

RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING MONDAY OCTOBER 27, 2008 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING

MEMBERS PRESENT: Binder, Dishong, Flaiz, Koons, Porter, and Wolfe
OFFICIALS PRESENT: Police Chief Wetzel, Building Commissioner Hocevar,
Street Commissioner Johnson, Solicitor Ondrey, Engineer
Foley, Fiscal Auditor Lechman, Fiscal Officer
Romanowski
GUESTS: Michael O'Connor, Bob Flesher, Boosters; Sue Reid, CVT;
William Jamieson, Sun News

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer read the roll. Koons moved to waive reading and approve the minutes of the October 13, 2008 Regular Council Meeting, seconded by Binder. Roll call – ayes - Binder, Flaiz, Koons, Porter, Wolfe. Dishong, abstained. Motion carried.

VISITORS: Michael O'Connor from the Chagrin Boosters informed Council that the Turkey Trot on Thanksgiving Day the race is a family oriented 5K, (3.1 miles), run/walk that will start at Gurney School at 10:00 a.m., go down Bell Road onto the South Russell Village Park, go through the park and then back up Bell Road to Gurney School. Mr. O'Connor said pre-registration will be \$8 per person and \$10 for registering the day of the race. Mr. O'Connor said this is a way to raise money to give back to the school district for both athletics and academics. Mr. O'Connor said with this being the first year of the event, they don't know how many participants to plan for but estimate somewhere between 200-500 participants. Mayor stated at this point in time it looks like there will be a couple of elected officials that will be able to help out with traffic control so there shouldn't be any need for any type of additional patrolmen personnel.

Mayor thanked Eagle Scout Nathan Ealy for building the park benches for the South Russell Village Park . Nathan Ealy thanked Council for their cooperation with his project and especially to the Parks Committee to helping to fund the project.

MAYOR'S REPORT: Mayor told Council he attended the Bainbridge Board of Zoning Appeals (ZBA) in the Village's effort to get approval for the small parking area that has been constructed on East Washington Street. Mayor said that was approved as a determination of the BZA from Bainbridge that this wasn't a variance request, it was a conditional use since the Village is using the property more as a park-type application and it is currently zoned as residential. Mayor stated they approved that as a conditional use and put a number of conditions associated with that such as if the Village would do something more with those fields such as formally grade them and put in true athletic fields, the Village would have to go back to their BZA. Mayor said the BZA asked the Village to do some parking lot beautification, put in a little bit of landscaping, put up rules and regulations signs and a few other conditions like that. Mayor said as soon as Bainbridge has their minutes typed up, the Village will get a copy of them.

Mayor said Planning Commission (PC) met regarding the property at the corner of Bell Road and Rt. 306. Mayor said what was submitted to PC was the idea for developmental review for expanding the existing house and putting on a 2-floor addition which would total approximately 6,600 square feet, which is an additional 3,000 square feet. They would also like to add in parking for 52 vehicles, keeping the barn and the ability to use that property for professional office and personal services. Mayor said the owner will go to the ZBA Wednesday, October 29th for a lot coverage variance.

Mayor updated Council on the ambulance billing issue and said that he met with the surrounding communities that are involved with in conjunction with the fire department and he believes that at this point in time, all the communities are aligned with the idea of trying to put together a deal where in essence to switch over from the model that has been in place where the individual communities are the trigger points with their individual billing agencies to do ambulance billing to a model where they ask the fire department to be the center point or trigger for it and do that still using a billing agent. Mayor said assuming they can pull this together, which he believes is very probable, that would put us in the position to do the Medicare billing as the Village used to. Mayor said there are still some issues to be addressed but they look to try to put together a deal that would go into effect as of the first of the year.

Mayor said the tornado siren should be in by the end of the year.

FISCAL OFFICER'S REPORT: Fiscal Officer said she is still working on budget worksheets and asked any department head who has not turned theirs in yet to please do as soon as possible.

Fiscal Officer briefly explained to Council some of the details of her Ohio and West Virginia Municipal Clerks Career Development Conference through Kent State University which she attended last week.

FISCAL AUDITOR'S REPORT: Fiscal Auditor had no report.

ENGINEER'S REPORT: Engineer said they are in the process of the final change order and the release of the retainer for the road program.

Regarding the Ohio Public Works Commission project, the Village is still in the running and our status as an alternate remains. Engineer said the Village should know soon as to our actual status. Engineer said the normally it would be made available before July of 2009 but the Village doesn't know yet if the project has climbed up in the funding range. Engineer said the Village should know within the next 60 days whether or not if they will get the project for budgeting purposes for 2009.

Engineer said he passed out the Planning Commission and it is being reviewed by the Solicitor a draft copy of a storm water ordinance that is a model ordinance put together by Chagrin River Watershed Partnership in an effort to have legislation to formalize what the Village pretty much already does. Mayor asked Building Committee to review this as

the Village has committed to in the Stormwater Phase 2. Engineer said he will get it out to everyone so they have a chance to review it.

Engineer said he gave Mayor and Solicitor a draft agreement put for the for the Village's consideration which would ultimately be between Craig Cawrse and the Village for the maintenance and operation of his pond retention area. Mayor asked Building Commissioner to take the lead on reviewing that.

Engineer said he did provide a draft agreement to the Mayor for the next 2-year period

BUILDING COMMISSIONER'S REPORT: Building Commissioner said there is a resident on Maple Hill who feels he doesn't have to get his septic tank pumped. The resident had a inspector come in and look at his tank and said it was okay and it is not nearly as full as it could be so the resident asked Building Commissioner to bring it to Council to see if they will let him slide on getting it pumped or enforcing the ordinance. There was brief discussion regarding the septic tank pumping ordinance, what it says, why the resident doesn't feel he should have his tank pumped, and whether or not Council should get involved in this decision. Wolfe made a motion for Building Commissioner to enforce the ordinance that currently exists with regard to all homeowners with septic systems to have them pumped every two years, seconded by Binder. Roll call, ayes – all. Motion carried.

POLICE CHIEF'S REPORT: Police Chief informed Council that the Ohio Attorney General's office updated their Ohio Law Enforcement Gateway (OLEG) capabilities. Police Chief said that systems allows his department to access the Ohio Attorney General's database. This new update allows them to access the BCI Crime Lab computer so they can go online and check the status of evidence, where it is, when they expect it to be complete, etc.

Police Chief said in 2007 the state mandated Continuing Education Units (CEU) for the police officers. Police Chief said it's now called Continuing Professional Training (CPT) and has a minimum of 24 hours per officer per year. Police Chief said the officers have all completed that training for 2008 and part of this program was reimbursement to the police departments when the officers comply with this so the Village should be receiving a check in January for \$680.

STREET COMMISSIONER'S REPORT: Street Commissioner said his department did the landscaping around the side of Village Hall. Street Commissioner said as the weather changes his department is doing property cleanup and their trucks are ready to go as the weather requires.

SOLICITOR'S REPORT: Solicitor had no report.

COMMITTEE REPORTS:

Binder said Finance Committee met earlier this evening to discuss preliminary steps of the budget. Binder wanted everyone to be prepared that the rough stab at the revenue projections for 2009 is about \$100,000 decline versus revenues for 2008 which is a combination of several things include declining interest income, we do not think we will match our Central Collection Agency income next year versus this year for several different reasons. Fiscal Auditor said other items that the Finance Committee thinks will be down for 2009 are court fines, interest revenue, etc. Fiscal Auditor said these items start adding up.

Dishong asked that articles for the holiday newsletter be to him no later than Thanksgiving. Dishong said he will sent out an e-mail reminder.

Flaiz referred to a draft ordinance he distributed to Council regarding contractor bond. Flaiz said the current bond requirement is \$5,000 and he would like to up that \$10,000. Flaiz explained the reason for the bond being if a contractor does a remodeling job for a resident and walks out on it or doesn't do it up to code or doesn't otherwise perform as determined by the Building Commissioner, then the Village can take that bond and give it back to the homeowner so they don't get left high and dry. Flaiz said this is a great protection for the residents. Flaiz said the Building Committee looked around at other communities that require bonds and their requirements were anywhere from \$10,000-\$30,000. Flaiz said his committee would like to still stay conservative but would like to increase the bond amount. Flaiz said this ordinance would up the wording on the current ordinance as well as increase the bond amount to \$10,000.

Flaiz said the Safety Committee is recommending that the Village go out to bid on a new Camry for an unmarked vehicle at a cost of approximately \$20,000 and then there will be some set up costs that will most likely be about \$2,000. Flaiz said this would require amending appropriations. Dishong said with the training requirements of 24 hours per officer and all other municipalities have at least one, most have more than one unmarked vehicle that they use for training, for taking evidence, for undercover investigations. Dishong said no one wants to spend the money but it's the prudent thing to do. Dishong doesn't feel it's the right thing to do to have the officers drive their personal vehicles and getting reimbursed and he feels that is a Mickey Mouse way of running the operation. Dishong said the reason they have chosen that vehicle is it is made in America and Crown Victorias are made in Canada. Dishong said the Hondas and Toyotas get better gas mileage. Porter asked if it would be a 4 cylinder or 6 cylinder – Dishong replied it would be a 4 cylinder. Dishong said the current unmarked car has lasted since 1997 and a mechanic said it is not safe to drive. Wolfe asked how many miles were on the car and Chief replied there were under 100,000 miles on the car. Flaiz said the car gets about 8,000 miles per year and they estimate they could use it for 10 years. Mayor said he is a fence sitter on this issue but there are multiple elements to this issue. Mayor said this would be going out for a car a year early and Safety Committee has made a compelling case for it. Mayor said this is a change in the Village's process which over the years has been that a cruiser is in service as a marked patrol car and then it comes out. Mayor said the Intrepid was a marked car for 3-4 years and then it became the unmarked car. Mayor said this is a change in that process and with the old process you could change the

unmarked car back to a patrol car if the Village had to. Mayor said there are a number of things adding up to why this could be a difficult decision. Dishong said it will cost some money if you have it as a marked car and then you convert it or if you take an unmarked car and convert it to marked, you will have to spend some money to do that. Flaiz said the Committee's plan was to replace an unmarked car next year because a cruiser does not need to be replaced next year. Flaiz said his committee has \$23,000 in their budget line item for a new unmarked car with set up costs and if Council approves it for this year, they would knock that off next year. Flaiz said if the Village is going to have an administrative car, why not get something that is less expensive and more fuel efficient, why drive around in a Crown Victoria. Flaiz said set up costs of the car are very expensive so if the Village is going to have an administrative vehicle, they should get one, set it up, drive it for ten years and then get rid of it. Koons said there is a safety levy on the ballot and he doesn't want to do anything until after that election.

Koons said there was a Finance Committee meeting and they hope to distribute budgets to Mayor and Council next Monday but we need them back from the departments. Koons said the first budget meeting will be November 10th at 5:30 p.m. Koons said the change is the Village will be using the Fund Balance spreadsheet with line item descriptions so the process may take longer to review.

Porter said the Parks Committee met and reviewed the Fall Festival and what they plan to do next year. They also discussed their budget items. Porter said 50 foot-tall trees were planted last Saturday at the South Russell Village Park and the Land Conservancy would like to do a much bigger event next spring with planting 900 seedlings at various places. Porter said these plantings are required for the conservancy agreement.

Porter said he worked with Streets Committee on the 2009 budget.

Wolfe said we have received some information from the state auditors regarding the cell phone policy but since the Village still hasn't had a wrap up meeting with them, before Utilities Committee wants to do anything, they want to wait for that meeting.

ORDINANCES/RESOLUTIONS: Flaiz introduced an ordinance amending section 1446.10 of the codified ordinances of the Village of South Russell by providing for a requirement for a contractors bond in the amount of \$10,000 guaranteeing conformity of all work with all approved plans and specifications and state and village regulation. Flaiz moved to waive further readings, seconded by Binder. Roll call – ayes, all. Motion carried. Flaiz moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. Ordinance 2008-42.

BILLS LISTS: There was no bills list.

NEW/OTHER BUSINESS: Binder, Dishong, Flaiz, Porter, Wolfe had no new business.

Koons said 35 people came through for shredding.

Porter made a motion to go into Executive Session to discuss employee benefits and personnel compensation, seconded by Koons. Roll call - ayes

Council reconvened at 9:31 p.m.

Porter introduced an ordinance authorizing the Mayor and Fiscal Officer to be authorized to enter into a contract of medical benefits for the employees of South Russell Village with Medical Mutual of Ohio Supermed Plus 1000/3000 plan for the months of November and December of 2008 and Medical Mutual COSE Supermed Plus 2500/100 HSA commencing January 1, 2009 and to fund such HSA with \$2,000 for single, \$4,000 per family annually as well as to offer a waiver incentive of \$50 per month, \$600 per year to those South Russell Village employees who wish to opt out of South Russell Village medical benefits and that the premiums for both the Medical Mutual of Ohio and the HSA would be paid for 100% by the Village and declaring an emergency. Wolfe moved to waive further readings, seconded by Koons. Roll call– ayes, all. Motion carried. Porter moved to adopt, seconded by Koons. Roll call – ayes, all. Motion carried. Ordinance 2008-43.

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

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer