

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

**MEMBERS PRESENT:** Binder, Dishong, Flaiz, Koons, Porter  
**MEMBERS ABSENT:** Wolfe  
**OFFICIALS PRESENT:** Police Chief Wetzel, Building Commissioner Hocevar  
Street Commissioner Johnson, Solicitor Ondrey, Engineer  
Foley, Fiscal Auditor Lechman Fiscal Officer Romanowski  
**GUESTS:** David and Becky Ferrell; Greg Ferrell; Alice and Charles  
Ferrell; Chagrin Falls Police Chief James Brosius;  
Bainbridge Police Lieutenant, Jon Bokovitz; Doug Jones;  
Mary Horvath; Sergeant Cardaman; Officers Mike Rizzo,  
Ed Svoboda, Mike Kramer, Vince Valerio, and Rob Rank;  
Assistant Fire Chief Mark Vedder, and Lieutenant Mark  
Svette, Chagrin Falls Fire Department. Doug Mitchell,  
Snyder Road; Sue Reid, CVT.

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 Wolfe was absent. Councilman Dishong moved to waive reading and approve the minutes of the October 22, 2007 Regular Council meeting, seconded by Councilman Koons. Roll call – ayes, all. Motion carried.

**VISITORS:** Due to the large number of visitors for the results of the septic/sewer poll, Mayor asked Councilman Binder to give the results. Councilman Binder referred to a handout distributed to Council and residents. Binder reported that Maple Hill and Sun Ridge were strongly in favor of sewers. Lake Louise, Bell Road, Champion, Paw Paw Lake, Snyder Road and Silver Springs were not in favor of sewers. Mayor said the Village will work with the Department of Water Resources to find out what the options are based on the results of the poll. Joe Ferguson from Maple Hill stated that there was only a 54% turnout for the poll and wanted to know how that could be addressed. Mayor stated he also thought the turnout would be higher but the Village did what they could do by having the public sessions, advertising it and making sure residents were aware of the issue and the poll. Doug Mitchell from Snyder Road stated that 54% turnout was very misleading, especially on Snyder Road. Mr. Mitchell said that this poll represented the number of parcels that were available, not the number of lots. Mayor said there would be discussion regarding the septic/sewer issue at the next Council meeting on November 26<sup>th</sup>.

Police Chief informed Council that David Ferrell started working for the Village in 1986 and took over the responsibility of Detective in 1993. In 2000 Sergeant Ferrell was named South Russell Village Employee of the Year. In 2002 Sergeant Ferrell was promoted to Detective Sergeant. In 2007 Detective Sergeant Ferrell was named the

Geauga County Police Officer of the year by the Geauga County Bar Association. Detective Sergeant Ferrell is the only Geauga County officer that has received both the Master Evidence Technician and Master Criminal Investigation certification through the Ohio Attorney General's office. Police Chief recommended that Council promote David Ferrell to Police Lieutenant for the Village. Dishong made a motion to promote David Ferrell to Lieutenant for the Police Department of the Village of South Russell, seconded by Councilman Flaiz. Roll call – ayes, all. Motion carried. Mayor swore in David Ferrell as Lieutenant.

Chagrin Falls Fire Department Assistant Chief Mark Vedder reported to Council that this year marks the end of a three-year contract period and 2008 will be the beginning of a new contract period. Assistant Chief said the fire department needs to make adjustments to the contract based on population, property valuation, EMS calls and fire calls. The overall contract is increasing this year by approximately 18% - South Russell's portion of that is approximately 20%. Assistant Chief Vedder said normally the contract has a Consumer Price Index (CPI) adjustment; the last increase was 2% and the year prior was about a 4% increase. Assistant Chief Vedder said the CPI isn't keeping up with the costs of the fire department and the department is proposing a fixed increase in years two and three of the contract rather than having it adjust by the CPI. As a result of that, contracts include a 6% increase in years 2009 and 2010. The idea behind this is that at the time of contract renewal, there won't be a big spike in costs. There was discussion regarding costs that have brought up the contract costs which include fuel costs, having 4 people on duty 24 hours per day plus their health care which has gone up 86%, part-time employees who respond from home, vehicle and general liability insurance has gone up as well as Worker's Compensation has gone up 350%. In order for the fire department to keep up with these costs, they have taken funds from their capital improvement revolving fund to pay the operating costs. Additionally, Assistant Chief stated that the fire department is behind in their wages. They are not close to paying the part-time firefighters what other surrounding communities are paying. They do not want to be the highest, but they would like to be competitive with their wages. There was additional discussion to why property values are part of the computation and having a direct correlation with property valuation and the number of fire calls the department receives.

Councilman Dishong moved to waive reading and approve the minutes of the October 22, 2007 Regular Council meeting, seconded by Councilman Koons. Roll call – ayes, all. Motion carried.

Mia Moore from First Energy thanked the Village for helping the company with their project of installing new utility polls by allowing them to park trucks on Village property. Ms. Moore thanked the police department for keeping an eye on First Energy's equipment. Ms. Moore stated that this phase of the project should be virtually seamless and complete by year's end.

Ms. Moore also said that First Energy has agreed to allow the Village to put in the small parking area as requested on the site of the substation on Bell Road.

**MAYOR'S REPORT:** Mayor reported that there have been two fires within the Village in the last two weeks. Mayor has asked Fire Prevention Officer Huddleston to re-invigorate the idea of the smoke detector program he launched to Council a year or so ago. Mayor feels it would be good to introduce that again.

Mayor said he, Council members Dishong, Flaiz and Wolfe as well as Fiscal Officer attended the elected official's training course regarding public information requests. Mayor informed Council that the Village needs to adopt a public record policy to be in compliance with the new law and referred to a sample policy distributed by the Attorney General's office. Mayor stated that though the Fiscal Officer has been declared the designee for the Village elected officials, there was useful information shared at this meeting and Mayor feels it would be beneficial for the other council members to attend one of these training sessions.

Mayor stated he attended the first meeting of the Valley Enforcement Group Council of Government (VERCOG) meeting. Mayor Mulcahy from Orange volunteered to be president for the first year. Mayor said throughout the area there has been discussion about regionalism and the VERCOG has been a good example of the concept of regionalism.

Mayor reported that the Planning Commission has a meeting Thursday, November 15<sup>th</sup> at 7:30 p.m.

Mayor stated there is a Chagrin Valley Intergovernmental Council meeting Saturday, November 17<sup>th</sup>.

Mayor referred to an e-mail message forwarded to Council from Martha of the United States Geological Survey (USGS) regarding a well monitoring service quote. The Village has not yet received quotes from either USGS or Dr. Yoram Eckstein.

Mayor reminded Council that there are two more Council meetings this year – November 26<sup>th</sup> and December 10<sup>th</sup>.

Mayor distributed a handout with draft language of rules for a sign for the Muggleton property. Mayor asked Council to look this over and there will be discussion at the next Council meeting regarding any changes, etc.

**FISCAL OFFICER'S REPORT:** Fiscal Officer said the holiday gathering is set for Wednesday, December 19<sup>th</sup> at Trifles from 4:30 – 6:30 p.m.

Fiscal Office stated she is in the process of trying to put together a flu shot clinic with Dr. Rood's office and hopes to have the details at the next Council meeting.

As Tax Administrator, Fiscal Officer stated that she did not have the November deposit amount but should have that in her report for the next Council meeting.

**FISCAL AUDITOR'S REPORT:** Fiscal Auditor reported that he just completed his report and will distribute it to Council for the next meeting.

Fiscal Auditor said balances have dropped and a lot of that was for paying for the road program. He stated the remaining drop is typical for this time of year, as the Village doesn't receive the amount of revenue it does at the beginning of the year. Fiscal Auditor expects the balance to continue to fall until we receive the large revenues in February, March and April.

Fiscal Auditor looked into the encumbrances regarding the Chelsea Court project. Fiscal Auditor reported that encumbering those funds would earmark the funds to be used only for Chelsea Court but it does not change the fact that the Village is on a cash basis and that expense will hit in 2008. There was brief discussion regarding encumbering the funds and what that would mean in terms of cash. Engineer told Council that the funds for Chelsea Court would be paid jointly with the Ohio Public Works Commission (OPWC). Engineer stated that to this point the Village has paid the engineering bills and that would work for the Village's share of the project. When the a payment comes due for the project and it is submitted to OPWC, the Village will be responsible for the 23% of the whole project and the amount paid to date for engineering, we will be applied towards that.

Fiscal Auditor told Council that Fiscal Officer put in a lot of effort to correct the problem with the bank reporting the correct information on the statement regarding Ohio Department of Taxation and he believes the issue may finally be resolved.

**ENGINEER'S REPORT:** Engineer said he hopes to have the final paperwork for the road program at the next Council meeting. He does have everything except the signed final change order.

Engineer reported that earlier this evening he received the revised flood plain map and he will look that over.

Engineer reported the Village received some good bids on the Chelsea Court project and the Village is inside the grant, which is good news. Engineer reported that the low base bid was \$337,830. An alternate for paving was also bid which the low bidder submitted a cost of \$22,050, bringing the total to \$359,880. Engineer believes the Village should consider doing the paving as part of the project since the Village would receive 77% state money and it would ease up on the road program. Engineer said he also received quotes for specialized landscaping which is about an additional \$10,000, but he will have a more precise cost at the next meeting. Engineer said he would plan a meeting after Thanksgiving to get everyone involved in the project in one location to go over the details, answers questions, etc. Engineer recommended Easton for the Chelsea Court project at a cost of \$359,880. Dishong made a motion to award the bid for the Chelsea Court drainage project to Easton Leasing in the amount of \$359,880, seconded by Porter. Roll call – ayes, all. Motion carried.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner reported that the Milbar property went to Sheriff's sale a couple weeks ago and there was no bid on the property.

Building Commissioner said that in 1990's the State of Ohio adopted the national code requiring smoke detectors in all new homes. The placement of these detectors would be in the bedrooms, outside the bedrooms and on every floor. This is required in all new homes and new additions.

**POLICE CHIEF'S REPORT:** Police Chief updated Council on the transition to the Spillman software and informed them that the "go live" dates have been pushed back to the last week of November or the first week in December.

Police Chief said his committee has the bid specs almost entirely together for new cruiser. As soon as the budget is approved, he would like to get the bids as quickly as possible.

**STREET COMMISSIONER'S REPORT:** Street Commissioner reported that his department has been winterizing the Village equipment.

As Webmaster, Street Commissioner reported that he updated the website to include the link for the online codified ordinances.

**SOLICITOR'S REPORT:** Solicitor said he would look into the proposed rule regarding bicycles being allowed on the former Muggleton property.

**COMMITTEE REPORTS:** Flaiz had no report.

Binder thanked everyone for his or her work at the budget work session. Binder reported that the Village will be in a slight deficit position and the Village will have to look at what the priorities are for 2008.

Dishong reported that the newsletter should go out before the winter holidays. He requests anyone wishing to place an article to get it to him by November 30<sup>th</sup>.

Koons stated that Human Resources committee would like to adjourn into Executive Session to discuss salaries and benefits for 2008.

Porter said that the Properties Committee would discuss how many people to have on the Parks Committee board and will get a recommendation to Council soon.

#### **ORDINANCES/RESOLUTIONS:**

Dishong introduced an ordinance to authorize the Mayor and Fiscal Officer to enter into an agreement with Easton Leasing for the Chelsea Court drainage project in the amount

of \$359,880 and declaring an emergency. Dishong made a motion to waive further readings, seconded by Porter. Roll call – ayes, all. Motion carried. Dishong made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. Ordinance 2007-39.

Mayor gave third reading on ordinance restricting the number of sales from any dwelling in the Village being limited to three sales per calendar year. There was brief discussion regarding whether or not this effected enough residents to make this a Village wide issue and pass an ordinance. Flaiz made a motion to adopt an ordinance limiting the number of sales from any dwelling in the Village with a limit of three sales per calendar year, seconded by Koons. Roll call – Binder, Dishong, Flaiz, Koons, ayes. Porter, nay. Motion carried. Ordinance 2007-40.

Flaiz introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into a contract with the Chagrin Falls Suburban Volunteer Firemen's Association for fire protection and emergency medical service and declaring an emergency.

**BILLS LIST:** Dishong made a motion to ratify the bills paid 10/31/07, seconded by Koons. Roll call – ayes, all. Motion carried.

Koons made a motion to approve the bills to be paid 11/15/07, seconded by Dishong. Roll call – ayes, all. Motion carried.

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

Koons made a motion to adjourn into executive session for salaries and benefits for 2008, seconded by Porter. Roll call – ayes, all. Motion carried

Council reconvened at 10:15 p.m.

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

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Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer