

RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING MONDAY JUNE 8, 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 Hocevar,
Street Commissioner Johnson, Solicitor Ondrey, Engineer
Foley, Fiscal Auditor Lechman, Fiscal Officer
Romanowski
VISITORS: John Von Wagoner, Life Scout; Ed Pyle, Cindy Nairn,
Patty Mills, Cemetery Committee; Steve Latkovic, South
Russell Village Multi-purpose Trail Committee

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer read the roll. Wolfe moved to waive reading and approve the minutes of the May 18, 2009 Public Hearing regarding Centralized Trash, seconded by Koons. Roll call – ayes, Flaiz, Koons, Porter, Wolfe. Binder and Dishong abstained. Motion carried. Koons moved to waive reading and approve the minutes of the May 18, 2009 Regular Council Meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

VISTORS: John Von Wagoner who is a Life Scout with Troop 150 based out of Chagrin Falls distributed a handout with details of his proposed project to build a kiosk in the South Russell Village Park. John stated the proposed 2-sided sign would cost about \$500 and the 3-sided about \$1,000. Dishong stated he prefers the 2-sided kiosk and doesn't want the sign placed between the two parking lot fences which would block the view. John Von Wagoner said the project could be completed and in place by August 1st. Solicitor said he hasn't done research regarding the zoning issues of the sign. Mayor said Parks Committee could decide where to put the kiosk. Porter made a motion to approve John Von Wagoner building a 2-sided kiosk for the South Russell Village Park, seconded by Wolfe. Roll call – ayes, all. Motion carried. Mayor said the Village needs to check on the zoning and the easement of the property regarding the sign to make sure everything is okay on that end. Porter made a motion that the Village provide \$250 to Jon Von Wagoner to go towards building the park kiosk, seconded by Wolfe. Roll call – ayes, all. Motion carried.

Ed Pyle from the Cemetery Committee addressed Council regarding the money they requested for the cemetery previously which was \$6500 but is now \$7000. Ed stated his committee doesn't want the Village to invest any more money in costs and his committee investing time in researching the designated parcels if that is not where Council wants to put the cemetery. Ed said the numbers projected on the pro forma are for sections 1 & 2. Ed said if section 1 & 2 go in with the number of proposed plots, columbariums and now some smaller graves for urns, that will cover probably a 30-year span of time to fill. Ed said the number of proposed annual burials is 17 normal in-ground burials and 17 cremations. Ed said the pro forma numbers were calculated to include residents, former

residents, employees and former employees. He also said in order for his committee to proceed, they need to survey the lot which is the \$7,000 they are requesting. Following that, they would need approximately \$23,000 to get the construction drawings. Ed said once the Village gets the construction drawings, the project will be ready to go out to bid or could be put on hold. Ed said the committee is not asking for construction this year, but they would like to have the construction drawings done and have everything ready to go out to bid when the time is right. There was discussion regarding putting together the pro forma conservatively with year one being the construction phase and not selling as many plots. Ed stated his committee feels the momentum of sales would begin the second year. The Cemetery Committee stated they determined the sale rates from getting rates from 14 different cemeteries and averaging it out. Binder said he felt this is something for eternity and has to be maintained for eternity, he thought it would be priced higher. Dishong said he understands why the committee estimated low sales costs, however he believes they can be increased. Mayor clarified that the Village is still in the model stage, and can look at sales costs, etc. later. Wolfe said that being a real estate agent and location being everything, she asked if different cemetery locations have different costs. Ed replied that the committee has not discussed cemetery plot price differences, but explained difference in pricing for columbarium pricing for different rows. Koons said he is concerned about the wetlands as well as the location being on State Route 306. Engineer said the wetland area is going to be a green area by law so there aren't going to be burials in the wetlands. Engineer said if the money was available, the Village could be out to bid this fall and essentially have the cemetery constructed and ready for marketing one year from now. Mayor clarified with Ed that from the forecasted numbers from the cemetery committee, by the close of year six, the Village will have recuperated all the engineering and construction costs and starting year seven, the money would go back to the Village and be put aside to go towards expansion of sections 3 & 4. He stated if all went according to the proposed pro forma, the Village would up front approximately \$400,000 to building the cemetery which would be repaid in six years. From that point forward, this would be a self-funding proposition for further construction and future maintenance. Ed said in order to proceed the committee is asking for \$7,000 which will commit the Village to the property because the survey would be used for only that piece or property. Following the survey they need the \$23,000 for the construction drawings. Ed stated there would be approximately 34 burials per year split about 50/50 percent between in-ground and cremation remains. There was discussion about the number of burials per year and how the committee arrived at that number. There was also discussion about the amount appropriated for 2009 for this project, the amount encumbered from 2009, as well as the additional amount the committee is asking for. Wolfe asked for the balance of the Special Land and Building Fund which Fiscal Officer reported was \$268,360.64. There was discussion about whether or not these initial costs to build a cemetery would come out of this Special Land and Building Fund. Dishong stated that the money in that fund is set aside for these exact kinds of projects and it is not coming out of the operating budget. Wolfe stated that the money in Special Land and Building comes from inheritance taxes and to think about why we get the inheritance taxes. Dishong said he would like to see the Village fund this – take it out of Special Land and Building which is what it is set aside for. Porter said the Village made a commitment several years ago to do the park and the cemetery, they did the park, now

it's time to move forward with the cemetery. Wolfe introduced an ordinance to amend the appropriations from the Special Land and Building fund for \$30,000 for cemetery planning costs. Flaiz moved to waive further readings, seconded by Dishong. Roll call – ayes, Dishong, Flaiz, Porter, Wolfe. Nay, Binder and Koons. Motion failed.

Steve Latkovic from the South Russell Village Multi-Purpose Trail committee told Council that committee participated in the Blossomtime parade and got great reception. He informed Council the committee is planning a fundraising event at Trifles Café sometime in August as well as some other local exposure and fundraising events. Steve stated that since he presented to Chagrin Falls, Mayor Brick has started a sub-committee of the Chagrin Council to talk about trails and paths for their Village. Steve said some of the committee's strongest supporters are from people on Bell Road.

MAYOR'S REPORT: Mayor said Engineer put together some project ideas for public funding assistance. Mayor stated after discussing the list of prospective projects and prioritizing, the consensus of the Streets Committee, Streets Commissioner, Engineer and Mayor is to recommend to apply for public works funding for the Bell Road West reconstruction project. Mayor said the project estimate is \$823,000, the Village would be applying for a \$450,000 grant and the Village would have to pay approximately \$373,000 of which a portion should be built up in the permissive tax fund. Dishong raised the question if the Village could apply for the whole project but then pay it off over 2 years due to budgeting constraints. Engineer said he believed the Village could. He said if the Village is awarded the project, it would have a year to complete the project and then the Village could bid out the project in pieces over two years and do the work with two years budget appropriations as long as the work is done within the time limit of the grant. Engineer said he could write the application in a way to try to spread out the timeframe over two years. Porter made a motion authorizing the Engineer to apply for Ohio Public Works funding for the Bell Road west project for 2010-2011 with a local match of approximately \$373,000, seconded by Dishong. Roll call – ayes, all. Motion carried.

Mayor reminded Council that the Village did an HR audit last year. Mayor said Jeremy Iosue from Dylan, Iosue and Associates will forward his audit report to Council before the next Council meeting and he will be present at the next Council meeting to answer questions.

Mayor said the ambulance billing agreement is done.

Mayor explained to Council that the tornado siren is now operating. He shared there were initially problems with getting it set up but that has been worked out and the siren now gives one quick test “wrrr” on a weekly basis at 2 p.m. on Saturday.

Mayor reminded Council that last year the idea of an administrative assistant was quued up and he intends to move forward on starting that recruitment process at this time.

FISCAL OFFICER'S REPORT: Fiscal Officer said the Village needs to set up a Tax Budget hearing before the July 13th Council meeting. A Tax Budget hearing was set for 7:25 p.m. for July 13th.

Fiscal Officer reported that Solicitor reviewed the proposed codification from Walter Drane and he approved that.

Fiscal Officer asked Council to try accessing their Council packets online and let her know if they have a problem with that.

Fiscal Officer reported she is out of the office for Municipal Finance Officer training next week, June 15-19.

As Tax Administrator, Fiscal Officer reported she has not yet received the June income tax deposit but she will forward it to Council as soon as she gets it.

FISCAL AUDITOR'S REPORT: Fiscal Auditor referred to his report distributed to Council. Fiscal Auditor said balances are strong and increased from a month ago and the next installment of real estate taxes should be coming in July. He said the total is approximately \$1.7 million.

Fiscal Auditor said the Charter One interest rate didn't go up and the Ohio fund went down.

Fiscal Auditor said the Village received the second installment of cable franchise fees and it is right on track with the budgeted amount.

Fiscal Auditor said he is registered to attend the Certified Public Investment Management (CPIM) training in Akron on June 24th. He said this is now required since the Village has the CD investment.

ENGINEER'S REPORT: Engineer said the 2009 Road Program is essentially complete. Engineer said he believes it is close to the bid cost and he doesn't believe there are any issues there.

BUILDING COMMISSIONER'S REPORT: Building Commissioner informed Council that at the last ZBA meeting they approved two variances - one for the side setback which the parties involved came to an agreement, and the other one was for a sign for the Gallery for a directory of businesses inside. ZBA recommended changing the sign height and width a little bit. Building Commissioner said the sign variance is in the process of going through ABR at this time.

Building Commissioner said items on the agenda for the next ZBA meeting is for a bigger sign for the former Milbar property which is closer to the road as well as a shed variance that is over the height limit and over the maximum square foot limit.

Building Commissioner said Planning Commission's agenda includes a lot split for the Marshall property.

POLICE CHIEF'S REPORT: Police Chief said he has been in contact with the Sheriff's Department and they believe the Village will receive the MDTs and in-car cameras by the end of the month and those should be installed by the end of July. Police Chief said they now know how the information will be stored in the cars, how it will be transferred into the station and he will be meeting with the Public Records Retention Committee on Thursday, June 11th at 6:30 p.m. regarding that topic. Police Chief said they will keep the videos for 30 days unless it has evidentiary value for which they will burn those to a DVD and keep store those with the rest of the case material.

STREET COMMISSIONER'S REPORT: Street Commissioner said the road program is just about complete and the crack sealing program is complete.

Street Commissioner said the two new Village entrance signs have been installed - one at the Chagrin Falls line on Bell Road and one at the Chagrin Falls line on Washington Street.

Street Commissioner said the memorial tree was planted at the Village park.

Street Commissioner said the Hemlock Road culvert program is complete.

Street Commissioner said road striping is budgeted for this year and will be scheduled soon.

SOLICITOR'S REPORT: Solicitor explained that the Chardon Court is requesting the Village to share the court costs on a proportionate basis with the other municipalities in the county. Solicitor said this is based on the fact that the municipal budget has increased and these expenses will be billed semi-annually. As of this time, the Village has not yet received a bill, but Solicitor stated he wanted to make Council aware of this issue. Solicitor said if Council has any concerns regarding this they should contact him. Mayor said the cost would be approximately \$1,900 per year. Solicitor said this cost may go up if any of the other communities form their own court and pull away from Chardon. There was brief discussion about communities, people being unhappy with that court.

COMMITTEE REPORTS: Binder, Dishong and Wolfe had no report.

Flaiz said Planning Commission meeting is June 11th at 7:30 p.m. and there is also a fence issue on the agenda for that meeting.

Koons informed Council if they renew the Safety levy that is due it will bring in \$392,220 and if the Village tries to replace it, it would bring in \$423,668. Koons said the Finance Committee would meet and have a recommendation at the next meeting.

Koons said he hopes Council had time to review the job descriptions and if not, to do so before the July 13th meeting when Jeremy will be present to discuss the HR audit.

Porter said the Parks Committee discussed the Fall Festival. Porter made a motion to authorize Mayor and Fiscal Officer to enter into a contract with the New Orleans Stompers for \$500 for the South Russell Village Fall Festival, seconded by Dishong. Roll call – ayes, all. Motion carried.

ORDINANCES AND RESOLUTIONS:

Mayor gave third reading on an ordinance amending section 2.01(88) of the Zoning Code regarding “Political Sign”. Flaiz made a motion to table this ordinance until the July 13th Council meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

Dishong made a motion to adopt the ordinance to approve current replacement pages to the South Russell Codified Ordinances and Declaring an Emergency, seconded by Koons. Roll call – ayes, all. Motion carried. Ordinance 2009-19.

Koons made a motion to adopt the 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, seconded by Flaiz. Roll call – ayes, all. Motion carried. Ordinance 2009-20.

Mayor gave second reading on 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:

Flaiz made a motion to ratify the bills paid May 29, 2009 in the amount of \$6,520.82, seconded by Dishong. Roll call – ayes, all. Motion carried.

Koons made a motion to pay the bill dated June 15, 2009 in the amount of \$41,944.86, seconded by Dishong. Roll call – ayes, all. Motion carried.

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

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

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer