D. Post, K. Labbe and B. Furey

ABSENT:

ALSO PRESENT: Sam Scaffide, Acting Mayor
Matt Vazzana, Law Director
Shannon Collins, Clerk of Council
Mark Gutowski, Senior Network Administrator

Presentations:

No presentations this evening.

Items for Discussion:

No items for discussion this evening.

Audience Participation:

Lynn Clark – 2485 Old Mill Road

Mr. Clark stated he was happy to hear Mr. Bellan's proposal of reviewing the zoning code. He stated getting everyone to follow a new code. He stated the city will need a good mix of people to be part of the process. The city would probably also need an outside consultant. Change will take three-five years.

Bruce Baldwin - Cannon Road

Mr. Baldwin spoke about the past interaction with the city regarding political signs. He also spoke about the grass at the Blue Top and the property next door. He also asked how many families can live in one house.

Mark Nicaastro – 1713 Pinebark Place

Mr. Nicaastro stated he is here for the conditional use permit for Raw Hide Firearms that was passed by Planning Commission. He is happy to answer any questions council may have.

Mrs. Labbe asked how the weapons will be secured in his home. Mr. Nicaastro stated he has a sectioned off room with a solid core door, locked with deadbolts and passcode entry. Inside that room are two safes that are bolted to the cement and weigh about 2,000 lbs. He has a security system with indoor and outdoor cameras.

Mr. Bellan asked if there is ammo in addition to the weapons. Mr. Nicastro stated he has his personal ammunition there but his intent is not to distribute ammunition for general consumption.

Mr. Furey asked what class distributor he is. Mr. Nicastro stated he is a class 1 and class 3.

Mr. Barr stated he was at the Planning commission meeting and said there will be no show room, no walk-in sales and would be by appointment only. Mr. Nicastro stated that was correct. This is for the transfer of weapons. The storefront and range are in Mineral City, Ohio.

Mrs. Labbe stated she knocked on some doors in the neighborhood. She said there is some concern and would recommend that there be some conversation with how secure the weapons would be in the home. Mr. Nicastro stated he has spoken to some neighbors already but will continue to have those open conversations.

Mr. Barr stated this was passed unanimously by planning commission. There will be a motion during new business at the council meeting to vote on this.

Mr. Post thanked Mr. Nicastro for coming and answering questions this evening. Mr. Nicastro added that one of the reasons he and his partner went into business was to add education and safety instruction with their purchase.

Sally Gaydosh – 9250 Liberty Road

Mrs. Gaydosh spoke regarding the zoning code. She stated the last time the entire zoning code was voted on was in 1989. There have been some amendments. She understands the entire code will be reviewed this time around. There have been items that were put in the code but should have been per court rulings. Mrs. Gaydosh would like to know how the residents will be part of the process.

Mr. Barr stated that most of council can agree that are issues with the zoning code that need to be looked at. There will be an independent third party that will take a look at this. He stated he does not have an issue with citizen oversight of this, the more people that get involved the better.

Mr. Bellan stated his intent was to look at the entire zoning code. He welcomes all residents to be part of the process. He stated this is something that all residents live under and should be governed by.

No further audience participations at this time.

Pending Legislation:

Ordinance 91-2022 – Mr. Barr stated this ordinance is for the dedication of Whispering Woods Phase 3 Subdivision. This will be on its second reading tonight with a request for the suspension of the three readings and an emergency clause added on its third and final reading.

Mrs. Labbe stated she met with residents along with the mayor, Amy Mohr and Joe Maniglia and discussed some items that still need to be taken care of.

Ordinance 93-2022 – Mr. Barr stated this ordinance is to enter a five year maintenance agreement for the Micro turbine with RSP Systems. RSP is the only authorized dealer in the State of Ohio. The new five

year agreement totals \$67,200, or \$13,440 annually. The Micro turbine saves the city over \$23,000 in electrical and natural gas charges annually. The reason to suspend the three reading rule and place this on an emergency is that the current contract expires on October 31, 2022.

The Waste Water Superintendent, Nate Zuege spoke about how the microturbine is used and how it turns waste into useable energy for the city.

Ordinance 94-2022 – Mr. Barr stated this ordinance is to enter into an agreement to purchase a new fire truck from Atlantic Emergency Solutions, Inc. Total cost is \$1,723,058.00. The reason to suspend the three reading rule and place this on an emergency is there is a price increase on November 1st. If contract is not entered into by this date there is a 6.5% increase which equals \$93,205.84.

Mr. Bellan asked Chief Morgan when the city is expected to receive the new fire truck. Chief Morgan stated that it is looking like the end of 2025. Mr. Bellan asked if the chief thought the current truck will still be usable until the new truck arrives. The chief stated he believes the odds are good. The life cycle of the truck is expected to be about twenty years.

Miscellaneous:

Mr. Barr stated that in an effort to continue to be more transparent, council will be adding motions to the agenda. These motions will be for items that come out of a board or commission or others that are known in advance such as liquor permits.

No further miscellaneous this evening.

Meeting unanimously adjourned at 7:37pm.

Regular Council Meeting:

Mr. Barr called the Regular Council meeting to order at 7:45 pm.

ROLL CALL: S. Barr, S. Scaffide, D. Walker, G. Bellan, D. Post, K. Labbe and B. Furey

ABSENT:

ALSO PRESENT: Sam Scaffide, Acting Mayor
Matt Vazzana, Law Director
Shannon Collins, Clerk of Council
Mark Gutowski, Senior Network Administrator

INVOCATION & PLEDGE OF ALLEGIANCE:

Mr. Furey bestowed the Invocation and Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES FROM THE REGULAR COUNCIL MEETING OF OCTOBER 11, 2022 AS SUBMITTED.

Moved by B. Furey, seconded by D. Post

Upon roll call motion passed unanimously

AWARDS & PRESENTATIONS:

No awards or presentations this evening.

AUDIENCE PARTICIPATION:

Bob Thewes – 2229 Demi Drive

Mr. Thewes stated he was involved with a team for a comprehensive plan for another community. He stated they went to different areas of town and held meetings. He stated the same approach can be taken with the zoning code update. Mr. Thewes suggested to put sections at a time out to the community so it is easier to digest the information.

Laurie Fascina – 2950 Cannon Road

Ms. Fascina stated she watched the past couple Planning Commission meetings. She stated there were public hearings prior to and there was no one present at the meeting. She stated that residents should be notified 30 days prior to the meeting and posted in newspaper. She asked if when council makes the motions that they provide more information so the motion is clear. This will also help alleviate questions and make for good historical records.

Matthew Eppelle – 2668 Old Mill Road

Mr. Eppelle spoke regarding project Gumbo. When this project was presented he attended meetings. He stated the lack of response from the city surprised him and opened his eyes. He stated that there is an ordinance to safeguard the residents. He has been educating his children about the local government process works. He feels there was little fight for the residents of Old Mill Road. He encouraged residents to consider who they vote for next week.

Mr. Eppelle stated he and his family had a great time at the Police and Fire Open House. Thanked the first responders for all they do.

No further public participation this evening.

COUNCIL COMMUNICATION AND REPORTS

Karen Labbe - Parks & Recreation, JEDI, Fitness Advisory, Twins Day, Districting

- Attended the Police and Fire Open House. The next JEDI meeting will be on 11/14 at 6:00pm.
- Attended the CIC meeting on 10/13. The next meeting will be in January 2023.
- The Parks & Recreation meeting scheduled for this Thursday is cancelled due to not enough members for a quorum. Their next meeting will be in February 2023.
- Nothing further this evening.

Greg Bellan – Finance, Golf Advisory, Public Works, Public Safety

- Attended the Police and Fire Open House. Thanked everyone for their hard work in making this happen.
- Public Works will meet on 11/1 at 6:00pm.
- Golf Advisory Board will meet on 11/15 at 6:30pm.

- Finance Committee will meet on 11/22 at 6:00pm.
- Read the finance report that was prepared by Jennifer Simon, Assistant Finance Director in the absence of Sarah Buccigross.

October 2022 Income Tax Revenues

- October 2022 Income tax receipts total \$2,058,652.93 compared to October 2021 receipts in the amount of \$2,256,489.87. This reflects a decrease of 8.77% or \$197,836.94 compared to last year.
- YTD 2022 Income tax receipts total \$20,866,505.82 compared to YTD 2021 receipts in the amount of \$19,873,381.31. This reflects an increase of 5.00% or \$993,124.51 compared to last year.
- Refunds in the amount of \$45,485.86 are included in the October collections.
- The net change in distribution for this month for individual, net profit and withholder collectively is: \$263,809.20.

September 2022 Close

- Finance has closed September and the financials are available online.
- Nothing further this evening.

Daisy Walker - Charter Review/Oversight, Chamber, Community Relations, JEDI

- The Community Relations Board met on 10/20.
- Stated there will be a Community Thanksgiving Dinner on 11/22 and it is free to everyone.
- Asked if the city has a deer hunting program. The mayor stated yes and he will have someone send information out to them.
- Nothing further this evening.

David Post - Environmental, Finance, Capital Improvements, Public Works

- The Environmental Commission will be hosting their 'Think Globally, Act Locally' talk at the Library on 11/9 at 6:30pm.
- Nothing further this evening.

Bill Furey – ARB, Finance, Treasury Investment, Tax Incentive, JEDI

- CIC met on 10/13. Their next meeting will be January 12th at 5:00pm in Council Chambers.
- ARB met on 10/20 and discussed the following:
 - Case 22-10-55 8796 Independence Parkway, Cornerstone Parking Lot Signage-Approved
 - Case 22-10-56 8589 Darrow Road, New Commercial Building for Xtra Lease-Approved
 - Case 22-10-57 8867 Merryvale Drive, Residential Garage Addition- Approved
 - Case 22-10-58 9036 Church St, 3 projects-Steven Gotch
 - Commercial Enclosed Porch- Approved
 - New 1st and 2nd Story Deck- Approved
 - New Monument Sign Façade- Approved
- The next ARB meeting will be 11/3 at 6:00pm.
- Nothing further this evening.

Scott Barr – Planning, Public Safety, Volunteer Fireman's Board, Community Relations

- Planning Commission met on 10/17 and heard case for Xtra Lease for a conditional use for outdoor storage of trailers. They have 10 acres zoned I-3. There was a public hearing and it was approved unanimously. No meeting set for the next meeting.

- Asked Mr. Nicastro with Raw Hide Firearms if he has any additional insurance. Mr. Nicastro stated he does have an umbrella policy along with an instructors insurance.
- Nothing further this evening.

Sam Scaffide – BZA, Public Works, Public Safety

- Will report under Mayor’s Report.

MAYOR’S REPORT:

- Attended this year’s Fall Fest. Great work to Jennifer Betenson and staff for putting this on.
- Attended the Police & Fire Open House. Was able to swear in four part-time firefighters.
- Attended the State of the County along with some department heads.
- CIC will meet again in January 2023.
- BZA will meet on 10/26 at 6:30pm.
- Nothing further this evening.

DEPARTMENT HEAD REPORTS:

No Department Head reports this evening.

LEGISLATION

ORDINANCE 91-2022 - AN ORDINANCE ACCEPTING THE LANDS AND IMPROVEMENTS DEDICATED TO PUBLIC USE FOR THE WHISPERING WOODS PHASE 3 SUBDIVISION; ACCEPTING THE MAINTENANCE GUARANTEE AND REDUCING THE PERFORMANCE GUARANTEE ACCORDINGLY; AND DECLARING AN EMERGENCY (Stands on First Reading
Read by S. Collins

Ordinance 91-22 now stands on its second reading.

ORDINANCE 94-2022 - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH RSP SYSTEMS FOR A MICROTURBINE MAINTENANCE AGREEMENT; AND DECLARING AN EMERGENCY.
Read by S. Collins

MOTION: TO SUSPEND THE RULES AND PLACE ORDINANCE 94-2022 ON ITS THIRD AND FINAL READING

Moved by S. Barr, seconded K. Labbe

Upon roll call motion passed unanimously

MOTION: TO ADOPT ORDINANCE 94-2022 AS AN EMERGENCY

Moved by S. Barr, seconded D. Walker

Upon roll call motion passed unanimously

ORDINANCE 95-2022 - AN ORDINANCE AUTHORIZING THE PURCHASE OF A PIERCE FIRE ENGINE THROUGH ATLANTIC EMERGENCY SOLUTIONS TO BE USED BY THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

Read by S. Collins

MOTION: TO SUSPEND THE RULES AND PLACE ORDINANCE 95-2022 ON ITS THIRD AND FINAL READING

Moved by S. Barr, seconded G. Bellan

Upon roll call motion passed unanimously

MOTION: TO ADOPT ORDINANCE 95-2022 AS AN EMERGENCY

Moved by S. Barr, seconded G. Bellan

Upon roll call motion passed unanimously

UNFINISHED BUSINESS, NEW BUSINESS, MISCELLANEOUS

Mr. Bellan:

- Thanked Chris Campbell and service department for his quick response in assisting with a sign on Chestnut Trail.
- Wished everyone a safe Halloween.
- Nothing further this evening.

Mrs. Walker:

- Offered prayers to the family in the township who had their home graffitied.
- Nothing further this evening.

Mr. Furey:

- Wished everyone a safe, Happy Halloween.
- Nothing further this evening.

Mr. Post:

- Nothing further this evening.

Karen Labbe:

- Wished everyone a Happy Diwali.
- Wished everyone a Happy Halloween.
- Nothing further this evening.

Mr. Scaffide:

- Reminded everyone that Trick or Treating is on Monday, October 31st from 6-8:00pm.
- Nothing further this evening.

Mr. Barr:

MOTION 1: A motion for approval of a Conditional Use Permit for a Home Occupation at 1713 Pinebark Place, pursuant to Section 1151.02 (d) and as recommended for approval by the Planning Commission at their September 19, 2022 meeting.

Moved by S. Barr, seconded B. Furey

Mrs. Labbe stated she had conversation with neighbors and her vote will be based on that.

Mr. Barr stated this motion is for Raw Hide Firearms. He asked if the city is required to have any additional insurance for permitting this use. Mr. Vazzana stated no, the private entity has the insurance.

Mr. Post stated that he is not a gun guy but he likes that those who purchase from Raw Hide get instruction.

Upon roll call motion passed 5-2 with Mrs. Labbe and Mrs. Walker dissenting.

MOTION 2: A motion for approval of a Site Plan for the location of a fire training prop at 10069 Ravenna Road, pursuant to Section 1147.08 and as recommended for approval by the Planning Commission at their September 19, 2022 meeting.

Moved by S. Barr, seconded B. Furey

Upon roll call motion passed unanimously

MOTION 3: A motion for approval of a Conditional Use Permit for outdoor storage at 8589 Darrow Road, pursuant to Section 1151.02 (d) and as recommended for approval by the Planning Commission at their October 17, 2022 meeting, with conditions.

Moved by S. Barr, seconded B. Furey

Mr. Bellan asked if the Planning Commission vote was unanimous. Mr. Barr stated it was. He stated they will be storing truck trailers. Planning still needs to approve site plan.

Mr. Furey stated there will be buildings for storage, sales and maintenance. They are also working on landscaping.

Upon roll call motion passed unanimously

MOTION 4: That city council does not oppose the change in ownership for the liquor permit for Michaels Sandwiches & Café Inc. located at 10071 Darrow Road, Unit B and authorize the Clerk to submit the form to the Ohio Division of Liquor Control.

Moved by S. Barr, seconded K. Labbe

Mr. Furey stated the parents that own the business are transferring it to their son as they are retiring.

Upon roll call motion passed 6-1, with Mr. Barr dissenting.

- Nothing further this evening.

Mr. Vazzana

- Nothing further this evening

Mrs. Collins

- Nothing further this evening

Mrs. Buccigross

- Not in attendance this evening

ADJOURNMENT:

MOTION: TO ADJOURN THE MEETING.

Moved by S. Barr, seconded by G. Bellan

Upon roll call motion passed unanimously

Meeting unanimously adjourned at 8:32pm.

Attest:

Scott Barr, President of Council

Shannon Collins, Clerk of Council