

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
OCTOBER 24, 2016 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo

VISITORS: Nick DiCicco, Chagrin Valley Dispatch.; Jim Alunni, Chagrin Falls Fire Dept.; Greg Krejci, Chagrin Falls Fire Dept.; Phil Austin, Leaview Ln.; Emily Austin, Leaview Ln.; Jeanie Gaither, Circle Dr.; Diane Novish, Silver Springs Tr.; Katherine Malmquist, Louise Dr.; Georgeann Massa, Whitetail Dr., Bruce Nairn, Whitetail Dr.; Elsie Tarczy, Sheerbrook Dr.; Marshall Kidd, Chillicothe Rd.; N.D. Howard, Manorbrook Dr.; Jim Pascoe, Chillicothe Rd.

Mayor Koons called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer Romanowski read the roll.

Kostura made a motion to approve the October 10, 2016 Council Meeting minutes, seconded by Nairn. Voice vote – all in favor. Motion carried.

VISITORS:

Chief Frank Zupan of the Chagrin Falls Fire Department (CFFD), was present, along with Assistant Chief Mark Vedder. Vedder stated that South Russell is currently in its third year of a three-year contract with Chagrin Falls Fire Department which is a non-profit organization in its 119th year of operation. They provide Fire and EMS service to five communities in the Chagrin Valley including: Chagrin Falls Township, Bentleyville, Moreland Hills, Hunting Valley, and South Russell Village and they provide EMS service to Chagrin Falls Village. Chagrin Falls Village has their own fire department for the Village of Chagrin Falls only. CFFD has 44 part-time and 4 full-time employees. The next agreement term is from 2017-2019. Even though Chagrin Falls Fire Department (CFFD) shows a 2.28% increase, South Russell will not see a cost increase in 2017 and then there will be a 2% increase in 2018 and another 2% increase in 2019. There are four factors that comprise the increase; the population, the number of fire calls, number of EMS calls, and property valuation. Overall CFFD serves approximately 12,800 people and South Russell comprises about 30% of that total. They do about 950 EMS calls per year and 225 are in South Russell which is about 24% of the overall EMS calls. For property valuation, they protect about \$629 million worth of property and about 24% of that is in the Village of South Russell. They have approximately 268 fire calls per year and about 59 of those are in the village each year. When doing the cost calculation they do a 3-year lookback to

smooth out any abnormal spikes. Vedder stated with 30% of the population, 24% of the EMS calls, 24% of property valuation, and 22% of the fire calls, 25% of the expense should be the Village's and that is how it is calculated. The village is paying \$359,538.19 in 2016 for Fire and EMS services, which will remain the same for 2017 as long as all five other communities renew their contracts. Vedder reminded Council that CFFD does the ambulance billing for the Village which helps benefit the communities by bringing money back from insurance companies and Medicare.

Carroll asked if they do soft billing. CFFD said all six communities have collectively hired a company to do the billing and CFFD does the preparation and sends it to the company who does the billing. The way the law is written, CFFD can't reimburse the money back to the Village, so they reduce the cost of the contract.

Carroll asked if many of the communities take advantage of the Advisory Committee. Vedder said they have strongly encouraged it in the past and frequently had no one show up to the meetings, but they would love to have input from the communities. Vedder said typically those are done at the end of each year but they did not do one this year because last year no one showed up.

Police Chief Rizzo updated Mayor and Council on the recent lightning strike. He spoke with Windstream who basically said that the phone system is too old, parts are no longer available and they cannot fix the existing system. He has been in contact with the insurance company and they said they would send out an adjuster, which they don't normally do. The adjuster was encouraging, saying he thinks the village could possibly get a claim for this; the deductible is \$2,500. The adjuster is asking that the village get three separate proposals to replace the system; Windstream should be one of them. The traffic light is covered under a separate policy and there is a \$500 deductible on that.

Elsie Tarczy distributed and read a letter to Mayor and Council about her feelings on flying the Gadsden flag. She feels the village cannot ignore the history of the flag, which is bravery. She is a member of the Geauga County Tea Party and they do not fly the Gadsden flag at their meetings, put it on their website, use it in their literature, etc.

Jeanie Gaither said she feels that it does not behoove the village to fly the Gadsden flag.

Emily Austin finds it to be impossible that South Russell would be in the middle of making an ordinance to fly certain flags; the kicker is that the Gadsden flag is one of them. She can't understand why, and she is appalled at South Russell's indifference. She asked that the Council please listen to the community and do the right thing and stop the flying the Gadsden flag.

Phil Austin addressed Council stating that he feels that it is an insult to fly the Gadsden flag. He wants to choose a flag that isn't divisive. He would like the Council to do what he feels is the right thing and vote against flying the Gadsden flag.

Vince Massa would like Council to agree to fly the Gadsden flag along with other American flags on a rotating basis. He asked that the council not be influenced by a political faction, but do what he considered the right thing.

Katherine Malmquist said she thinks the village needs to focus on what this community wants. She said the village should fly only the United States flag, the State of Ohio flag, and the MIA/POW flag.

Diane Novish felt that a flag should not be flown if it can be misinterpreted. She felt South Russell should fly the American flag and the State of Ohio flag, or none at all; it would be irresponsible for Council to do otherwise.

Dick Howard is a veteran and thinks if the village is having such a problem with the Gadsden flag, perhaps they could consider flying the Navy Jack flag.

Nevil Argonni is a member of the Tea Party and said they do not hang the Gadsden flag at their meetings. He said they pledge allegiance to the American flag and asked if that meant the village shouldn't fly the American flag because the Tea Party respects it – where does it end? The Gadsden flag is a symbol of history.

MAYOR'S REPORT: The Emergency Operations Plan committee was looking to use Gurney school as an emergency location should the situation arise. However, the school doesn't have a plug for a generator so that must be considered. On November 8th, the Emergency Operations Committee will walk through Gurney school to get a better idea of its feasibility for a safe location in an emergency.

The new sign for the Rarick Cemetery came in and will be hung.

Gurney school is applying for a Weatherbug weather station grant from State Farm for \$24,000. The Mayor would like to be able to tie into this system since the Village's system is no longer working.

FISCAL OFFICER'S REPORT: Fiscal Officer reported that she attended a Public Records meeting as Mayor and Council's designee. She distributed literature and her notes from the meeting and asked all elected officials to review.

Fiscal Officer informed Council that the Records Commission will be meeting on November 7th.

FISCAL AUDITOR: Fiscal Auditor distributed and reviewed his September 2016 report with Mayor and Council.

Fiscal Auditor reported that his fund balances matched with the Fiscal Officers balances to the penny on all funds.

COMMITTEES: Nairn had no report.

Carroll reported that the Emergency Operations Committee did tours of the Geauga County Emergency Operations Center and the Chagrin Valley Dispatch Center. They will be meeting again on November 8th.

Dishong said that the Human Resources committee is still working on the employee handbook with a goal of having it adopted by the end of the year.

Dishong made a motion to accept the 2016-2017 health care renewal from Medical Mutual which reflects a 2.75% increase, seconded by Canton. Voice vote, all in favor. Motion passed.

Kostura moved to approve the September fund balances as submitted, seconded by Nairn. Voice vote, all in favor. Motion carried.

Kostura said the Fiscal Officer will circulate the revised proposed 2017 budget prior to the next meeting which will give enough time for three readings and adoption by the end of the year.

Mayor informed Council there is a resident that would like to buy a property east of Maple Hill totaling 21 acres, and would like to build three houses on it. The only way it will fit is to be house, behind house, behind house, from Bell Road, (“bowling alley lots”), all in a row. It isn’t known if it will be a mini sub-division or not. Planning Commission will have the initial discussion on the project on November 1st. This project would need a variance because there are requirements for a certain amount of “frontage”. Carroll expressed concerns about access in the event of a fire and suggested someone contact the Fire Department to find out about the accessibility.

Porter is going to have a meeting with the public utilities committee regarding the telephone system and will report back to Council.

Canton said the Street Committee met last week. The Service Department employees replaced two radiators and the exhaust on the plow truck totaling \$3,300. The dead trees at 949 Bell need to be removed at a cost of \$400, as well as the pine tree at Maple Hill and Bell Road, at a cost of \$150. The fall cleanup is in process in the Service Department, and the mowing contract needs to be renewed. The truck fleet is being prepared for the upcoming winter season.

ORDINANCES/RESOLUTIONS:

Porter gave third reading on an ordinance flying flags on properties and utility poles and standard procedures for changing flags. He revised section 1. The original Section 1 did not concur with

the way the village currently flies the flags in the Village. The revision incorporates specifying where and how they will be flown Memorial Day through Veteran's Day. There is also a note in Section B, that states the U.S. flag, State of Ohio flag, MIA/POW and Gadsden flags are to be flown on utility poles at specific sites. This was the third reading on the ordinance. Porter would like to introduce it as amended, then open it up for discussion to "fine tune" it, Dishong seconded.

Carroll asked why the Gadsden flag was singled out to fly as opposed to any other flag the village could possibly fly. He would rather see a fourth flag as determined by Council. Porter said one of the reasons the Gadsden flag is listed is because the village already owns some of them. He wants to fly four flags at the intersection of Bell and Chillicothe Road (Route 306) because it is a four-corner intersection. Council would have the ability to change the number of flags and which flags are to be flown, in Section 2. He stated this would establish a baseline.

Dishong thinks the Gadsden flag is a very historical flag. He would like to see it flown, but also have it rotate with different flags. He feels this is an educational opportunity for everyone.

