

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, JANUARY 9, 2017 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Canton, Carroll, Dishong, Kostura, Nairn and Porter

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Johnson, Building Inspector Heilman, Solicitor Ondrey, Engineer Haibach

OFFICIALS ABSENT: Fiscal Auditor Lechman

VISITORS: None

Mayor Koons called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer Romanowski read the roll. Dishong made a motion to approve the minutes of the December 12, 2016 Council meeting, seconded by Nairn. Voice vote – all in favor. Motion carried.

MAYOR’S REPORT:

Porter made a motion to designate John Dishong as President Pro Tem, seconded by Kostura. There were no other nominations. Voice vote – all in favor. Motion carried.

Canton made a motion to approve the Council Rules and Procedures as presented, seconded by Dishong.

Mayor presented the following committee/position assignments and asked for approval from Council:

Building Department	Chairman Cindy Nairn Mark Porter
Finance	Chairman Bryan Kostura Cindy Nairn
Human Resources	Chairman John Dishong Mike Carroll
Properties	Chairman Gerald Canton John Dishong

Public Utilities	Chairman Mark Porter Gerald Canton
Safety	Chairman Mike Carroll Cindy Nairn
Streets	Chairman Bryan Kostura Gerald Canton
Emergency Operation Planning	Chair Mike Carroll
Planning Commission Rep	Bryan Kostura
Parks Committee Rep	Gerald Canton
Tax Administrator	Danielle Romanowski
Fire Prevention Officer	Jim Davis
Architectural Board of Review	Gary Neola Denis Marino
Park Committee	Ted Kruse Bill Howell

Kostura made a motion to approve the committee/position assignments as presented, seconded by Porter. Voice vote – all in favor. Motion carried.

Mayor presented a 2017 Calendar that eliminated the March 27th Council meeting, moved the regularly scheduled June 12th meeting to June 19th and the November 13th meeting to November 6th. Canton made a motion to approve the 2017 Calendar with the changes noted, seconded by Kostura. Voice vote – all in favor. Motion carried.

Mayor referred to the Mission Statement and Goals document he distributed to Council. There was brief discussion about the efficiency of the meetings, yearly evaluations of various agreements the Village participates in, as well as the Red Cross blood donation program.

Mayor met with the Bainbridge Township Trustees regarding the Chagrin Falls Schools holding classes at the Family Life Center during the school's potential remodeling project. They discussed issues of concern including safety, income taxes, zoning and traffic control.

There was a brief discussion on whether Council can make a motion of a stance for or against the school levy issue. Solicitor stated he doesn't believe there is a legal prohibition against Council taking a public stance for or against a political issue. Dishong stated he felt this is an individual

decision of Council members. Nairn stated Council is a governing body and if Council took a stance on the issue, they would be taking sides; she doesn't feel that is fair to the residents.

Mayor reported the Emergency Operations Planning Committee would be meeting Tuesday, January 10th at 9 a.m. at Village Hall and the Safety Committee would be meeting with the Chagrin Falls Fire Department on January 11th at 7 a.m. at the Main Street Diner.

Mayor met with Molly Gebler from the Chamber of Commerce regarding a potential "Valleypolooza" to be held at the park this summer. Several members raised concerns on potential liabilities and responsibilities of the Village with an event that large.

FISCAL OFFICER'S REPORT: Fiscal Officer reminded Council that committee meetings are public meetings and are open to the public and require public notice. She asked that all committees let her know in advance of their meetings so she could make the proper notifications.

As Tax Administrator, Fiscal Officer reported that she has set up a time with the Central Collection Agency (CCA) to come out to Village Hall on Friday, April 7th from 4 – 7 p.m. to help residents prepare their South Russell income taxes. This Taxpayer Assistance program is a free program offered as a courtesy by CCA to their membership communities. CCA will be posting these program event dates on its website for reference; if residents cannot attend the South Russell event, they can attend an event in another community where one is being held.

Given a discussion at the last Council meeting, Porter asked about the minutes. Solicitor confirmed that the written minutes are the official record of the meeting. He stated the Village can still make the recordings available, but the adopted written minutes are the official record. Fiscal Officer said she will work on condensing and summarizing the minutes but there are legal and technical processes that are in place and must be followed; the written minutes document that the process was followed correctly, and they do get audited. In addition, the minutes are often referred to in day-to-day operations of the Village for background and historical information on various issues.

ENGINEER'S REPORT: The Streets Committee met and discussed the 2017 Road Program. The streets they are recommending include; Spring Drive, Forest Drive, Anglers Drive and then an alternate of the Police Department parking lot which is not holding up well, Westover Drive and the culvert on Cascades Drive.

Porter asked about the status of closing out the Bell Road project. Engineer replied that the Village received letter from the Ohio Department of Transportation (ODOT) regarding reporting requirements for Local Planning Authority (LPA). He will use this as an opportunity to contact ODOT and get an update about closing out the Bell Road project.

BUILDING INSPECTOR'S REPORT: Building Inspector reminded Council that there were recently changes to some of the Boards; Andy Hitchcock moved from Planning Commission to the Zoning Board of Appeals (ZBA) and Terry Brennan was moved from the Board of Building Standards to ZBA. Bob Brown will be joining the Planning Commission.

As a follow up to the last meeting, Building Inspector reported on the lights at the insurance company at the intersection of Bell Road and Route 306. She used her light meter to measure the light given off and found no issues with the sign. However, the light coming from the spotlight was very high. The Village has received numerous complaints about the light being blinding at the intersection. Mayor will call the owner and ask if they can tone it down and see what progress he can make that way.

Building Inspector reported inspections were up last year in the Village as well as the whole building industry in general.

POLICE CHIEF'S REPORT: Police Chief reported that Time Warner Cable found many residents residing near the Police Department were having issues with their internet and they traced the issue to a spliced wire in the Police Department. The wire was replaced and all issues have been resolved.

Chief reported that the Police Department received the Silver Award from the American Automobile Association (AAA) for the third year in a row.

STREET COMMISSIONER'S REPORT: Street Commissioner reported that the Dominion East Ohio Gas project is pretty much wrapped up. They will do maintenance on the right-of-way and driveway aprons in the spring when weather is better.

Street Commissioner reported that earlier in the season there were problems with snow and ice in the park parking lots. He said if problems arise again, they may have to close the park parking lots temporarily until the ice melts.

SOLICITOR'S REPORT: Solicitor informed Council that it was recently discovered that the Village should look at amending the zoning; this would start with the Planning Commission. The specific issue deals with how many Zoning Board members need to vote in favor of a variance. The Village has been interpreting that it took at least three members; if only three members were present at a meeting, they would need a unanimous vote. ZBA recently had a vote 2-1 in favor so the applicant was told the variance was denied. He challenged it and after doing research, the Solicitor found the Village's current language says "a majority of the members present at a meeting can issue a variance." He stated a lot of communities have specific language stating it must be at least a 3-person vote. The feeling is that variances are important and you wouldn't want just two people to be able to make that decision. Due to the Village's current language, the above referenced variance was granted. Solicitor will talk to the Planning Commission about it, but asked Council members to let either him or the Planning Commission members know if they have an opinion on the issue. Carroll said he felt it should be at least three (3) in favor of a variance change.

COMMITTEE REPORTS: Porter, Canton, Dishong and Nairn had nothing to report.

Carroll reported that the Safety Committee met and the Police Department is having some issues with the snow ban parking compliance. They are working on a plan to get notification and warnings out.

There will be a light added to the back of the school zone flashers to act as an indicator to traffic coming the opposite direction.

The motor in the 2012 Ford Expedition blew. This is the vehicle that was to go to the Street Department later this year. The Service Department got five quotes and the two most attractive quotes were from Jasper for \$4,300 and one from Liberty Ford for \$4,900. After discussion regarding warranties, parts, etc., Carroll made a motion to approve \$5,500 for expenses for the new motor, seconded by Nairn. Voice vote, all in favor. Motion carried.

Carroll reviewed the grant process timeline for getting a new cruiser vehicle. The grant is for a 50% match and the Village would remain eligible until it pays for a vehicle. Carroll made a motion to go out to bid for a 2017 Ford SUV Interceptor to be advertised for two weeks in the local newspapers, with a bid opening date of Friday, January 27, 2017 at noon, seconded by Kostura. Voice vote - all in favor. Motion carried.

Kostura reported that the Streets Committee did plan the preliminary road program which would put the Village at about \$328,000 for 2017; the budget is \$350,000. They included the alternates in the event there may be money left in the budget from the main program to help with some of the smaller projects.

Kostura said in taking a rough sketch of the roads the Village would look to do over the next four years, based on the roads and the size of the roads that need to be done, the budget may need to be increased from \$350,000 to \$400,000.

Kostura reported that the Planning Commission meeting scheduled for January 12th was cancelled and will take place in February regarding the height of a building.

ORDINANCES/RESOLUTIONS:

Nairn gave second reading of an ordinance amending section 452.11(b) of the Codified Ordinances of the Village of South Russell by changing the fine for parking in a No-Parking posted area from five (5) dollars to twenty-five (25) dollars.

Nairn introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into an agreement with C.T. Consultants, Inc. to furnish and perform various professional engineering services and to act in the capacity of Village Engineer for 2017 and 2018 and declaring an emergency. Nairn made a motion to waive further readings, seconded by Carroll. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **Ordinance 2017-01**

Nairn introduced a resolution requesting advance of taxes from County Treasurer, and declaring an emergency. Nairn made a motion to waive further readings, seconded by Kostura. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Kostura. Roll call – ayes, all. Motion carried. **Ordinance 2017 -02**

BILLS LIST:

Kostura made a motion to ratify the following Bills Lists - 12/16/16 in the amount of \$36,529.16, the 12/27/16 bills in the amount of \$8,819.81 and the 12/29/16 bills in the amount of \$6,445.13 for a total of \$51,794.10, seconded by Dishong. Voice vote, all in favor. Motion carried.

NEW/OTHER: Porter, Carroll, Dishong, Kostura and Nairn had no new business.

Canton asked if Council wanted him to present the idea of creating a South Russell flag to the school for the third-grade students. After brief discussion, Council has decided not to move forward at this time.

ADJOURNMENT: Being that there was no further business before Council, Porter moved to adjourn, seconded by Carroll. Voice vote – all in favor. Motion carried.

Meeting adjourned at 8:45 p.m.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer