

**FAIRPORT HARBOR VILLAGE COUNCIL
REGULAR COUNCIL MEETING
September 20, 2022**

The Mayor called the 20 September 2022 Regular Council meeting to order.

Pledge of Allegiance to the flag of the United States.

Answering Roll call were Christina Bacnik, Frank Sarosy, Elizabeth Shaver, Jeff McKinney and Jerry Hites.

A motion to excuse Anthony Bertone from the meeting was made by Frank Sarosy, seconded by Jeff McKinney. All present voted aye. Motion passed.

The Mayor said he needed a motion to move items 6,7, and 8, it's Resolution 2022-66, 68, and 69 up under the Mayor's line items. Those are going to be resolutions and then the swearing in of the officers that are here so that we can get those folks out of here this evening. The motion was made by Elisabeth Shaver, seconded by Jerry Hites. All present voted aye. Motion passed.

A motion to approve the minutes from the August 16, 2022 Regular Council meeting was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion passed.

CORRESPONDENCE:

From the Village Solicitor: Jim Lyons

No report

From Mayor Timothy S. Manross:

A motion to approve the noise variance request from the American Slovenian Club for September 24, 2022 from 3pm to midnight for their clambake was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion passed.

A motion to set the time for trick or treating on Monday, October 31, 2022 from 6p.m. to 8p.m. was made by Jeff McKinney, seconded by Christina Bacnik. All present voted aye. Motion passed.

A motion to move surplus items from the Police Department including a 2009 Ford Crown Victoria police interceptor, a 2014 Dodge Charger, 10 motorola P25 radios, 1 motorola 6 bay charger and 3 datalux computers, these are all window 7 machines, a K-9 in car cage system and K-9 training bite protective gear and accessories was made by Christina Bacnik, seconded by Jerry Hites. All present voted aye. Motion carried.

RESOLUTION 2022-066

A RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM HOLBERT AS A SPECIAL POLICE OFFICER III FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion carried.

RESOLUTION 2022-068

A RESOLUTION CONFIRMING THE APPOINTMENT OF TYLER VARSAY AS A REGULAR POLICE OFFICER FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Christina Bacnik, seconded by Elisabeth Shaver. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik seconded by Elisabeth Shaver. All present voted aye. Motion carried.

RESOLUTION 2022-069

A RESOLUTION CONFIRMING THE APPOINTMENT OF CHASE SEDIVY AS A REGULAR POLICE OFFICER FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Jerry Hites, seconded by Christina Bacnik. All present voted aye. Motion passed. A motion to adopt was made by Jerry Hites, seconded by Christina Bacnik. All present voted aye. Motion carried.

From the Village Administrator, Amy Cossick:

We were contacted by Dave Joyce's office that the Congressman wanted to have a Main Street Tour of Fairport Harbor on September 1st. He wanted to visit some of our shops and businesses in the downtown area before heading to the Creamery for a Roundtable discussion. The purpose of the meeting was to discuss the Marina project, Dredging and the Lake Metroparks Lakefront Trail. In addition to representatives from the Village, Members of Lake Development Authority and the Metroparks were in attendance.

For your information, there is continued interest in the Lighthouse Grill property. The Mayor and I were contacted by a local realtor who said he was working with a group that was interested in bringing a new concept to the Village. We met with this group on September 7. They currently have some established restaurants in Willoughby and are looking to expand to new areas. They were very interested in the potential of this location.

The former Our Pets building on East Street has been purchased by Extra Space Storage. The new business recently met with the Fairport Harbor Planning Commission to have their site plan reviewed. The site plan was approved with some stipulations, one being the landscaping plan for the corner of the property located at the corner of St. Clair and East Street. The façade of the building will also be updated to a more modern look.

We have received an update from William Burgess- Assistant Regional Manager, of the Law Department and Legal Claims of the Norfolk Southern Corporation that they have forwarded our complaint to the Division Engineer to see what can be done. A copy of the email is in your packet.

Construction is underway at the property located next to the creamery. The owners had the footer forms inspected – they are ready to pour the footers, and they are in the process of buying concrete.

Fairport Harbor Civic Club will hold Community Day on Sunday, September 25, from noon to 5:00 p.m. in Veterans Park.

Included in your packet are articles that ran in the News-Herald throughout August and September.

From the Village Engineer, Clyde Hadden:

No report

From the Fiscal Officer, Christine Page:

For the month of August our revenues were \$533,610.49. The majority of that has to do with second half real property and street lighting assessment revenues. Expenditures for the month were \$322,806.78. The reconciled cash balance at the end of August was \$3,586,145.12. Interest revenue for the month was \$5,901.01. In the package you have the reconciliation summary, the check listing the receipts and the check listings are to the back.

OLD BUSINESS:

A motion to suspend the rules and also to amend Ordinance 2022-053 was made by Jeff McKinney, seconded by Jerry Hites.

ORDINANCE 2022-053 3rd Read

RESOLUTION AUTHORIZING THE MAYOR AND THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF PAINESVILLE TO SUPPLY PORTABLE BULK WATER TO THE VILLAGE AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Jeff McKinney, seconded by Frank Sarosy. All present voted aye. Motion passed. A motion to adopt was made by Jeff McKinney, seconded by Frank Sarosy. All present voted aye. Motion carried.

SAFETY COMMITTEE:

Reports are in the packet.

LEGISLATION:

ORDINANCE 2022-067

A RESOLUTION TO PAY THE BILLS. A motion to suspend was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion carried.

RESOLUTION 2022-062

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. A motion to suspend the rules was made by Christina Bacnik, seconded by Frank Sarosy. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik, seconded by Frank Sarosy. All present voted aye. Motion carried.

RESOLUTION 2022-063

A RESOLUTION APPOINTING BRANDON HALSEY AS A FIREFIGHTER FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Frank Sarosy, seconded by Jerry Hites. All present voted aye. Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Jerry Hites. All present voted aye. Motion carried.

RESOLUTION 2022-064

A RESOLUTION APPOINTING SCOTT MULLEN AS A FIREFIGHTER III FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion carried.

RESOLUTION 2022-070

A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO SIGN THE AMENDED BY-LAWS WITH THE FAIRPORT HARBOR SENIOR CENTER. A motion to suspend the rules was made by Frank Sarosy, seconded by Elisabeth Shaver. All present voted aye. Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Elisabeth Shaver. All present voted aye. Motion carried.

RESOLUTION 2022-065

A RESOLUTION APPOINTING ZACHARY GRUBACH AS A FIREFIGHTER III FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Jerry Hites, seconded by Elisabeth Shaver. All present voted aye. Motion passed. A motion to adopt was made by Jerry Hites, seconded by Elisabeth Shaver. All present voted aye. Motion carried.

RESOLUTION 2022-071

A RESOLUTION TO AMEND THE OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES AND AMEND PERMANENT APPROPRIATIONS, AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Frank Sarosy, seconded by Jerry

Hites. All present voted aye. Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Jerry Hites. All present voted aye. Motion carried.

RESOLUTION 2022-072

A RESOLUTION AUTHORIZING THE MAYOR AND THE ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH CT CONSULTANTS, INC. FOR FOUR SEPARATE PROJECTS RELATED TO THE FAIRPORT HARBOR WATER DISTRIBUTION SYSTEM AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Jeff McKinney, seconded by Jerry Hites. All present voted aye. Motion passed. A motion to adopt was made by Jeff McKinney, seconded by Jerry Hites. All present voted aye. Motion carried.

RESOLUTION 2022-073

A RESOLUTION DISBANDING THE POLICE CANINE UNIT AND AUTHORIZING FORMER OFFICER SHARP TO PURCHASE SID FOR THE SUM OF \$1.00 PUSUANT TO OHIO REVISED CODE SECTION 9.62. A motion to suspend the rules was made by Christina Bacnik, seconded by Frank Sarosy. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik, seconded by Frank Sarosy. All present voted aye. Motion carried.

Christina Bacnik was excused from the meeting so she could go to her daughter's Taco Tuesday Birthday Party.

MISCELLANEOUS

OPEN TO THE PUBLIC:

Tom Fazekas, 119 Vine St. said he was there to inform Council on and ask for their support on Issue 3. It will be appearing for the school on the November 8, 2022 ballot. I will give you a little bit of history about how we got to where we are with this particular levy issue. I'm going to give you a little update on this historic issue 3 that we passed a year ago which was the Bond Issue for new facilities for the school. Since then the board has been very busy. We have two of our facility committee members in the audience this evening. Bill Lukshaw and Karen Bidlack have been working tirelessly above and beyond their board duties to make sure this facility project is proceeding. We secured an architect and the Design Associates. It is a lake County firm. We have done most if not all of our preliminary site work and we are currently in the process of securing a construction manager, which will ensure that our project stays on time, on budget and with minimal intrusion upon our neighbors and the community.

During this process of soliciting and campaigning for this bond last year, one of the questions that came up quite frequently was, when would be the next levy ask for the school? So community members wanting to make sure that they are financially planning wanted to know when we would be going back to the community. The Board decided to wait and see what the results of our bond issue was before making a decision and were thrilled to see an overwhelming 70% support for our facilities. Meaning our community was committed to keeping an independent school district within our borders. So then the question became what do we do as far as the levies are concerned. Through our research we discovered two emergency levies that

were passed in the early 2000's. One of which is 7.6 mills, the other at 5.74 mills. Both generating \$750,000 annually for the school district. We looked at what we could do with those and in that research we came across a relatively new Ohio Revised Code option of a combination or a substitute levy and we decided to pursue that. What we are able to do there by pursuing a substitute levy and combining these two emergency levies is not only make it one ballot issue that we are not coming back year after year as an ask for but probably, most importantly we are able to reduce the millage ask that we are asking from our community. So we have been saying in our meetings that this is not just a renewal, but this is a reduction of 1.5 mills. What that would represent for a house worth \$100,000 is looking at about \$35 per year savings and that would begin immediately with the passage of this levy issue. We do feel that the nice thing about this is not only to the taxpayers it does provide a little tax relief, for the district it allows us to do long term financial planning and make sure we have the staffing and resources necessary to be successful. It's important to remember that as we look at this levy, we have these conversations and this is just the beginning as far as our levy campaign is concerned leading up to November 8th. One of the questions we do anticipate and you have to remember that while the district is fortunate to receive our, more than our share from the state of Columbus as far as those tax dollars for the facility, it's important to remember those government dollars do not transition. So, facility dollars cannot be used for operational costs, operational costs are a separate expense. This levy would be for operating costs. We do anticipate consistent, conservative financial planning which we are somewhat known for and what is no better word for it , a gifted treasurer on our team. We do anticipate this may be the last ask the school has as far as the community is concerned for a long time. This is just our first kind of kick off to the campaign. More information will be forthcoming. We will be doing mailers, signs other traditional levy work but we did want to inform Council and obviously this is one of the best places to come to get your message out and out to the voters in our community. I believe we have a trustee from the library coming out as soon as I'm done. Thank you very much and if you have any further questions anyone on the board can answer them.

The Mayor said he doesn't have any questions he just wanted to comment and that you and your board and the administration of the school. It always amazes me the way this Village, whether it be for its services, police, fire, road or for our schools, we find a way to do it here, we find a way to keep it here. It's not by accident. I think you guys hire good people on purpose, so I am not surprised you have a good treasurer, but I thank you for your herculean efforts that you have done to date and I know it doesn't seem like a lot as far as the reduction in millage goes, but I think it goes a long, long way to show folks at least at the local level we are worried about what people are paying, and doing what we can with that, so thank you for those efforts.

Mr. Fazekas said at this time I'd like to have the library come up.

Good evening Mayor, good evening Council, my name is Jim Gutowski. I live at 1201 Plum St. and have been a resident of Fairport for about 19 years. I am also the Vice-Chair of the Board of Trustees to the Fairport Harbor Public Library. We too have a levy proposition on the ballot this year. It's a 5 year levy, ½ mill which would cost about a nickle for every \$100,000 on the house valuation but it would bring in about \$35,000 for the library. The majority of our funding comes from the Ohio State Public Library fund which is part of the general revenue of the tax revenue of the state. And, up until 2021 we were apportioned about 2.2% and in July of 2021 the

legislature cut that back to 1.5%. The last time we asked for a levy was about 18 years ago and over that time we've been dealing with rising costs and lower revenue and the hit last year from the state really affected us. So we are looking for this \$35,000 a year that would be generated by the levy to help support our different services, etc. Over the years we have certainly diversified what we offer the community. We have gone from just offering books to now we offer internet services, passport services. Last year alone the library staff delivered 900 books to shut ins around the Village. So we have a connection not only through the school serving our k-12, graders but also our older citizens as well. I go back to the fact that I've lived here for about 19 years because the library was always an important part of my life growing up and when I came here I was impressed immediately with how the library serves everyone and really offers a venue where everybody in Fairport can come together and for different services, different needs and just have a chance to see each other and mingle. I think we play an important part in the Fairport community and I am hoping you will support our levy in November. Thank you.

The Mayor said thank you and on Saturday they celebrated their 100 year anniversary and I got to attend it. It was a wonderful celebration. Again it speaks volumes to the residents of this Village and the people that choose to call this home. You know 19 years here and your dedication to that board is really to be commended. You know the voters supported the additional money to keep a library with the new schools so I foresee this having a favorable outcome as well and again you haven't asked for money in almost 19 years. That speaks again well to the fiscal responsibility that you guys do. So, thank you for what you do and thank you for putting up with Cathy Norman. (Everyone chuckled)

Bill Lukshaw said last year we had a couple bad snow storms and I noticed that the sidewalk plow was not run. Is it going to be run this year?

The Mayor said we still don't have a sidewalk plow. We are actively trying to figure out a plan for it Bill, but it hasn't gotten much better than last year at this time. So Bill, I don't have an answer yet.

Mr. Lukshaw said ok, well you're spending all this money on these different projects surely you can spend a couple thousand on a new plow.

The Mayor said if it was a couple thousand Bill I'd buy it. If you can find one for me let me know.

Carla Riboczi, 501 New Fourth St. asked is there any update about 625 East St, the old DeNora property? We noticed one of the vehicles is moved.

The Mayor said quite a few of them were moved. I'll let the Chief handle that.

Chief Koran said yes there were a number of vehicles that were in violation on that property that were removed recently. Also some of the landscaping and some of the yard work was recently done.

Ms. Riboczi said she heard a rumor that the property was sold and is going to become a metal or steel manufacturing. Is that hopeful?

The Mayor said nothing has come across his desk.

The Mayor said at this time he would ask for a motion to go into executive session. This motion was made by Jeff McKinney, seconded by Frank Sarosy. All present voted aye. Motion passed

FISCAL OFFICER

MAYOR