

# Record of Proceedings

Village of Poland, Ohio

Poland Village Council

REGULAR SESSION

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, April 16, 2024

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, April 16, 2024.

Meeting called to order at 7:00 p.m.

## Pledge Of Allegiance

### 1. Roll Call was taken with the following members:

- A. Mr. Christopher Graff, Member of Council
- B. Mr. Samuel Moffie, Member of Council
- C. Mr. Michael Zembower Member of Council
- D. Mr. Michael Thompson, Member of Council
- E. Mr. James Walkama, Member of Council
- F. Mrs. Abbie Bosak, Member of Council

Also present were: Jay Macejko, Solicitor  
Robert Canter, Fiscal Officer  
Timothy Sicafuse, Mayor

### 2. Acceptance of Minutes of Previous Meeting(s)

Minutes were presented from the April 2nd meeting.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to accept the minutes.

*Vote: Bosak, Graff, Moffie, Walkama, Thompson, -yeas*

*Zembower-abstain*

*Motion carries 5-0-1*

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to depart from the orders of the day to vote on two ordinances and to accommodate the citizens here to discuss the liquor permit resolution.

*Vote: Bosak, Zembower, Thompson, Graff, Moffie, Walkama- yeas*

*Motion passes 6-0*

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### 3. Third Readings

A motion was made by Mr. Thompson and seconded by Mr. Graff for AN ORDINANCE AMENDING SECTION 1, ARTICLE 1 OF ORDINANCE NUMBER 1113-99 ORIGINALLY PASSED AUGUST 3, 1999 AND AMENDED FROM TIME-TO-TIME EFFECTIVE JUNE 1, 2024 TO PROVIDE FOR STEP INCREASES AND MERIT RAISES OR BONUSES FOR FULL-TIME POLICE OFFICERS.

Roll Call Vote: Zembower, Graff, Walkama, Thompson, Bosak, Moffie-yeas  
Motion carries 6-0.

A motion was made by Mr. Thompson and seconded by Mr. Graff for AN ORDINANCE AMENDING SECTION 1, ARTICLE 1 OF AN ORDINANCE NUMBER 1113-99 AS AMENDED FROM TIME TO TIME TO ADDRESS PAY RATES AND EMPLOYMENT CONDITIONS FOR PART-TIME PATROLMEN EFFECTIVE JUNE 1, 2024.

Roll Call Vote: Zembower, Graff, Walkama, Thompson, Bosak, Moffie-yeas  
Motion carries 6-0.

### 4. GUEST PRESENTATIONS

Luke Schuster, 3117 Chardonay, Poland Ohio.

Mr. Schuster from the non profit Riff Raff Give Back planned on renting the American Legion Hall for a fundraiser during the Celebrate Poland Event to raise money for Task Force 2.0. He is withdrawing the request for the liquor permit but wants to make it clear that it is because he does not want this issue to affect other nonprofit groups from having alcohol at their events. He is visibly upset and feels strongly that this issue was handled poorly by the council and feels a "back door" deal was made regarding this issue. He respects and thanks Chief Lambert for all that he does for the community.

Member of Council Graff respectfully replies that Mr. Schuster's behavior is unacceptable and insulting the council is totally out of order.

President of Council Thompson replies that this is a public meeting with an open forum with the news present and a posted meeting agenda. He said that a backhanded deal is obviously an incorrect perception. He said the Solicitor's job is to draft and to write the resolution for council to vote on.

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Cindy Best, Island Drive Poland Ohio

Mrs. Best reiterates that the Celebrate Committee does not want alcohol served near their event. They do not want the responsibility that it could bestow on their committee. She explains that statements were falsely put out to the public that she hates veterans. This is false and quite the opposite as she has donated and participated in many veteran affair programs.

Jeffrey Vrable, 44 Centennial Dr, Poland Ohio

Mr. Vrable speaking for American Legion Hall, wants it on record that neither Sam, Cindy or any member on council is a veteran hater. He thanks the council for supporting all the programs and services that groups provide. He also wants it on record that the liquor permit was not for the American legion but for a fundraising event by a group that rented the hall. He wants to apologize on record for previously having food trucks on their lot during the Celebrate poland event. He mentions that the American Legion group offers any help to the Celebrate Poland Committee.

Nancy Muscat, 7316 Christopher Drive, Poland Ohio

Mrs. Muscat voices her concern that if this resolution passes it would affect all the future events. She hopes a rash decision is not made. She also hopes if this goes forward there would be three readings of the resolution. She said that the way it is written sets a precedent on future fund raising events.

Mr. Zembower, speaking as a community member, mentions how his nonprofit group was able to raise funds for charity with the F permit. He felt it was a wonderful event where he met neighbors and was able to give back to the community. He mentions that he also belongs to other various groups that continually give back to the community. As a council member he mentions that all groups involved took accountability for this issue and commends Luke Schuster for withdrawing the liquor permit request. He said that it is amazing that Village Hall is packed and that the community is getting involved with the issues. He feels that it is not the council's role to interject, interfere or weaponize government for resolutions and laws. He hopes that this discussion is something that opens doors instead of closes them.

Mrs. Bosak agrees that she is also proud of the small steps the groups have taken toward peace.

Mr. Thompson adds that events held by the MLO brothers have caused no unwanted issues. His concern with this issue was that if any nonprofit should have a right without undue interference then Celebrate Poland does too!

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Mr. Graff said that this issue was blown out of proportion and did not have to be a fight. He is tired of the nasty language and the lack of respect for each other and especially for Solicitor Macejko and his family.

Elinor Zedaker, 70 Poland Manor

Mrs. Zedaker would like it to be known that charitable intent is important and we must get along and respect each other.

A motion was made by **Mr Moffie** and seconded by **Mr. Thompson** to table the resolution.

*Vote: Thompson, Walkama, Moffie, Graff-yeas*  
*Bosak, Zembower- nays*  
*Motion passes 4-2*

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to return to the orders of the day.

*Vote: Thompson, Graff, Zembower, Bosak, Moffie, Walkama-yeas*  
*Motion passes 6-0*

### EXECUTIVE OFFICER REPORTS

#### 5. Report From Mayor- Tim Sicafuse

George Sendrey, village engineer will be at the next meeting. He submitted a Senate Budget request to Senator Rulli's office. Chief Comstock said the fire board will pay for the whole catch basin to be fixed and then we will pay our half interest free later. Pat Ginetti emailed him regarding the North Lima paving. Jay will follow up with the commissioner's office to get a county road map. He believes that they may be responsible for paving that road.

People on the bottom of Botsford are having water issues. Manholes are blowing off. Stream by Botsford is clogged. George will see that it gets cleaned out.

A motion was made by **Mr. Graff** and seconded by **Mr. Walkama** to accept the Mayor's report.

*Vote: Bosak, Graff, Walkama, Zembower, Thompson Moffie -yeas*  
*Motion carries 6-0.*

#### 6. Fiscal Officer Report- Robert Canter

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Mr. Canter is paying the bills. He reached out to OPWC for a 0% loan, which is not available. We have one unemployment claim which the village is responsible for. A levy is expiring at the end of year. It is the 3.2 general expense levy. It brings in about 400,000.00 a year.

Mr. Graff suggests ARPA funds can be used to pay wages and build up the general fund. Mr. Canter would prefer this.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to accept the Fiscal Officer's report.  
*Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie - yeas*  
*Motion carries 6-0.*

### 7. Report from the Solicitor- Jay Macejko

Attorney Macejko mentions that he has been a lawyer for 25 years. 18 or 19 of those years have been in the public service capacity. The law does not favor or disfavor anyone on a personal basis. Social media is saying falsely that this would be unprecedented. That is false. The Director of Licensing called Jay because he felt like he wasn't getting the full story. Atty. Macejko uncovered a situation that occurred in August 2023 where the county sheriff refused to sign a liquor permit. The permit was issued and then revoked. If the Chief Law Officer doesn't sign it then it should not be issued. The Director confirmed this to be true.

Atty. Macejko completed the annual Ethics training. He will shortly complete the records training.

There are 3 ordinances regarding natural lawns that he has worked on along with ordinances regarding frequency of meetings for boards and committees. It will be at least once every two months or a special meeting can be called. Never less than every 60 days.

A motion was made by **Mr. Graff** and seconded by **Mrs. Bosak** to accept the Solicitor's report.  
*Vote: Graff, Moffie, Walkama, Zembower, Thompson, Bosak - yeas*  
*Motion carries 6-0.*

### 8. Report from the Police Chief- Don Lambert

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Fully staffed and running smoothly. Special mention to the Street Department for all the work done on outfitting the police car by John and Chelsea. A local resident was scammed claiming to be law enforcement. Mr. Zembower put out a public service message on facebook to warn the community. Solicitor Macejko said they will even use real officers' names. Atty. Macejko said no police department would call and say that if money wasn't paid there would be an arrest. The phone number may be legitimate but it is still a scam.

A motion was made by Mr. Thompson and seconded by Mr. Graff to accept the Police Chief's report.  
*Vote: Graff, Moffie, Walkama, Zembower, Thompson, Bosak - yeas*  
*Motion carries 6-0.*

### 9. Report from the Zoning Commissioner- Maureen O'Neil-

Maureen has emailed her report. She states that she is increasing citations when she has given long time notifications. She thanks the police chief and Atty. Macejko for their help.

A motion was made by Mr. Thompson and seconded by Mrs. Bosak to accept the Zoning Commissioner's Report.  
*Vote: Graff, Moffie, Walkama, Zembower, Thompson, Bosak - yeas*  
*Motion carries 6-0.*

### 10. Report from the Street Commissioner- George Porterfield

The lift is still not in, grass is being cut.

A motion was made by Mr. Thompson and seconded by Mr. Graff to accept the Street Commissioner's Report.  
*Vote: Graff, Moffie, Walkama, Zembower, Thompson, Bosak - yeas*  
*Motion carries 6-0.*

### 11. Report from Engineer-liaison - Chris Graff

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Mr. Graff states that George Sendrey will be at the next meeting. There is a charge if he attends the meeting.

### 12. OTHER COMMITTEE/BOARD REPORTS

A. Legislation Policy Committee- N/A

B. Building, Lands, Utilities, Parks & Recreation Committee- They are getting wood for the porch and the crown molding. Discussed front and side roof at the meeting this evening.

A motion was made by Mr. Thompson and seconded by Mr. Moffie to accept the BLUPR Report.

*Vote: Graff, Moffie, Walkama, Zembower, Thompson, Bosak - yeas  
Motion carries 6-0.*

C. Planning Commission- N/A

D. Board of Zoning Appeals- N/A

E. Architectural Review Board- N/A

F. Forest Board- Garlic mustard pull has been rescheduled for this weekend for safety reasons, 9:00-12:00.

A motion was made by Mr. Thompson and seconded by Mr. Moffie to accept the Forest Board report.

*Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie - yeas  
Motion carries 6-0.*

H. Hine Memorial Board- N/A

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I. Western Reserve Joint Fire District, Board of Trustees- Meets next week.

J. Special Committees- N/A

**13. Communications from Poland Village Residents –**

Jeff Vrable, 35 Cortlandt St. on behalf of the American Legion

Invites spectators of the parade to join in and come to the ceremony in the cemetery. Any groups are welcome to be a part of the parade.

John Serrano, 26 College Street

Mr. Serrano questions whether there have been any dog bites reported in the village. Chief said only one dog bite has been reported. He mentions that the dog in question has been aggressive and out of his fence prior to this incident.

**14. ACTION ITEMS:**

A motion was made by **Mr. Thompson** and seconded by **Mrs. Bosak** to move a first reading of **AN ORDINANCE AMENDING ORDINANCE 1024.12 FIRST ENACTED BY ORDINANCE 1108-99 ON JULY 20, 1999 AND AMENDED BY ORDINANCE 1571-19 ON DECEMBER 17, 2019 WITH SAID ORDINANCE ADDRESSING THE REMOVAL OF WEEDS AND VINES BY OWNER OR OCCUPANT TO CREATE AN EXCEPTION FOR NATURAL LAWNS IN THE VILLAGE OF POLAND.**

*Vote: Thompson, Walkama, Thompson, Bosak, Zembower-yeas*

*Moffie-abstain*

*Motion carries 5-0-1*

A motion was made by **Mr. Thompson** and seconded by **Mrs. Bosak** to move a first reading of **AN ORDINANCE AMENDING ORDINANCE 1276.02 FIRST ENACTED BY ORDINANCE 1013.96 ON JUNE 11, 1996 WITH SAID ORDINANCE ADDRESSING DENSITY, WEIGHT, BULK AND OTHER**



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## RESTRICTIONS APPLICABLE TO RESIDENTIAL LOTS TO CREATE AN EXCEPTION FOR NATURAL LAWNS IN THE VILLAGE OF POLAND.

Vote: Bosak, Walkama, ZembowerThompson, Graff- yeas  
Moffie- abstain  
Motion carries: 5-0-1

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to move a first reading of AN ORDINANCE AMENDING ORDINANCE 1460.01 FIRST ENACTED BY ORDINANCE 1233-04 ON MAY 4, 2004 WITH SAID ORDINANCE ADDRESSING EXTERIOR PROPERTY AREAS AND ACCESSORY STRUCTURES TO CREATE AN EXCEPTION FOR NATURAL LAWNS IN THE VILLAGE OF POLAND.

Vote: Bosak, Graff, Walkama, Zembower, Thompson, -yeas  
Moffie- abstains  
Motion carries 5-0-1-0.

Atty. Macejko explains that he will fix the wording on the resolution regarding the frequency of meetings. Then it will be reintroduced at the next meeting.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to move a 2nd reading of AN ORDINANCE ADDRESSING THE PROVISIONS OF STATE ISSUE 2 (CHAPTER 3780 OF THE OHIO REVISED CODE) REGARDING ADULT USE CANNABIS PROCESSING, DISPENSING, LABORATORIES, CULTIVATION AREAS, AND CULTIVATION AUTHORITY TO PROHIBIT ADULT-USE OPERATORS SET FORTH IN R.C. 3780.25 (LOCAL AUTHORITY REGARDING ADULT-USE OPERATORS).

Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie- yeas  
Motion carries 6-0.

Mr. Thompson mentions that the proposal from the fire board is to pay for the repair to the catch basin and then the village will pay them back their half when they have the money available. It is 8250.00.

A motion was made by **Mr. Thompson** and seconded by **Mr. Moffie** to accept the Fire Board's proposal to proceed with repair of the catch basin.

Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie- yeas  
Motion carries: 6-0

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A motion was made by Mr. Thompson and seconded by Mr. Moffie to approve the rental of a port-a-potty at Fireman's Field for 6 months this summer in the amount not to exceed \$1,072.00.

*Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie-yeas*

*Motion carries 6-0.*

A motion was made by Mr. Thompson and seconded by Mr. Graff to approve the roof repairs in the amount of \$3,390.00 to Roof Rite to make the repairs to the roof of Village Hall paid for entirely by BLUPR budget.

*Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie-yeas*

*Motion carries 6-0.*

A motion was made by Mr. Thompson and seconded by Mr. Walkama to approve the repair of the boiler pipe by Alcon in the amount of \$1632.00.

*Vote: Bosak, Graff, Walkama, Zembower, Thompson, Moffie-yeas*

*Motion carries 6-0.*

A motion was made by Mr. Thompson and seconded by Mr. Graff to waive the 3 readings of AN ORDINANCE APPOINTING FARMERS NATIONAL BANK STATE TREASURY ASSET RESERVE STAR OHIO AND KEY BANK NATIONAL ASSOCIATION AS DEPOSITORIES FOR ACTIVE FUNDS, INTERN FUNDS AND INACTIVE FUNDS FOR THE VILLAGE OF POLAND FOR THE PERIOD RETROACTIVE TO JANUARY 1, 2021 TO DECEMBER 31, 2025 AND TO DECLARE AN EMERGENCY.

*Roll call vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

*Motion carries 6-0*

Three readings having been waived motion was made by Mr. Thompson and seconded by Mr. Graff of AN ORDINANCE APPOINTING FARMERS NATIONAL BANK STATE TREASURY ASSET RESERVE STAR OHIO AND KEY BANK NATIONAL ASSOCIATION AS DEPOSITORIES FOR ACTIVE FUNDS, INTERN FUNDS AND INACTIVE FUNDS FOR THE VILLAGE OF POLAND FOR THE PERIOD RETROACTIVE TO JANUARY 1, 2021 TO DECEMBER 31, 2025 AND TO DECLARE AN EMERGENCY.

*Roll call vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

*Motion carries 6-0*

A motion was made by Mr. Thompson and seconded by Mrs. Bosak to waive 3 readings of a RESOLUTION AUTHORIZING THE PARTICIPATION IN THE ODOT SALT CONTRACTS AWARDED IN 2024 AND DECLARING AN EMERGENCY.

*Roll call vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

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*Motion carries 6-0*

Three readings having been waived a motion was made by **Mr. Thompson** and seconded by **Mr. Graff** for passage of a **RESOLUTION AUTHORIZING THE PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024 AND DECLARING AN EMERGENCY.**

*Roll call vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

*Motion carries 6-0*

A motion was made by **Mr. Thompson** and seconded by **Mr. Moffie** to authorize payment of the unemployment compensation issue discussed earlier in the amount of 1207.70.

*Vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

*Motion carries 6-0*

Mr. Moffie would like to allocate the money in the ARPA funds before the end of the year. Mr. Thompson would like to table this discussion due to the late hour. He wants to think about the issue. It will go on the next meeting agenda.

Mr. Moffie explains that we will have a 440,000.00 budget next year if we do not pave any of the roads this year. In the meantime we can patch the roads. It is explained that we are allowed to skip a year of paving.

A motion was made by **Mr. Moffie** and seconded by **Mr. Graff** that no streets are paved this year and that the street department will patch the roads and there will be a pecking order of the streets to be paved next year.

*Vote: Moffie, Thompson, Zembower, Graff, Walkama, Bosak-yeas*

*Motion carries 6-0*

### 16. Presentation of the Bills

A motion was made by **Mr. Graff** and seconded by **Mr. Moffie** to pay the bills.

*Vote: Graff, Walkama, Bosak, Zembower, Moffie, Thompson - yeas.*

*Motion carries: 6-1*

### 17. Remarks by Council and the Mayor:

- A. Mr. Thompson- No comment.
- B. Mr. Walkama- No comment.

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- C. Mr. Moffie- Proud of his reserve during this evening's meeting.
- D. Mr. Graff- He thanks Jay Macejko for his patience and resilience.
- E. Mrs. Bosak- No comment.
- F. Mr. Zembower- Appreciates the attendance and the insight of the community this evening.

### 18. Adjournment

A motion was made by Mr. Graff and seconded by Mr. Moffie to adjourn the meeting  
at 8:40p.m.

*Vote, Graff, Bosak, Walkama Zembower Thompson, Moffie-yeas.*

*Motion carries 6-0.*

Amy E. Brenoel, Clerk Of Council  
Village of Poland, Ohio

*Amy E. Brenoel*

The next REGULAR MEETING of the Poland Village Council will be May 7, 2024 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.