

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 12, 2009 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Binder, Flaiz, Koons, Porter, and Wolfe
MEMBERS ABSENT: Dishong
OFFICIALS PRESENT: Police Chief Wetzels, Building Commissioner Hoyer,
Solicitor Ondrey, Fiscal Auditor Lechman,
Fiscal Officer Romanowski, Street Commissioner Johnson
and Engineer Foley
VISITORS: Steve Latkovic, Safe Routes to School; Lee Schiemann,
Parks Committee; Gary Dole; Joan Dimerjian, Chagrin
Valley Times; three Chagrin Falls High School students;
and Michael Hogan

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 approve the minutes of the September 28, 2009 Council Meeting, seconded by Wolfe. Binder and Flaiz abstained; Koons, Porter and Wolfe – ayes. Motion carried.

Steve Latkovic thanked Council for support of the NOACA grant, which has been submitted. Orange has committed up to \$2,000 and Moreland Hills has offered up to \$2,500. The area included in this project is all of Moreland Hills and into Orange Village to cover Miles Road and Lander Road to make the full circle. Orange Village did their own biking/hiking trail study. The match was oversubscribed; Contributions by Chagrin Falls and South Russell will now be \$4,000 instead of up to \$5,000. The Foundation will contribute \$2,500. Bentleyville is also a co-sponsor; however, no match will be paid due to timing issues. Geauga Park District and Cleveland Metroparks are also co-sponsors. Letters of support from the School Board, Chamber of Commerce and a couple other organizations are included with the application. There is a very good chance this grant will be approved. A decision will be reached and money awarded in December. The final study should be wrapped up by late summer next year.

Steve reported that if NOACA money is awarded, the next step will be to hire someone starting in early spring to work on initial plans for the location of the multipurpose trails. There will be three public meetings – first is informative, the second is feedback and the third is the final plan presentation. The study will begin in April or May. Public meetings will be held while engineering survey work is being done. The Steering Committee (sponsors and co-sponsors) will meet and work through the process. Around August, the final plan will be put together with a final study of drawings, suggestions and cost estimates. The Steering Committee will be in charge of the public hearings. A neutral site will be chosen for the meetings.

Steve Latkovic confirmed that there will be a single infrastructure application for the Safe Routes program, with one grant for \$500,00 for all infrastructure, based on a school travel plan. Discussions will follow as to how South Russell's piece will fit into this, what would be the possible amounts of money available and what could be done with these funds. There was a meeting on October 5th in the Village Hall. It was concluded that Chagrin will focus on their piece this year; next year South Russell will go after funding. The Council will continue to work with the Safe Routes program. Koons complimented Steve on getting the group to focus and for a job well done. Koons also thanked Ned Foley; his expertise was very helpful during this process.

Lee Schiemann reported that there was a Parks Committee meeting recently. The kiosk is available for postings. Some maps of the park have been posted for park users, but it would be helpful to enlarge them. Engineer will enlarge maps of the park for the kiosk.

The Committee feels the park would benefit if the Bell Road parking area and sign were illuminated. They also advise installing a 110-volt power tap to be used for events such as the Fall Festival. The vision is that the lighting would be subdued with the sign illuminated and minimal lighting in the parking lot with consideration given to the neighbors. Wolfe spoke about walking in the evening and returning to your car in darkness. She suggested subdued yellow lighting perhaps included in the landscaping as opposed to overhead street lighting. Flaiz asked about park hours possibly dawn to dusk. He is not a fan of lighting; it's a preserved area and he favors no lighting. Mayor asked Mr. Schiemann to get a clearer picture on the vision of potential power requirements.

Michael Hogan introduced himself and informed Council that he is running for the School Board in the Chagrin Falls School District. He has worked for 22 years in Cuyahoga County for the Board of Mental Retardation Developmental Disabilities. He serves on the Parks Committee for South Russell. He has also served on the Alternative Funding Committee in the school district. He is interested in being part of the school board to help increase creativity in regards to services in these times of tightening budgets (trying to do more with less). There are open seats and he looks forward to this opportunity to serve the community and the school district.

