



**RICHFIELD VILLAGE COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 2, 2021
6:30 p.m.
(Meeting conducted via Zoom)**

ROLL CALL: Beshara, Boester, Domanick, Lyons, Philippbar, Stoppenhagen and Waszak (6:50).

OTHERS PRESENT: Mayor Wheeler, Police Chief Swanson, Assistant Fire Chief Seifert, Finance Director Turk, Planning and Zoning Director Frantz, Service Director Papp and Law Director Cortes.

APPROVAL OF MINUTES:

MOTION: TO APPROVE THE MINUTES OF THE FEBRUARY 16, 2021 REGULAR MEETING, AS CORRECTED.

Moved by Beshara, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.

COMMUNICATIONS AND PETITIONS: None.

MAYOR'S REPORT

Fire Chief McLean was honored with a retirement lunch last Thursday, where he was joined by great friends. He received accolades from the state to the village, as well as the University of Akron.

I am going to appoint AC Siefert as interim Fire Chief for the Village of Richfield.

I want to discuss the Covid-19 situation this evening and share some of my thoughts. I have some updates as of this morning I would like to share:

So far in Summit County since the first case was diagnosed, we have had 40,298 cases. The number of daily diagnosis is declining slowly but still higher than last summer. We need to remain diligent. Keep social distance practices in place to protect the most vulnerable. Most of the school vaccine program is wrapping up so most of the schools in Summit County should be back to daily instruction shortly.

The Ohio Vaccine Program is opened up to child care workers enrolled in the Ohio Child Care Registry. Other groups added include funeral home service workers, law enforcement personnel, type 1 diabetes patients, ALS patients, pregnant women and those 60 years and older.



I have heard that Summit County is using a lottery system to determine who gets the shots and in what order. It really isn't exactly a lottery. The County was sending 30,000 emails at a time which was crashing the system when people responded. Many people thought they had an appointment when in fact the system did not register their information due to the crash. IT figured they could only send between 500 and 1,000 emails to keep system integrity. The lower number of emails are being chosen at random which is the lottery piece of the project. Two weeks after receiving your shots you should be fully protected. Even so you still need to wear a mask. It is still unclear whether you can spread the disease or not.

There is a new software app available on the App Store and Google Play developed by Summit County to keep Summit County residents safe. It allows you to make emergency plans to share with your friends and relatives, it sends out alerts and is a weather radio. Just type in Summit County EMA and the download should pop up.

Municipal Covid Relief legislation is with the Senate now. If passed it would give communities with 50,000 a direct deposit. If passed Summit County would get \$105 million and indicated they would share with the smaller communities in a similar fashion as last year. Akron would get \$156 million and Cuyahoga Falls would get \$16.5 million.

Currently Summit County holds a Municipal Separate Sewer Systems Permit (MS\$) from the EPA.

Al Brubaker, our county engineer, says the permit covers illicit runoff water discharge and Summit County is deficient in this area which makes the county non-compliant with the clean water act. The EPA has determined that municipalities are not subject to County enforcement and may have to obtain their own permits. I would like to put this on the work session in April giving our team a little time to research the subject.

I will be asking for an executive session at the end of this meeting for purposes of economic development, possible discipline of a public official and possible promotion of a public official. Law Director Cortes will read the appropriate language.

DEPARTMENT HEAD REPORTS:

Chief Swanson – Police

Calls for Service:

Village 979, Township 224.



Report

We have continued to schedule officers to train with the various phases of Police Division Emergency Operations Courses (EROC) through Drive Team in Cuyahoga Falls. Drive Team's Police Division trains police officers in Emergency Response and Pursuit Driving. We also have scheduled supervision to attend supervisory courses as well. This will also satisfy requirements set forth through the Ohio Collaborative to maintain our certification with the state and federal governments regarding our pursuit policy requirements.

We have also scheduled officers to attend the Engage Virtual Range in Medina. The virtual range offers Judgmental and Situational Training specific to Law Enforcement. Officers will be trained in mitigating and escalating/de-escalating dangerous situations. Any council members that would like to attend a session, please let me know and we will schedule a slot for you.

We are hosting advanced training classes on March 15th, 16th and 17th in the council chambers. By doing so, several of our officers will be able to attend all the trainings at no cost. The organization conducting the training is Blue to Gold Training and the topics will be Advanced Search & Seizure, Advanced Traffic Stops and Bullet Proof Report Writing.

Interim Chief Seifert– Fire

Calls for Service: Village Fire 17, Village EMS 42, Township Fire 10, Township EMS 13. Total: 82.

Report:

- This week we celebrated Chief McClain's retirement after 45 years of service. The transition from Chief McClain to myself went very smoothly and thoroughly.
- We received word that the Ohio Workers' Comp Grant for the power load and the power cot was approved for the new squad. This was a \$38,000 grant that we should be receiving. The entire grant money must be used to purchase the power load system and the power cot.



- We received more N-95 surgical masks and disposable gloves from the Summit County EMA. We are currently adequately supplied in masks and other PPE. Additionally, members have received their second Covid-19 vaccination shot. Covid-19 calls continue to decline, but with the arrival of the new strain, we can expect to be busier than what we were before and potentially see a rise in Covid-19 calls again.
- The Best Buy warehouse construction has started, and the exterior walls are currently being installed. They have told us they want to achieve occupancy by the middle of July. This will be a very large and complicated project with the alarm and suppression system.
- We will be partnering with UH on a special project that I will share with the Council at the next meeting.
- We currently have three new hires who have completed the background check and physicals. I hope to have them appointed in second upcoming Council meeting.
- Also, I will have the run totals for Fire and EMS calls for the month of February at the Council meeting.

Recreation – Interim Director Toth

- The Rental Facilities continue to remain closed, waiting for Gov. DeWine's next phase of reopening guidelines.
- Summer Camp schedule is set, currently working on the field trip portion. Looking into options for field trips; many venues are in the process of reanalyzing their policies.
- The alternative Easter Egg Hunt will be in this issue of the paper, posting on Facebook, website and local venues. Reminder: Richfield residents can sign up for plastic, candy-filled Easter eggs that will be hidden in their front yard on Saturday April 3rd through Easter morning.



- Project Pride is scheduled for April 24th. The kickoff will be held at the Revere gymnasiums. Shredding of paper and recycling of hard drives and power sources has been scheduled.
- The Village will be holding the Summer Concert Series, looking into Food Trucks options.
- Park Board members are continuing to define short- and long-term goals for the Parks & Recreation Department.
- Recreation Center donation items waiting to be picked up (March 11).
- The third batch of auction items should be completed on Tuesday; the next batch will be posted shortly.
- An area at Village Hall has been set aside for Parks and Rec. All files will be moved into the new location.
- **FEASIBILITY STUDY-** conference call setup for the next phase of the visioning and core program analysis and the community needs assessment.

Director Papp – Service

The department's annual report has been presented to Council. Beshara asked about the extension of sidewalks from Broadview Road to Giant Eagle. Papp said GPD would give a fee proposal before the design and bidding processes. Domanick asked about crack sealing, and Papp said it would begin in June. Domanick said three companies are interested in working on the Eastwood Barn.

The Service Department continues to respond to normal and emergent work activities. Administratively, with respect to public interface, we continue to complete permitting, plan review, sewer billing, cemetery sales and burials and responding to calls and emails. The following are some of the highlights of the Service Department's activities over the past two weeks:

- 1) The Service Department has reviewed the 2020 PCI for the Village from Kindler and Associates. Below is the **preliminary** list of streets. They developed estimates for the top seven worst-rated streets; they are noted below:



STREET	FROM	TO	Length (Feet)	Cost Estimate	PCR (2019)	PCI (2020)
BASE :						
Hawkins Road	Corp Limit (West)	Broadview Road	6,276	\$750,000	40	41
Amelia Drive	Everett Road	Richlawn Road	1,113	\$67,500	59	49
Richlawn Road	Amelia Drive	Donna	533	\$32,300	67	57
Wheatley Spur	Cul-de-sac (West)	Prairie Vista Dr	542	\$36,150	58	49
Rainbow Lane	Cul-de-sac	Hawkins	2,383	\$216,800	57	54
Saint Nicholas Drive	Christine	Cul-de-sac	991	\$60,100	64	55
Regency Woods Trail	Deer Path Trail	Cul-de-sac	863	\$57,600	67	59
Seven Oaks Trail	Deer Path Trail	Cul-de-sac	1,272	\$84,900	60	57
Seven Oaks Circle	Seven Oaks Trail	Seven Oaks Trail	845	\$56,400	71	61
ALTERNATES :						
Gelding Lane	Cul-de-sac (West)	Revere Road	2,311	\$140,200	58	56
Creche Drive	Gelding Lane	Cul-de-sac (North)	740	\$44,900	80	69
Buell Drive	Cul-de-sac (West)	Cul-de-sac (East)	947	\$51,700	58	62

The 2021 Capital Budget for asphalt paving is \$1,500,000. The totals for streets noted above are base bid estimate of \$1,361,750 and alternates totaling \$236,800 for a grand total of \$1,598,550. If Council approves the above list, we will move forward with refining costs.

- The Service Director has finalized the list of roads to be crack sealed in 2021. The following is the list: Grant Street, Mill Street, Brecksville Road, Kinross Lakes Parkway, Prairie Vista Drive and Townsend Road. Alternates will be Brushwood, Maple, Appleridge and Christine. The Service Director has worked with QCI to prepare the bid documents for the program this year.
- The Service Department had the following statistics for snow and ice control for the last two weeks: 351 tons of road salt used, 252 man-hours worked and 3,274 miles traveled.
- With regard to the Eastwood Barn project, the Service Director has not received any new information from NuVision Construction to date.
- With regard to the Historic Town Hall Ramp project, the railing installation is on hold until temperatures permit installation.
- The Motor Road Drainage Improvements project started January 4th. The project's contractor is Cavanaugh Construction. They have completed all but about fifty feet of storm sewer installation. There are not able to continue with the storm sewer due to a gas line conflict. Also due to existing gas line, the contractor was unable to complete the lateral work within the right of way. The Village acquired work



agreements to do the work just outside the right of way. They have completed about 8 sanitary lateral ground water mitigations. The gas company has submitted and received approval for the relocation plans.

- The Service Director attended the Cemetery Board meeting on 02/23/21. The meeting went over revisions to the current draft ordinance of comprehensive cemetery rules.
- The Service Director is working on bid documents for the sale of the existing Recreation Center.
- The Service Director continues to work on execution of the 2021 Capital Budget Projects and purchases.
- The Service Department finished work on the 2021 training schedule. The Service Director will be doing a training on how to read construction plans on March 5th
- The Service Department has worked with PD and legal on developing and implementing an updated heavy load permit.
- The Service Director reviewed the final plans for the center of town water lines.
- The Service Director working with Arcadis has submitted all permit applications and utility submittals for the Briarwood pump stations and force main project.
- The GIS data collection has started for the Village's storm and sanitary systems.
- The Service Department continues to work with the Fire Department to make sure safety protocols are current, and PPEs for Service staff are available. The Administration building decontamination occurs weekly at 2:30 p.m. on Friday. It is highly recommended that no one without proper PPE is present during this process.

Recommendations/Considerations:

- 1) Consider a Work Session to go over current Rumpke Village customer list.
- 2) Consider a Work Session to go over the final 2021 Asphalt Program streets.

Motions/Legislation:

- 1) Motion to approve entering into an agreement with GPD Group for engineering services in the amount of \$59,934 plus contingency for the design of Hawkins Road widening and resurfacing.

Director Frantz – Planning & Zoning

Frantz said he believes the Briarwood annexation request is coming shortly. Stoppenhagen asked about the traffic study in Columbia Road. Frantz said Best Buy has worked with Allegra due to the upcoming Best Buy building, and the traffic would be enough to justify building the road. Richfield will see a lot of construction activity this summer.

Report:

- 2) At their February 23rd meeting, the Planning Commission took the following actions:
 - a. approved an extension of a conditional use permit issued on 3/10/20 to permit an office building with warehousing of products in an enclosed building (flex space) provided the



sales office shall not be less than one-third of the total floor area use, pursuant to Section 1157.03(b)(8), on parcel 5002752 located on Brecksville Road;

- b. continued a request to add additional antennas on the existing communication tower located in front of the FedEx facility on the south end of town;
- c. continued a request for final plan approval to construct a 4,290 square foot gas station on the northeast corner of Kinross Lakes Parkway and Wheatley Road; and
- d. recommended approval of Resolution 20-2021, which is the mandatory referral for the extension of public infrastructure (utilities and roads) to service the existing Briarwood development located in Richfield Village and the proposed Briarwood Estates located in Richfield Township.

The Commission also made a request of the Village Law Director to contact legal counsel for the business located at 3508 Brecksville Road to facilitate a conversation about the alleged violations of their approved 2017 conditional zoning certificate. Based on the result of that conversation, Planning Commission may or may not conduct a formal hearing regarding the matter.

- 3) We are working with a commercial broker who has a client interested in building an approximate 30,000 square foot office/research development facility in the Village. A site has been identified and we are assisting with due diligence to determine if the use/building is acceptable on the property. We will be requesting an executive session with Council pursuant to the Ohio Revised Code to discuss a request for economic development assistance in connection with the project.
- 4) We received an update from the Summit County Land Bank regarding the site remediation of the former Clark Gas Station. As a reminder, the Village and the Land Bank executed an Agreement which, among other things, obligates the Land Bank to seek grant funds to eliminate the underground storage tanks and obtain all applicable state/federal approvals. I'm pleased to inform Council that the Land Bank received the necessary grant funds and will begin the project on April 5th. Upon completion, the Village will acquire the site from the Land Bank and it will be used in connection with the Columbia Road extension project associated with the Best Buy project in Richfield Township.
- 5) We continue to work on several property maintenance enforcement violations recently issued. An update is noted below:



- 3508 Brecksville Road (Storage in Motion) – review of an approved conditional use permit. This item is pending with Planning Commission and was continued to the March 9th meeting;
- 4762 Hawkins Road – yard maintenance, work without zoning permits and number of accessory structures. We are in communication with the property owner and some progress toward compliance has been made. The property owner has indicated an intention to seek a variance from the Board of Zoning Appeals for the excessive number of accessory structures on the property. The owner also has indicated an intention to apply for permits related to the storage shed and fence that were erected without approval. To date, no applications have been filed;
- 3742 Brush Road – yard maintenance, junk vehicles, building condition (repeat violations). It is my understanding that the sales contract for this property will not be executed. Given this, we will continue to work with the current owner to bring the property into compliance with the Code;
- 4220 Broadview Road – (GNF Temple) – soil disturbance and work without permits. We continue to attempt communications with the property owner but are receiving limited response. This matter is now moved into the formal enforcement process.

Recommendations/Considerations: None at this time

Legislation: Tax Increment Financing Legislation & Extension of the Center of Town Historic District Boundary

Director Turk – Finance

Report:

2020 Annual State Reports

Per the Ohio Revised Code, the 2020 annual finance reports for the Village and the JEDD have been completed and filed with the State Auditor's office before the March 1st deadline. The required legal ad stating that the reports are complete and available for inspection in the Finance office was published in the February 25th West Side Leader.

2021 Financials

We are still waiting for CBIZ to develop a general ledger report so that we can input the payroll expenditure numbers into our accounting system. Hence, I do not have final January



and February year-to-date expenditure information, as the accounting reports lack the first four payroll expenditures. Through February 26, 2021, we have collected \$3,899,642 of the \$30,426,079 budgeted for revenue, or 12.8% of the budget, below the expected rate of 16.6% at the end of February. Once we get the CBIZ reports, we will close the monthly books and send out the January and February financial statements.

Income Tax

With two more days to go, February's income tax collections are down 15.7%, or down by \$139,721 compared to February 2020. Net profits and withholding collections are both down, while individual collections are up compared to February 2020. Year-to-date collections are up 3.6%, or up by \$63,374. A separate memo will be sent out with the final February information and more details.

CBIZ

Staff continue to work with CBIZ representatives to work out issues with the new human resources system. Also as previously mentioned, we are awaiting a general ledger report in order to input the payroll expenditure numbers into our accounting system.

Sewer Bills

Fourth quarter sewer bills are due March 2nd.

Law Director: No report.

COMMITTEE REPORTS AND COUNCIL COMMENTS

Beshara thanked the fire department, especially Lt. Kevin Urban, for the sendoff for Chief McLean.

Tree & Landscape: Domanick said Adopt A Spot sponsorships will cost \$250. The commission will meet on March 15 to discuss ideas for north Brecksville Road.

Park Board: The Easter Egg Hunt signup deadline is March 25. The feasibility study company has gathered information on the residents' interests and will share those results with the public.

RJRD: Philippar said the board met on Feb. 22 and discussed the township's interest in donating Rising Valley Park to RJRD. Reservations of shelters are increasing, and the park director is taking over the role of some of the committees. The board recognized Sandy Norris



for her cleaning efforts in the park, as well as Jeff and Denise Stoppenhagen for donating lighting for the lodge and painting the doors.

Cemetery: Stoppenhagen said the board met and discussed cemetery rules on Feb. 23. The discussion will continue on March 23. Pat Healey asked about the Alta survey in West Richfield Cemetery. Papp said GPD did field work last year, but access to the records is limited due to COVID. He will try to have an update at the next Cemetery Board meeting.

Safety: The committee will meet on March 24 at 6:30 p.m.

Waszak said the village should reach out to property owners about the water line and other construction. Frantz said he hopes the project will be completed in July or August.

CAUCUS

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY

ORDINANCES AND RESOLUTIONS

First Readings:

RESOLUTION 21-2021

Offered by All of Council

A RESOLUTION REFERRING THE PROPOSED WIDENING OF HAWKINS ROAD TO THE PLANNING AND ZONING COMMISSION, AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 21-2021.

Moved by Beshara, seconded by Stoppenhagen. Upon roll call, motion passed unanimously (no Waszak).

MOTION: TO ADOPT RESOLUTION 21-2021.

Moved by Beshara, seconded by Stoppenhagen. Upon roll call, motion passed unanimously. (including Waszak)

RESOLUTION 22-2021

Offered by All of Council

A RESOLUTION AMENDING THE BOUNDARIES OF THE HISTORIC DISTRICT IN THE VILLAGE OF RICHFIELD TO INCLUDE CERTAIN ADDITIONAL PROPERTIES THEREIN

MOTION: TO REFER RESOLUTION 22-2021 TO THE PLANNING AND ZONING COMMISSION FOR 60 DAYS.

Moved by Beshara, seconded by Waszak. Upon roll call, motion passed unanimously.

Second Readings:

ORDINANCE 15-2021

Offered by All of Council



AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, AND CONFORMING TRAFFIC AND GENERAL OFFENSES CODE PROVISIONS TO STATE LAW CHANGES AND DECLARING AN EMERGENCY

Third Readings:

RESOLUTION 11-2021

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT A NORTHEAST OHIO PUBLIC ENERGY COUNCIL ENERGIZED COMMUNITY GRANT

MOTION: TO ADOPT RESOLUTION 11-2021.

Moved by Stoppenhagen, seconded by Domanick. Upon roll call, motion passed unanimously.

ORDINANCE 14-2021

Offered by All of Council

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PROPERTIES IN THE VILLAGE TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BENEFIT SAID PROPERTIES, EXEMPTING SUCH IMPROVEMENTS TO THE PROPERTIES FROM REAL PROPERTY TAXATION, AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BECOME NECESSARY, AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43

UNFINISHED BUSINESS

Cortes said he expects action soon in the Yellow Creek watershed litigation.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR

WORK SESSION: None.

MOTION: TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ECONOMIC DEVELOPMENT, POSSIBLE DISCIPLINE OF A PUBLIC OFFICIAL, POSSIBLE PROMOTION OF A PUBLIC OFFICIAL, AND SALE OF PUBLIC PROPERTY.

Moved by Waszak, seconded by Stoppenhagen. Upon roll call, motion passed unanimously.



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Executive session lasted from 7:37 to 9:06 p.m., when Lyons adjourned the meeting.

Respectfully submitted,

Jeff Gorman
Clerk of Council

Mike Lyons
Council President

