

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

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

MEMBERS ABSENT: Kostura

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Johnson, Fiscal Auditor Lechman, Engineer Haibach, Solicitor Ondrey

OFFICIALS ABSENT: Building Inspector Heilman

VISITORS: Ralph Richard, Chillicothe Rd.; Lynn Klonowski, Chillicothe Rd.; Michael Klonowski, Chillicothe Rd.; Kevin Keesler, Cascades Dr.; Emilie Gottseger, Ridgecrest Dr.; Chris Horrigan, Morningside Dr.; Russ Zajaczkowski, Maple Springs Dr.; Tim Bunsey Chillicothe Rd.; Mark Jackson, Waverly Ln.; Katherine Malmquist, Louise Dr.; Brian Berger, Lakeview Ln.

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 October 24, 2016 Council Meeting minutes, seconded by Nairn. Voice vote – all in favor. Motion carried.

Chief Rizzo said he would like to hire two part-time police officers; Steve Balaban, who is full time with Hunting Valley, and John Pfaff who is a retired police officer from the Bedford Police Department. The Chief said he is in the process of bolstering staff in anticipation of a couple of full-time officers retiring next year.

Mayor said he would like to appoint John Pfaff as a part-time patrolman. Carroll made a motion to approve the appointment of John Pfaff as a part-time patrolman, seconded by Nairn. All in favor, ayes all. Motion carried.

Mayor said he would like to appoint Steve Balaban as a part-time patrolman. Carroll made a motion to approve the appointment of part-time patrolman Steve Balaban, seconded by Canton. All in favor, ayes, all. Motion carried.

The Mayor swore in Officers Pfaff and Balaban.

VISITORS:

Ralph Richards lives at 5141 Chillicothe Road and informed Council he has flooding all over his front yard, but luckily his house sits back far enough that his house does not flood. He is concerned about his front yard eroding away from flood water. He's been trying to address the issue for 15 years.

Mike Klinowski expressed his concerns about flooding issues in his yard. His house has flooded multiple times and he would like the issue fixed so that he doesn't have to worry about his house flooding again.

Mayor replied that he walked all the properties with flooding issues and intends to have a proposed solution to discuss in February. He said if the Village opened Chillicothe Road and installed a larger culvert, while it may help the homes in that area, it would then move the problem downstream. He said a possible solution might be a retention pond, he's not sure, but stated something needs to be done, in a major way, to stop the flooding problem.

Russ Zajackowski lives in Chagrin Lakes. He has had a big problem with flooding coming from The Lantern. He appreciates the work that the Mayor and Engineer have done to try to get Lantern to rectify and limit the flooding.

Heather Elmer from Chagrin River Watershed Partnership, (CRWP) was present to hear residents' concerns so she could help the village develop a plan.

There was discussion about the undersized pipe under Chillicothe Road. Nairn commented she felt that if the State put in an incorrect and undersized pipe under Chillicothe Road for drainage, then the State should pay for the proper repair; South Russell does not own Chillicothe Road. Engineer said at the time the road was built, the pipe was the appropriate size. However, over the years with additional building and expansion, that pipe no longer handles the water effectively.

The Engineer reported on the Cascades culvert which is failing. The Engineer stated the estimated total project cost is \$97,500 and the Village will be asking for a \$48,750 grant from Ohio Public Works Commission (OPWC). He stated there is a three-foot deep sinkhole close to the edge of the Cascades culvert, and the Village would have to follow the flow line of the creek to repair it. Engineer said this would be a late summer/early fall project.

Brian Berger lives on Lakeview Lane and informed Mayor and Council of his storm water issues. He said water flows from Leaview and he is getting mass erosion coming from the two side streams from the culvert that drains onto his property.

Tim Bunsey lives on Chillicothe and stated his front yard gets flooded during rains. He thinks the water needs to be alleviated at Chillicothe Road and the ditch level lowered. He has a pond in the back yard that is full and overflowing onto the property.

There was discussion about retention ponds and who is responsible to maintain them once they are installed.

Chris Horrigan lives on Morningside and said his basement has flooded five times since he moved in; the worst one occurred July 14, 2015. He watched the water go right through the culvert to his driveway; it looked like a river. He thinks a lot of the water is coming from Lake-in-the-Woods, and he feels these “100 year rains” seem to be coming more frequently than every 100 years.

Katherine Malmquist lives at the top of the hill on Louise Drive. She said she had bad flooding on her driveway, garage, and basement from the storm on July 14, 2015. The drain in her driveway couldn't keep up with the powerful rain. She feels that South Russell has been developed so much that there is nowhere for the water to go.

Regarding the issue of the flag, Katherine Malmquist does not agree with flying the Gadsden flag because it represents less government. She thinks South Russell should only fly the U.S. flag and the State of Ohio flag on all utility poles. She believes the Gadsden flag has been tainted.

MAYOR'S REPORT: On December 9th the Village will hold a holiday luncheon for employees at noon.

The Emergency Operation Planning Committee will tour Gurney School with members from the County Emergency Operations Center, the Chagrin Valley Dispatch, the Chagrin Falls Suburban Fire Department and the Chagrin Falls Schools.

The Mayor and the Safety Committee will meet with Assistant Fire Chief Mark Vedder on Tuesday, November 8th at 9:00 a.m. to answer questions about the fire contract.

FISCAL OFFICER'S REPORT: Fiscal Officer reported that NOPEC sent out a notice that it has entered an agreement with NextEra as the service provider. Porter stated the Public Utilities committee will be going to the NOPEC General Assembly meeting and will update Council at the next Council meeting.

FISCAL AUDITOR'S REPORT: Fiscal Auditor reported he is still working on the month end report for October and will review it with Council at the next meeting.

ENGINEER'S REPORT: Engineer reported that the final application has been submitted to the county engineer's office for the OPWC grant request for the Cascades culvert project. The project totals \$97,500 and the grant request is for \$48,750. He feels the Village has a very good chance of obtaining the money.

Engineer stated he is putting together the 5-year look ahead list for road program recommendations.

BUILDING INSPECTOR'S REPORT: In Building Inspector's absence, Mayor reported that the part-time Building Department secretary has taken a contract position elsewhere, and therefore will no longer be with the Village. However, she has agreed to continue to do the Architectural Board of Review (ABR), Planning Commission (PC) and Zoning Board of Appeals (ZBA) meetings until the Village finds a replacement.

The Building Inspector has contacted Mr. Fitzpatrick to get an appraisal on the Krappe property.

POLICE CHIEF'S REPORT: Regarding the telephone repair/replacement issue, Police Chief reported he is waiting on Windstream's proposal quote to submit to the insurance company. The deductible is \$2,500 to repair the traffic light. The Village must submit two estimates to the insurance company, and if they approve replacing the telephone system, then they will waive the \$500 deductible on the traffic light repair. Chief will meet with the Utilities Committee on November 18th at 10 a.m. to discuss this topic. The Village is still having phone problems and the Chief is concerned how much longer the phones will last. Porter made a motion that with a recommendation of the Utilities committee, the Mayor and Fiscal Officer are authorized to enter into an agreement for the purchase of a new telephone system not to exceed \$10,000, seconded by Canton. Voice vote, all in favor. Motion carried.

Chief informed Council his department was set to start the "No Shave November" campaign, to raise money and awareness for Chagrin Falls Schools Superintendent's son who is battling leukemia. However, on November 1st the Chief received a phone call from Officer Zippay stating that his son had been diagnosed with leukemia, and is currently undergoing treatment. South Russell Police Department has set up a "Go Fund Me" page to help support the family, and has had an overwhelming response. Officer Zippay will be off work for an unknown period of time. Fiscal Officer informed Council the Village has an ordinance stating that with Council's approval, employees can donate sick time. Dishong made a motion to allow employees to donate sick time to Officer Zippay, seconded by Nairn. Voice vote, all in favor. Motion carried.

The Mayor stated the Chief and Jessica Boalt from Geauga County Department of Aging put on an event at The Lantern Saturday morning educating senior citizens on fraud crimes. It was very well done.

STREET COMMISSIONER'S REPORT: Street Commissioner reported that regarding the Dominion gas line project on Bell Road, the original plan was to directional boar underneath all side streets. However, at Louise Drive they ran into an issue and had to do an open cut. Further west on Bell Road, they will install the new gas line into a very deep ditch. He has concerns that the berm is not fully stable and feels after the area is disturbed, it will become very unstable. He feels the ditch should be enclosed for safety. Dominion East Ohio Gas originally said they would cover the cost to enclose the ditch. However, he heard from them today and they came back with an estimated project cost of \$31,000 to enclose the ditch; the majority of the cost being \$20,000 of premium backfill for the ditch land. Given the expense, Dominion doesn't think they can cover that amount. Street Commissioner said he has great concerns about the stability of the road but has a hard time justifying \$31,000 for this project. He said he is of the mindset that if

Dominion would pay for the supplies for the ditch enclosure, he could use the Service Department manpower to complete the work and ensure the stability of the road.

SOLICITOR'S REPORT: No report.

COMMITTEE REPORTS: Porter, Canton, Carroll, and Dishong had no report.

Nairn reminded Solicitor about the Safety Committee's request for him to review the parking fine ordinance.

The Mayor complimented Dishong on a successful Fall Festival.

ORDINANCES/RESOLUTIONS:

Porter gave third reading on an ordinance designating the display of flags on certain village properties and utility poles and establishing procedures for changing such designations. This is an amended version where he added a sentence that Council would decide what two additional flags would be flown by the second meeting in April. It was also discussed that E. Washington Street needed to be added to the ordinance about where the flags are flown.

Canton introduced a resolution authorizing the Mayor to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement (SCIP) and/or Local Transportation Improvement Program(s) (LTIP) and to execute contracts as required for the Cascades Drive culvert project and declaring an emergency. Canton made a motion to waive readings, seconded by Nairn. Roll call, ayes – all. Motion carried. Canton moved to adopt, seconded by Nairn. Roll call, ayes – all. Motion carried. **Resolution 2016-35.**

Carroll introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into a Fire Protection and Emergency Medical service agreement with the Chagrin Falls Volunteer Firemen's Association for a period of three years, from January 1, 2017 to December 31, 2019 for the sum of \$359,538.19 for 2017 with a two percent (2%) increase for 2018 and a two percent (2%) increase for 2019 and declaring an emergency.

BILLS LISTS:

Dishong made a motion to ratify the bills list of October 27, 2016 in the amount of \$4,064.15, seconded by Nairn. Voice vote – all in favor. Motion carried.

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

Carroll did some research on the call response times for the Chagrin Falls Fire Department (CFFD), and found that the documentation says that 90% of the time the response time was 10 minutes for EMS only. He needs to find out if this is consistent with the other five contracts out there that the CFFD services. He would like to see an eight-minute response time, but thinks that

ten minutes is workable. He has some questions regarding response times, etc. and he will review these things with the Assistant Fire Chief at the meeting on Tuesday. He said the communities should take advantage of the advisory committee since this is such a big expense for the entities. He said the municipalities have a Council of Governments (COG) for dispatch, and while that also is a large expense, it is much less than the fire and ambulance costs.

Mayor says he would like to focus on NOPEC at the next Council meeting.

At 9:44 p.m., Dishong made a motion to go into executive session to discuss employee compensation, seconded by Nairn. Roll call, ayes – all. Motion carried.

Council reconvened at 9:44 p.m.

Dishong introduced the 2017 Annual Appropriation Ordinance reflecting a 2.5% salary increase for employees.

Dishong made a motion to approve a 2.5% increase in 2017 salaries for employees, seconded by Carroll. Voice vote, all in favor. Motion carried.

Porter made a motion to increase the Building Inspector's salary to \$70,000 which includes the 2.5% increase for a 2017 salary total of \$70,000, seconded by Canton. Roll call, ayes - Nairn, Canton, Dishong and Porter. Carroll abstained. Motion carried.

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

Meeting adjourned at 9:45 p.m.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Beth Denkins