



Village of Reminderville  
Council Meeting  
January 14, 2014

**Call to Order**

Meeting was called to order by Mayor Alonso at 8:40 p.m.

**Roll Call**

Mr. Walter, present  
Mr. DiCarlo, present  
Mr. Kondik, present  
Mr. Molina, present  
Mr. Silversten, present

Mayor Alonso started the meeting by giving the oath of office to re-elected Council members Tom DiCarlo, Mark Kondik, and Mark Silversten.

A vote was taken to appoint a candidate for the vacant Council seat. Council members unanimously voted to appoint Walter Hoffmann.

Mayor Alonso gave the oath of office to newly appointed Council member Walter Hoffmann.

**Approval of Minutes**

Mr. Walter moved to approve minutes from December 19, 2013. Mr. Molina seconded. All in favor.

Mr. Molina moved to approve minutes from December 23, 2013. Mr. DiCarlo seconded. All in favor.

**Acceptance of Financial Reports**

Mr. DiCarlo moved to accept financial reports. Mr. Silversten seconded. All in favor.

**Amendments to the Agenda**

Mr. Molina moved to add Resolution 06-2014 and 07-2014 to the agenda. Mr. Walter seconded. All in favor.

**Resolution 07-2014:** A resolution appointing Walt Hoffmann to the vacant position on Council, and declaring an emergency.

Mr. Molina moved to suspend the rules and pass by emergency. Mr. Walter seconded. All in favor.

Mr. Molina moved to pass by emergency. Mr. Walter seconded. All in favor.

**Comments from the public:** Thirty minutes maximum time, five minutes per person. Raise your hand, state your name and address. Please remember residents have the opportunity to raise their hands and be recognized by the chair at any time during public meetings.

**Laura Hoffmann 3755 Surfside Circle**

I know it's a little late but I wasn't at the 19<sup>th</sup> meeting, so I would just like to thank the Mayor and everyone who was involved in the Santa delivery. I think it was very successful and it was the largest delivery we've had. To the two Santas, thank you very much; to Chief Buck and his officers for helping us find our way through the snowstorm; to Chief Plunkett, Stacey, and Terry who helped in the office; Mario and Lisa, Al and Mary, and Sandy Hodge, our drivers – thank you all so much.

Mr. Kondik stated they were in a jam and needed another Santa for the delivery and Mr. Hoffmann stepped up to save the day.

**Bill Jones 3565 Castaway Cove**

The seven elected offices the Village has, are they considered full-time or part-time?

Mayor Alonso replied he considers himself full-time. He also stated that as elected officials, there is nothing that distinguishes them.

Mr. Jones continued: Where I'm going with this is the health care you just voted for yourselves. They don't fall under employees?

Mr. Carpenter replied they are not employees as defined in the Charter.

Mr. Jones continued: In the Charter, on page 11, Section 4.14, Compensation and Bonds, the second paragraph states as far as the compensation --- according to the United States Department of Labor: Compensation is the term used to encompass the entire range of wages and benefits both current and deferred that employees receive in return for their work. --- "Not less than 120 day immediately preceding the date of the next municipal election, the compensation of the Mayor and each member of council shall be fixed for the next term, and shall not thereafter be changed with respect to such term." I interpreted that as you can't, in January or December, say, we're going to have the village pay for our healthcare. Am I wrong?

Mr. Carpenter replied possibly; he's not sure if there is an answer on providing health insurance for the people that are working in the Village. He discussed this with Mr. Molina prior to this passing that some people would interpret it as a raise and some who would not.

Mr. Jones: It's worded "compensation". According to the Department of Labor, benefits are compensation. I'm looking for clarification.

Mr. Carpenter agreed that it's not clear. He stated he discussed this with Mr. Molina in June when they were first discussing the topic. His discussion was that somewhere down the line, if someone were to determine that it was an interim raise for some of the council members who weren't qualified for a raise that someone could be asking for the money back.

Mr. Jones: So until it's formally addressed, there's nothing that ---

Mr. Carpenter feels it's not clear as to whether this is going to be determined as an interim raise or not.

Mayor Alonso stated it's a mixed issue throughout municipalities and the fact with Obamacare starting in January. We've gone to three or four different seminars on Obamacare. It's an area that gets brought up a lot and depending on who you talk to, some say you should give them health care and some say it's pretty rare. So there is not a definitive answer.

### **John Eavenson 6150 Park Square Drive Lorain, Ohio**

On the agenda tonight is an approved plan that we submitted and had approved last Friday on Herrington Phase 5 drainage issues. For those of you who have not been a part of that process, we had plans approved at one point and we didn't realize that your ordinance requires that downspouts need to be tied into the drainage system of the subdivision so the homes that were designed along the east side of our project in Phase 5, because of the slope some are walk-outs, some are view-outs and some of the grades that were there; there were some problems bringing those gutters into the system. When we were notified of that, we requested a variance to do that and we attended a few variance meetings and realized the public-at-large was not in favor of -- in my perception the public-at-large was not in favor of granting a variance for that item. We never asked for a vote, we just let it be tabled. We worked with your city engineer and we created a plan that we believe meets the letter of the ordinance and we submitted that plan to Planning on Friday and it did get referred to you tonight, so we're asking tonight to approve that plan by emergency so we can get the infrastructure on that plan installed as soon as possible. We can have it done within the next month or so. As Mr. Esser stated, we did provide an escrow bond to cover and that needs to be reviewed by Mr. Carpenter, I understand that. The intent of that is to provide funds so that if for some reason you approve it by emergency tonight and we didn't do the work you would have the funds to do the work and we would have nothing to do with that. You could take the funds to do that. That's what I'm asking for so I can move forward. It has been sitting around for a while. In the meantime, we finished our infrastructural improvements in Phase 6 of our project and we've presold six units there and it's sitting and one of the reasons why is we had items to address but also the fact that Phase 5 was not addressed and that the Village took a stand, and I agree with that. We believe that we have a plan that addresses Phase 5 and we're ready to install that and we're asking can we get Phase 6 approved so that we can go forward with construction on that phase. I'm asking if it's possible to take that off tabled and

put it in front of the board and that can be approved by emergency. We have ten homes sold there now and we're ready to start construction.

Mr. Molina stated he took this item to the Aurora Shores homeowners association the night before and after going over the changes, they have no issues and it's what they wanted to begin with. Mr. Esser's opinion is to move forward. Mayor Alonso stated there are still issues with money toward Maryland. Mr. Eavenson replied the funds will come from Phase 6.

**Tabled Legislation:**

**RESOLUTION 37-2013:** A RESOLUTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION TO APPROVE THE FINAL PLAT FOR PHASE 6 OF THE HERRINGTON PLACE SUBDIVISION. 3<sup>rd</sup> reading.

Mr. Molina moved to take Resolution 37-2013 off tabled legislation. Mr. Kondik seconded. All in favor except Mr. DiCarlo who abstained.

Mr. Molina moved to suspend the rules and pass by emergency. Mr. Kondik seconded. All in favor except Mr. DiCarlo who abstained.

Mr. Molina moved to pass by emergency. Mr. Kondik seconded. All in favor except Mr. DiCarlo who abstained.

**RESOLUTION 67-2013:** A RESOLUTION IN SUPPORT OF ACCEPTING FOR THE DEDICATION CERTAIN PRIVATE STREETS LOCATED IN THE CROSSINGS SUBDIVISION PURSUANT TO THE PROCEDURE SET FORTH IN THE CODIFIED ORDINANCES OF THE VILLAGE OF REMINDERVILLE, SECTION 119.01 (f). 3<sup>rd</sup> reading.

**Legislation:**

**ORDINANCE 29-2013:** AN ORDINANCE TO ADOPT THE AMENDED TAX BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013, AND DECLARING AN EMERGENCY. 3<sup>rd</sup> reading.

Mr. Molina moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

**ORDINANCE 01-2014:** AN ORDINANCE TO AMEND SECTION 149.01(c) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF REMINDERVILLE ENTITLED "VACATIONS", EFFECTIVE JANUARY 1, 2014, AND DECLARING AN EMERGENCY. 1<sup>ST</sup> Reading.

Mr. DiCarlo moved to suspend the rules and pass by emergency. Mr. Walter seconded. All in favor.

Mr. DiCarlo moved to pass by emergency. Mr. Walter seconded. All in favor.

**ORDINANCE 02-2014:** AN ORDINANCE REQUIRING THAT VILLAGE EMPLOYEES, UNLESS OTHERWISE PROVIDED BY STATE OR FEDERAL LAW, BE REQUIRED TO WORK FORTY (40) HOURS PER WEEK IN ORDER TO BE DEEMED FULL-TIME, EFFECTIVE JANUARY 1, 2014, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. Silversten seconded. All in favor.

Mr. Walter moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

**RESOLUTION 01-2014:** A RESOLUTION CONFIRMING THE APPOINTMENT OF THOMAS PLUNKETT TO THE VOLUNTEER FIREFIGHTERS DEPENDENTS FUND, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. Molina moved to suspend the rules and pass by emergency. Mr. Walter seconded. All in favor.

Mr. Molina moved to pass by emergency. Mr. Walter seconded. All in favor.

**RESOLUTION 02-2014:** A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD KAUTZMAN TO THE VOLUNTEER FIREFIGHTERS DEPENDENTS FUND, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. DiCarlo moved to suspend the rules and pass by emergency. Mr. Molina seconded. All in favor.

Mr. DiCarlo moved to pass by emergency. Mr. Molina seconded. All in favor.

**RESOLUTION 03-2014:** A RESOLUTION CONFIRMING THE APPOINTMENT OF MARK KONDIK TO THE VOLUNTEER FIREFIGHTERS DEPENDENTS FUND, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. DiCarlo moved to suspend the rules and pass by emergency. Mr. Molina seconded. All in favor.

Mr. DiCarlo moved to pass by emergency. Mr. Molina seconded. All in favor.

**RESOLUTION 04-2014:** A RESOLUTION CONFIRMING THE APPOINTMENT OF BENNY JONES TO THE VOLUNTEER FIREFIGHTERS DEPENDENTS FUND, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. Molina moved to suspend the rules and pass by emergency. Mr. DiCarlo seconded. All in favor.

Mr. Molina moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

**RESOLUTION 05-2014:** A RESOLUTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION TO APPROVE THE REVISED DRAINAGE PLAN FOR PHASE 5 OF THE HERRINGTON PLACE SUBDIVISION. 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. Molina seconded. All in favor except Mr. DiCarlo who abstained.

Mr. Walter moved to pass by emergency. Mr. Molina seconded. All in favor except Mr. DiCarlo who abstained.

**RESOLUTION 06-2014:** A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY. 1<sup>st</sup> Reading.

Mr. Molina moved to suspend the rules and pass by emergency. Mr. Walter seconded. All in favor.

Mr. Molina moved to pass by emergency. Mr. Walter seconded. All in favor.

### **Old Business**

### **New Business**

Mr. Silversten moved to pay Terry Bowlin his remaining vacation and sick pay. Mr. DiCarlo seconded. All in favor except Mr. Hoffmann who abstained.

Mr. Carpenter stated he will have legislation at the next meeting regarding Mr. Riley's compensation as the construction attorney for the rec center.

Mr. Hoffmann asked how committee openings are handed out. Mr. King left an opening on the Board of Zoning Appeals that Mr. Hoffmann will fill.

Mr. Molina moved to adjourn. Mr. DiCarlo seconded. All in favor.  
Meeting adjourned at 9:15pm

Respectfully submitted,

Stacey Task, Clerk of Council  
Village of Reminderville  
Date \_\_\_\_\_

Samuel L. Alonso, Mayor  
Village of Reminderville