

VILLAGE OF MADISON  
Regular Council Meeting  
November 13, 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. Council Members Mr. Adams, Mr. Donaldson, Ms. Drown, 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 and Chief of Police Troy McIntosh. Village Engineer Eric Haibach was not in attendance.

Mr. Lee arrived late.

**PUBLIC HEARING:**

Mayor Britton opened the public hearing up at 7:01 pm.

Law Director Szeman read the ordinance.

Ordinance No. 32-2023: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AND TO CHANGE THE ZONING OF PERMANENT PARCEL NO. 02-A-015-0-00-001-0 FROM R-3, MULTIPLE FAMILY RESIDENCE DISTRICT, TO A-1, AGRICULTURAL DISTRICT.

Mayor Britton opened the floor to comments.

Bernie Deak (6355 Middle Ridge Road). Mr. Deak introduced himself. He and his wife own the property. He explained that they would like to clear some of the back property and change the property from residential to agricultural in order to have hooved animals. They wanted to get four rescue goats. They would like to have a small barn with a pasture area.

He stated that they have cleared as much land as they plan to.

In the back of the property, where Arcola Creek runs through, he would like to keep this as a forestry management area. He would like to work with the State of Ohio on this however; they will not work with them unless the property is zoned agricultural.

Mr. Deak stated that if anyone in the audience has questions, he would be happy to answer them.

He was instructed that the public hearing is not a question-and-answer session. An audience member can come up and make a statement regarding the Ordinance.

Councilman Lee arrived at 7:03 pm.

Mr. Szeman announced to the audience that this is the public hearing, if they would like to speak, this is the time to do so. He stated that the audience members can pose questions to the Council however; there is not an opportunity for back-and-forth dialogue.

Jonathan Edwards (1205 E. Mallard Drive) – Mr. Edwards stated that he is concerned that if this change goes through, it will devalue their property. He stated that the residents were also told that there would be some sort of buffer put in, which has not happened. Since the property has been

cleared, there is yellow caution tape up and looks like an eye sore. It has also displaced other creatures that lived on that land.

Judy Oltmann (1083 W. Mallard Drive) – Stated she lives on the corner next to the property and will be impacted by the noise of the goats. They want to start with four goats, then what? She asked what is the maximum number of animals they can have? She questioned what would the distance be between E. Mallard and W. Mallard for the access road? Where will the manure be going? She stated that there are many unanswered questions.

For Council's consideration, she asked if there is going to be a limit on how many animals can be on the property, is there a size of the area where he would like the animals, what about the noise level?

Mr. Deak spoke again, he stated that he doesn't have total control of how many animals are permitted, it is up to Madison Village. He stated that his intent is not to have a huge farm, it is to have a few rescue animals and possibly help move them along to find homes.

Lawerence Sponaugle (1611 Pheasant Court) – Mr. Sponaugle stated that the turkeys and deer are gone. Much of the wildlife is gone since the clearing has occurred. He also noticed that Mr. Deak disturbed the creek bed, he asked if this is permitted? Mr. Bailey stated that this would be a separate issue than what is being discussed today.

With no one else coming forward, Mayor Britton closed the public hearing at 7:13 pm.

## **MINUTES**

Mayor Britton announced minutes to be approved for the Council Meeting held on October 23, 2023.

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

Questions/Discussions – None

Roll call on approval, 5 yeas. Motion carried.

**FIRST HEARING OF PERSONS BEFORE COUNCIL:** None

## **PAY ORDINANCE**

Mayor Britton presented Pay Ordinance No. 2492: \$115,925.43 for payroll and \$1,409,624.79 for current and upcoming expenses, for a total of \$1,525,550.22.

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

Questions/Discussions – None

Roll call on approval, 5 yeas. Motion carried.

## **OLD LEGISLATION:**

**ORDINANCE NO. 32-2023: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AND TO CHANGE THE ZONING OF PERMANENT PARCEL NO. 02-A-015-0-00-001-0 FROM R-3, MULTIPLE FAMILY RESIDENCE DISTRICT, TO A-1, AGRICULTURAL DISTRICT.** (3<sup>rd</sup> Reading)

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

Questions/Discussion: Councilman Lee asked Mr. Szeman what his recommendation on this would be? Mr. Szeman stated, with respect, he has no recommendation. This is a legislative decision. There are no overriding legal issues that are presented.

Councilman Vest stated that the recommendation from the Planning & Zoning Commission was to not give the variance. It was defeated 3 – 1.

Roll call on the motion: 5 nays. Motion defeated.

**NEW LEGISLATION:**

**ORDINANCE NO. 38-2023: AN ORDINANCE AMENDING PART ONE, CHAPTER 181, SECTIONS 181.062, 181.091, AND 181.10 OF THE CODIFIED ORDINANCES OF THE VLLAGE OF MADISON, 2015, AS AMENDED, TO REVISE THE MUNICIPAL INCOME TAX CODE IN ACCORDANCE WITH AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)**

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. Adams, seconded by Mr. Lee.

Questions/Discussion: Mr. Vest stated that the Village is not raising income tax. This legislation is required by the State of Ohio.

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

**ORDINANCE NO. 39-2023: AN ORDINANCE AUTHORIZING THE TRANSFER OF \$240,000.00 FROM THE CAPITAL PROJECT FUND TO THE GENERAL FUND AS REPAYMENT IN FULL OF GENERAL FUNDS PREVIOUSLY ADVANCED FOR THE H2OHIO MADISON VILLAGE WETLAND PROJECT, 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: 4 yeas. 1 abstention. Mr. Donaldson abstained. Motion carried.

Motion for passage made by Mr. Adams, seconded by Ms. Drown.

Questions/Discussion: Mr. Bailey explained that this is repayment from the General Fund. The money was borrowed in order to get the H2Ohio project started.

Roll call on the motion: 4 yeas. 1 abstention. Mr. Donaldson abstained. Motion carried.

**RESOLUTION NO. 22-2023: A RESOLUTION HONORING THE 100<sup>TH</sup> ANNIVERSARY OF JAY WILSON POST 112 OF THE AMERICAN LEGION.**

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

Questions/Discussion: None

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

**RESOLUTION NO. 23-2023: A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH GAMETIME FOR THE PURCHASE AND INSTALLATION OF INCLUSIVE PLAY EQUIPMENT, 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: Mr. Bailey explained that this is for the playground equipment upgrade at Dana's Park.

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

**RESOLUTION NO. 24-2023: A RESOLUTION CONFIRMING THE APPOINTMENT OF JUSTIN E. STEFANCIN TO THE POSITION OF FULL TIME PATROL OFFICER; AND DECLARING AN EMERGENCY. (1<sup>st</sup> Reading)**

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

Questions/Discussion: None

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

Motion for passage made by Mr. Adams, seconded by Ms. Drown.

Questions/Discussion: None

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

Chief McIntosh reported that Mr. Stefancin will fill the open position for the last full-time officer in the department. He provided a brief history on Mr. Stefancin. He is currently working through the pre-employment requirements. Once complete, he will be sworn in and start training.

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

A purchase order to C.I.R. in the amount of \$2,015.30 for an emergency repair (water main break Deerfield & Willowbend)

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

Questions/Discussion: None

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

A purchase order to Madison Township in the amount of \$11,030.08 for the annual Regional Waterway Maintenance Program located at Kim Drive – Senior Center (a request for reimbursement will be submitted to Lake County Stormwater Management)

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

Questions/Comments: Mr. Bailey provided a brief explanation on the payment. He explained that the work done was for clearing some obstructions in the stream on Kim Drive and a few places at the Senior Center.

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

**ADMINISTRATOR'S REPORT:**

➤ **Engineer's report –**

Mr. Lubonovic reported in Mr. Haibach's absence. He reported that Mr. Haibach is working with Geauga Highway to obtain a schedule for paving work at Dana's Park. They are anticipating it happening soon, as long as there is a break in the weather.

Administrator Bailey provided an update on the signalization project at I-90. He reported the preliminary agreement with ODOT was passed at the last meeting. ODOT is currently reviewing the tracings and the final package that was submitted by CT Consultants. ODOT will be sending the final agreement around December 18, 2023. It will have the final dollar amount that the Village will have to put in escrow so the project can go out to bid on February 8, 2024.

➤ **Fiscal Officer's report –**

Mrs. Crockett reported that she has been working with Administrator Bailey and Mayor Britton on the 2024 budget. She has to input some changes, that Mayor Britton made, to the preliminary budget. She would like to schedule a meeting with the Finance Committee next Monday November 20, 2023.

➤ **Police Chief's report –**

Chief McIntosh reported that the Boo Brew Bar Crawl and Trick or Treat went well without any major incidents.

He reported that Newbury Technologies has completed the extension of the internet and network connectivity to the police garage and training room. The Officer's are near completion of their 24-hour training required by the State of Ohio. He anticipates them being complete by the end of November. Once complete, it will be reported to the State of Ohio and a portion of the training will be reimbursed by the State.

He stated that with the hiring of the new officer, the Department will now have nine (9) full-time sworn officers along with himself as well as three (3) part-time officers.

➤ **Administrator's report –**

Administrator Bailey reported that the Boo Brew Crawl went really well. Trunk or Treat was a success.

The M.C.I.C. is working with the local restaurant owners to come up with other activities to do in town.

He reported that he has received email correspondence from a resident, Mr. Clough, in Huntington Woods. He is requesting to Council that they consider proposing an ordinance restricting the size of lawn mowers based on the size of their lot, with a disability exclusion. Mr. Clough feels that given the climate change; it is not necessary to have a 20 hp mower on a ¼ acre lot. He also proposed maybe going all electric by a certain date.

In closing, he reported that the landmark dedication to the large flag that was put up at Meyer's RV was monumental. They will be adding the P.O.W. flag as well.

**COMMISSION AND COMMITTEE REPORTS:**

Congratulations were given to Mayor Britton, Councilman Donaldson and Councilman Vest on their re-elections. Mr. Vest stated that he is looking forward to working with them. He asked

Council that if they are looking to sit on a committee for the upcoming year to let him know so that he can pass it along to the Mayor.  
Mayor Britton thanked all that voted for him.

**FINAL HEARING OF PERSONS BEFORE COUNCIL:**

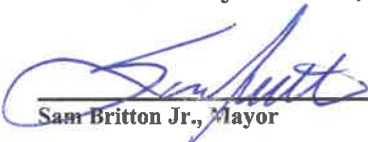
Bernie Deak (6355 Middle Ridge Road) – Mr. Deak asked other than having horses, what can he do? Mr. Bailey explained to him what a variance is and how the process works.  
Mr. Szeman also provided an explanation on how zoning changes are done.

**NEW BUSINESS**

**Mayor's Report: -**

**ADJOURNMENT**

Motion to adjourn At 7:38 pm made by Mr. Adams, seconded by Mr. Vest.  
Roll call on adjournment, 5 yeas. Meeting adjourned.

  
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Sam Britton Jr., Mayor

  
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Mark V. Vest Council President

11/27/2023  
DATE

**Attested:**

  
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Kristie M. Crockett, Fiscal Officer

11-27-2023  
\_\_\_\_\_  
DATE