

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

**MEMBERS PRESENT:** Binder, Dishong, Flaiz, Koons and Wolfe  
**MEMBERS ABSENT:** Porter  
**OFFICIALS PRESENT:** Fiscal Auditor Lechman, Fiscal Officer Romanowski,  
Police Chief Wetzel, Street Commissioner Johnson,  
Solicitor Ondrey and Engineer Foley  
**VISITORS:** County Commissioner Young and Bryan Kostura

County Commissioner Young attended the public hearing with Senator Grendell and stayed for the Council meeting. The Commissioner said that Senator Grendell is doing an outstanding job for Geauga County. It has been ranked the No. 1 county in Ohio and he is working to keep that ranking.

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 March 8, 2010 Regular Council Meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

Mary Beth Wolfe reported that she would be meeting with Ed Pyle and Cindy Nairn on Thursday to review the two cemetery consultant proposals to prepare a recommendation for the April 12<sup>th</sup> Council meeting.

Due to illness, Wolfe excused herself from the meeting.

**MAYOR'S REPORT:** Mayor reported that the initial kick-off meeting for the Northeast Ohio Area-wide Coordinating Agency's (NOACA) trails project is planned for Thursday, March 25, at 3:00 p.m. in Chagrin Falls. Mayor and Councilman Koons will attend.

Mayor stated that the ambulance billing for South Russell will no longer be processed through Life Force Management. Chagrin Falls Fire Department will now be billing for surrounding communities. Last year \$62,000 was budgeted, but only \$26,000 was received. That difference was due to the lag time in switching from Life Force to this new process. The last quarterly invoice for Fire and EMS service for the last quarter of 2009 was just over \$40,000. The net is \$38,000, after the fees for Life Force and Chagrin are backed out. This will be reflected in 2010 as a revenue item. There will be money coming in due to back billing from Medicare, as well as from the transfer to Chagrin processing these charges. Adjustments to previous charges are also expected. Currently, it appears that the back billing has been resolved. The Fire Department was able to go back to October 2008 for Medicare billing.

Mayor attended a meeting with the Northeast Ohio Public Energy Council (NOPEC) to discuss the \$50,000 grant process. Grants need to be filed by February 28, 2011. There are six areas in which this money can be used. Grants can be submitted in “chunks” as long as the total does not exceed \$50,000. County Commissioner Young stated \$16 million would be distributed and there is a lot of flexibility in the program.

Mayor reported there will be a Chagrin Valley Intergovernmental Council (CVIGC) meeting on April 17<sup>th</sup>.

Mayor informed Council that a letter was recently received from Chagrin Falls regarding dispatch services. They are interested in forming a Council of Government for dispatch made up of the seven communities involved. Mayor asked for some discussion regarding the necessity of this group, its purpose and goals for the group. This issue will be discussed after the CVIGC meeting on April 17<sup>th</sup>.

Mayor reported that the Cemetery Committee has met with two potential consultants for the work that has been outlined. A presentation will be given to Council on April 12<sup>th</sup>.

Mayor said he would like to meet with the Public Utilities Committee to review what Senator Grendell reported this evening and possibly have a recommendation for the next Council meeting.

Mayor stated that when the land acquisition for the South Russell Park occurred, ten acres were identified under the easement for general use. Chagrin Athletic Association (CAA) and the Parks Committee wanted to optimize the space for different playing fields. Now it is questionable if this is the best use of the land. Mayor would like to get feedback from Council, then the Solicitor would work with the Western Reserve Land Conservancy and create an agreement to change these boundaries. Barry Jacobson would like to get firm costs on what the project would be for grading, etc., to potentially start fundraising this fall.

Binder reiterated his feelings that he does not think a baseball field should be there. He feels the costs are too high for a tiny field that could only be used two months out of the year. Flaiz thinks the outline proposed is better than what has been presented in the past. Engineer Foley reported that even with the boundary changes, the cost to regrade the land would still be significant. Koons asked if they are willing to change the boundaries, would it be possible for something to go in on the Bell side of the Park. Mayor said he didn't believe so. Fiscal Auditor asked about the possibility of buying land and swapping it out for a bigger field to lower the costs. Mayor said there is a 60' path alongside the fields for that purpose.

Flaiz made a motion to accept the changed boundaries as shown on the map, seconded by Koons. Roll call – ayes, all. Motion carried. The Solicitor will need a legal description of the property.

Mayor reported that the Stormwater Management report has been filed.

Congressman LaTourette's Conference for Elected Officials will be held on June 10-11<sup>th</sup>. Mayor asked that Council let him know as soon as possible if they are interested in attending.

**FISCAL OFFICER'S REPORT:** Fiscal Officer reported that the Auditor's Office should be finishing the audit by the end of the week.

Inheritance taxes were received a few weeks ago. An advance of \$38,000 had been requested. These funds are received twice a year. Rather than getting the advance, the total amount of \$168,958.00 was received. Fiscal Officer talked to the auditors about moving money. The auditors said money could be left in the General account for a short time until a decision is made. At that time, the funds would be transferred per Council's vote or per the current ordinance.

As Tax Administrator, Fiscal Officer reported that the gross tax collections received in March, which are February collections, totaled \$53,439.74. After refunds and overhead, the net deposit was \$50,639.38. This brings the year-to-date figure to \$289,344.34, which is up approximately \$50,000 from last year.

**FISCAL AUDITOR'S REPORT:** With the change in ambulance billing, the Fiscal Auditor will record ambulance revenues and subtract expenses to mirror the numbers in the Fiscal Officer's books.

In response to Koons, the Fiscal Auditor will work up an average range for inheritance taxes received over the last ten years.

**ENGINEER'S REPORT:** Engineer Foley submitted his monthly report to Council. He reported there was a Phase II Stormwater meeting to update the Sediment and Erosion Control Ordinance. Over the next couple of months, Engineer Foley will be adding required language to the ordinance and forwarding it to Council for review.

Engineer Foley reported that the Village is in receipt of the Round 25 Issue II applications, which are due around mid-June. Notification of acceptance for the preliminary application would probably be around September. A final application would then need to be filed; funds would be available in July 2011. The project could be done in the summer of 2011 or the spring of 2012.

Engineer reminded Council of the earlier discussion that this year's OPWC application would be the west end of Bell Road. Basically, this was the project that was submitted last year. The Engineer believes there is opportunity to get that funding. The total cost of the project was approximately \$825,000 of which \$450,000 was requested in the last application. Engineer Foley is looking for direction whether to consider seeking funds to

do Bell Road west in the fall of 2011 or spring of 2012. Engineer Foley reported that the potential for stimulus money for highway projects is not viable at this time until a highway bill is introduced. Mayor said this issue would be addressed at the next Council meeting to keep this moving forward. Engineer Foley will review the numbers and look at projections for 2012.

Engineer Foley asked that a decision be made regarding the 2010 Road Program. A contract will then be written including all alternative options.

Mayor said if South Russell does a massive Road Program this year, he believes there should be no Road Program in 2011. He thinks it may be a wise decision to do all of Manor Brook at one time since the Village has the cash in the bank.

Engineer Foley told Mayor that Council needs to move on the bids that were opened within 60 days from bid date, which was February 26<sup>th</sup>.

Engineer Foley responded to Koons saying that the bid was written in a fashion that combinations could be chosen as equal alternates within the contract.

Flaiz asked if the bids would have been different if it was written as one big project. Foley responded he did not believe so because it is quantity sensitive.

Dishong said a recommendation should be formalized by the next meeting.

Binder said with the work being done to Bell West, it is timely to consider the addition of an enhanced berm to increase safety. He asked Engineer Foley if that would fall into the scope of Issue II money if it were done in conjunction with the Road Program. Engineer Foley said to widen Bell would incorporate a number of factors, such as drainage, ditches, additional excavation, etc. Dishong agreed that it would be wise to consider the addition of a berm at this time. Bell will probably not be re-paved for another 10-15 years. The Engineer stated that making this change would probably add \$100,000 easily to this project. Dishong said now is the time to consider the addition to the project, especially if a match is available for 50%. Engineer will look at this and give further feedback at the next meeting.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner was attending a conference and could not be present at the Council meeting.

**POLICE CHIEF'S REPORT:** Chief updated Council in regards to the 90/10 radio grant. A copy of the purchase order was submitted and the radio equipment has been ordered. The money will come out of South Russell funds, however, 90% of the total will be reimbursed. The out-of-pocket expenses will be approximately \$970, which is an unbudgeted item.

Chief stated that the second grant totaling \$35,000 is 100% funded. This grant, the 90/10 grant and the grant that was received last year will completely fund the digital radio transition.

**STREET COMMISSIONER’S REPORT:** Street Commissioner filed the application for the Tire Grant for Spring Trash Day. Feedback should be received around the 29<sup>th</sup> of the month.

Street Commissioner reported that the Service Department has had an early jump on the winter clean-up projects. Street sweeping is tentatively scheduled for April 5<sup>th</sup> or 12<sup>th</sup>. Repairs to the one-ton truck are still underway.

Street Commissioner is working on a project to get Village e-mails off Council members’ personal computers as a saved item. This is being considered due to the fact that Village e-mails are public records and the retention policy associated with said records. This project is being considered so, if at any time in the future Village correspondence were to be questioned, personal computers would not be involved. E-mails can be saved on the Village server under personal accounts. That would allow e-mails sent to personal computers to be deleted when no longer needed. They would remain in the Village records. All communication should be done from the e-mail addresses provided by the Village.

Street Commissioner reported that there would be a statewide tornado drill on Wednesday, March 24<sup>th</sup>, at 9:50 a.m. There is a notification on the website. The Street Commissioner will also send out an e-blast regarding the drill.

**SOLICITOR’S REPORT:** No report.

**COMMITTEE REPORTS:** Dishong reminded Council that the newsletter needs to go out by the end of the month so that Trash Day on May 15<sup>th</sup> can be announced.

Flaiz reported that Planning Commission met on March 11<sup>th</sup>. A new business was approved. It is a 24/7 Fitness Center in Washington Center. With this new business, all storefronts will now be occupied. The next Planning Commission meeting is scheduled for April 8<sup>th</sup> at 7:30 p.m.

Koons reported that the Human Resources Committee has reviewed job descriptions. Some time will be spent with Safety discussing the need to go into further detail with the Fire Inspector’s job description.

**ORDINANCES/RESOLUTIONS:** Binder introduced an ordinance to transfer \$552,000 from the Income Tax Fund to the following line items, declaring an emergency:

Streets	\$ 80,000
Safety	200,000
Operating	160,000
General	100,000
Parks & Recreation	<u>12,000</u>
Total Transfer	\$552,000

**BILLS LIST:** Dishong made a motion to ratify the 3/15/10 Bills List #2 in the amount of \$5,226.72, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Dishong made a motion to approve the bills to be paid on 3/31/10 in the amount of \$42,989.65; seconded by Koons. Roll call – ayes, all. Motion carried.

**NEW/OTHER BUSINESS:** Flaiz stated that he was happy to see Maple Hill residents attend the public hearing this evening. A couple of residents were at the meeting from 47 Maple Hill Drive. Flaiz said he would like to see the Village move forward with the tax situation. The tax value for that home is \$36,700 (\$32,000 for the lot and \$4,700 for the house). This same residence sold in 1995 for \$145,000. Mayor said that it has been queued up for the Auditor’s Office. Mayor will find out the timing of this issue.

Koons proposed that a brass plaque be put on the kiosk at the park to recognize the Boy Scouts and the Eagle Scout project. Koons will look into the cost.

Koons is having a Community Emergency Response Team (CERT) meeting on Wednesday, March 24<sup>th</sup>.

Fiscal Auditor reported that removing the top and bottom 25% from inheritance taxes for 2001-2008, the range was \$54,750 - \$121,875. The median value was \$87,120. In 2009, the amount recorded was \$87,241.

Dishong made a motion to go into Executive Session at 8:55 p.m. to discuss personnel compensation, seconded by Flaiz. Roll call – ayes, all. Motion carried.

Council reconvened at 9:20 p.m.

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

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Matthew E. Brett, Mayor

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Danielle Romanowski, Fiscal Officer

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