Kostura doesn't hold the Gadsden flag or the MIA/POW flag at the same level as the U.S. flag and the State of Ohio flag. He thinks the baseline should be flying the American flag and the State of Ohio flag. Under Section 2 the Village can fly whatever flag it wants at whatever time. He feels it is okay if Council wants to vote and agree to fly Gadsden flag, at least the Council voted on it together. Kostura said the Gadsden flag should not be a part of the baseline, but voted on by Council members. That allows flexibility to fly several different flags as opposed to designated flags.

Canton spoke with Gurney School about having a contest for the students to design a flag for South Russell. He stated some people expressed concerns about using taxpayer's dollars to pay people to put the Gadsden flag up. He said taxpayer's dollars are also used to fund libraries that buy controversial books but he doesn't protest that because he respects democracy and respects people's freedom of speech and expression. He agrees with Kostura and wants to omit the Gadsden flag and maybe the MIA/POW flag as well from Section 1 of the proposed ordinance because Section 2 would take care of it.

Nairn agrees with Canton and Kostura. She feels the American flag should fly no matter what; nothing should ever preempt it. She would like to see the American flag and the State of Ohio flag flown, with Council having a choice to fly any other flags as they see fit. She would like the Gadsden flag removed from Section 1, because Section 2 would allow Council to choose the Gadsden, or any other flag they see fit, to fly in the future.

Mayor met with the Solicitor and he recommended that with the ordinance having this many changes, Council should go through three readings.

Porter made a motion to adopt the original ordinance, seconded by Dishong. Roll call; Aye; Porter, Dishong. Nay; Carroll, Nairn, Kostura, and Canton. Motion failed.

Porter introduced an ordinance designating the display of flags on certain village properties and utility poles and establishing procedures for changing such designations.

Kostura introduced an ordinance amending the appropriations increasing the Safety Fund expenses by \$10,000 and declaring an emergency. Kostura moved to waive further readings, seconded by Carroll. Roll call, ayes, all. Motion carried. Kostura moved to adopt, seconded by Carroll. Roll call, ayes, all. Motion carried. **Ordinance 2016-34.**

BILLS LIST:

Kostura moved to ratify the bills list from October 14, 2016 \$12,475.06, seconded by Nairn. Voice vote, all in favor. Motion carried.

Nairn made a motion to approve the bills list from October 26, 2016 for \$35,560.54, seconded by Carroll. Voice vote, all in favor. Motion carried.

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

Carroll received information from Chagrin Falls Fire Department which he will email to Council. He wants to check on their response time. Per the contract, the response time should be from the time they get the alarm. He has concerns about their travel time, which is the time they get on route to the time they arrive on scene. He feels the response times are reasonable but they do go beyond 10 minutes about 12% of the time, which violates the contract. In reviewing the contract, he would like an explanation for these times and find out if it is because of location or why it is happening. He has some concerns about the descriptions for some of the calls and not knowing what type of call they are. Fire and EMS calls go into the formula for billing, so without knowing what some of the calls are, it could affect the billing. He will do a breakdown of all the information and forward it to Council. Carroll also has concerns about the Computer Aided Dispatch (CAD) times not matching with dispatch so he wants to get more information on that.

Carroll said the Village pays approximately \$60,000 for dispatch and there is a Council of Governments (COG) which gives the Village a voice in the operations. The Village pays \$360,000 for Fire and Ambulance, and there is no COG or oversight.

Carroll brought up the 1-button callout and how saving that 30 seconds to 2 minutes could mean a lot in an emergency.

Kostura expressed concerns on some of the response times being as long as 19-27 minutes. Carroll replied that those could be outliers - perhaps the time was entered wrong, but that is why

he wants to get some questions answered. Carroll did state, however, that he is concerned about more than ten minutes; like 14 minutes. There are about 10-12% of the calls over the 10-minute mark. Carroll said the Chagrin Falls Fire department does an awesome job but he just wants to be sure everything is in order; concerns are addressed and all questions get answered.

Mayor informed Council he met with CFFD in August about a contract, and he didn't hear anything from them until now and the current contract expires the end of the year. Carroll replied that he just received the information from them two weeks ago. Carroll said they always bring the contract at the end of the year which doesn't give the Village time to research and compare other options.

Carroll said he doesn't think the village needs to necessarily switch their contract; it is a 0%, 2%, 2% increase which he feels is reasonable. However, moving forward, there are automatic aid things that can be done with Russell Twp. and Bainbridge Twp. to improve the level of service. He said response time is a concern because time is tissue. Mayor said there are sections of the village that Bainbridge Twp. or Russell Twp. could get to faster and he feels the communities need to think about this.

Mayor says at the next meeting on November 7th NOPEC, well monitoring and storm water drainage will be discussed.

At 9:41 p.m., Dishong made a motion to go into executive session to discuss personnel and salaries, seconded by Kostura. Roll call, ayes – all. Motion carried.

Council reconvened at 9:59.

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

Meeting adjourned at 10:00 p.m.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Beth Denkins