

RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING MONDAY MARCH 10, 2008 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING

MEMBERS PRESENT: Binder, Dishong, Flaiz, Koons, Porter, Wolfe
OFFICIALS PRESENT: Police Chief Wetzel, Building Commissioner Hocevar,
Street Commissioner Johnson, Solicitor Ondrey, Engineer
Foley, Fiscal Officer Romanowski
OFFICIALS ABSENT: Fiscal Auditor Lechman
GUESTS: Sue Reid, CVT; Beth McCreary, Sun News; Nathan
Forrester, Kimberwick Court; Chris Citzler, Circle Dr.;
Michael Hogan, Woodside

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer read the roll. Councilman Koons moved to waive reading and approve the minutes of the February 25, 2008 Regular Council meeting, seconded by Councilman Binder. Roll call – ayes, all. Motion carried.

MAYOR'S REPORT: Mayor stated that the Chelsea Court project is going through the stormwater updates. There have been a few issues that have frustrated the residents regarding having to stop and start the project due to issues and weather. The Village has sent out a letter to those residents to explain the issues and inform of the next steps in the project.

Mayor informed Council that the Phase II Stormwater report is complete and will be filed within the next day or two.

Mayor reported that the Village will conduct a poll regarding the Maple Hill sewer issue and the ballots will be sent out by Wednesday. Mayor stated that Sun Ridge is conducting their own poll but have yet to do that.

Mayor reminded Council that the Planning Commission will be meeting March 20th where they will continue the discussion of the Comprehensive Plan and he invited Council to attend this meeting.

Mayor stated that the Northeast Ohio Mayors and City Managers group did have the opportunity to teleconference with Senator Grendel in regards to the Great Lakes Water Compact. Mayor said the Senator's position is growing in strength and he makes some good points. Mayor also stated that the next step would be for his group to talk to House Representative Matt Dolan and get his take on the issue. Mayor feels everyone involved feels the compact has to be passed, however the issue comes down to 15 words.

FISCAL OFFICER'S REPORT: Fiscal Officer reported that she received the insurance policy from Pease Kerr if anyone wants to review it.

Fiscal Officer stated that Council members received their certificates of compliance for House Bill 9 training regarding public records. Fiscal Officer also stated that all members were given a Sunshine Law CD which was distributed jointly by the State Auditor and Attorney General this year.

Fiscal Officer announced that the Appreciation Lunch would be held Sunday, April 27th at Punderson Manor at 1:00 p.m.

As Tax Administrator, Fiscal Officer said she will forward the income tax report when she receives the information.

FISCAL AUDITOR'S REPORT: Due to Fiscal Auditor's absence, there was no report.

ENGINEER'S REPORT: Engineer reported that work is continuing on the box culvert for the Chelsea Court project, and weather permitting, he expects the pipe to be complete by this week and work to commence on the chamber.

Engineer reported that Chuck Kadun has done his work for the Road Program and Engineer will put together his recommendation for Council over the next few weeks. The timing goal would be to award the project in May and do the work in June.

BUILDING COMMISSIONER'S REPORT: Building Commissioner reported there is a Zoning Board of Appeals variance regarding a front yard set back scheduled for March 19th.

Building Commissioner informed Council that the Insurance Service Organization (ISO) audit will be taking place Thursday, March 13th. Building Commissioner stated that this audit is on a five-year cycle.

POLICE CHIEF'S REPORT: Police Chief reported that his department is still looking in to grants, both for manpower and technology. The application process is not yet open, however, they will be applying once it is.

STREET COMMISSIONER'S REPORT: Street Commissioner reported that election day was busy with the election having to be covered as well as salt trucks going out that day. Additionally, there was the ice storm that night and a power outage – his department was busy.

Street Commissioner informed Council that the Village still has a fair quantity of salt and cinders and also has quantities on order. Street Commissioner stated that it's been in news that both of the major mines, Cargill and Morton have backed off with salt orders and they are filling only for government agencies.

SOLICITOR'S REPORT: Solicitor stated that he participated in some of the preparations of things the committees are going to discuss at this meeting.

COMMITTEE REPORTS: Koons had no report.

Binder reminded Council that the Milbar property auction is tomorrow, March 11th at 11:00 a.m.

Dishong said today is the deadline for articles for the newsletter.

Flaiz said the Building Committee is still working on the finalizing the business registration form and the letter that is going to go out certified mail to the commercial property owners. The Building Committee will finalize their draft, get it out to the Solicitor and the Mayor this week and hopefully get those in the mail next week so that we can start getting feedback from the landlords and build the registry.

Flaiz informed Council that last year Council passed an ordinance adopting the Ohio Residential Building Code. Flaiz explained that when Council adopted that ordinance, they adopted the code and replaced the Village code with the Ohio code but it should have been adopted on a continuing basis. There are little changes to the state code every year, but the ordinance passed, technically just adopts the one from last year. This week during the audit in the Building Department, they are going to look to see that the Village code is the state code. There was brief discussion regarding how the code ordinance was passed and how it should have been passed.

Flaiz stated there is a time sensitive issue regarding the police bike patrol. Flaiz said the training for the bike patrol is only offered once a year and if Council approves the bike patrol, the Village has to order and receive the bike, equip the bike, uniform the officers before the training in May – so there is a time issue. Flaiz referred to a draft bike patrol policy distributed to Council and stated Solicitor has already reviewed and made a few changes. Flaiz said the long and short of the policy is it addresses concerns about response time, to only utilize the bike patrol when there are two officers on duty. Flaiz said there would be no effect on response time. Binder asked how often the bike patrol would be on duty. Chief replied that he estimates three to four days per week, primarily on day shift and weather permitting. Binder said he does not agree that it will not effect response time. Binder questioned the coverage with a second vehicle and asked Chief about one or two additional police department personnel in the police department on day shift. Chief replied that in addition to the one to two road officers on duty on day shift, there is an additional police department personnel on duty. Binder said there are still two to three police vehicles sitting at the police department, he doesn't know why whoever else is in the police department doesn't respond to a call instead of relying on mutual aid. Binder stated he doesn't feel mutual aid was designed to cover for us when we basically intentionally "under staff". Binder doesn't feel that is the purpose of mutual aid. Chief replied that the other officer on day shift is either himself or Lieutenant Ferrell, and stated that he (Chief), is required to be at various meetings and would not be available to be the second car to respond. Flaiz said the Village will not be relying on mutual aid because we have a bike patrol – the Village would use it the same as it has other times which he stated is very rarely. Mutual aid is there to cover an extraordinary situation where additional officers would be needed. There was discussion regarding how the bike patrol

would/would not effect the Village's ability to respond to mutual aid, the bike patrol being a "common sense" program regarding police work schedules and coverage, weather, etc. Flaiz stated that the priority is to have officers out there to respond to calls. Flaiz said his committee wanted Council's input on the issue and have a vote on it. Mayor stated that the information provided was helpful but he would like an opportunity to go through the information. Mayor said the prudent thing for the Village to do is to challenge this from the prospective of what this means to how we serve our residents. Mayor said it may not distract from response time, etc. but feels the right thing to do is to challenge this to make sure it's the right thing to do for the residents. Flaiz stated that if Council doesn't move on this issue tonight and the bike and equipment is not ordered, there is a 50/50 chance there wouldn't be a bike patrol program this year. Flaiz said the actual cost would be about \$1,400 because mandatory training costs would be incurred anyway so it shouldn't be included, and someone is going to donate the bike so the Village would have to equip the officers and the bike. Koons said he feels "for \$1,400 – let's go". Koons said if the Village doesn't get this going we miss a year. Dishong said the Village should just try it, the positives outweigh the negatives and the Village isn't investing a tremendous amount of money. Dishong said the police department will use it very wisely and if there are issues, it can be stopped since it is not a lot of money. Dishong said the Village is always looking for ways for the officers to have positive interaction with the residents and this is a way to do that. Binder said he spoke to a neighboring police chief who does have a bike patrol operation and they found it to be very effective, but they have a business district and they are not considered a semi-rural community and they don't use it in the neighborhoods. Binder asked if the bike patrol is compatible with the layout of the Village. Porter stated he believes it is a good idea and he agrees with Koons that Council should move forward. Flaiz made a motion to authorize the creation of the bike patrol function in the police department and spend \$1,600 on the initial features, seconded by Dishong. Roll call – Dishong, Flaiz, Koons and Porter, ayes. Binder and Wolfe, nay. Motion carried.

Porter said the Mayor and Properties Committee met this past Sunday with people who are interested in serving on the Parks Committee. Porter stated they handed out information as well as an application and asked them to return the application by March 23rd.

Porter said the police department has expressed an interest in cleaning the ducts in the police station. Porter stated that Chief estimates it will be approximately \$500 and the money is in the budget. Porter made a motion to authorize Chief to go out for bids and authorize the Mayor and Fiscal Officer to enter into a contract for the cleaning of the ducts for the police department and not to exceed \$500, seconded by Wolfe. Roll call – ayes, all . Motion carried.

Porter commented that some of the vehicle maintenance done to the service department vehicles was done in house rather than sending out to a service garage, thus saving the Village money.

Wolfe reported that Utilities Committee met yesterday to discuss a six-month plan for putting together a mission statement and a timeline for deciding whether or not the

Village should move forward with centralized trash pick up. Wolfe said if anybody on Council has comments, thoughts or input, her committee welcomes that. Wolfe stated that hopefully by the next meeting, they would have a mission statement out to Council to go over what the committee intentions are.

Wolfe informed Council that the Public Utilities Committee received a letter from Dominion East Ohio Gas regarding their upgrade to their system which will cost \$2.6 billion 2007 dollars. Wolfe said the long and short of it is residents will see an increase of approximately 1% to everybody's bills.

ORDINANCES/RESOLUTIONS:

Flaiz introduced an ordinance amending certain sections of Chapters 1402, 1404, and 1406 of the building code provisions of the codified ordinances in order to adopt the current Ohio Building Code and Ohio Residential Code and any future amendments thereto and declaring an emergency. Flaiz moved to waive further readings, seconded by Dishong. Roll call – ayes, all. Motion carried. Flaiz made a motion to adopt, seconded by Koons. Roll call – ayes, all. Motion carried. Ordinance 2008-13.

Mayor gave third reading on an ordinance amending section 230.03 of the codified ordinances of the Village of South Russell (originally adopted as ordinance 1980-26) by designating permissible signatories to checks issued on the Village. Binder moved to adopt, seconded by Koons. Roll call – Binder, Dishong, Koons, Porter, Wolfe, ayes. Flaiz, nay. Motion carried. Ordinance 2008-14.

Koons introduced an ordinance transferring \$80,000 from income tax fund to the special equipment fund and declaring an emergency. Koons moved to waive further readings, seconded by Wolfe. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. Ordinance 2008-15.

Mayor gave second reading on ordinance establishing the regulation of illicit discharges to the municipal separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDE) permit process as required by the Ohio Environmental Protection Agency.

BILLS LIST: Koons made a motion to ratify the bill paid 2/29/08, seconded by Dishong. Roll call – ayes, all. Motion carried.

Koons made a motion to pay the bills to be paid 3/14/08, seconded by Flaiz. Roll call – ayes, all. Motion carried.

NEW/OTHER BUSINESS: Dishong, Flaiz, Porter, Wolfe had no report. Binder asked Mayor that when he attends the next Mayor's group meeting if he could question them as to the amount of umbrella coverage they carry. Mayor said he would ask at the Chagrin Valley Intergovernmental Group meeting on Saturday.

Koons said he and Wolfe are looking into shredding as a community service.

Mayor reminded Council that the second Council meeting in March is cancelled so the next Council meeting is April 14th.

Mayor stated that the second Council meeting in May is scheduled for Memorial Day and therefore Council would need to either move that or cancel that. It was decided to move the Monday, May 26th Regular Council meeting to Tuesday, May 27th at 7:30 p.m.

ADJOURNMENT: There being no further business to come before Council, Dishong moved to adjourn, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer