

Poland Village Council
REGULAR SESSION
Tuesday, July 18, 2017

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, July 18, 2017.

Poland Village Mayor Tim Sicafuse called caucus to order at 7:00 p.m.

1. Mrs. Srnec stated that she will present an ordinance this evening amending permanent appropriations - this is for the cost of the traffic light study - \$8,400.
2. Mr. Cossette stated that he was approached by some citizens on the group homes that are being established in the Village. He asked Atty. Macejko if there were any regulations regarding this matter. Atty. Macejko stated that these types of homes are guarded by federal and state regulations. The only restrictions that have been upheld in court are those involving the distance between these types of homes (such as 500 feet - this varies by case). Atty. Macejko will check on court cases regarding this issue in Ohio and make a recommendation to Council. Mrs. Yash stated that this was discussed with the previous solicitor regarding limiting the number per neighborhood or street. She noted that there is another group home that is being established that is about four houses from a current one. Mr. Cossette asked who monitors these types of homes and the guidelines associated with them. Atty. Macejko will follow up on that. Mrs. Srnec also suggested following up with Judge Anthony D'Apolito, former Village solicitor.
3. Atty. Macejko discussed the Barnhizer home and gave a summary to Mr. Mazur of what he has done to date. Atty. Macejko has prepared a letter which will be hand delivered by Mr. Clavin, Zoning Administrator, to discuss firm deadlines for completing work. Mr. Mazur asked what would be done if Mr. Barnhizer ignores Council. Atty. Macejko stated that he is preparing an ordinance that he will present to the Legislation and Policy Committee for their review regarding assessing administrative penalties (daily and monetary) for missed timeline deadlines. Atty. Macejko also mentioned that assessed penalties can be certified to the tax duplicate for payment. Mr. Cossette asked about seizure by "eminent domain". Atty. Macejko stated that could be an option but the hold up for acquiring a property this way is the agreement by involved parties on the fair market value assigned to the property. Atty. Macejko stated that a property can be foreclosed on for unpaid assessed penalties that are liens on the tax duplicate.
4. Tim Clavin, Zoning Administrator, gave his report.
5. Nicholas Srnec, Fiscal Officer, gave his report.
6. Atty. Macejko stated that he would present a Power Point summary on the medical marijuana statutes (HB 523) at the next council meeting. This will allow for questions from Council and the public on the matter. Mrs. Srnec expressed some concern on a deadline for Council to act on this matter. Atty. Macejko stated that Council has until September 5, 2017 to pass any legislation on this issue.
7. Mayor Sicafuse reported the following:
 - a. The June Violations Bureau account has been balanced.
 - b. He will be the featured speaker at the Eastgate Regional Council of Governments meeting to be held on Monday, July 24, 2017 regarding the signage completed by Stephanie Dyer of Eastgate.
 - c. Mr. Srnec interjected in Mayor Sicafuse's report and stated that Gary Diorio, MS Consultants, mentioned that there may be environmental issues (what is washed into the water and, when sanding, what goes into the air) in preparation for the cemetery bridge to

Poland Village Council
REGULAR SESSION
Tuesday, July 18, 2017

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

be refurbished. This could increase the initial estimate of the refurbishment to over \$100,000.

- d. Pastor Scott Higgins, New Life Church, has requested permission to go door-to-door with student parishioners on July 29, 2017 to sell fundraising cards to benefit the youth program at the church. Mrs. Srnec noted that these types of requests have been denied in the past. Mayor Sicafuse will inform him that his request was denied.
8. Mrs. Srnec wondered if the refurbished cemetery bridge would be a draw to travelers. Mayor Sicafuse felt it would be a draw knowing that it was the only bridge of its kind in the United States. Mrs. Yash felt it would be a draw to architectural and engineering students, to say the least.
9. Elinor Zedaker, Poland Local School District board member, stated that the school system has changed the way that fundraising can be done by students. The District does not permit door-to-door solicitation.
10. Mrs. Srnec asked Atty. Macejko for some clarification on the tree ordinance. Atty. Macejko stated that from the recent information sent out via email, Council is back to square one regarding the tree ordinance (three readings and a public hearing).

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. Marc Cossette, Member of Council
Mr. Joseph Mazur, Member of Council
Mrs. Linda Srnec, Member of Council
Mrs. Christine Yash, Member of Council

Also present were:

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

A motion was made by **Mr. Cossette**, and seconded by **Mrs. Yash**, to excuse Mr. William Dunnivant and Mrs. Leah Wilson, members of Council, from the regular meeting.
Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

2. Acceptance of Minutes of Previous Meeting(s)

A motion was made by **Mrs. Srnec**, and seconded by **Mrs. Yash**, to waive the reading and to accept the minutes of the Regular Meeting held July 5, 2017.
Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

Poland Village Council
REGULAR SESSION
Tuesday, July 18, 2017

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

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

Committees

Buildings, Lands, Utilities,
Parks, and Recreation August 15, 2017 at 6:30 p.m. in Poland Village Town Hall.
Finance, Wage, & Insurance No meeting scheduled.
Legislation & Policy No meeting scheduled.
Police August 1, 2017 at 6:30 p.m. in Poland Village Town Hall.
Streets, Sidewalks, & Drainage August 15, 2017 at 6:30 p.m. in Poland Village Town Hall.

Boards & Commissions

Architectural Review Board August 7, 2017 at 7:00 p.m. in Poland Village Town Hall.
Board of Zoning Appeals No meeting scheduled.
Hine Memorial Fund Board July 20, 2017 at 9:00 a.m. - at the Hine greens/Poland Presbyterian Church.
Planning Commission July 19, 2017 at 7:00 p.m. in Poland Village Town Hall.
Poland Municipal Forest Board July 25, 2017 at 7:30 p.m. in Poland Village Town Hall.
Records Commission No meeting scheduled.
Western Reserve Joint Fire District August 9, 2017 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, August 1, 2017 at Poland Village Town Hall

4. Report from Mayor Sicafuse – REPORTED IN CAUCUS.

A motion was made by **Mr. Cossette**, and seconded by **Mrs. Srnec**, to accept the Mayor's Report.
Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

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

A motion was made by **Mrs. Yash**, and seconded by **Mr. Mazur**, to accept the Fiscal Officer's Report.
Vote: Cossette, Mazur, Srnec, 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 **Mr. Mazur**, to accept the Zoning Administrator's Report.
Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

Poland Village Council
REGULAR SESSION
Tuesday, July 18, 2017

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

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

9. **Report from Solicitor Atty. Jay Macejko** – REPORTED IN CAUCUS.

A motion was made by **Mrs. Yash**, and seconded by **Mrs. Srnec**, to accept the Solicitor's Report.
Vote: Cossette, Mazur, Srnec, 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 **Mr. Cossette**, and seconded by **Mrs. Srnec**, to accept the Police Chief and Street Commissioner's Reports.

Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

11. **Report from the Engineer by Mr. Mazur** – Mr. Mazur noted that the application deadline for the cemetery bridge painting grant is August 31, 2017.

A motion was made by **Mr. Cossette**, and seconded by **Mrs. Srnec**, to accept the Engineer's Report.
Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

12. **Reports from Committees of Council.**

- a. Finance, Wage, Audit, and Insurance – NO REPORT.
- b. Legislation and Policy – NO REPORT.
- c. Police – NO REPORT.
- d. Streets, Sidewalks, and Drainage – NO REPORT.
- e. Buildings, Lands, Utilities, Parks, and Recreation – NO REPORT. *Mayor Sicafuse asked about an update to the new sound system for Council meetings. Mr. Srnec reported that a purchase order for the new system is in Mrs. Wilson's mailbox in the Administrative office for the purchase of this system.*

13. **Reports of Boards and Commissions.**

- a. Planning Commission – *Mayor Sicafuse stated that the Commission continues to work on draft legislation/ordinance writing for the historic district as well as revisions to the tree ordinance.*
- b. Board of Zoning Appeals – NO REPORT.
- c. Architectural Review Board – NO REPORT.
- d. Poland Municipal Forest Board – NO REPORT.
- e. Hine Memorial Board – Mrs. Yash reported that the Board will meet on Thursday, July 20, 2017 and noted that sidewalk repair has been completed as well as a new roof on the shed.

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

Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

- f. Western Reserve Joint Fire District Board of Trustees – NO REPORT.
- g. Records Commission – NO REPORT.

14. Reports of Special Committees – NONE.

15. Communications from Poland Village Residents –

- a. Elinor Zedaker, 70 Poland Manor, stated that there is a branch blocking the sidewalk on the Nesbitt Road side at the Inn at the Green that needs addressed. Mayor Sicafuse stated that he would notify the Street Department. Mrs. Zedaker also stated that there is work being done at the Barnhizer home.

16. New Business – NONE.

17. Old Business – NONE.

18. Motions, Ordinances, and Resolutions –

- a. A motion was made by **Mrs. Srnec**, seconded by **Mr. Cossette**, to waive the three readings and pass by an emergency an amendment to permanent appropriations.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Cossette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Dunnivant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> EXCUSED
Mr. Mazur	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> EXCUSED
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote: 4 yeas. Motion carries unanimously.

- b. A motion was made by **Mrs. Srnec**, seconded by **Mrs. Cossette**, to present AN ORDINANCE AMENDING ORDINANCE NUMBER 1509-17 (PERMANENT APPROPRIATIONS) AND TO DECLARE AN EMERGENCY.

DISCUSSION/REMARKS: NONE.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mr. Cossette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Dunnivant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> EXCUSED
Mr. Mazur	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> EXCUSED
Mrs. Yash	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Poland Village Council
REGULAR SESSION
Tuesday, July 18, 2017

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

Vote: 4 yeas. Motion carries unanimously.

- c. A motion was made by Mrs. Srnec, seconded by Mr. Cossette, to authorize the purchase of a projector screen with a cost not to exceed \$225.

Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

- 19. **Presentation of Bills** - A motion was made by Mrs. Yash, seconded by Mr. Mazur, to pay outstanding bills.

Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

- 20. **Questions from the Media** - NONE.

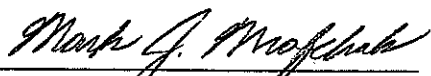
21. Remarks by Council and the Mayor

- a. Mr. Dunnavant - EXCUSED.
- b. Mr. Cossette - NO COMMENTS.
- c. Mr. Mazur - Thanked Council for all their kindness - he hopes to be back in gear soon.
- d. Mrs. Srnec - Good to have Mr. Mazur back!
- e. Mrs. Wilson - EXCUSED.
- f. Mrs. Yash - NO COMMENTS.
- g. Mayor Sicafuse - NO COMMENTS.

- 22. A motion was made by Mrs. Yash, seconded by Mr. Cossette, to adjourn the meeting.

Vote: Cossette, Mazur, Srnec, Yash - yeas. Motion carries unanimously.

Time: 7:44 p.m.



July 22, 2017

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

The next REGULAR MEETING of the Poland Village Council will be **Tuesday, August 1, 2017**. 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.