MAYOR'S REPORT: Council, Fiscal Auditor and Fiscal Officer met yesterday to look at the five-year financial picture comparing revenues to expenditures. At this time, expenditures are outpacing revenues; this was expected because property levies stay flat. Mayor, Council, Fiscal Auditor and Fiscal Officer need to put together options for Council to consider by the end of the year .

Council will hold on the topic of the cemetery until the next Council meeting so that everyone is in attendance.

There will be an Executive Session later this evening for personnel reasons.

Koons stated that he believes the intergovernmental meetings the Mayor attended were worthwhile and significantly helped the NOACA grant move forward.

Wolfe asked if the Chagrin Falls Boosters have notified South Russell about another Turkey Trot. Mayor reported that they have and the Parks Committee has agreed.

FISCAL OFFICER'S REPORT: Fiscal Officer received the second letter from the Ohio Department of Taxation, which she distributed. The three parcels that make up the park have a tax-exempt status as of 2008. Romanowski will contact the County Auditor to make sure everything is in order on their end.

Fiscal Officer reported that on the Bills List, there is a slight correction for the Building Department. Under the International Code Council, Dave received a complimentary ticket; \$485 should be subtracted from the \$521.22, making the new total \$36.22. The Bills List, to be passed later tonight, now totals \$23,599.50.

Last week the Fiscal Officer attended the Kent State training for Municipal Clerks. This is Fiscal Officer's third year and this completes the hours needed for her CMC certification. The Fiscal Officer plans to fill out the application this week. This year the educational conference was held in Stark County and, by far, was the best training she's attended.

As Tax Administrator, Romanowski has not gotten the deposit yet. When received, it will be forwarded to Council.

FISCAL AUDITOR'S REPORT: No report.

ENGINEER'S REPORT: No report.

BUILDING COMMISSIONER'S REPORT: Hocevar reported construction has started on Route 306 for a temporary drive for a house valued at \$800,000 to \$1 million. Sanitary sewers are being installed.

The contemporary home on Bell has been awarded to Payne & Payne Construction. It has been signed off by ABR. Construction will be starting soon.

The Police Department chimney is now being dismantled.

POLICE CHIEF'S REPORT: Chief Wetzel reported that the grant for the upgrades to the digital 800 radios has been completed. It will go to the Mayor for his signature. It is for a maximum of \$15,000; a 90/10 match. It is Federal money administered by the State. The deadline is mid-November.

After receiving new MDTs from the County, as part of the MDT in-car camera upgrade, the Village was left with four used MDTs. Hall Public Safety, the company contracted to set up the new cruisers, has a potential market for these used MDTs. The Police Department has had a couple of laser radar units for testing and evaluation for the last couple of weeks; they have performed as advertised. Hall Public Safety is in a position to

trade South Russell the new laser radar unit for the four used MDTs. Chief has discussed this trade with the Safety Committee, Dishong and Flaiz who are all in favor. No exchange of money will take place. Pete Fronck, of Chagrin Computers, estimates the sale value of the four units to be approximately \$1400 total. The cost of the new laser radar unit is \$1895. The Chief believes this is a good exchange value. Chief discussed the situation with David Ondrey who thought the Police Department could move forward since each item is under \$1000. Mayor reminded Council that the four laptops now available were received from the County at no cost. In response to Binder's questions, the Chief reported that Mike Rizzo has stripped the hard disks from these units.

STREET COMMISSIONER'S REPORT: Johnson informed Council that the Service Department has been working on properties and equipment for the upcoming season change. Johnson asks that Council takes action on the salt bid tonight.

Mayor reported that the camera that was originally on the salt dome has been taken down. It will be used during the winter season to monitor the salt dome.

SOLICITOR'S REPORT: No report. David Ondrey mentioned that a lot of communities are disposing of personal property no longer of use or obsolete on internet auction sites, such as govdeals.com. This is proving to be a good way to get rid of items that are no longer needed. Legislation is available if the Village is interested. Ondrey reported that Council needs to pass a resolution each year saying that there may be items available for sale from time to time to establish a general rule. This would also need to be listed on the website.

COMMITTEE REPORTS: Porter brought up the Chagrin Soccer Association and Chagrin Athletic Association fields issue for the ten acres. The Engineering report shows that the ten acres is not suitable for a standard high school baseball field and two soccer fields. Joyce Bond suggests the optimal use of this acreage would be two standard soccer fields and one Little League baseball field. The Parks Committee will be looking to Council for approval. Porter stated the cost to grade the property would be approximately \$500,000. The Committee is considering donations as a way to raise these funds. This topic will be revisited next year.

Porter commented that the Village has an ordinance that states animals, including dogs, are not allowed to run at large. It does not, however, specifically require leashes. The Police Department has the authority to enforce the ordinance. It is a minor misdemeanor to allow a dog, and other animals listed in the ordinance, to run at large. These animals do need to be kept under control by the owner. This is an issue that will be revisited. The Committee might come back within the next couple of months for a recommendation for a leash law in the park. Dog attacks, including a dog jumping on a person, would be considered a dangerous and vicious animal. This would be a misdemeanor in the second degree for the owner to have allowed that to happen. Mayor asked the Chief and Solicitor Ondrey if they concur with Porter's presentation. Ondrey would need to review the ordinance, but thought Dennis Coyne could comment on the possibility of prosecuting for having a dog at large. Mayor asked the Parks Committee to look at the rules and

regulations. The Chief has indicated that the Village should codify those rules so the Police Department can enforce them. Porter stated that the Park rule conforms to the ordinance and, if it is an issue, the Police have the authority to write a ticket for a minor misdemeanor. This policy is in place until the Park Committee comes back to Council with a recommendation of what needs to be done.

Porter stated that the rental house rents for \$900/month. The Properties Committee made a recommendation that it be lowered to \$750/month based on renter's hardships. Mayor agreed to do something in the short-term subsidizing the rent based on sweat equity. The rental house is a month-to-month lease. Wolfe made a motion that the rent be reduced to \$750 for the last two months of 2009. At that time rent needs to be current. The rental fee will return to \$900/month as of January 1, 2010; Porter seconded. Roll call – ayes, all. Motion carried.

Wolfe reported that a postcard is now available to survey residents on the quality of service their trash haulers provide. The plan is to include the survey in the newsletter. The date of the Public Hearing, which will be January 25, 2010, will also be included in the newsletter. Flaiz suggested a separate mailing of a more in-depth nature asking about the importance of recycling, etc. Wolfe pointed out the expense associated with a separate mailing. Another option the Mayor suggested is E-blast; there would be no cost but anyone can respond.

The Mayor stated that newsletter articles are due Wednesday, October 14th, by the end of the day.

Binder made a motion to authorize the Mayor and Fiscal Officer to offer flu shots to South Russell employees on an annual basis; seconded by Flaiz. Roll call – ayes, all. Motion carried.

ORDINANCES AND RESOLUTIONS: Koons moved to table the third reading of the cemetery initiative until the next Council meeting; seconded by Flaiz. Roll call – ayes, all. Motion carried.

Porter introduced an ordinance authorizing the Mayor and the Fiscal Officer to enter into a contract with Morton Salt for purposes of buying salt for the 2009-10 winter season at \$55.25/ton. The bid for Morton was lower than Cargill. The quote is also approximately \$10 less per ton this year than last. Porter moved to waive readings, declaring an emergency; Koons seconded. Roll call – ayes, all. Motion carried. Ordinance 2009-32.

Koons read the second reading amending the appropriations transferring \$11,750 from the Income Tax to Parks and Recreation, declaring an emergency. Koons moved to waive readings; seconded by Binder. Roll call – ayes, all. Motion carried. Koons moved to adopt; seconded by Porter. Roll call – ayes, all. Motion carried. Ordinance 2009-32.

BILLS LIST: Koons made a motion to approve the bills to be paid on October 15th, in the amount of \$23,599.50, seconded by Wolfe. Roll call – ayes, all. Motion carried.

NEW/OTHER BUSINESS: Koons brought up the topic of Halloween hours. Council agreed that they will be 6-8 pm on Saturday, October 31st.

Wolfe reminded Council that paper shredding will be done this Saturday from 9-12 noon. Mayor reported that members from the Farmer's Market have been invited to set up, but he doubts anyone will.

Flaiz made a motion to go into Executive Session at 9 pm to discuss personnel; seconded by Koons. Roll call – ayes, all. Motion carried. Council reconvened at 9:46 pm.

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

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer