

RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING MONDAY NOVEMBER 24, 2008 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING

MEMBERS PRESENT: Binder, Flaiz, Koons, Porter, and Wolfe
MEMBERS ABSENT: Dishong
OFFICIALS PRESENT: Police Chief Wetzel, Building Commissioner Hocevar,
Street Commissioner Johnson, Solicitor Ondrey, Engineer
Foley, Fiscal Auditor Lechman, Fiscal Officer
Romanowski
GUESTS: 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 November 10, 2008 Regular Council Meeting, seconded by Flaiz. Roll call – ayes, all. Motion carried.

MAYOR’S REPORT: Mayor said he is happy to report that he had twelve residents attend the kick off meeting for the Certified Emergency Response Team (CERT) program and are interested in volunteering.

Mayor said the multi-purpose path group of volunteers is still working on getting organized and looking for grants and funding options.

Mayor stated that the fire department has made the decision to go with Life Force Management for ambulance billing. The target date to have an agreement between the Chagrin Falls Suburban Fire Department and the respective communities in regards to ambulance billing is January 1, 2009. Mayor expects a draft of that agreement by December 12th.

Mayor informed Council that the tornado siren has been delivered and will be installed when the weather permits. There was discussion about sending out a notice to residents explaining the times the siren will be tested, etc.

FISCAL OFFICER’S REPORT: Fiscal Officer reported that the Village is sponsoring two families this year for the Sponsor-A-Family program, both of which are from South Russell. There will be a collection box in the hallway at Village Hall to collect items and Ann’s Child Care will also be collecting. Fiscal Officer said there is a link on SouthRussell.com under Village News with a wish list for the families and the Village will also be taking monetary donations to buy items not received. Fiscal Officer said she would be taking collections until December 17th.

Fiscal Officer said there was a meeting on Wednesday, November 19th with the Althans Insurance, Medical Mutual, Parkview Federal, employees and spouses to go over the new insurance plan and the HSA plan and requirements.

As Tax Administrator, Fiscal Officer reported that the gross November distribution, which was October collections, was \$151,314.13 and after refunds and overhead expenses, the net distribution was \$141,690.13.

FISCAL AUDITOR'S REPORT: Fiscal Auditor said October was a good month for receipts in which the Village received \$233,824 but the Village spent \$375,974. Fiscal Auditor reported that through October the Village had already exceeded the revenues budgeted for the entire year.

Fiscal Auditor also reported that he and Fiscal Officer balanced not only on total but also on each fund.

ENGINEER'S REPORT: Regarding the 2008 Road Program, Engineer stated they are in the process of the final change order for payment. Engineer clarified that the Village still owes the contractor approximately \$15,000 but the total will be less than the contract amount.

Regarding the Ohio Public Works Commission (OPWC) grant, Engineer reported that he spoke to the County Engineer and clearly the Village's application is still on development status and is first alternate. Engineer stated that if the Village is awarded the grant, the schedule could be modified so it could be a 2010 expenditure if that was Councils desire. Engineer said if Council is concerned with the project in general, the best thing to do would be to have the Mayor write a letter to withdraw the application. After brief discussion Engineer stated the overall project could not be changed.

Engineer stated he did provide the Mayor with a draft agreement with CT Consultants for the next two-year period.

Engineer said he received a call from the County Engineer regarding the paving of Hemlock Road next year. Most of Hemlock Road is in the Township and will be paved by the County as part of their paving activity. Engineer said the question is whether or not the Village wishes to participate in that work by underwriting the cost of the portion of the road inside South Russell with the estimated cost to the Village being less than \$5,000. Porter made a motion for the Village to pay to pave the Hemlock Road portion that is in the Village provided it is in the range of \$5,000, seconded by Koons. Roll call – ayes, all. Motion carried.

BUILDING COMMISSIONER'S REPORT: Building Commissioner said the property across the street that came to ZBA for a variance has transferred and the new owner is going to do some minor repairs on that property.

POLICE CHIEF'S REPORT: Police Chief reported that the Village had a bid opening today, November 24th at 12:00 noon where five bids were received and Councilman Flaiz will report on that during Committee reports.

Porter asked Police Chief about the taser repair cost on the bills list. Police Chief replied that the taser is a molded unit that is actually glued together and one of the seams came apart. The Village sent it back and got a new one for about half the cost.

STREET COMMISSIONER'S REPORT: Street Commissioner asked Council to give CT Consultants the permission to inspect the roads for the 2009 Road Program so the Village can get that process underway earlier next year. Porter made a motion for the Mayor and Fiscal Officer to enter into an agreement with CT Consultants to inspect the roads in preparation for the 2009 Road Program, seconded by Koons. Roll call – ayes, all. Motion carried.

