

RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING MONDAY AUGUST 13, 2007 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING

MEMBERS PRESENT: Binder, Dishong, Flaiz, Koons, Porter and Wolfe
OFFICIALS PRESENT: Police Chief Wetzel, Street Commissioner Johnson,
Solicitor Ondrey, Engineer Foley, Fiscal Auditor
Lechman, Fiscal Officer Romanowski
OFFICIALS ABSENT: Building Commissioner Hocevar
GUESTS: Carey Shoemaker, new service department employee;
Robert Rank, Village police officer; Kelly Kimball, 104
Lakeview Lane; Pete Moissis 116 Spring Drive; Al
Harlow, 139 Teaberry Cr.

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer Romanowski read the roll. Councilman Dishong moved to waive reading and approve the minutes of the July 9, 2007 Regular Council meeting seconded by Councilman Flaiz. Roll call – ayes, all. Motion carried.

VISITORS: Mayor explained the details of the Show Your Colors program and how it functions. Mayor then presented Mr. Moissis of the Show Your Colors program with a flag that was donated by Daisy Scout Troop #677. In addition to the flag, Mayor presented Mr. Moissis with a donation of \$75 from a bride and groom he recently performed a wedding ceremony for.

Street Commissioner Johnson introduced new service department employee Carey Shoemaker who will start August 16, 2007. Street Commissioner informed Council Mr. Shoemaker has some military background, he has experience working in the Gates Mills service department as well as seven years working for Russell Township.

Police Chief Wetzel reminded Council that Patrolman Robert Rank was sworn in as a part-time patrolman at the June 25, 2007 Council meeting. Police Chief informed Council that Officer Rank has done very well so far, has completed the Village field training program, and is now working on his own. Police Chief made a recommendation to Council that Officer Rank be promoted to full-time police officer for the Village of South Russell. Dishong made a motion to appoint Robert Rank as a promotion to full-time police officer, seconded by Flaiz. Roll call – ayes, all. Motion carried. Mayor swore in Patrolman Robert Rank as a full-time police officer for the Village.

Resident Kelly Kimball addressed Council about rekindling her old flame of walking trails in the Village. Mrs. Kimball said she knows this was an issue discussed years ago and wanted to know how to open this issue again. Mayor explained that when the bike/walking trails were discussed several years ago, it was an expensive proposition. Council put it out to the voters at that time to see if there was an interest in proceeding, but it didn't pass. Mayor stated that this is a specific topic that keeps coming up and it

may be something that the Village wants to look into. Councilwoman Wolfe told Mrs. Kimball that she knows of another resident who is very passionate about this issue as well and she would like to get them in contact with each other. Dishong said that when he first joined Council, this was something he was really interested in. Dishong said there was also casual talk that rather than putting in an official bike path that would effect bridges, etc., he feels maybe something would work if the Village widened the road to make another lane for walking/biking, such as they did on Liberty Road in Solon. Dishong said there are destinations in the Village that people could get on their bikes and ride to if there was a safe way to get there. Fiscal Auditor Lechman stated that from the financial standpoint when this was initially being researched, the requirements that came with the grants would double the cost of the project and therefore was almost a wash of the funds. Mayor asked Engineer Foley if his office did the preliminary engineering study of the walking trails when the issue was previously talked about. Engineer stated that there is a file at his office but it took place before he took over for the Village and he has never looked at the file. Mayor asked him to review the file and share any pertinent information. Discussion followed regarding timing, seeking grants for the bike path, etc. Ms. Kimball will continue researching the issue and will be in contact with Council.

MAYOR'S REPORT: Mayor reported that the Council packets went out electronically for the first time and that Councilman Dishong has now made Village Hall wireless. Mayor stated it makes sense to allow Council members use their laptops in Council meetings and also to print any Village packet information they would like in hardcopy.

Mayor informed Council that the Village has 10 acres left of the Muggleton property that should be transferred from the Western Reserve Land Conservancy to the Village. Mayor referred to the settlement statement distributed to Council which reflects a total of \$2,741 in closing fees. Mayor informed Council that the Solicitor has reviewed all the associated paperwork with this property closing. Dishong made a motion to close on the last 10 acres of the Muggleton property, seconded by Koons. Roll call – ayes, all. Motion carried.

Mayor told Council that the Village was granted \$6,583 in the 14th round for the grant the Village requested previously. Dishong made a motion authorizing Mayor to sign the Natureworks local grant program agreement, seconded by Koons. Roll call – ayes, all. Motion carried.

