

Minutes of a Regular Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
April 18, 2017 at 6:29 p.m. in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Hurst called the meeting to order. Mayor Hurst starts the Pledge of Allegiance. This is followed by a moment of silence for our Military men and women in service. He says we are blessed this month and have no reports of death from our residents. The roll call was then taken by Ms. Iaconis. Councilpersons present were Mary Brenner-Miller, Paul Rich, Gloria Terlosky, Don Kolograf, and Brian Spitznagel. Mayor Hurst asks for a motion for excusal of Councilman Linville from tonight's meeting due to him being on vacation. Councilman Kolograf makes a motion to excuse Councilman Linville from the April 18, 2017, Council meeting, seconded by Councilman Spitznagel. No questions or comments, and five ayes approve. Mayor Hurst also asks for the record to show that Law Solicitor Bill Mason is present, as well as Fiscal Officer and Clerk of Council Katie Iaconis.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES FROM MARCH 21, 2017: Councilman Kolograf makes a motion for approval of the Regular Council meeting minutes of March 21, 2017, seconded by Councilwoman Terlosky. No questions or comments. Five ayes approved.

ITEM F: MOTION TO RECEIVE AND FILE COUNCIL CAUCUS MINUTES FROM APRIL 18, 2017: Councilwoman Brenner-Miller makes a motion to receive and file Council Caucus minutes of April 18, 2017, seconded by Councilman Kolograf. No questions or comments. Five ayes approved.

ITEM G: PERSONS HAVING BUSINESS BEFORE COUNCIL: Mayor Hurst gives the opportunity for participation from our audience that would have any questions or concerns. Josephine Wardl from Egbert Road approaches the microphone and states she is a bit confused about the Multipurpose room and the Community room. She asks if residents can rent it for functions that they want there is a fee for it, and if she wants to rent it for her horse group for a little luncheon or dinner or something, if she could rent it. Mayor Hurst says yes, you always could. For the Lake Club, she makes sure that is free and Mayor Hurst verifies that yes, it is free. No further questions or comments.

MAYOR'S REPORT AND COURT REPORT: For the court report, we had 151 traffic ticket violations for the month of March. We had 16 tickets written for criminal violations for the month of March and we had 3 tickets written for infractions such as driving under the influence for the month of March. That brings the total to 170 tickets for the month of March, which gives an average of 5.66 tickets for every day for 30 days. Our court report demonstrates that in the month of March, we collected \$67,801 and, at this time last year, we collected \$75,174 dollars. That is a difference of \$7373. What is up this month of March is we issued approximately 23 warrants for arrests of the persons who did not respond to tickets that were issued.

ITEM I: COUNCIL COMMENTS: Councilwoman Brenner-Miller has nothing to comment on. Councilman Rich comments for the record that on April 6, 2017, we had two planning commission meetings. One was an approval for a 5-parcel lot split over at Chuck Victor's on Egbert Road. We also had an approval of plans for Northfield Road for the gas station next door to Carr Brothers. They approved the plans to have that facility tore down and rebuilt by the end of 2017. Councilwoman Terlosky compliments the service department on the speedy service at the situation she mentioned before and within 15 minutes, we resolved the situation. She also thanks then for the chipping. Councilman Kolograf has nothing to comment on at this time. Councilman Spitznagel has nothing to comment on at this time.

LEGISLATION:

Ordinance 2017-6: Councilman Rich introduces for suspension Ordinance 2017-6, an ordinance amending Chapter 1292 of the Codified Ordinances of the Village of Walton Hills, Ohio, and adding new Section 1292.14, Maintenance of Parking Areas, and declaring an emergency. Seconded by Councilwoman Brenner-Miller. No comments or questions. Five ayes approve. Councilman Rich introduces for approval of ordinance 2017-6, seconded by Councilman Spitznagel. No questions or comments. Five ayes approve.

Ordinance 2017-7: Councilwoman Brenner-Miller introduces for suspension Ordinance 2017-7, an ordinance to amend Section 868.03 Application fee, license, registration, and Sections 868.05 of the Codified Ordinances of the Village of Walton Hills, Ohio, and declaring an emergency. Seconded by Councilman Rich. No comments or questions. Five ayes approve. Councilwoman Brenner-Miller introduces for approval of ordinance 2017-7, seconded by Councilman Rich. No questions or comments. Five ayes approve.

Ordinance 2017-8: Mayor Hurst tells Councilman Kolograf that the motion is there in the Council Caucus if he wants to read it into record. Councilman Kolograf introduces for suspension Ordinance 2017-8, an ordinance amending Chapter 1062 of the Codified Ordinances of the Village of Walton Hills, Ohio, with respect to the Community Hall Multipurpose Room and the Banquet Hall in the Village of Walton Hills and declaring an emergency. Seconded by Councilwoman Brenner-Miller. No comments or questions. Five ayes approve. Councilman Kolograf introduces for approval of ordinance 2017-8, with the amendment on Ordinance 2017-8, Exhibit B – Banquet Hall Use, Item R, to remove "Residents of the Village" and to add the "s" at the end of the word "individual," seconded by Councilman Spitznagel. No questions or comments. Five ayes approve.

Resolution 2017-11: Councilwoman Terlosky introduces for suspension Resolution 2017-11, a resolution authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation Office of Contracts purchasing services for participation in the Ohio Transportation's contract for rock salt, and declaring an emergency. Seconded by Councilman Rich. No comments or questions. Five ayes approve. Councilwoman Terlosky introduces for approval resolution 2017-11, seconded by Councilman Rich. No questions or comments. Five ayes approve.

ITEM K: OLD BUSINESS: Mr. Mason addressed the council and states that last week at the special meeting that we asked for Resolution 2017-10, which was authorizing the Mayor to enter into an agreement with Economic Development Solutions. We made some amendments on the floor if you remember. In particular, Section 3.2, we amended the years. It basically said, "Commencing April 15, 2018 and continue each year until April 15, 2022." This is what we amended it to. After further reflection and speaking with the developer, they felt they are going to be under construction for six months to make the remodel and do what they have to do, and they probably are going to have a build-off with their new tenant for about two months. So, he asked that we switch that back to 2023 because realistically, he is not going to be operating for the next 9 months. So he states that with the council's approval, we could make that amendment back to the agreement. Mayor Hurst states that this could be a simple motion to go back to the original agreement with the language that was in there. Then, we could vote on it and he will sign the agreement because he has not signed it or anything, because he wanted their permission to go any further. Councilman Kolograf introduces for amendment to Resolution 2017-10. The amendment would be, "Commencing April 15, 2018 and continuing each year until April 15, 2023, the Village shall pay to ED Solutions. Subject to the limitations here, 70% of the income tax actually received by the Village, so an additional \$15,000 additional payroll withholding and that profit tax combined is realized for the Village. In the calendar preceding April 15, the total of payroll tax from employees and net profit taxes derived from the operations of the tenant or user at the project site." Seconded by Councilman Spitznagel. Mayor Hurst explains so the residents know what we are doing. He states that we went into an agreement with the company that bought Todd Industries and they are refurbishing the building. The agreement is that we would share payroll tax back to them; it is called a tax sharing agreement; over a 5-year period, but they have to reach a certain mark before they are ever qualified to get any kind of payroll.

They are putting \$300,000 into the facility, rebuilding the roof, and doing all of the interior work. They purchased the building and after discussing this in Executive Session and having conversations with the council members, we have not collected any payroll from that facility in five years. So, this tax incentive agreement has been on the books since 2008. We modified it to say the investor instead of the business. The investor is the one who has the money tied up. We came into an agreement and we made a simple adjustment to the dates and we are going back to the original dates that were stated. After the clarification of the language, we all agree upon what this is supposed to do and how it is supposed to regenerate jobs of the Village of Walton Hills. No further questions or comments. Five ayes approve.

NEW BUSINESS: Mayor Hurst reminds the council that tomorrow is open house. Councilman Rich says that we are going to have a planning commission and we are looking at a date, maybe next Wednesday. Penelope's Restaurant; it is not going to be called Penelope's, of course; but they have to get a conditional use to run a restaurant there again. They want to open it back up as a restaurant. That is the one by Car Brothers there because the way the law was written, they have been closed more than 12 months so they're Conditional Use fell off. So they will come before the Planning Commission to present their plans of renovating the building and doing all of their process. It is tied to the successful restaurant on 43, the Gears and Jeers. So it is kind of a sister business to that.

Councilman Rich makes a motion to adjourn the Regular Council meeting of April 18, 2017, at 6:53 p.m., seconded by Councilwoman Brenner-Miller. No questions or comments. Five ayes approved.

Respectfully submitted,

Katie Iaconis
Fiscal Officer