

VILLAGE OF GLENDALE  
80 E. Sharon Road  
Glendale, OH 45246

Minutes – Regular Council Meeting January 7, 2019

**Attendees:**

Don Lofty	Mayor	Present
Dr. Jenny Kilgore	Vice Mayor	Present
Mike Besl	Council	Present
Alan Hoeweler	Council	Present
Marilyn Duke	Council	Present
Nancy Macenko	Council	Present
Joan Verchot	Council	Present
Mike Beaugrand	Treasurer	Present
Becky Terrell	Clerk	Present
Wally Cordes	Village Administrator	Present
Dave Warman	Police Chief	Present
Kevin Hardwick	Fire Chief	Present
Laura Abrams	Solicitor	Present

**I. Call to Order, Establishment of Quorum, and Approval of Agenda**

**Call to Order:** Mayor Lofty called the Council to order at 7:00 pm and led all assembled in the Pledge of Allegiance.

**Quorum:** The Mayor determined that a Quorum of the Council was present and the Clerk confirmed the presence of a Quorum.

**Approval of Agenda:** Mayor Lofty presented the Council Agenda and stated some adjustments will be made 2018-54 will be moved to the first topic following the resumption.

**II. Mayor's Prayer –** Mayor Lofty presented the annual prayer.

**III. Minutes from the Council's 12 December Special Council Meeting**

Motion to approve the minutes as revised via email of the 12 December Special Council Meeting was moved by Mr. Hoeweler and seconded by Ms. Duke and unanimously approved by Council voice vote.

**IV. Public Presentations / Public Comment**

**Mr. Tom Burton, Superintendent of Princeton Schools.** Mayor Lofty stated that Mr. Burton offered to present the current report card and Mayor Lofty stated that due to the heavy agenda, his time would be limited to 10 minutes and Mayor Lofty suggested a subsequent meeting. Mayor Lofty noted that, in addition to his report to Council, Mr. Burton would be at the Town Hall on 23 January at 6:30 to report on the condition of

Princeton Schools and other matters.

**Mr. Kevin Parrish**, 176 Washington, a resident spoke and asked who was members of Parks and Recreation. He asked of the status of Summit and Washington Parks, as Summit has not been used, specifically the ballparks. Mr. Besl stated that the baseball fields were used in the spring and summer for Little League and instructional baseball. He's unaware of why the infield is overgrown and he stated that some infields overgrow to keep the clay in place but is not sure if that it he current status. Mr. Parrish asked why the diamond 1 drain is covered and Mr. Besl suggested talking to Mr. Tom Alderfer who would be most current on the status. Mr. Parrish asked about the Utilities Committee meeting and Dr. Kilgore stated that Utilities has not met recently, stating that meetings are held when there are issues or budget matters. In a letter dated 12/26/2018, Mr. Parrish made a public records request that Mr. Bell present at the 1/7/2019 Council meeting to give a Utilities Committee meeting. Mr. Parrish read the response from the Abrams Law Firm into the record, which refers to the Ohio Public Records Act. Dr. Kilgore stated that Village Administrator Cordes can represent the Utilities Committee as Mr. Bell reports to Village Administrator Cordes who is present.

## **V. Old Business**

**Ordinance 2019-54: An Ordinance Appointing Glendale Firefighter Dashawn Lane, Establishing a Probationary Period, and Declaring an Emergency.**

Mr. Lane was unable to attend the meeting, so no action was taken

**Adjournment: Sine Die** – Mr. Besl motioned to close the meeting which was seconded by Dr. Kilgore and was approved unanimously via Council voice vote.

**New Organizational Meeting** was initiated and the Clerk confirmed a quorum was present.

## **VII. New Business**

### **Ordinances:**

**Ordinance 2019-01: An Ordinance Approving the Mayor's One Year Appointment of Laura Abrams as Solicitor for the Village of Glendale, establishing compensation and Declaring an Emergency.**

Motion for Ordinance 2019-01 was moved by Ms. Macenko and seconded by Dr. Kilgore.

There was no discussion regarding the topic.

Motion to dispense with three reads was moved by Mr. Hoeweler, seconded by

Dr. Kilgore and passed unanimously by Council roll-call vote.

Motion for Ordinance 2019-01 was passed unanimously by Council roll-call vote.

**Ordinance 2019-02: An Ordinance Authorizing the Mayor to employ a Mayor's Court Magistrate and Prosecutor and Declaring an Emergency (The Mayor has indicated the intention to appoint John Smith Esq. to be Magistrate and Sandra Kelly Schilling Esq. to be Prosecutor)**

Motion for Ordinance 2019-02 was moved by. Mr. Hoeweler and seconded by Mr. Besl.

Mayor Lofty stated his intent to hire and continue with appointments as per prior years.

Motion to dispense with three reads was moved by Ms. Duke, seconded by Ms. Verchot, and unanimously passed by Council roll-call vote.

Motion for Ordinance 2019-02 was passed unanimously by Council roll-call vote.

**Resolutions:**

**Verbal resolution 2019-01: Mayor's Standing Committee Appointments.**

Ms. Verchot motioned to approve the Committee appointments as published. Mr. Besl seconded the motion. The motion passed unanimously via voice vote.

**Verbal Resolution 2019-02: Nomination and Election of Mayor Pro Tem**

Mr. Hoeweler nominated Dr. Jenny Kilgore as Mayor Pro Tem. Mr. Besl seconded the motioned. Ms. Verchot nominated Ms. Duke as Mayor Pro Tem. Ms. Macenko seconded the motion. Ms. Duke stated that in Rule 2, a second is not needed.

After thanking Ms. Verchot for the nomination, Ms. Duke asked Council members to vote for her. She emphasized that during her tenure as a Council member and Clerk/ Treasurer she has given it her best consideration in the interest of the Village and residents, regardless of whether some on Council agree with her position or vote. She seeks the position of Vice Mayor to give it her best in building consensus among disparate views and to leave that role and Council in a better stand.

Dr. Kilgore noted Ms. Duke's comments and said thank you for the nomination.

Dr. Kilgore was elected Mayor Pro Tem with the following roll call vote result:  
Ms. Verchot – Ms. Duke; Ms. Macenko – Dr. Kilgore; Ms. Duke – Ms. Duke; Mr.  
Hoeweler – Dr. Kilgore; Dr. Kilgore – Dr. Kilgore; Mr. Besl – Dr. Kilgore.

**Verbal Resolution 2019-03: Glendale Planning & Historic Preservation**

**Commission Appointments: renewal of Beth Sullebarger, 1/1/19 through 1/1/23 (4 year term)**

Mr. Besl nominated Ms. Sullebarger to Planning Commission as recommended.  
Ms. Duke seconded the nomination. The motion passed unanimously via voice vote.

**Verbal Resolution 2019-04: Park Board Appointment: renewal of Craig Simonson and Joe Moravec, 1/1/19 thru 1/1/23 (4 year term)**

This resolution will be on the 4 February Council Agenda.

**Verbal Resolution 2019-05: Appointing Joe Hubbard Glendale Park Board Chairman**

Mr. Hoeweler moved to approve the nomination of Mr. Hubbard as Glendale Park Board Chairman. Ms. Duke seconded the nomination. The motion passed unanimously via voice vote.

**Verbal Resolution 2019-06: Zoning Board of Appeals Appointments: Renewal of Tom Breidenstein 1/1/19 through 1/1/24 (5 year term)**

Mr. Besl moved to approve the nomination of Mr. Tom Breidenstein for Zoning Board of Appeals. Mr. Hoeweler seconded the nomination. The motion passed unanimously via voice vote.

**Verbal Resolution 2019-07: Adopting the Rules of Council.**

Mr. Hoeweler asked if the underlined sections were changes and Mayor Lofty stated that they are not changes but legacy markings. Solicitor Abrams stated that these are generally statutory language, but it is not solely that anymore and recommended that it be removed. Ms. Duke moved to have the underlining removed from the Rules of Council and to change the Adopted Line to read January 7, 2019. Mr. Hoeweler seconded the motion. This motion was approved via voice vote.

Dr. Kilgore requested to address Rule 10, the time allowed to present in Public Meetings suggesting that the 10 minute limit for individuals be changed to 5 minutes with the option to have the time lengthened to 10 minutes by Council a relevant. Mr. Hoeweler stated his disagreement despite previously agreeing to a shorter time. After contemplation he thinks the 10 minute time limit is suitable. Mayor Lofty stated that he also thinks the 10 minute limit is manageable and the

Rule 10 reads that time can be changed as needed. Ms. Verchot stated that 10 minutes is also adequate with the appropriate prompting by the Clerk as instituted this evening. Solicitor Abrams stated that currently there is an automatic right for every person that stands receive 10 minutes. She suggested a verbiage change that allows time be adjusted based on the number of people and type of meeting. Mayor Lofty stated that he would like to think about this as a topic and stated that the Rules can be amended at any point and this can be considered in a future meeting. Dr. Kilgore retracted her motion.

### **Adjournment of the Organizational Meeting & Resumption of the Regular Meeting**

Mr. Besl motioned to adjourn the Organizational meeting and resume the Regular meeting. Mr. Hoeweler seconded the motion. The motion passed unanimously via voice vote.

### **VII. Ordinances**

#### **Ordinance 2019-05: An Ordinance Appointing a Glendale Volunteer Firefighter, Establishing a One Year Probationary Period, and Declaring an Emergency.**

Motion for Ordinance 2019-05 was moved by Mr. Hoeweler and seconded by Ms. Duke.

Chief Hardwick stated that Mr. Mason is approaching retirement from Liberty Township and wishes to volunteer at Glendale, where he was a firefighter in the 90's. He also runs the Fire and EMS training at Scarlet Oaks.

Motion to dispense with three reads was moved by Mr. Besl, seconded by Ms. Verchot, and unanimously passed by Council roll-call vote.

Motion for Ordinance 2019-05 was passed unanimously by Council roll-call vote.

Mayor Lofty administrated the Oath of Office to Mr. Mason

#### **Ordinance 2019-03: An Ordinance Increasing the Compensation of Patrolman Joshua M. Hilling from 95% to 100% of a Full Time Officer's Wage and Declaring an Emergency.**

Motion for Ordinance 2019-03 was moved by Mr. Hoeweler and seconded by Ms. Macenko.

Chief Warman stated that when Officer Hilling has completed his third year of active duty. He is a top performer and deserves his increase.

Motion to dispense with three reads was moved by Ms. Duke and seconded by Mr. Hoeweler. Motion for Ordinance 2019-03 was passed unanimously by Council roll-call vote.

**Ordinance 2019-04: An Ordinance Amending Chapter 93 of the Village of Glendale Code of Ordinances to Require the Collection of Garbage, Trash, and Recycling by the Village of Glendale or by a Commercial Sanitation Firm Licensed by the Village, to Impose a Mandatory Service Fee for such Collection Service, and to Establish the Penalty for Violating Chapter 93, as Amended, and Declaring an Emergency.**

Motion for Ordinance 2019-04 was moved by Mr. Hoeweler and seconded by Mr. Besl.

Ms. Duke asked if this is a first read and Mayor Lofty stated that there is a motion on the table to dispense with the three reads. He stated if there are not sufficient votes to waive the 3 reads this will be the first read. Mr. Besl stated that this came from the Finance Committee where the 2.5 mil levy was needed to balance the budget, accelerate the street repair program and to protect the VPGI funding. The levy was defeated in November. Finance met following the defeat to determine how to balance the budget and to cover expenses, protect VPGI dedicated to major infrastructure (major road, building repair, water repair, police & utility vehicles) and take care of interior roads. Reimbursing the trash costs for 2019 would allow the Village to come close to balancing the budget with the option of placing a levy on the May or November 2019 ballots to balance the budget. Ms. Duke asked the dollar amount of the fee for each subscriber and Mr. Besl stated that the residential trash pick-up costs \$167,500 annually and would be approximately \$38.40 per quarter or \$12.82 per month (billed quarterly with the utility bill). Ms. Duke asked who are subscribers and do subscribers include any homeowner, business, renter, and anyone with Glendale utilities in their name? Village Administrator Cordes stated that there are about 1,090 subscribers; some businesses do not subscribe to the service and they will be excluded. The base subscription list would start at the utility bill and then it would be checked if they are receiving a tote garbage and recycling container. Ms. Duke asked if nonpayment could potentially result in a lien placed against the property if there no payment. Ms. Duke asked about Section F that discusses the penalty payments and how this relates to the 10% late payment fee. Solicitor Abrams stated that there is a late payment (10%) and a fine for non-compliance (\$50+) so there could be multiple incremental charges. Dr. Kilgore stated that the charge is not based on the amount of garbage, but for the service to the house. Village Administrator Cordes stated that the current contract is for unlimited cans and the contract is up for renewal in May, costs could escalate

under the Village's new contract with Rumpke, but the unlimited cans will likely remain as it is a benefit to the residents. Ms. Macenko asked when this would become effective and Solicitor Abrams stated that because there are fine possibilities it would not be placed into effect until it is published. Mr. Hoeweler asked if there are no costs in changing this, Village Administrator Cordes stated that there is a one-time set up/change fee to the Utility Bill set up to have this completed. Solicitor Abrams stated that administrative fees are intended to recover administration and not be revenue generating so the May Rumpke contract renewal allows enough time to gather actual administrative costs.

Motion to dispense with three reads was moved by Ms. Macenko and seconded by Ms. Verchot. Ms. Duke and Dr. Kilgore voted against dispensing with three reads; Ms. Verchot, Ms. Macenko, Mr. Hoeweler, Mr. Besl voted for the motion and it failed.

This acts as the first read for Ordinance 2019-04.

**Resolutions:**

**Resolution 2019-08: A Resolution Requesting the County Auditor to Make Advance Payments of Taxes Pursuant to Ohio Revised Code 321.34 and Declaring an Emergency.**

Motion for Resolution 2019-08 was moved by Ms. Duke and seconded by Ms. Macenko.

Village Administrator Cordes stated that this is an annual resolution, as the County allows us to have an advance on the taxes. They require a resolution of Council to receive the advanced payments.

Motion to dispense with three reads was moved by Mr. Besl, seconded by Mr. Hoeweler, and unanimously passed by Council roll-call vote.

Motion for Resolution 2019-08 was passed unanimously by Council roll-call vote.

**Resolution 2019-09: A Resolution Providing for Review of the Point of Dispensing (POD) Contact List and Declaring an Emergency.**

Motion for Resolution 2019-09 was moved by Mr. Besl and seconded by Ms. Duke.

There was no discussion on the resolution.

Motion to dispense with three reads was moved by Mr. Besl, seconded by Mr. Hoeweler, and unanimously passed by Council roll-call vote.

Motion for Resolution 2019-09 was passed unanimously by Council roll-call vote.

**Resolution 2019-10: A Resolution Declaring the Need for An Additional General Operating Expense Levy for a Period of four (4) Years and Requesting the County Auditor to Certify the Current Tax Valuation of the Subdivision and the Amount of Revenue that Would be Produced by said Millage General Operating Expense Levy Pursuant to Section 3705.03(B) IRC and Declaring an Emergency (Options include a 1 or 1.5 Mill Levy).**

Motion for Resolution 2019-10 was moved by Dr. Kilgore to have both millage presented. Ms. Duke seconded the motion.

Solicitor Abrams stated that each millage had to be acted upon as separate resolutions. Resolution 2019-10 is for the 1 mill levy and 2019-11 is for the 1.5 levy.

Motion for Resolution 2019-10 (1 Mill) was moved by Dr. Kilgore and Mayor Lofty read the revised Resolution into the record. Ms. Duke seconded the motion. Mr. Besl motioned to dispense with the three reads and Dr. Kilgore seconded the motion.

The motion to dispense with three reads passed unanimously. The motion for the Resolution passed with the following results: Ms. Verchot – no; Ms. Macenko – yes; Ms. Duke – no; Mr. Hoeweler – yes; Dr. Kilgore – yes; Mr. Besl – yes.

Motion for Resolution 2019-11 (1.5 Mill) was moved by Mr. Hoeweler. Dr. Kilgore seconded the motion. Mr. Hoeweler motioned to dispense with the three reads and Dr. Kilgore seconded the motion.

The motion to dispense with three reads passed unanimously. The motion for the Resolution passed with the following results: Ms. Verchot – no; Ms. Macenko – yes; Ms. Duke – no; Mr. Hoeweler – yes; Dr. Kilgore – yes; Mr. Besl – yes.

Dr. Kilgore clarified that this is only to understand the final amount the levies would raise. Ms. Duke stated that year end financial reports have not been received yet, and there is no final year end reporting. Mayor Lofty stated that they are in process and should be available shortly.

**VIII. Reports from the Mayor, Standing Committees and Special Committees**

Births: None reported

Deaths: None reported



Mayor Lofty stated that if anyone is aware of births in the neighborhood, to let the Village Office and Maddux Lee was born to Officer Josh Hilling and his wife Shana on 20 December. Ms. Verchot and Mayor Lofty attended the Fire Department's All Hands meeting last Friday and Mayor Lofty reported that he was very impressed with the amount of training that the firefighters have to attend.

An application to be designated a Tree City for the 23<sup>rd</sup> year in a row has been submitted. The application has been approved at the local level and will be forwarded to the State.

### **Committee Reports:**

**Finance Committee:** Committee Chair Mr. Besl reported that they met on 12 December to review how to balance the annual budget, maintain and protect VPGI funding for future capital expenses. Many community members attended and expressed opinions and 2 members of the community had ideas on how to hold down expenses including spending down the VPGI which would reduce funding for large items like repaving Sharon Road and purchasing new emergency vehicles. Other thoughts included cutting salaries and it was decided that there would be a salary survey conducted to determine how Glendale salaries align to other similar size organizations. It is likely that the Village will run into a deficit in 2019 under the current budget. The intent is to hold to 2.5% increase on expenses and no more than that, which is possible and the budget could be balanced with the trash cost covered by the Village residents. The Village has not had an increase in taxes in 6 years and expenses have gone up due to inflation. The 1 mil levy would generate approximately \$100,000 while the trash cost alone is \$167,500. If the 1 mil levy is passed and the trash cost is covered by the residents, it would essentially act as the 2.5 mil levy asked for in November. The other option is to push vehicle replacement out another 1 year and this would incur additional repair costs and possibly run into other issues like officers not on the road. The next Finance Committee meeting is scheduled for Thursday 21 February at 6:30 and 25 February at 6pm.

**Fire Committee:** Committee Chair Ms. Verchot stated that they met 12 December. The Chief provided an update on Phase 1 including some items including geothermal and tree stumps. Phase 2 was also discussed including furnishings and a long discussion about maintenance vs. renovation. There was focus to differentiate between maintenance vs. renovation to understand true costs between the items. Chief Hardwick stated that they held an annual all hands meeting to set the 2019 plan. This is the 125<sup>th</sup> anniversary of the FD, which was a key topic of conversation. 420 total dispatches for 2018, the largest number of emergencies in a year, so the force and needs continue to grow. Chief Hardwick said in 2018, there were 41,752 volunteer hours @ \$24.69/hour = \$1MM volunteer time back to Glendale. Chief Hardwick made a

point regarding road and accident safety during an investigation for safety purposes. Ms. Macenko asked about the GHP exhibit for the Fire Department and suggested if they have any historic artifacts that could be on loan.

**Laws, Claims & Miscellaneous:** Committee Chair Ms. Duke stated that the Laws Committee did not meet in December. The next meeting scheduled is for Mayor Lofty, Finance Chair Besl and her to meet with the Urban Land Institute on 17 January to discuss Village procurement of an independent assessment on the best use of large tract land in Glendale during the morning

**Police Committee:** Committee Chair Mr. Hoeweler stated they did not meet in December and the next meeting will be Thursday 24 January at 6pm. This is to discuss general business and begin the budgetary process. Chief Warman stated that there is a major trend in seeing drugs. They have taken in over 3lbs of drugs in December in the Village alone. This has primarily occurred at night and if residents see 2 cars stopped in the middle of the road to call the Glendale police department. Glendale is either a cut through or a meeting spot for drug trafficking.

**Public Buildings and Historic Preservation:** Committee Chair Ms. Macenko did not meet in December. She stated that there are 5 issues of deferred maintenance in the Fire Station and those areas are administrative matters and were turned over to Village Administrator Cordes.

**Recreation and Playgrounds:** Committee Chair Dr. Kilgore had no meeting in December. Washington Park improvements is a beautiful piece of land and an asset to the community. The next meeting will be in February and will be scheduled separately.

**Streets, Public Improvements & Lights:** Committee Chair Mr. Besl reported no meeting however Village Administrator Cordes and Mr. Tom Alderfer created and presented Operating and Capital budgets.

**Utilities Committee:** Committee Chair Dr. Kilgore stated that Utilities can only charge what it takes to run the department and is autonomous from the budget committee. The Utilities committee did not meet in December but reported the following work was completed:

**Wastewater**

1. completed the rebuild of the EQ pump basin with new pump guide rails, floats, and pump bases.
2. Continue to monitor rain events and flows for I&I

**Water**

1. Completed reading the quarterly water meters.
2. Repaired water main break on East Sharon Rd near Depot Ln.

3. Relocated fire hydrant for new fire house renovations.

4. working with leak location specialists on finding water leaks on Cleveland Ave. Village Administrator Cordes stated that there were 3 leaks identified in this process that were previously unknown. The Waste Department does have public tours periodically and suggested that residents tour the facilities. 400,000 treated potable water out and 380,000 back in sewage. During rains it can be 3MM gallons into the system. Wally stated in the last 2 years many of the sewers have been relined and renewed due to the age of the sewage system and the last rain event had only a 780,000 gallon input. Has looked at Maple Knoll to look at retention/detention pond and any filtration that may be happening into Washington. Storm water should not connect to the sanitary system and any incursions are being looked into (inflow infiltration). Ms. Duke asked if she would post the report that she read.

Mayor Lofty stated that elected officials are required to take training in the open records or open meetings act. Ms. Joan Verchot attended the training on behalf of the Glendale elected officials.

#### **IX. Miscellaneous Business and Reports**

a. Reports from the Clerk and Treasurer

Treasurer – Treasurer Beaugrand passed out and reviewed the investment summary and returns on investment. He indicated 5 year CD rates have flattened and are going down. The chart presented is the general checking account cash flow. The high point is the July tax payment receipts and we average 150-200k out every month so February will be tight. Ms. Duke asked about interest rates for shorter term CDs and Treasurer Beaugrand stated that the goal is to look for higher yield longer term investments for predictability.

Clerk – No report was provided.

#### **X. Review of Expenditures**

a. 2019-01 General Fund

b. 2019-01 Enterprise Fund

Mayor Lofty introduced the finance and expenditure package; Revenue and Expense reports will arrive later in the month. 2019 general checking certification, enterprise checking certification and report from the Magistrate's Court Expenses and Revenues. Dr. Kilgore motioned to receive the reports and Mr. Besl seconded the motion and it passed unanimously via Council voice vote.

#### **XI. Adjournment**

Motion to adjourn was moved by Mr. Hoeweler; and seconded by Ms. Duke, and unanimously passed by a Council voice vote.

The meeting adjourned at 8:51 pm.

**Next regular meeting February 4, 2019 at 7:00 pm**

ATTESTED BY:

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Mayor Donald A. Lofty

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Rebecca M. Terrell

Clerk