Mayor stated that he attended the Chagrin Valley Intergovernmental Council meeting in Chagrin Falls. The Council agreed to do a more organized effort to collect municipality information in a community comparison spreadsheet which Fiscal Officer Romanowski will organize and distribute. Mayor stated the CVICG talked about the Valley Enforcement Group's proposal and the conclusion was that several of the surrounding communities have already passed an ordinance regarding VEG. Also discussed at the CVICG meeting was the Service Directors Mutual Aid Agreement. The CVICG is going to put a list together of who has and not yet passed an ordinance for that agreement.

Mayor left at 8:14 p.m.

FISCAL OFFICER'S REPORT: Fiscal Officer Romanowski referred to the Homestead Exemption letter and application form she received from the County Auditor. Fiscal Officer reported that the Homestead Exemption program has been changed and all residents age 65 years of older, regardless of income, are eligible. Fiscal Officer reported that the Webmaster has set up a link to the application from the Village website.

Fiscal Officer reported that on August 9th she went to the tax budget hearing along with the Mayor and Councilmen Binder and Koons. Fiscal officer reported that the hearing went well and an ordinance would need to be passed accepting the tax rates as certified by the Auditor's office.

As Tax Administrator, Fiscal Officer reported that with all the questions regarding why the income tax revenue is up substantially over last year, she decided to do some research. It turns out that the February 2007 report given to Council had an error which compared 2005 figure to 2007 which was a difference of approximately \$30,000. Additionally Central Collection Agency (CCA) gets very busy in tax season and they have to estimate the Village deposits for the months of March and April. Unfortunately, this year CCA was much more behind and had to estimate the Village's income revenue for the month of May also. It turns out that these numbers for the month of May, (June deposit), were not reliable and when they actually calculated the June receipts, they found they overpaid the Village. Therefore the month of July income tax receipts to the Village was only \$165. Fiscal Officer reported that the Village received the tax deposit for July (August deposit), which was \$130,000 so now the Village is again up \$117,000.

FISCAL AUDITOR'S REPORT: Fiscal Auditor Lechman referred to his monthly report distributed to Council and reported that the balances are high because the Village received the Real Estate tax money in July. Fiscal Auditor stated this is the high point and then it will continue to fall the remainder of the year until next January/February when the Village will receive the next real estate tax money. Fiscal Auditor said because cash balances are high, the Village should receive reasonable interest income and that financially the Village is where it should be.

ENGINEER'S REPORT: Engineer reported that Chelsea Court project issues relating to the complexities of the drive culvert replacement and ditch grading have slowed the process somewhat. Engineer is in the process of talking to residents regarding the project and the needed easements.

Engineer reported that the road program is done and he is awaiting the pay information from Kokosing. Engineer expects to be below the contract amount and should have everything to the Village for payment in September.

BUILDING COMMISSIONER'S REPORT: Due to Building Commissioner's absence, Solicitor Ondrey informed Council that there is a Zoning Board of Appeals meeting Wednesday, August 15th at 7:30 regarding two issues. One issue is involving a fence/trellis which the owner is looking for an interpretation from the zoning board. The

other issue is about the property across the street where the bank is looking to split where the bank building sits from the balance of the parking lot and this would require a variance from the Village.

POLICE CHIEF'S REPORT: Police Chief Wetzel reported that he submitted his month end reports to Mayor and Council.

Police Chief thanked Council for appointing Robert Rank from part-time to full-time status for the Village.

Police Chief informed Council that he has had three officers attend the three-day emergency vehicle operation course. This was a recommendation made by our new insurance carrier and the Village has until the end of 2009 to be in compliance with that recommendation.

Police Chief Wetzel stated that according to Police Chief Brosius, who is the president of the Valley Enforcement Group for the year, the version of the Valley Enforcement Group resolution that South Russell Council has now is the most recent draft; the final version is not yet complete. Police Chief stated that several communities have passed and adopted this agreement in its draft form.

Police Chief read the following to Council, "Over the last several months, we have been going through an extensive hiring process in the police department. During this time I have met on several occasions with both the Mayor and the safety committee to discuss the direction that we have been going as well as the process that we have been following. During this time there has been a failure on my part to timely and completely communicate all the necessary information regarding this hiring process to all of those involved. The responsibility for this failed communication to Council is mine and it should not reflect poorly on either the Mayor or the Safety Committee."

Councilwoman Wolfe asked about the recent power outage and why we couldn't let people know via reverse 911 that the power company would be out the next day. There was a brief discussion about whether or not this would be a possibility and what could be done for a known power outage. Police Chief will look into this and report back to Council at the next meeting.

STREET COMMISSIONER'S REPORT: Street Commissioner Johnson stated that he submitted his monthly report to Mayor and Council.

Street Commissioner reported that the road program is complete and considering the minor road failures this year, he believes they did a good job and worked well with the Village as well as the residents.

Street Commissioner said the handrails for Village Hall should be completed within the next week.

Street Commissioner thanked Council for the retirement luncheon held for Martin Danku and told Council Mr. Danku was very appreciative.

Street Commissioner told Council he is still working hard with the interviewing process to get a second new employee for the Service Department.

Street Commissioner reported to Council that the Village received \$1,486.61 for the Tire Grant Reimbursement.

Street Commissioner told Council he would like to schedule a fall trash day for the Village on October 20th. His department will do the senior pickup without the help of the Department on Aging with the west end being done Wednesday, October 17th and the east end on Thursday the 18th.

Street Commissioner stated that the Village is still on schedule with the school zone flashers. The bases are in the ground, the wiring is in, and he is in contact with First Energy for the power supply.

Street Commissioner said that the Village road striping should be finished in the near future. Street Commissioner said that Village resident Ike Tripp is working for a company out of Canada who is trying to get down into the states for road striping. This company has a new polymer, a very reflective type, and Mr. Tripp is willing to work with the Village, free of charge, with some of the add on striping as a test area. This type of paint that should last 2-3 years as opposed to a yearly striping.

Street Commissioner announced that he will working with Fiscal Officer in obtaining salt bids for the season.

Street Commissioner has been contacted by Ohio Department of Transportation, (ODOT). ODOT's turnaround time as well as frequency time at this end of Geauga County is very poor. ODOT would like to use the South Russell Village salt building for storage for their salt and Street Commissioner will keep track of the salt usage. In return, ODOT will provide the Village with a loader much bigger than the current one the Village owns. Additionally, during heavy storms, ODOT would keep a truck on Village property. Street Commissioner believes this will work out positively for both the state and the Village. Solicitor Ondrey told Street Commissioner that the Village should have a written agreement with ODOT clarifying the agreement. Street Commissioner replied that they are in the process of drawing one up.

SOLICITOR'S REPORT: Solicitor Ondrey had no report.

COMMITTEE REPORTS:

Dishong announced that the deadline for submitting articles for the fall newsletter is August 23, 2007.

Dishong said his committee would like to start using the data from the speed sentry unit to be more productive in how the police department is deployed. Dishong said these reports are now in a better format and would be easier to share with Council.

Flaiz reported that the Building Committee met last month and went over a number of different topics. The first issue has to deal with people having ongoing garage sales. His committee looked at other communities and ordinances of how they handle this issue. There was brief discussion regarding garage sale issues and Flaiz stated that his committee will give a recommendation to Council after further research.

Flaiz said his committee is also looking into having an ordinance requiring landlords to notify the Village of new tenants within 30 days. Flaiz said that a number of other communities have regulations that require landlords to provide this information and he has asked Solicitor Ondrey to draw up a draft of such an ordinance.

Koons told Council that it has been 3 months since the Fiscal Auditor and Fiscal Officer have assumed their new positions and his committee will finish up the job descriptions.

Koons said his committee has asked First Energy if they would allow the Village to put a culvert onto their substation property and let the Village build a parking lot. Koons reported that First Energy is now in the “corporate process” and will let the Village know when they reach a decision.

Koons spoke to Bill Timmons who removed the hay off the Muggleton property at a cost to the Village of approximately \$2,200. Binder questioned Koons about the cost of removing the hay and his belief that it wasn’t going to cost anything unless it was cut after September 1st. Koons said the quality of the hay is so bad – it’s not worth much to Mr. Timmons.

Koons reported that the Village has received \$2,933 for the drug free workplace grant.

Porter reported on the Bureau of Workers’ Compensation policy. Porter reported that Comp Management did not have enough participation so they cannot do the policy for the Village. Gates McDonald can do the policy coverage for the Village and took 10% off the policy premium bringing the new cost \$1,699.20 enrollment fee which is a fee paid every year. Porter made a motion to authorize the Mayor and Fiscal Officer to enter into an agreement with Gates McDonald for the purposes of third party administrator of the Bureau of Workers’ Compensation policy, seconded by Koons. Roll call – ayes, all. Motion carried.

Wolfe reported that the Utility Committee met and there will be a meeting Tuesday, August 14th at Gurney School at 7:00 p.m. regarding septic and sewer issues. Wolfe reported that representatives from Geauga County Department of Water Resources will be present at the meeting to present information.

Binder informed Council that the Finance Committee met and discussed some ideas about reducing the income tax credit and putting those funds into an infrastructure fund that can be set aside for future opportunities such as a wireless network within the Village, bike paths, ongoing stormwater issues, etc. Binder said the Village can develop a fund to start setting money aside for unknown projects that the Village knows are going to happen but just doesn't know what they look like yet. Binder said the Village will be running some budget deficits probably prior to the end of 2008.

Binder said recently he was cleaning his office and realized how much confidential Village information he has. Binder thinks it might be a wise decision to have a shredding service come in once a month and shred this information. Solicitor Ondrey reminded Council that the Village has a records commission that exists and the Village has to be careful to follow that policy. There was a brief discussion of shredding options and these will be further discussed.

Binder reminded Council of the Budget schedule and said he plans to have the budget worksheets out to the department heads about September 15th but he will wait until he gets the August financials. The target dates would be between September 15-October 1st to have the department heads go through their budgets and capital staffing with the target deadline to get these worksheets to the Finance Committee by October 1st. Binder would like the Human Resources committee to review and submit information regarding salary increases and costs for benefits so those can get into the budget as well.

Binder reported that the utilities committee had some discussions with Verizon about their Federal Government plan which could give the Village advantages and cost savings. Binder said there are many advantages of being on the same network such as same network "free" minutes, ability of text messaging, phone communication if the landlines go down, etc. Verizon also has a priority service in which possibly the Mayor, Police Chief and Street Commissioner bump other calls and have priority service in the case of an emergency. Another area Verizon is popular for is cell phones installed in police cars. As a safety issue, it is a hands free option in which the officer would not have to hold a cell phone, it would come through the radio and the cell phone would stay with the cruiser, not the individual. After Binder reviews the Verizon proposal completely, he will report back to Council.

Binder said the public utilities committee is also looking into possibly centralizing waste removal. Binder said that in the past Council has discussed the fact that there are too many different providers having trucks on the streets running different days of the week and there are areas that claim they have waste trucks on their streets 4-5 days of the week. Binder will continue to do research on this and get back to Council with his findings.

ORDINANCES/RESOLUTIONS:

Flaiz made a motion to table the resolution formally establishing the Valley Enforcement Group since the final draft has not been completed, seconded by Koons. Roll call – ayes, all. Motion carried.

Koons moved to adopt ordinance increasing the Mayor's annual compensation by \$2,500 for the next three terms effective with the term commencing January 1, 2008 and declaring an emergency, seconded by Flaiz. Roll call – Dishong, Flaiz, Koons, Wolfe and Binder – ayes. Porter – nay. Motion carried. Ordinance 2007-34.

Binder introduced a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency, seconded by Koons. Roll call – ayes all. Motion carried. Binder moved to adopt, seconded by Koons. Roll call – ayes all. Motion carried. Resolution 2007-35.

BILLS LIST: Koons made a motion to ratify the bills paid 7/13/07, seconded by Porter. Roll call – ayes, all. Motion carried.

Koons made a motion to ratify the bills paid 7/31/07, seconded by Porter. Roll call – ayes, all. Motion carried.

Koons made a motion to approve bills to be paid 8/15/07, seconded by Porter. Roll call – ayes, all. Motion carried. The additional bills agreed to be paid were \$1699.20 for Gates McDonald and \$2,741 to Surety Title.

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

Flaiz announced that there are a number of residents who live on the north side of Bell Road who would like their mailboxes moved to the north side of Bell Road. There are a lot of elderly residents on Bell Road and this is a scary road to walk down, much less cross at certain times of the day; it has become a safety issue to some people. Flaiz made an inquiry with the post office and this is something that could be done but there are cost issues. The Village would have to approach the post office in Chagrin and get their approval. If the post office approves it, the next step is that it is an all or nothing project - all of the residents would have to have their mailboxes relocated. Flaiz will explore this issue further and get back to Council.

Wolfe stated she would like to reestablish the cemetery board of trustees to establish that board as a working entity for the Village of South Russell. Wolfe made a motion urging the Mayor to appoint three members for the existing Cemetery Board, seconded by Koons. Roll call – ayes, all. Motion carried.

Dishong made a motion to adjourn into Executive Session to discuss personnel issues regarding hiring for the Village, seconded by Koons. Roll call – ayes, all. Motion carried.

Council reconvened at 9:50 p.m.

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

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer