

**RECORD OF PROCEEDINGS**  
**REGULAR COUNCIL MEETING MONDAY MAY 18, 2009 – 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 Hocesvar,  
Street Commissioner Johnson, Solicitor Ondrey, Engineer  
Foley, Fiscal Auditor Lechman, Fiscal Officer  
Romanowski  
**VISITORS:** Joan Demirjian, CVT

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer read the roll. Binder was absent. Porter moved to waive reading and approve the minutes of the April 27, 2009 Public Hearing regarding NOPEC, seconded by Dishong. Roll call – ayes, all. Motion carried. Dishong moved to waive reading and approve the minutes of the April 27, 2009 Regular Council Meeting, seconded by Flaiz. Roll call – ayes, all. Motion carried.

**MAYOR'S REPORT:** Mayor said the Village Appreciation picnic held Friday, May 15<sup>th</sup> was a great opportunity to say thank you to employees, department heads, elected officials and all the committees and boards.

Mayor said the Finance committee met three times to review revenues for 2009, especially income tax collections. They reviewed where the Village is and what the projection is for the end of the year. Mayor said income tax collections jump all over the place on a monthly basis. The committee has made the recommendation of not making any changes at this time but they will keep an eye on revenues closely throughout the year. Mayor stated the committee felt this year would probably be close in terms of revenues, but of more concern is 2010.

Mayor said ambulance billing is very close to the finish line. Mayor said if there are no further changes, the Village has already made a motion for the Mayor and Fiscal Officer to go ahead with this, so if we are in good shape, we can move forward and it will be in place by June 1<sup>st</sup>. Mayor said this would then allow the Village to go back for Medicare dollars for up to two years back. There was brief discussion about the approximate amount of Medicare income the Village would receive which was guessed to be about \$20,000 per year. Flaiz said the Mayor should be commended for his amount of tireless effort and work he put into getting this together. Mayor said the Village would not receive the ambulance billing money in a check form but rather the amount would be deducted from the amount paid for fire and ambulance billing on a quarterly basis. Mayor also said the Village would receive the same reports for ambulance billing as it currently does.

Engineer arrived at 7:45 p.m.

Mayor said a few weeks ago the ZBA met for a request of a variance for Pannini's at the former Chagrin Grille. Mayor said only three of the five members were present so the item was tabled and they will meet again on May 27<sup>th</sup> at 7:30 p.m. to pick up on that issue.

Mayor said there is no Planning Commission meeting in May.

Mayor said the Trash Day was a success and he told Council he did hear some requests from residents to bring back the Trash Day twice a year again starting next year.

**FISCAL OFFICER'S REPORT:** As the designee of the Village, Fiscal Officer reported that on Thursday she will be attending House Bill 9 training which is the training required for elected officials by the State of Ohio regarding public records. She stated if Mayor or any Council members wanted to attend, they are more than welcome from noon until 3:00 p.m. on Thursday at Mayfield Village.

Fiscal Officer stated she has received the codified ordinances from Walter Drane. She stated there was an ordinance approving the codified ordinances, but Solicitor has yet to review them. Fiscal Officer told Council if anyone needed the codified hardcopies for their books, they should contact her.

Fiscal Officer received positive feedback on her monthly report distributed to Council.

As Tax Administrator, Fiscal Officer said the May deposit, which was April collections was gross of \$215,153.25, refunds of \$9,245.80, overhead of \$7,530.00 and a net distribution of \$198,377.45.

**FISCAL AUDITOR'S REPORT:** Fiscal Auditor said in 2003 which was the last full year of ambulance billing which included Medicare money, the Village received \$64,116 and in 2008 the Village received \$44,936.

Fiscal Auditor said the Village has received about half of the Homestead and Rollback money in April and if the second half holds up, the Village should hit the mark on that.

Fiscal Auditor said the second half of the year is when the balances will start dropping after most of the revenue is received and then the bills continue to come in.

**ENGINEER'S REPORT:** Engineer said the road program is under way and they are waiting for the cure period. There was discussion about when this project will be completed and Street Commissioner will check with Chuck Kadun. Engineer said there was a soft area on Bishop Court which needs stabilization prior to the final paving. The cost is estimated at \$3,850 and appears that the cost can be covered by dollars inside the present contract price. Porter made a motion to authorize the Engineer to correct the soft area on the Bishop Court cul-de-sac at a cost of \$3,850 included in the original contract price, seconded by Dishong. Roll call – ayes, all. Motion carried.

Binder arrived at 8:09 p.m.

Engineer said there is a standing water situation at the intersection of Maple Springs and Bell Road. There was discussion about various ways to correct this problem; removing the curb, replacing the curb, etc., but no exact cost or solution was decided upon. Flaiz made a motion to spend up to \$5,000 to repair the drainage problem at Maple Springs and Bell Road contingent upon the Mayor's approval, seconded by Koons. Roll call – ayes, Wolfe, Dishong, Flaiz, Koons, Porter. Binder abstained. Motion carried.

Engineer said there is round 24 issue 2 funding out there with an application deadline of June 19<sup>th</sup>. There was brief discussion about what types of projects are eligible for funding. Mayor asked Engineer to conjure up a list of possible project ideas and then the Streets Committee, Street Commissioner and Mayor can meet before June 8<sup>th</sup> Council meeting to discuss possible projects.

Mayor said the Cemetery Committee is coming to the June 8<sup>th</sup> Council meeting to request what was estimated at \$6,500 but now according to the Engineer, it will be \$7,000.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner informed Council that another issue for the ZBA meeting on May 27<sup>th</sup> is a sign for in front of The Gallery building. Building Commissioner said the sign being proposed is too big and too close to the road.

Building Commissioner said the June Planning Commission meeting would include a lot split for the Marshall property on Bell Road. Building Commissioner said this needs to be approved by Planning Commission, however no variance is required.

**POLICE CHIEF'S REPORT:** Police Chief said the Appreciation Picnic was very nice and he was very pleased that Officer Michael Rizzo was chosen as 2008 Employee of the Year – Chief felt Officer Rizzo was very deserving.

Police Chief informed Council the Village has received the \$6,922 grant for the digital 800 radios. Chief said the credit for the grant application should go to Officer Kramer who put a lot of time and effort into applying for that grant.

**STREET COMMISSIONER'S REPORT:** Street Commissioner said the salt supply is in good shape to begin next season.

Street Commissioner said the street sweeping is complete, the road program is going on and the crack sealing has started within the Village.

Street Commissioner said 481 vehicles went through the lot for Trash Day. The Village serviced 53 seniors on Wednesday and Thursday with help from the Department on Aging and one volunteer. Street Commissioner said there was also help from two volunteers from Geauga County on Saturday.

As Webmaster, Street Commissioner reported that starting in June, the Council Packets are going to go through the website and Council will be given a password that allows them in to view the packets without having to download them. Mayor said they would be sent both via e-mail as well as on the server. Mayor said the next thing would be to move the e-mail service to have unified e-mail addresses and to have e-mail service on a server so e-mails don't have to be downloaded. Mayor said that should be ready in July.

**SOLICITOR'S REPORT:** Solicitor had no report.

**COMMITTEE REPORTS:**

Wolfe summarized the Centralized Trash Hearing that was held before the Council meeting. Wolfe said there seems to be some negativity out there towards Waste Management and Tony from Waste Management responded appropriately. Wolfe said she believes the biggest problem with going to centralized trash is eliminating the choices for residents, both with haulers and services.

Binder said the Building Committee met and will be introducing the stormwater management plan ordinance this evening.

Dishong asked everyone to start thinking about newsletter articles for the September/October newsletter.

Flaiz said the Safety Committee meets this Thursday, May 21, 2009 at 7:30 a.m. at Village Hall.

Koons said the Village needs to come up with a credit card policy, uniform policies, etc.

Porter said the Parks Committee met and has set September 20<sup>th</sup> for the Fall Festival with a rain date of September 27<sup>th</sup>. They have a contract from Lolly the Trolley for \$1,010 to run from 11:30 a.m. to 4:30 p.m. for the 20<sup>th</sup> with the rain date set also. Porter made a motion to authorize Mayor and Fiscal Officer to enter into a contract with Trolley Tours of Cleveland to provide transportation for the South Russell Village Fall Festival on September 20, 2009 with a rain date of September 27, 2009 in the amount of \$1,010, seconded by Koons. Roll call – ayes, all. Motion carried.

Porter said the Parks Committee reviewed the idea of a dog run and they are not in favor of it at the South Russell Village Park. Porter said the committee is going to write a letter to the editors of the Chagrin Valley Times and the Sun News asking the residents to be good neighbors and control their pets, otherwise the Village will be forced to take more strict measures with dogs in the park. There was discussion about dog complaints, dog messes, leashing dogs, people being afraid of the dogs at the park, etc.

Porter said the Rocket Science Club approached the Mayor for authorization to launch their model rockets from the Park and the committee thinks that is a great thing and encourages all children to reach for the stars. Solicitor said the Village needs to take a

look at the Conservation Easement to see if that activity would be allowed. Solicitor said there is an interpretation in rocket launching that probably is not within the permitted use of the property. Mayor said this event took place May 4<sup>th</sup> and none of the surrounding residents complained or had any idea the event even took place.

Porter said the Parks Committee recommends the Washington Street parking lot should be expanded provided Bainbridge Township is notified in advance and is okay with it. Mayor said it was already approved by Bainbridge Township when the Village went for the variance in the fall.

Porter said there was a request to use the South Russell Village Park for a private wedding reception of approximately 200 people next year. Solicitor said he would not be permitting receptions on the South Russell parcel due to the conservation easement. Mayor said the Village is going to be getting requests to use the park for various things and he feels the Village should use this as the launching pad to say what things fit, what doesn't fit, what can be done based on the conservation easement, parking, no facilities there, etc. Mayor said this is a wise thing for the Park Committee to review and see what is the right process.

Porter said an Eagle Scout wants to do a project for the Village. The Park Committee was thinking of a kiosk with information.

Porter said the Park Committee would like to have a street light that partially illuminates the Bell Street parking lot as well as the sign. Porter said the committee thought this could be a good idea from the security point of view. Porter said his understanding is the fixture is free and then the Village would just pay the electricity. Flaiz said he is very opposed to the lighting at the Village Park. Flaiz said the lighting off the poles like other businesses in the Village looks terrible. Flaiz said he believes light pollution is a real problem. Flaiz said the Bellwood entry signs are not lit, they were put in when he was in high school and they've never been vandalized. Flaiz doesn't believe vandalism is a serious issue down there. The park isn't going to be used after dark, so he doesn't understand why the parking lot needs to be lit. Flaiz said the area down there is so nice and to put in a big spotlight he believes is just terrible. Mayor said if any other Council member has a comment, they should send him an e-mail. Mayor said the Village doesn't need any official thing to ask for a light, it's up to the Streets Department and Mayor.

Porter said the Park Committee needs 2 tons of dirt for the reforestation projection to put around the trees that were planted at Arbor Day.

Regarding the memorial tree for Caroline Sutliff, there was discussion about where this tree and future memorial trees should be planted. It was decided that the tree would be planted at the corner near the Maistros property.

## **ORDINANCES AND RESOLUTIONS:**

Fiscal Officer gave second reading on an ordinance amending section 2.01(88) of the Zoning Code regarding "Political Sign".

Fiscal Officer gave second reading on an ordinance to approve current replacement pages to the South Russell Codified Ordinances and Declaring an Emergency.

Fiscal Officer gave second reading on ordinance amending Chapter 1468 "Flood Hazards" of the codified ordinances and providing for the prevention of flood damage within the Village of South Russell and declaring an emergency.

Koons introduced an ordinance requesting the County Auditor to certify to the taxing authority the total tax valuation of the subdivision and the dollar amount of revenue that would be generated by a specified number of mills and declaring an emergency. Koons moved to waive further readings, seconded by Binder. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. Ordinance 2009-15.

Koons introduced an ordinance requesting the County Auditor to certify to the taxing authority the total tax valuation of the subdivision and the dollar amount of revenue that would be generated by a specified number of mills and declaring an emergency. Koons moved to waive further readings, seconded by Binder. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. Ordinance 2009-16

Koons introduced a resolution requesting advance of taxes collected. Koons moved to waive further readings, seconded by Binder. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. Ordinance 2009-17.

Koons introduced an ordinance transferring funds and declaring an emergency; \$350,000, \$100,000 to Streets, \$100,000 to Safety, \$80,000 to Operating and \$70,000 to General. Koons moved to waive further readings, seconded by Wolfe. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Wolfe. Roll call – ayes, all. Motion carried. Ordinance 2009-18.

Binder introduced an ordinance establishing a requirement for a comprehensive storm water management plan for certain soil disturbing activities within the Village of South Russell.

## **BILLS LIST:**

Dishong made a motion to ratify the bills paid May 15, 2009 in the amount of \$54,590.81, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Koons made a motion to pay the bill dated May 18, 2009 in the amount of \$285.00, seconded by Flaiz. Roll call – ayes, all. Motion carried.

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

Koons said the South Russell Multipurpose Trails Committee will have a booth at Blossom Time and will also have a group marching in the parade to promote the project.

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

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Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer