

VILLAGE OF MADISON

Regular Council Meeting

January 9, 2023

**RECORD OF PROCEEDINGS**

Mayor Britton called the meeting to order at 7:00PM.

Mayor Britton invited all in attendance to join in the Pledge of Allegiance to the Flag. Mayor Britton requested that everyone observe a moment of silence. Mayor Britton asked that we keep Police Chief McIntosh and his family in your thoughts with the passing of his Mother-in-Law as well as the family of Dean Bader from Digital Imaging. Council Members Mr. Adams, Mr. Donaldson, Ms. Drown, Mr. Lee and Mr. Vest were in attendance. Also in attendance were Administrator Mr. Bailey, Law Director Mr. Szeman, Fiscal Officer Kristie Crockett & Assistant Village Engineer Andy Lubonovic. Chief of Police Troy McIntosh was not in attendance.

**PUBLIC HEARING:** None

Mayor Britton announced minutes to be approved for the Council Meeting held on December 27, 2022.

Motion for approval made by Mr. Lee, seconded by Mr. Adams.

Questions/Discussions – None

Roll call on approval, 5 yeas. Motion carried.

**FIRST HEARING OF PERSONS BEFORE COUNCIL:**

Walt Richardson (700 E. Main Street) – Mr. Richardson voiced his concerns with Council passing legislation on the first reading. Mr. Richardson feels that Council should not pass legislation on the first reading thus giving the public more time to research and voice any concerns with it. He asked Council to break the habit of the suspending legislation on the first reading.

**PAY ORDINANCE**

Mayor Britton presented Pay Ordinance No. 2478: \$48,356.32 for payroll and \$169,847.67 for current and upcoming expenses, for a total of \$218,203.99.

Motion for approval made by Mr. Adams, seconded by Mr. Donaldson.

Questions/Discussions – None

Roll call on approval, 5 yeas. Motion carried.

**OLD LEGISLATION:** None

**NEW LEGISLATION:**

**ORDINANCE NO. 1-2023: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENTS WITH THE BOARD OF LAKE COUNTY COMMISSIONERS FOR THE TRANSFER OF THE VILLAGE MUNICIPAL WATER WORKS AND SANITARY SEWAGE SYSTEM TO**

**THE LAKE COUNTY DEPARTMENT OF UTILITIES; AND DECLARING AN EMERGENCY (1<sup>st</sup> Reading)**

Motion for suspension made by Mr. Vest, seconded by Mr. Adams.

Questions/Discussion: Councilman Vest explained that the reason that he is moving to suspend is because this legislation pertains to an extension of a contract that the Village already has in place. If we do not pass this, the Village will lose the importance of the end of the contract. He went on to state that a lot of legislation is of the same nature thus the suspension of the three-reading rule.

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Lee, seconded by Mr. Adams.

Questions/Discussion: Administrator Bailey explained the contract that the Village entered into with the Lake County Department of Utilities to transfer our utilities to them had a five (5) year sunset on it. The sunset is February 2023, if this should lapse, it could mean the lack of our ability to combine our systems. He stated that this legislation just extends the sunset to a more reasonable time.

Roll call on the motion: 5 yeas. Motion carried.

**ORDINANCE NO. 2-2023: AN ORDINANCE REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY TO MADISON VILLAGE THE CURRENT TAX VALUATION OF THE VILLAGE AND THE NUMBER OF MILLS REQUIRED TO GENERATE \$450,000.00 OF DOLLARS OF REVENUE BY THE PASSAGE OF A REPLACEMENT OF THE CURRENT 3.8 MILL ADDITIONAL POLICE TAX LEVY; AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)**

Motion for suspension made by Mr. Vest, seconded by Mr. Donaldson.

Questions/Discussion: Councilman Vest explained the reason that he is voting to suspend this legislation. The reason is that there is a time constraint in order for Lake County to certify the \$450,000.00 that it would generate. Once certified by Lake County, legislation will come before Council in order for this to go to the ballot.

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Adams, seconded by Mr. Lee.

Questions/Discussion: Councilman Lee asked that once the Auditor certifies the amount, will the Village have enough time to get legislation on the May ballot with three readings. Administrator Bailey explained that if this went three reading, it would not make the May ballot. This legislation would have to be passed at the next meeting to be on the May ballot.

A brief discussion took place regarding the amount of the millage. Councilman Adams wanted to verify that this amount would be enough so that in a few years, the Police Department doesn't have to come back for another levy.

Administrator Bailey added that when the original levy was passed, much of the Police Department was part-time officers that were borrowed from other communities. The goal was to make the Department more professional with a full-time force, the Village knew that that there would be more cost involved. He stated that we are getting to this point and are at that level and the costs for Policing have gone up. Should this levy move forward and pass, this maintains a good balance of what is supplemented from the General Fund into the Police Department for quite some time.

Mayor Britton added that although the rates that the Officers make has gone up, we still can't compete with other departments.

Roll call on the motion: 5 yeas. Motion carried.

**ORDINANCE NO. 3-2023: AN ORDINANCE AUTHORIZING AN ADVANCE FROM THE GENERAL FUND TO THE CAPITAL PROJECT FUND FOR THE H20HIO MADISON VILLAGE WETLAND PROJECT AND DECLARING AN EMERGENCY (1<sup>st</sup> Reading)**

Administrator Bailey explained that this is grant money from the State of Ohio, it's in and out. He explained that this is not general fund money, it gets reimbursed when we get reimbursed from the State. He explained that this is for Wetlands Reclamation Project adjacent to the Madison Senior Center.

Motion for suspension made by Mr. Lee, seconded by Ms. Drown.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Vest, seconded by Mr. Adams.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

**ORDINANCE NO. 4-2023: AN ORDINANCE PROVIDING FOR ADDITIONAL PERMANENT APPROPRIATIONS AND ADJUSTMENTS TO VARIOUS LINE ITEMS FOR THE CURRENT EXPENSES AND FOR OTHER EXPENDITURES OF THE VILLAGE OF MADISON, OHIO, FOR THE PERIOD BEGINNING JANUARY 1, 2023 TO AND INCLUDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading) (\$38,000.00 to install temporary signal equipment at I90 Interchange)**

Motion for suspension made by Mr. Vest, seconded by Mr. Adams.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Vest, seconded by Mr. Adams.

Questions/Discussion: Administrator Bailey stated that this amount was not appropriated in the budget. If we wait on this legislation for three reading, it will delay the traffic light by three (3) weeks.

Roll call on the motion: 5 yeas. Motion carried.

**ORDINANCE NO. 5-2023: AN ORDINANCE ACCEPTING A COMPETITIVE BID AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SOUTHEASTERN EQUIPMENT COMPANY FOR THE PURCHASE OF A CASE LOADER/BACKHOE; AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)**

Will go to second reading.

Administrator Bailey stated that he will research how long the quote is valid for. If need be, we can pass this at the next meeting.

**RESOLUTION NO. 1-2023: A RESOLUTION REQUESTING THE LAKE COUNTY AUDITOR TO MADE ADVANCE PAYMENTS OF TAXES PURSUANT TO OHIO REVISED CODE 321.34, AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)**

Motion for suspension made by Mr. Vest, seconded by Mr. Lee.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Adams, seconded by Mr. Donaldson.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

**PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:**

A purchase order in the amount not to exceed \$38,000.00 to Lampion Companies for the installation of temporary signal equipment at the intersection of the S.R. 528 and I90 EB exit ramp. Administrator Bailey explained that this will be used equipment with the exception of the suspension wiring which will transfer to the new installation when ODOT puts in the permanent equipment.

A motion for passage was made by Mr. Adams, seconded by Mr. Vest.

Questions/Discussion: Administrator Bailey clarified that this signalization is for the south side of I-90. Upon approval of purchase order, the lead time on this is approximately four (4) weeks.

Roll call on the motion: 5 yeas. Motion carried.

Administrator Bailey stated that Council has before them the Committee appointments that were discussed at the previous meeting.

A motion was made by Mr. Vest, seconded by Mr. Adams to approve the re-organizational chart as a slate.

Questions/Discussion: A brief discussion was held regarding the Safety Committee.

Roll call on the motion: 5 yeas. Motion carried.

(See attachment)

**ADMINISTRATOR'S REPORT:**

➤ **Engineer's report –**

Mr. Lubonovic reported that Chiver's Construction has installed approximately 100' of pipe along State Route 528 for the Sewer Interconnect Project. They are currently located at Immaculate Conception Church and moving south. They also have another crew on Middle Ridge Road near the Woodworth Farm where they are dewatering and installing pipe.

In closing, he reported that his office is working on additional improvements for Dana's Park and the Wetland Boardwalk projects.

A brief discussion was held regarding the repaving of Middle Ridge Road.

➤ **Fiscal Officer's report –**

Mrs. Crockett reported that she is continuing to work on year end. She is hoping that by the next meeting, she will have 2022 wrapped up and the financials will be done.

➤ **Police Chief's report – None**

➤ **Administrator’s report –**

Mr. Bailey reported that the sewer interconnect project is going well. He is relieved to see pipe going into the ground.

He stated that he is receiving phone calls regarding additional development at the Interchange.

Councilman Adams stated that he has been at the Interchange several times at various times and it seems that the traffic backup is westbound. Administrator Bailey stated that he has had a few conference calls with O.D.O.T. and they are aware of this. They are going to perform a speed study for the area and gave the Village permission to put in the temporary signals which will be followed up with permanent ones. They are also going to be replacing the striping in front of Sheetz, restoring it to a single center line until the turn lane on the bridge is installed; once the signals are in place.

O.D.O.T. will be doing this on their own accord, so they are aware of the traffic issues and are trying to help deal with congestion issues and the speed of the signalization project.

Discussion took place regarding two street lights being out going south on St. Rt. 528.

**COMMISSION AND COMMITTEE REPORTS: None**

**FINAL HEARING OF PERSONS BEFORE COUNCIL:**

Walt Richardson (700 E. Main Street) – Mr. Richardson spoke again regarding the three-reading rule. He read aloud an article from a professor from Cleveland State regarding the suspension of the three-reading rule.

**NEW BUSINESS**

**Mayor’s Report: -**

**ADJOURNMENT**

Motion to adjourn at 7:38 pm made by Mr. Lee, seconded by Mr. Adams.

Roll call on adjournment, 5 yeas. Meeting adjourned.

  
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Sam Britton Jr., Mayor

  
\_\_\_\_\_  
Mark V. Vest Council President

1/23/2023  
DATE

Attested:

  
\_\_\_\_\_  
Kristie M. Crockett, Fiscal Officer

January 23, 2023  
DATE

Ord	Position	Members	Procedure	Term	Current Terms	Appoint by	Notes Needed	Tentative Meet Dates
1	President of Council	Council P	Individual	2 Years	1/1/22 TO 12/31/24	Council	Majority Present	1st & 3rd Monday
2	Vice-President of Council	Council VP	ADAMS	2 Years	1/1/22 TO 12/31/24	Council	Majority Present	1st & 3rd Monday
<b>Statutory Committees</b>								
1	Fire District	Council	DONALDSON	1 Year	1/1/23 TO 12/31/23	Council	Majority Present	3rd Wednesday
		Council	ADAMS	1 Year	1/1/23 TO 12/31/23	1 Motion for all 3		
		Council	LEE	1 Year	1/1/23 TO 12/31/23			
2	Health Department Committee	Council	Dana Drown	1 Year	1/1/23 TO 12/31/23	Mayor	NA	Annually
3	Records Commission Committee	Mayor Admin	Sam Britton Dwayne Bailey	1 Year 1 Year	1/1/23 TO 12/31/23 1/1/23 TO 12/31/23	Mayor Mayor	NA NA	As needed As needed
		Fiscal O	Kristy Crockett	1 Year	1/1/23 TO 12/31/23			
		Resident	Trevor Behm	1 Year	1/1/23 TO 12/31/23			
		Council VP	Dana Drown	1 Year	1/1/23 TO 12/31/23			
<b>Charter Committees</b>								
1	Planning & Zoning Commission Committee	Mayor Admin	Sam Britton	ex officio	1/1/23 TO 12/31/23	Charter/Mayor	Majority of Council	3rd Thursday/Month
		Resident	Dwayne Bailey	ex officio	1/1/23 TO 12/31/23	Charter/Council		
		Resident	Robert Muller	3 Years	1/1/22 TO 12/01/24			
		Resident	Greg Myers	3 Years	1/1/21 TO 12/31/23			
		Resident	Ray Meister	3 Years	1/1/23 TO 12/31/25			
		Council	VEST	1 Year	1/1/23 TO 12/31/23			
2	Board of Zoning Appeals Committee	Mayor Admin	Sam Britton	ex officio	1/1/23 TO 12/31/23	Charter/Mayor	Majority of Council	As needed
		Resident	Dwayne Bailey	ex officio	1/1/23 TO 12/31/23	Charter/Council		
		Resident	Norm Shimko	3 Years	1/1/22 to 12/31/24			
		Resident	Kate Marley	3 Years	1/1/21 TO 12/31/23			
		Resident	Eric Nainiger	3 Years	1/1/21 TO 12/31/23			
		Council	ADAMS	1 Year	1/1/23 TO 12/31/23			
<b>Advisory Groups</b>								
1	Safety Advisory Group	Mayor Police C	Sam Britton	ex officio	1/1/23 TO 12/31/23	Mayor	NA	As needed
		Council	Troy McIntosh	ex officio	1/1/23 TO 12/31/23			
		Council	DROWN	1 Year	1/1/23 TO 12/31/23			
		Council	DONALDSON	1 Year	1/1/23 TO 12/31/23			
2	Utilities Advisory Group	Mayor Admin	Sam Britton	ex officio	1/1/23 TO 12/31/23	Mayor	NA	As needed
		Council	Dwayne Bailey	ex officio	1/1/23 TO 12/31/23			
		Council	DONALDSON	1 Year	1/1/23 TO 12/31/23			
		Council	VEST	1 Year	1/1/23 TO 12/31/23			
3	Economic Development Advisory Group	Mayor Admin	Sam Britton	ex officio	1/1/23 TO 12/31/23	Mayor	NA	As needed
		Fiscal O	Dwayne Bailey	ex officio	1/1/23 TO 12/31/23			
		MPACC Rep	Kristy Crockett	ex officio	1/1/23 TO 12/31/23			
		Council	OPEN	1 Year	1/1/23 TO 12/31/23			
		Council	ADAMS	1 Year	1/1/23 TO 12/31/23			
		Council	DROWN	1 Year	1/1/23 TO 12/31/23			
4	Audit Advisory Group	Mayor Admin	Sam Britton	ex officio	1/1/23 TO 12/31/23	Mayor	NA	As needed
		Fiscal O	Dwayne Bailey	ex officio	1/1/23 TO 12/31/23			
		Council P/V/P	Kristy Crockett	2 Years	1/1/23 TO 12/31/24			
		Council	VEST	2 Years	1/1/23 TO 12/31/24			
		Council	DONALDSON	2 Years	1/1/23 TO 12/31/24			
<b>Committee of Council</b>								
1	Finance Committee of Council	Mayor	Sam Britton	ex officio	1/1/23 TO 12/31/23	Mayor	NA	once per quarter





			Resident	Un Appointed	Project Spec.		Mayor		
			Resident	Un Appointed	Project Spec.		CRA		
			Plan & Zon	Un Appointed	Project Spec.				
			Council	Un Appointed	Project Spec.				
			Council VP	Un Appointed	Project Spec.				
			Resident	Un Appointed	Project Spec.		CRA		
			Mayor	Un Appointed	Project Spec.		Mayor	Majority Present	
			Admin	Un Appointed	Project Spec.				
			Fiscal O	Un Appointed	Project Spec.				
			Engineer	Un Appointed	Project Spec.				
			Police C	Un Appointed	Project Spec.				
			Council	Un Appointed	Project Spec.				
			Council	Un Appointed	Project Spec.				
<b>4</b>	<b>Building Committee</b>								

Note: PZC to make recommendation



