

Poland Village Council
REGULAR SESSION
Tuesday, December 4, 2018

308 South Main Street
Poland, Ohio 44514-2082
(330) 757-2112
www.polandvillage.org

The Council of the Village of Poland Ohio met in REGULAR SESSION at the Poland Village Town Hall, 308 South Main Street, Poland, Ohio 44514-2082 on Tuesday, December 4, 2018.

1. Mr. Moffie introduced Michael Rulli, State Senator R-33 to Council. Mr. Rulli gave a brief background of himself.
2. Mr. Moffie passed out the 2019 budget for the Forest Board – general discussion was held on it.
3. Mayor Sicafuse discussed the Aqua Ohio ordinance.
4. General discussion was held on the 2019 temporary appropriations budget ordinance which will be passed this evening.
5. Mr. Moffie stated that the first reading of the ordinance to avoid excessive concentration of lawfully established and licensed group home facilities in the Village should occur tonight.
6. Mrs. Wilson stated that there was a great turnout for the Lighting of the Village and a great job on the event. She requested from Council an additional \$750 to cover the expense of a tent that was needed due to the inclement weather that evening.
7. Tim Clavin, Zoning Inspector, gave his zoning report. A discussion was held on 7 Morse Place. It is an abandoned home and the bank has initiated some action on the home – a maintenance company has been hired for the property. Residents should see some relief from this ongoing nuisance. Mr. Clavin will be working with Mr. Srnec and Atty. Macejko to invoice grass cutting that has been completed by the Village with the hopes of receiving reimbursement.
8. Mr. Srnec, Fiscal Officer, circulated a list of bills to be paid. Discussion was held on the bids that were opened at the last council meeting and the possibility of rejecting some of the bids and rebidding.
9. Atty. Macejko reported that he spent time reviewing the group home ordinance and completed a public records request which was received last week.
10. Mayor Sicafuse reported on the following:
 - a. Aqua Ohio will be holding a public forum on Wednesday, December 12th at 4:00 p.m. at their Struthers office (100 South Bridge St.) to discuss rates and services.
 - b. North East Ohio Forestry Association is offering a chainsaw class on December 8th – cost of the class is \$95.
 - c. Will be meeting with Troy Rhoades of First Energy tomorrow (Wednesday, December 5th).
 - d. A quarterly meeting will be held at Eastgate Regional Council of Governments on Friday, December 7th at 12:45 p.m. regarding grant updates (cemetery bridge project and traffic signals).
 - e. Updated Council on the bridge report being completed by MS Consultants.
11. Atty. Rebecca Babarsky, an attorney with Disability Rights Ohio, spoke on behalf of this organization which represents the rights of disabled persons. Atty. Babarsky questioned the legality of the proposed group home ordinance and the impact it will have on the residents in those homes. She discussed the background of the Fair Housing Act and how zoning ordinances and state and local law are subject to its provisions. She noted that the ordinance appears to target individuals with disabilities which is discriminatory under the act. She further noted that if the deficiencies noted in the ordinance are remedied, it can still be challenged under the Fair Housing Act through requests for reasonable accommodations via a zoning variance.
12. Atty. Susan Maruca spoke on behalf of her disabled daughter. She discussed her nonacceptance of exclusion and was in favor of group homes being near each other to provide a sense of community for all disabled individuals. Atty. Maruca threatened further legal action should the ordinance pass.

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Atty. Chris Maruca supported his wife's discussion and further stated that the ordinance is "trying to exclude a certain population" which he and his wife will not stand for.

Poland Village Mayor Tim Sicafuse called the REGULAR MEETING to order at 7:30 p.m.
Poland Village Mayor Tim Sicafuse opened the meeting with the Pledge of Allegiance.

1. Roll Call was taken with the following Members present:

- Mr. Anthony Lattanzio, Member of Council
- Mr. Samuel Moffie, Member of Council
- Mrs. Martha Morgan, Member of Council
- Mrs. Linda Srnec, President Pro-Tem of Council
- Mrs. Leah Wilson, Member of Council
- Mrs. Christine Yash, Member of Council

Also present were:

- Russ Beatty, Police Chief & Street Commissioner
- Atty. Jay Macejko, Solicitor
- Tim Clavin, Zoning Administrator
- Nicholas J. Srnec, Fiscal Officer
- Mark J. Mrofchak, Deputy Clerk of Council

2. Acceptance of Minutes of Previous Meeting(s)

A motion was made by **Mrs. Wilson**, and seconded by **Mrs. Srnec**, to waive the reading and to accept the minutes of the Regular Meeting held November 20, 2018.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

3. Notification of Upcoming Meetings and Events to the Public and the News Media

Committees

- Buildings, Lands, Utilities,
Parks, and Recreation December 18, 2018 at 6:45 p.m. in Poland Village Town Hall.
- Finance, Wage, & Insurance No meeting scheduled.
- Legislation & Policy January 8, 2019 at 6:00 p.m. in Poland Village Town Hall.
- Police January, 2019.
- Streets, Sidewalks, & Drainage December 18, 2018 at 6:30 p.m. in Poland Village Town Hall.

Boards & Commissions

- Architectural Review Board January 7, 2019 at 7:00 p.m. in Poland Village Town Hall.
- Board of Zoning Appeals No meeting scheduled.
- Hine Memorial Fund Board January, 2019.
- Planning Commission December 19, 2018 at 7:00 p.m. in Poland Village Town Hall.

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Poland Municipal Forest Board January, 2019.
Records Commission No meeting scheduled.
Western Reserve Joint Fire District December 12, 2018 at 7:30 p.m. at WRJFD Station 92.

Council First and Third Tuesday monthly. Caucus at 7:00 p.m.
Regular Meeting at 7:30 p.m. at Poland Village Town Hall

Next Regular Meeting:

Tuesday, December 18, 2018 at Poland Village Town Hall

The motion to recess into Executive Session was made after the acceptance of the Zoning Administrator's report.

A motion was made by **Mr. Lattanzio**, and seconded by **Mrs. Wilson**, to recess to Executive Session for the purpose of: Matters to remain confidential with Council.

TIME: 7:34 p.m.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 5 yeas, 1 nay. Motion carries.

A motion was made by **Mr. Lattanzio**, and seconded by **Mrs. Srnec**, to reconvene the meeting.

TIME: 7:58 p.m.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 6 yeas. Motion carries unanimously.

4. Report from Mayor Sicafuse – REPORTED IN CAUCUS AND SUBMITTED IN WRITING.

A motion was made by **Mrs. Morgan**, and seconded by **Mrs. Srnec**, to accept the Mayor's Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

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5. Report from Fiscal Officer Nick Srnec – REPORTED IN CAUCUS.

A motion was made by Mrs. Yash, and seconded by Mrs. Wilson, to accept the Fiscal Officer's Report.
Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

6. Report from Deputy Clerk Mark Mrofchak – NO REPORT.

7. Report from Zoning Administrator Tim Clavin – REPORTED IN CAUCUS AND SUBMITTED IN WRITING.

A motion was made by Mrs. Yash, and seconded by Mrs. Srnec, to accept the Zoning Administrator's Report.
Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

8. Report from the Street Tree Commissioner James Brammer – NO REPORT.

9. Report from Solicitor Atty. Jay Macejko – REPORTED IN CAUCUS. Atty. Macejko recommended that a motion be made to table the first reading of the ordinance to avoid an excessive concentration of lawfully established and licensed group home facilities in the Village of Poland.

A motion was made by Mrs. Morgan, and seconded by Mr. Moffie, to accept the Solicitor's Report.
Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

10. Report from Police Chief and Street Commissioner Russ Beatty

- a. Police Department – SUBMITTED IN WRITING.
- b. Street Department – SUBMITTED IN WRITING.

A motion was made by Mrs. Yash, and seconded by Mrs. Srnec, to accept the Police Chief and Street Commissioner's Reports.
Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

11. Report from the Engineer – NO REPORT.

12. Reports from Committees of Council.

- a. Finance, Wage, Audit, and Insurance – NO REPORT. *Budget requests for 2019 need to be submitted.*
- b. Legislation and Policy – Mrs. Wilson stated that the Committee will be meeting in January and will be working on re-writes to the historic preservation ordinance.

A motion was made by Mrs. Morgan, and seconded by Mr. Lattanzio, to accept the Legislation and Policy Committee's Report.
Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- c. Police – Mrs. Yash reported that a meeting was held tonight and that Chris Tripi has starting his training.

A motion was made by **Mrs. Morgan**, and seconded by **Mr. Lattanzio**, to accept the Police Committee’s Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- d. Streets, Sidewalks, and Drainage – Mr. Lattanzio reported that the department has been keeping up with any snow fall.

A motion was made by **Mrs. Morgan**, and seconded by **Mrs. Wilson**, to accept the Street, Sidewalks, and Drainage Committee’s Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- e. Buildings, Lands, Utilities, Parks, and Recreation – Mrs. Wilson thanked everyone involved in the “Lighting of the Village”. She thanked Mrs. Zedaker for officially lighting the tree, the Village Street department for their assistance, and to Mayor Sicafuse and Councilman Lattanzio for being masters of ceremony.

A motion was made by **Mrs. Morgan**, and seconded by **Mr. Lattanzio**, to accept the Buildings, Lands, Utilities, Parks, and Recreation Committee’s Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

13. Reports of Boards and Commissions.

- a. Planning Commission – Mrs. Wilson stated that the Commission will meet in two weeks to discuss the historic preservation ordinance.

A motion was made by **Mrs. Morgan**, and seconded by **Mr. Moffie**, to accept the Planning Commission’s Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- b. Board of Zoning Appeals – Mrs. Morgan noted that the Board will be reviewing the Home Savings sign variance.

- c. Architectural Review Board – Mrs. Morgan reported that elections were held for the Board: Margaret Christopher was elected as chair and Mrs. Morgan was elected as secretary. She also summarized what was included in Mr. Clavin’s zoning report.

A motion was made by **Mrs. Wilson**, and seconded by **Mr. Moffie**, to accept the Architectural Review Board’s Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- d. Poland Municipal Forest Board – Reported by Mr. Moffie and SUBMITTED IN WRITING. Elinor Zedaker, Forest Board chairwomen, expressed her hope that the 2019 budget submitted to Council would be approved.

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A motion was made by **Mrs. Morgan**, and seconded by **Mrs. Yash**, to accept the Poland Municipal Forest Board's Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- e. Hine Memorial Board – Mrs. Wilson reported that the Board planted the three new trees and discussed the construction of a retaining wall on the property to replace some of the shrubs that were dying.

A motion was made by **Mrs. Morgan**, and seconded by **Mr. Lattanzio**, to accept the Hine Memorial Board's Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- f. Western Reserve Joint Fire District Board of Trustees – Mr. Lattanzio reported the Board approved the new compensation policy for volunteer firefighters and EMTs for the department for next year, started training on the operation of the new ambulance, and the Board is waiting on the new fire truck to be delivered in the next couple of months.

A motion was made by **Mrs. Morgan**, and seconded by **Mrs. Srnec**, to accept the Western Reserve Joint Fire District Board's Report.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- g. Records Commission – NO REPORT.

14. Reports of Special Committees – NONE.

15. Communications from Poland Village Residents – NONE.

16. New Business – NONE.

17. Old Business – NONE.

18. Motions, Ordinances, and Resolutions –

- a. A motion was made by **Mrs. Wilson**, seconded by **Mr. Lattanzio**, to table the first reading of an ordinance to avoid an excessive concentration of lawfully established and licensed group home facilities in the Village of Poland.

DISCUSSION/REMARKS: NONE.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- b. A motion was made by **Mrs. Wilson**, seconded by **Mrs. Morgan**, to authorize the Village to spend \$750 for the tent rental from Struthers Chair and Tent Rental that was used at the tree lighting.

DISCUSSION/REMARKS: Mr. Srnec noted that he will need an invoice in order to make payment.

Vote: Moffie, Morgan, Srnec, Wilson, Yash – yeas, Lattanzio - abstain. Motion carries.

- c. A motion was made by **Mr. Moffie**, seconded by **Mrs. Wilson**, that Council accept the proposed 2019 Forest Board budget as presented.

DISCUSSION/REMARKS: Mrs. Morgan asked if the proposed budget was within the amount that will be received from the levy. Mr. Srnec stated that it will be less than \$12,000 taking into consideration Auditor/Treasurer fees that will be deducted from it. Mrs. Zedaker, Forest Board president, noted that the budget was prepared based on the anticipated net revenue known at the time. Mrs. Wilson applauded the stewardship and advocacy of the Board for parlaying the levy monies to good use.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- d. A motion was made by **Mrs. Srnec**, seconded by **Mrs. Morgan**, to waive the three readings and to pass by emergency an ordinance setting temporary appropriations for 2019.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 6 yeas. Motion carries unanimously.

- d. A motion was made by **Mrs. Srnec**, seconded by **Mrs. Yash**, to present AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF POLAND, COUNTY OF MAHONING, STATE OF OHIO DURING THE MONTHS OF JANUARY, FEBRUARY, AND MARCH OF THE YEAR 2019 AND DECLARING AN EMERGENCY.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mrs. Yash

Vote: 6 yeas. Motion carries unanimously.

- e. A motion was made by **Mrs. Yash**, seconded by **Mrs. Morgan**, to waive the three readings and to pass by emergency an ordinance establishing Aqua Ohio rates.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 6 yeas. Motion carries unanimously.

- f. A motion was made by **Mrs. Yash**, seconded by **Mrs. Srnec**, to present AN ORDINANCE ESTABLISHING THE RATES AT WHICH AQUA OHIO, INC. SHALL FURNISH WATER TO THE VILLAGE OF POLAND AND ITS INHABITANTS THEREOF FOR AND DURING THE TERM COMMENCING JANUARY 1, 2017 AND EXTENDING THROUGH DECEMBER 31, 2021 AND DECLARING AN EMERGENCY.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Lattanzio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Moffie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Srnec	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 6 yeas. Motion carries unanimously.

19. Second and Third Reading - NONE.

- 20. Presentation of Bills -** A motion was made by **Mrs. Yash**, seconded by **Mrs. Morgan**, to pay outstanding bills.

Vote: Lattanzio, Moffie, Morgan, Srnec, Wilson, Yash - yeas. Motion carries unanimously.

- 21. Questions from the Media -** Jessica Hardin, Vindicator, requested the purpose for the executive session held. Mr. Lattanzio responded "matters to remain confidential with Council". She asked if any action was taken. Atty. Macejko responded "absolutely not".

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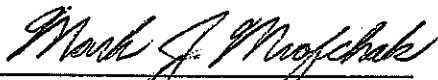
22. Remarks by Council and the Mayor

- a. Mr. Lattanzio - Thanks to all of the residents who came out to the meeting tonight to voice their opinions and looking forward to the rest of this debate.
- b. Mr. Moffie - Ditto to all remarks made.
- c. Mrs. Morgan - Thanked Council for the good discussion this evening. She appreciates working with everyone and thanked Mayor Sicafuse for his leadership.
- d. Mrs. Srnc - We are lucky to be in this community - Council appreciates hearing from residents on what Council is doing and to please continue.
- e. Mrs. Wilson - Thanked colleagues for a good and productive meeting and for looking out for Village residents, as always.
- f. Mrs. Yash - Ditto to all remarks made - one more meeting left in 2018.
- g. Mayor Sicafuse - NO COMMENTS.

23. A motion was made by **Mrs. Yash**, seconded by **Mr. Moffie**, to adjourn the meeting.

Vote: Lattanzio, Moffie, Morgan, Srnc, Wilson, Yash - yeas. Motion carries unanimously.

Time: 8:20 p.m.



December 12, 2018

Mark J. Mrofczak, Deputy Clerk
Village of Poland, Ohio

*The next REGULAR MEETING of the Poland Village Council will be **Tuesday, December 18, 2018**. Caucus will begin at 7:00 p.m., with Regular Session beginning at 7:30 p.m. The meeting will be held at the Poland Village Town Hall, 308 South Main Street, Poland, Ohio 44514-2082.*