

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 22, 2010 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Binder, Dishong, Flaiz, Koons, Porter and Wolfe
OFFICIALS PRESENT: Fiscal Auditor Lechman, Fiscal Officer Romanowski,
Building Commissioner Hocevar, Police Chief Wetzell,
Street Commissioner Johnson, Solicitor Ondrey,
Engineer Foley
VISITORS: Dick Baker, Waverly Lane

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 February 8, 2010 Trash Public Hearing, seconded by Dishong. Roll call – ayes, all. Motion carried. Koons moved to waive reading and approve the minutes of the February 8, 2010 Regular Council Meeting, seconded by Wolfe. Roll call – ayes, all. Motion carried.

MAYOR’S REPORT: Mayor stated that the Cemetery Committee would be interviewing another candidate for the consultant position on March 4th at 10:30 a.m. at Village Hall.

Mayor told Council that he held a harassment training session for Village supervisors earlier this morning. Additional leadership courses will be scheduled through Kent State as was suggested during the Human Resource audit.

Mayor said everyone should have received an update in regards to the insurance renewal. There are no current changes to the insurance policy; however, due to the Village campus property values, the premium has increased to \$21,881. This is up approximately two hundred dollars from last year. The renewal date is February 24th.

Mayor stated that communities working with Northeast Ohio Public Energy Council (NOPEC) should be getting grants of at least \$50,000. The dollar amount is based on the number of residents who have been involved in the program. This money can be used for projects in five different areas: energy conservation, advanced energy, energy education, economic development and financial distress. Mayor informed the Public Utilities Committee that proposals are due by February 28, 2011.

Mayor gave an update regarding the 2010 Census. The first scheduled mailing should be sent out in March with the follow-up being mailed in April. Home visits will take place May through July. Mayor believes it is important for Council members to encourage residents to participate in the Census, as the number of Village residents will be the basis for future funding.

Mayor reported that due to Council paying close attention to detail in regards to the budget and being conservative with expenditures, South Russell Village is in a better position because of it. Pepper Pike is currently going through a significant budget crunch with severe employee pay cuts. Even though South Russell faced tough decisions, this is exactly the situation the Village was attempting to avoid.

FISCAL OFFICER'S REPORT: Fiscal Officer recently sent a letter to the Auditor asking for an advance on the \$38,000 in inheritance taxes that Treasurer Hitchcock reported for South Russell.

As Tax Administrator, Fiscal Officer reported gross distribution for February was \$126,901.41. After refunds, overhead and non-sufficient funds, net distribution was \$120,173.36, giving a year-to-date of \$238,704. This is \$53,646 over last year at this time.

FISCAL AUDITOR'S REPORT: Fiscal Auditor distributed the Cash Management Report as of January 31, 2010, showing Total Cash and Investments just under \$1.5 million. Fiscal Auditor discussed a few of the major line items.

ENGINEER'S REPORT: Engineer Foley reported that Friday, February 26th, is the bid opening for the Road Program.

Joyce Bond has been working with Barry Jacobson on the sketches for the park.

Engineer Foley has also been working on the Phase II Stormwater report.

Mayor asked Barry Jacobson, President of CSA, and Dave Maistros, a CAA representative, to provide Joyce Bond with a list of what the ten-acre parcel is to include ensuring that the best layout is achieved when realigning the boundary lines. Engineer Foley thinks there would still be approximately 20,000 yards of dirt to move even after boundary lines are moved. This is approximately half the amount that would have to be moved if boundary lines weren't adjusted.

BUILDING COMMISSIONER'S REPORT: Building Commissioner reported ABR approved the sign for the yoga studio.

Building Commissioner stated a resident would be submitting an application tomorrow for a detached structure on Bell Road. The proposed structure is bigger than zoning allows and has an encroachment on the side yard.

Building Commissioner reported that the foundation and walls are up on the "green" house on Bell Road.

Building Commissioner told Council that Panini's has delayed their opening date from March 17th to April 1st.

Building Commissioner spoke with the tenant after the last Council meeting. Rent for February will be paid this week. As of March 1st, he will pay the full month's rent. The tenant is now aware there will be a \$50 late fee if rent is received after the tenth of the month.

POLICE CHIEF'S REPORT: Chief reported the Police Department solicited funds for transitioning to digital radios. The first grant received was a 90/10 split; the second a 75/25 split. All funds of the 90/10 split will be used and the remainder necessary will be taken from the 75/25 split. This will be more than enough to cover the expenses of the project. South Russell Village will be required to pay 19%, or approximately \$9300, of the \$50,000 total cost. Flaiz stated that, unfortunately, the \$9300 is not in the budget.

Chief stated that a bid was received from Liberty Ford on February 17th for the new cruiser in the amount of \$21,590.42. This price includes \$1,250 for a trade-in on the 2001 Crown Victoria presently being used by the Service Department.

STREET COMMISSIONER'S REPORT: Street Commissioner reported that the Service Department continues to handle weather conditions. Another order has been placed for salt.

SOLICITOR'S REPORT: No report.

COMMITTEE REPORTS: Koons received job descriptions for the Police Department. Solicitor Ondrey will add his revisions and, once the Committee has met, they will be presented to Council.

Porter stated that the Parks Committee is scheduled to meet February 24th at 6:30 p.m. in Village Hall.

Wolfe reported that the Public Utilities Committee met Friday, February 19th, to discuss what potentially is the right course of action in regards to the Maple Hill sewer project. Wolfe has had conversations with the Mayor regarding what the State is planning. Binder and Wolfe met and have decided to invite Senator Grendell to the Council meeting on March 22nd. A Public Hearing would be held before the Council meeting at 6:30 p.m. to hear what short-term legislation is expected and what can be expected long-term in regard to septic laws. Binder said it's important to hear from Senator Grendell to get a broader knowledge base in order to make the best decision. Mayor said he thinks he should know by Friday if the Senator will be able to attend the meetings on March 22nd. If he were unable to attend, Mayor would request he send someone else or send a statement, so the Village can move forward with their decision. If Senator Grendell can attend, Mayor suggested letters be sent to Maple Hill residents informing them of the meeting. In response to an e-mail received, Wolfe said she is not trying to force anyone to do anything; however, she just thinks a decision should be made.

Binder is interested in scheduling a date to get a representative from the Treasurer's office and the School Board and/or District to meet with Council to discuss tax strategies.

Dishong asked Council members to start thinking about newsletter articles.

Flaiz reported that the Planning Commission met February 17th. At that meeting, a data retrieval service was approved for Washington Center.

Flaiz also reported the yoga studio is interested in expanding into the adjoining space.

Flaiz stated that the Planning Commission is considering zoning changes to define banners, pennants and flags. Personal services also need to be updated to modernize and expand the definition. At the next Planning Commission meeting, scheduled for March 11th at 7:30 p.m. at Village Hall, a vote will be taken regarding these zoning code changes. They would then come before Council as an ordinance. A Public Hearing will also need to be held.

Flaiz made a motion to accept the bid from Liberty Ford for \$21,590.42, which includes the trade-in of the 2001 Crown Victoria, seconded by Wolfe. Roll call – ayes, all. Motion carried.

Wolfe is attending the Elected Officials' Academy at Kent State. During the class, she learned that all donations received by the Village need to be officially acknowledged. Wolfe made a motion to accept the donation to upgrade the sights on the rifles in the patrol cars, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Wolfe made a motion to accept a donation in the amount of \$50 for Police training from a resident on Sun Ridge Lane, seconded by Flaiz. Roll call – ayes, all. Motion carried.

ORDINANCES/RESOLUTIONS: Koons introduced an ordinance to hire Pease Kerr as the insurance agent for the next fiscal year, and declaring an emergency. Koons made a motion to waive readings, seconded by Flaiz. Roll call – ayes, all. Motion carried. Koons made a motion to adopt, seconded by Wolfe. Roll call – ayes, all. Motion carried. Ordinance No. 2010-5.

Koons introduced an ordinance to enter into contract with Alliance Municipal for \$21,881, and declaring an emergency. Koons made a motion to waive readings, seconded by Binder. Roll call – ayes, all. Motion carried. Koons made a motion to adopt, seconded by Wolfe. Roll call – ayes, all. Motion carried. Ordinance No. 2010-6.

BILLS LIST: Koons made a motion to ratify the February 12th Bills List #2 in the amount of \$1,172.03, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Koons made a motion to approve the bills to be paid on February 26th in the amount of \$38,068.39, seconded by Binder. Roll call – ayes, all. Motion carried.

NEW/OTHER BUSINESS: Koons made a motion to go into Executive Session at 8:28 p.m. to discuss personnel compensation and potential litigation, seconded by Wolfe. Roll call – ayes, all. Motion carried.

Council reconvened at 9:19 p.m.

Koons introduced an ordinance to increase the Fiscal Officer's salary effective March 1st in the amount of \$2,500 for successful completion of the requirements for the Certified Municipal Clerk, and declaring an emergency. Koons made a motion to waive readings, seconded by Wolfe. Roll call – ayes, all. Motion carried. Koons made a motion to adopt, seconded by Wolfe. During a discussion, Flaiz stated he is voting no, not because he doesn't think the Fiscal Officer deserves it, but because he feels as though he voted for a wage freeze for 2010 in January and he doesn't think it would be right to increase her compensation this year. Binder stated he is more in favor of a bonus rather than an increase in salary. Roll call – ayes: Porter, Wolfe, Koons, Dishong, Binder. Nays: Flaiz. Motion carried. Ordinance No. 2010-7.

Flaiz made a motion authorizing the Mayor and Fiscal Officer to engage the services of Attorney Amy Kullik for an hourly rate of \$200 for a maximum amount of \$5,000; seconded by Porter. Roll call – ayes, all. Motion carried.

ADJOURNMENT: There being no further business to come before Council, Flaiz made a motion to adjourn the meeting at 9:22 p.m., seconded by Koons. Ayes - all. Motion carried.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by: Becky Peterson
c: My Docs/Word Docs/Council Minutes