

RECORD OF PROCEEDINGS

Orwell Village Council

REGULAR Meeting

Date: May 16, 2023

Council President Ruks called the meeting to order at 4:34 p.m. The Pledge of Allegiance was recited.

Roll Call: Clerk Kimberly McKinley performed roll call and the following council members were present: Mr. Cottrell, Ms. Cozad, Mr. Denihan, Mr. Hartz, and Mr. Ruks.

Others Present: Solicitor Cris Newcomb, Village Manager Tami Pentek, Fire Chief Scott Merlino, and Supervisor Shane Gregory.

Agenda:

Mr. Hartz made a motion, seconded by Ms. Cozad to accept the agenda, The motion passed with all in favor.

Public: Timothy Lord (Gazette) and Warren Dillaway (Star Beacon)

Minutes:

Mr. Hartz made a motion, seconded by Mr. Cottrell, to approve the minutes for the regular meeting held on April 18, 2023. The motion passed with all in favor.

Mr. Denihan made a motion, seconded by Mr. Cottrell, to approve the minutes for the work session held on May 19, 2023. The motion passed with all in favor.

Bills:

Mr. Denihan made a motion, seconded by Mr. Cozad, to approve the payment of bills. The motion passed with all in favor.

SCAD: Mr. Hartz provided a summary of his written report for a meeting held on May 8, 2023. Next meeting is scheduled for June 12, 2023.

Council President Ruks turned the meeting over to Village Manager Tami Pentek for departmental reports.

Streets/Lands & Buildings

Mrs. Pentek provided a summary of her written report. The backhoe needed extensive repairs, most of the repairs were completed in time for spring cleanup. Crack sealing and painting should be completed this month. Still waiting for Kings to schedule camera work.

Mr. Ruks inquired if village received quotes for new camera system. Mr. Gregory responded that one quote was received for approximately \$20k. Mrs. Pentek was directed by Mr. Ruks to pursue purchase.

Mr. Ruks inquired about paving quotes for Sunset. Mrs. Pentek responded that she received two quotes, but she was waiting for a third. However, given that the cost is going to exceed \$50k, she will contact the engineer to draft the necessary documents and provide an estimate to advertise for bids.

Water/ Sewer:

Mrs. Pentek provided a summary of her written report. Mr. Nevison passed his Class 3 WWTP exam. Mr. Ruks inquired about the water tower project. CT is continuing with design of pressure valve system; EPA approval is required. Demolition is expected to start in October 2024.

Police Department:

Mrs. Pentek provided a summary of her written report. Officer Richter may be elevated to full time officer upon completion of OP&F physical.

Fire Department:

Mrs. Pentek provided a summary of her written report. The hot sticks are still on backorder; original vendor looking at other suppliers. Mr. Ruks asked if Mrs. Pentek if she knew that engine 332 was repaired and waiting for pick-up in Canton. Mrs. Pentek had no knowledge that there was an issue with the fire department scheduling the pick-up of the fire truck. A CDL is required to drive the truck back from Canton. Mr. Gregory with the street department said he could pick the truck up the next day.

Park and Recreation

No report

Zoning:

Mr. Gregory provided a summary of his written report. Mr. Ruks would like to add the review and discussion on the next work session agenda. Solicitor Newcomb suggested to Mr. Gregory to have the police chief issue a minor misdemeanor citation for junk vehicles.

Solicitor's report:

Legislation for the Knox boxes should be voted off the table and if the council agrees with the amended ordinance, a motion to accept is requested.

Finance Report:

Ms. McKinley provided a summary of her written report.

Mr. Hartz made a motion, seconded by Mr. Denihan, to approve the finance report. The motion passed with all in favor.

Old Business:

ORDINANCE 2022-08-01: AN ORDINANCE AMENDING CHAPTER 1610 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ORWELL BY ADDING SECTION 1610.14 TO REQUIRE KNOX BOXES OR RAPID ENTRY KEY LOCK BOXES AT NEW COMMERCIAL AND INDUSTRIAL BUILDINGS, EXISTING COMMERCIAL AND INDUSTRIAL BUILDINGS WITH IMPROVEMENTS REQUIRING A BUILDING PERMIT, AND EXISTING COMMERCIAL AND INDUSTRIAL BUILDINGS AND NOT DECLARING AN EMERGENCY. Ms. Cozad made a motion, seconded by Mr. Denihan, to bring Ordinance 2022-08-01 off the table. The motion passed unanimously. Mr. Denihan made a motion, seconded by Mr. Cottrell, to accept the amendment to Ordinance 2022-08-01. The motion passed unanimously. Mr. Hartz made a motion, seconded by Mr. Cottrell, to waive the three reading rule. The motion passed with all in favor. Mr. Hartz made a motion, seconded by Mr. Denihan, to pass Ordinance 2022-08-01.

Vote: Mr. Hartz – yea, Mr. Ruks-yea, Mr. Cottrell-yea, Ms. Cozad-yea, Mr. Denihan-yea.

Vote: 5 yeas – 0 nays

Ordinance 2022-08-01 passed

RESOLUTION 23-05-01R: A RESOLUTION AUTHORIZING PARTICIPATION BY THE VILLAGE OF ORWELL IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ROAD SALT CONTRACTS AWARDED IN 2023 AND NOT DECLARING AN EMERGENCY. Mr. Hartz made a motion, seconded by Mr. Cottrell, to waive the three reading rule. The motion passed with all in favor. Ms. Cozad made a motion, seconded by Mr. Cottrell, to pass Resolution 23-05-01R.

Vote: Ms. Cozad-yea, Mr. Denihan-yea, Mr. Hartz – yea, Mr. Ruks-yea, Mr. Cottrell-yea.

Vote: 5 yeas – 0 nays

Resolution 23-05-01R passed

RESOLUTION 23-05-02R: A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 FORD UTILITY POLICE CRUISER FROM STATEWIDE FORD LINCOLN IN THE SUM OF \$59,551.00 FOR THE VILLAGE OF ORWELL POLICE DEPARTMENT TO BE PAID FROM CAPITAL FUND D08 AND DECLARING AN EMERGENCY. Mr. Ruks inquired if it would be better to finance a portion of the vehicle cost. Ms. McKinley reported that CIF was set up for the specific purpose of purchasing police cars; repairs are operating expense. The fund had a carryover balance of \$60,900.00; the transfer into the fund in 2023 is 10K. Mr. Hartz made a motion, seconded by Ms. Cozad, to pass as an emergency. The motion passed with four in favor, Mr. Ruks – nay. Ms. Cozad made a motion, seconded by Mr. Cottrell,

to waive the three reading rule. The motion passed four favor, Mr. Ruks – nay. Ms. Cozad made a motion, seconded by Mr. Cottrell, to pass Resolution 23-05-02R.

Vote: Mr. Ruks-nay, Mr. Cottrell-yea, Ms. Cozad-yea, Mr. Denihan-yea, Mr. Hartz – yea.

Vote: 4 yeas – 1 nays Resolution 23-05-02R passed

RESOLUTION 23-05-03R: A RESOLUTION TO PROCEED REQUESTING SUBMISSION TO THE ELECTORS PURSUANT TO OHIO REVISED CODE §5705.03,§5705.19, §5705.191, §5705.25 and §5705.26 TO REPLACE AN EXISTING .5 MILL TAX LEVY FOR THE VILLAGE OF ORWELL FIRE DEPARTMENT AND DECLARING AN EMERGENCY. Mr. Hartz made a motion, seconded by Mr. Cottrell, to pass as an emergency. The motion passed with all in favor. Ms. Cozad made a motion, seconded by Mr. Cottrell, to waive the three reading rule. The motion passed with all in favor. Mr. Denihan made a motion, seconded by Ms. Cozad, to pass Resolution 23-05-03R.

Vote: Mr. Denihan-yea, Mr. Hartz – yea, Mr. Ruks-yea, Mr. Cottrell-yea, Ms. Cozad-yea.

Vote: 5 yeas – 0 nays Resolution 23-05-03R passed

ORDINANCE 23-05-01: AN ORDINANCE AMENDING THE EMPLOYEE SALARY WAGE SCALE OF THE VILLAGE OF ORWELL AND REPLACING ANY AND ALL PREVIOUS ORDINANCES AND/OR RESOLUTIONS REGARDING THE SAME TO REFLECT NEW WAGE SCALES ATTACHED HERETO AS EXHIBITS A & B, RESPECTIVELY TO BE EFFECTIVE APRIL 16, 2023 AND DECLARING AN EMERGENCY. Mr. Ruks questioned the stipend for wastewater and water employees. Mrs. Pentek responded that the stipend is in addition to hourly rate upon additional certifications. Mr. Denihan made a motion, seconded by Ms. Cozad, to pass as an emergency. The motion passed with four in favor, Mr. Ruks – nay. Mr. Denihan made a motion, seconded by Ms. Cozad, to waive the three reading rule. The motion passed four favor, Mr. Ruks – nay. Mr. Cottrell made a motion, seconded by Ms. Cozad, to pass Ordinance 23-05-01.

Vote: Mr. Cottrell-yea, Ms. Cozad-yea, Mr. Denihan-yea, Mr. Hartz – yea, Mr. Ruks-nay.

Vote: 4 yeas – 1 nays Ordinance 23-05-01 passed

RESOLUTION 23-05-04R: A RESOLUTION AMENDING APPROPRIATIONS IN VARIOUS FUNDS. Mr. Hartz made a motion, seconded by Mr. Cottrell, to waive the three reading rule. The motion passed with all in favor. Ms. Cozad made a motion, seconded by Mr. Cottrell, to pass Resolution 23-05-04R.

Vote: Mr. Denihan-yea, Mr. Hartz – yea, Mr. Ruks-yea, Mr. Cottrell-yea, Ms. Cozad-yea.

Vote: 5 yeas – 0 nays Resolution 23-05-04R passed

RESOLUTION 23-05-05R: A RESOLUTION AUTHORIZING ENROLLMENT INTO THE STATE TREASURY ASSET RESERVE OF OHIO (STAR OHIO) AND NOT DECLARING AN EMERGENCY. Mr. Hartz made a motion, seconded by Ms. Cozad, to waive the three reading rule. The motion passed with all in favor. Mr. Hartz made a motion, seconded by Ms. Cozad, to pass Resolution 23-05-05R.

Vote: Mr. Ruks-yea, Mr. Cottrell-yea, Ms. Cozad-yea, Mr. Denihan-yea, Mr. Hartz – yea.

Vote: 5 yeas – 0 nays

Resolution 23-05-05R passed

New Business:

Mrs. Pentek asked council to consider approving Poppy Proclamation declaring May 27, 2023, as Poppy Day as requested by the American Legion Auxiliary. Ms. Cozad made a motion, seconded by Mr. Ruks, to approve the Poppy Proclamation. The motion passed with all in favor.

Ms. Cozad made a motion, seconded by Mr. Hartz, to go into executive session to discuss personnel with not action to follow. The motion passed with all in favor.

Executive Session 5:35 p.m.

Mr. Hartz made a motion, seconded by Ms. Cozad, to exit the executive session. The motion passed unanimously.

Executive Session Exit at 6:10 p.m.

Mr. Hartz made a motion, seconded by Mr. Ruks, to adjourn the meeting. The motion passed with all in favor.

Council President Ruks adjourned the meeting at 6:11 p.m.

Approved:

June 20, 2023



President of Council



Clerk of Council



Village Manager