As Webmaster, Street Commissioner said he has updated the website.

SOLICITOR'S REPORT: Solicitor said he reviewed the ordinance changes that CT Consultants is recommending regarding the stormwater ordinance and the only change he would make is to go back to the original ordinance and leave it alone. Flaiz said the Building Committee met that morning and they were not ready to make a recommendation.

COMMITTEE REPORTS:

Flaiz reported that there were five bids for the unmarked vehicle for the Police Department and one bid to purchase the unmarked car. The low bid was from Classic Pontiac Buick GMC for \$17,314.48. Flaiz said immediately preceding the bid opening, Classic Pontiac Buick GMC called the Police Chief and said they had discovered a new incentive from GM for an additional \$2,500 rebate and they requested to be able to amend their bid to \$14,814.48 reflecting the new incentive they found. Flaiz said he talked to the Solicitor about this issue and they can't technically amend their bid, however they did submit a proposal to the Village at the price of \$14,814.48 which is significantly lower than all of the bids. After discussing it with the Solicitor, Flaiz said the recommended course of action is that the Village reject all the bids, because it doesn't have to be bid anyway because it is under the \$25,000 threshold, and approve purchasing the vehicle from Classic Pontiac Buick GMC for \$14,418.48. Mayor asked what the forecasted amount to outfit the vehicle was to which the Police Chief responded it would be just over \$2,000. Flaiz made a motion to accept the bid from Rogers Auto Sales for the 1997 Dodge Intrepid for \$206, seconded by Koons. Roll call – ayes, all. Motion carried. Flaiz made a motion to reject all five bids received for the 2009 Pontiac G6 unmarked police vehicle, seconded by Wolfe. Roll call – ayes, all. Motion carried. Flaiz made a motion authorize the Mayor and Fiscal Officer to purchase a 2009 Pontiac G6 police vehicle from Classic Pontiac Buick GMC in Streetsboro for the total amount of \$14,814.48, seconded by Koons. Roll call – ayes, Flaiz, Koons, Porter. Nay, Wolfe, Binder. Motion carried.

Koons said there would be an Executive Session tonight regarding 2009 pay increases. Koons referred to the information sheet he distributed and stated he was off \$4,003 – the deficit should have been \$32,645.

Koons said there would be a budget work session Monday, December 1, 2008 at 6:00 p.m. at Village Hall.

Porter said Human Resources requests going into Executive Session this evening to discuss employee compensation and benefits.

Porter said the Parks Committee members voted unanimously in favor of animal waste removal stations and trash cans for the purpose of keeping the park clean. Porter said the Parks Committee would meet at Village Hall at 7:00 p.m. on November 25th to discuss the planting of 900+ seedlings in the spring as well as some upcoming project ideas. Porter said the signs regarding the park rules have gone up in the parking lots at the park. There was brief discussion about snowmobiles on the park property and the possibility of an ordinance authorizing the police department to enforce the motor vehicle requirement with the park. There was also a brief discussion about a Village ordinance that requires all dogs to be on a leash. Porter said it is the Park Committee's recommendation that the Village move forward with two trash receptacles and two animal waste receptacles, one set at each parking area.

Wolfe referred to her e-mail sent to Council regarding the cell phone policy. Mayor reviewed that Council had previously discussed the cell phone policy and then the State Auditor came in and said there may be issues with it so Council decided to hold up on it and wait for the Auditor's opinion. Wolfe said she knows the Village might get "dinged" in an audit, but the Auditor doesn't have any better options to offer. Mayor stated according to the table on the proposed policy, the Police Chief, Building Commissioner and Street Commissioner would get reimbursed \$35/month and the Full-Time Patrolmen and Full-Time Service Department would get reimbursed \$25/month. Mayor stated this would require individuals to submit a copy of their bill through the selected provider which would be Verizon Wireless in order to obtain the reimbursement. Mayor said it was decided to give employees one year to switch over from an existing provider to the preferred provider under the premise they operate in line with the proposed/adopted cell phone usage and reimbursement policy. Mayor said if someone is under a contract, they can't switch providers immediately so this would give them one year to make that switch. Flaiz said in reviewing the table, he believes the Village should include the Fiscal Officer at the \$35/month and the Assistant Building Inspector at \$25/month. Wolfe said she agreed because many things rest on the Fiscal Officer and a lot of times she is not in the building for multiple reasons and the Assistant Building Inspector is out of the office on inspections. There was discussion about currently paying cell phone bills for the Building Commissioner and Police Chief but not the other department heads. Mayor said the Streets Department really requires cell phones because the Street Commissioner is called out for a variety of different circumstances, he needs to be accessible. Having a phone that he could only use for Village purposes doesn't seem to fit so Street Commissioner has opted to use his own phone for Village purposes, so in that perspective it is pretty clear to the Mayor that there is a need to have communication with him and his employees. Mayor said they have two-way radios in their vehicles but he has been out dealing with situations with them and they have been talking on their cell phones to

someone else or between each other for coordination. Mayor said that same scenario also exists in other departments. Binder said on the one hand the Village says we are solving the problem but on the other hand are they creating an advantage or a benefit. Binder said he feels creating an incentive for employees to be on the same network has a lot of benefits in terms of in-network minutes but also gives a third tier of communication in case of an emergency. Binder said there are options to have certain individuals such as the Mayor and Department Heads prioritized in case there is an emergency, their cell phone calls get bumped up in emergency circumstances. Binder said the Village is asking employees to be available, they may not be making a lot of phone calls, but the Village wants them to be available and that's why they look to reimburse per month rather than reimbursement per call. Wolfe said in the budget work sessions Council discussed part-time patrolmen getting reimbursed and she feels this could get out of hand. Wolfe said they were talking about calling an officer for a question on the schedule, (Wolfe stated she was just using the Police Department as an example, she was not picking on them), but when you call an employee at home to find out if they can work versus calling an employee at home to tell them they have to come in for work, those are two totally different things and that would not be a reimbursable call. Binder asked Building Commissioner if Assistant Building Inspector uses her cell phone for work, Building Commissioner responded that she has but he didn't know if it was an issue. Binder asked if it was satisfactory if at the end of the month she submit a bill to get reimbursed for her phone calls. Building Commissioner said he has received calls from her on her personal cell phone but he doesn't know how big of an issue it is. Porter said the Village should be consistent. Flaiz said it is a fairness issue, he didn't see any difference between an Assistant Building Inspector and a Service Department employee. Binder said he sees a huge difference because the Assistant Building Inspector spends what percentage of her day in the officer versus a Service Department employee who probably spends 0% of his day near a land line. Binder said the service department, it's a bona fide part of his job to be out of the office and the Assistant Building Inspector is different than that. There are days she is out of the office but in general she is in the office. Binder said being a full-time employee is not a justification for having a cell phone, it should be a bona fide part of the job. Binder said the original cell phone proposal stated that employees to be reimbursed would be identified by the Mayor and the Department Heads, not defined by policy. Mayor reviewed the proposed cell phone policy and the criteria basis for the cell phones. Wolfe said the policy needed to be updated to reflect an effective date of January 1, 2009. Binder said everyone working for the Village, including employees, Mayor and Council, can get a discount from Verizon Wireless. There was discussion about having a Verizon Wireless representative come to Village Hall and set employees up with the discount and set up or adjust their plans. Wolfe clarified that employees would be expected to quarterly submit the front page of their bill with the phone number to receive their reimbursement according to the schedule table, (\$35/month department heads, \$25/month for others listed on table). Police Chief asked if an employee could opt out of this program to which the Mayor replied they don't have to take the reimbursement but they have to be accessible. Wolfe made a motion that effective January 1, 2009 Department Heads including the Fiscal Officer would be reimbursed \$35/month for cell phone reimbursement and other full-time employees as

deemed necessary by Mayor in conjunction with the Department Heads at \$25/month, seconded by Binder. Roll call – ayes, all. Motion carried.

Binder said regarding the budget he sent out some news articles about revenues being down for 2009.

Binder asked Fiscal Officer to send out an updated directory. Fiscal Officer requested any change of contact information from Council and said she would send out the updated directory with the next packet.

ORDINANCES/RESOLUTIONS:

Porter introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into an agreement with CT Consultants, Inc. to provide professional engineering services to the Village of South Russell for 2009 and 2010.

BILLS LISTS: Koons made a motion to ratify the bills paid November 15, 2008, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Koons made a motion to approve the bills to be paid November 28, 2008, seconded by Binder. Roll call – ayes, Flaiz, Porter, Wolfe, Binder. Koons abstained. Roll call – ayes, all. Motion carried.

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

Porter made a motion to go into Executive Session for the purpose of discussing employee compensation and benefits, seconded by Koons. Roll call – ayes, all. Motion carried.

Council reconvened at 10:00 p.m.

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

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer