

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 22, 2016 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman, Solicitor Ondrey

VISITORS: Valarie Mariola, Russell Township; Scott Denamen, ODNR; Jeff Westerfield, ODNR; Rick Kondas, Fairview Road; Joan Demirjian, Chagrin Valley Times;

Mayor Koons called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Mayor said the Chagrin community lost Lenny May, a friend, as well as a former English teacher and Athletic Director at Chagrin High School. Dishong added that Mr. May was a great football coach and teacher when he attended Chagrin Falls High School. Mayor asked for a moment of silence in remembrance of Mr. May.

Fiscal Officer Romanowski read the roll. Carroll moved to approve the revised minutes of the January 25, 2016 Council meeting, seconded by Porter. Voice vote – all in favor. Motion carried.

Porter moved to approve the minutes of the February 8, 2016 Council meeting, seconded by Nairn. Voice vote – all in favor. Motion carried.

VISITORS: Valerie Mariola addressed Council concerning the Joyce Building variance request. She said that she is frustrated with multiple zoning code issues. While dealing with the Zoning Board of Appeals (ZBA) in September of 2013 she was told by a Board member that he would look into some zoning issues pertinent to the western end of the village, but the issue was never addressed.

Mariola strongly urged that the Planning Commission meet monthly to review several inconsistencies that she has noticed in the zoning code. Her first concern was notification to the neighboring properties of upcoming hearings. She said these were only being sent to property owners that touch the property requesting a variance when the code states that a notice must be sent to properties within 500 feet. After much correspondence, Mariola stated the Building Department is now sending notification per the current zoning code. Mariola said she was informed by the Building Department that the notification change was made years ago, but wasn't incorporated into the zoning code. She also asked that notification continue per code until the changes are officially made by Council.

Mariola also brought attention to the front yard setback requirements. She stated that on October 2, 2015 a variance request was made at 102 Hazelwood for a front yard setback because the proposed building was not compliant with the code as written. After she was able to present her concerns to ZBA, the board held off on a decision until the Building Inspector was able to look into them. Within 10 days of the hearing, the application was withdrawn. Section 6, article 3, which was established in 1947, states that 35 feet is the current minimum front yard setback so that was approved by the Building Department.

Mariola also brought attention to the sizes of homes in non-conforming lots, which is established by a zoning code that was adopted in 1947. In this residential R-1A district, requirements for lot coverage are 35% with a minimum lot width of 130 ft., front yard of 75 ft. and 2,400 square feet for a home with more than one floor. In 1925, Mariola said there was a portion of homes in South Russell that were plotted with only 50-ft. lot widths. She gave an example of a lot that is 156 feet deep or 7,800 square feet; if it held a house that is 2,400 square feet, the house would be at a 30% lot coverage, which doesn't include the space needed for a driveway. In January, ZBA approved a square footage variance for a home, but she doesn't agree it should have been approved per the zoning code.

Mariola's final complaint was a lack of information and building plans. She felt that all of the examples she gave are why she would like Council to encourage the Planning Commission to review the zoning code so it can be updated.

Mayor asked the Solicitor how to approach the Hazelwood zoning issue. Solicitor said it's something Council can address or something they can refer to the Planning Commission for a recommendation. Discussion followed on the process for making changes to the zoning code. Mayor would like Council to consider Mariola's comments and have a recommendation on how to address the issue at the March 14th Council meeting.

The Mayor informed Jeff Westerfield and Scott Denamen from the Ohio Department of Natural Resources (ODNR) that Council has been discussing a hunting ban within the village after a couple people approached the Police Chief asking about permits. Chagrin Falls and Moreland Hills still allow hunting within their boundaries.

Westerfield said he usually spends time with cities looking to implement deer hunting so he was surprised that South Russell was considering banning it. He said when dealing with land owners that have issues with deer, they assess whether the land owner has damage on their property or they just want less deer on the property. Westerfield and Denamen didn't see South Russell as an issue and haven't had any complaints from this area. Denamen stated he believes approximately 90% of hunting in this area of the county is bow hunting. Discussion followed on different guns that are permitted for deer hunting.

Kostura asked the ODNR representatives what options the village has to allow for hunting but provide adequate safety. Westerfield quoted the saying "if it's not broke, don't fix it". He

explained that there aren't any current issues in South Russell that they are aware of and said that the requests are minimal so he wouldn't change anything.

Carroll added that the Police Chief has only received two requests for hunting and former Police Chief, Jim Wetzel, only received one. Carroll doesn't think there is an issue with hunting. ODNR representatives suggested possibly sending out a request to residents to see how many people currently hunt within the village. They added that the Bell Station checked in 900 deer last year and stated that municipalities north of Chagrin Falls are all permitted hunting areas.

Canton stated that residents in his neighborhood are concerned about the deer eating their shrubs.

Council will discuss this topic further and make a decision at their next meeting on March 14th.

The Solicitor stated this topic came up when the Chief received an application to hunt near Gurney School and he found the current code to be somewhat ambiguous. He added that when the topic was originally brought to Council it was suggested to prohibit hunting, but now he suggests possibly looking to modify or clarify the current language instead of prohibition.

Westerfield said that Pepper Pike has a great program in place which requires an application to be submitted to the Chief and at that time, the Chief could address safety concerns. Kostura asked if that program gave specific criteria that the Chief reviews prior to approving or denying a permit. Westerfield stated that it was very vague to give the power to the Chief at his discretion.

Carroll suggested "No Hunting" zones. The ODNR representatives were concerned with zones stating that deer would then use those areas as refuge and possibly bring in more deer to those areas.

MAYOR'S REPORT: The Mayor reported that a letter went out by e-blast concerning the water at Gurney Elementary and the Village didn't hear back from anyone concerning the issue.

Mayor asked Council if they would like to check ID's on Trash Day. Nairn agreed that checking ID's is a good idea.

Canton asked why the Village is redirecting the traffic flow for Trash Day. He was informed that traffic backs up into the Route 306 intersection. Therefore, this year the cars will be entering at the Police Department driveway.

Kostura said he realizes Trash Day is for the residents of the Village, but suggested that if someone from another community packs up their vehicle with trash to dispose of, the Village charge them \$50 to drop off the items. Conversation ensued about this event being paid for with taxpayer's money, labor of employees and Village Officials to serve the residents, issues with handling cash, etc.

Porter agrees with checking IDs but has a concern with contractors bringing in cement blocks or railroad ties.

The Mayor said with the consensus of Council agreeing, the Village will be checking ID's for Trash Day.

Mayor said the Fire Prevention Officer got a flat tire from a couple screws after visiting the Lantern for an inspection. The replacement cost him \$341 and he asked for reimbursement. Mayor said this bill will be added to the March 15th bills list for Council's approval.

FISCAL OFFICER'S REPORT: The Fiscal Officer reviewed her report.

The Fiscal Officer stated that she attended an active shooter class hosted by the Northeast Ohio Municipal Clerks Association with Chief Rizzo and Nairn. It was very informative and opened a conversation with the Chief about putting together a training session for the employees.

The Fiscal Officer also attended a Geauga County Township Association meeting with the Mayor. The class topic was developing a 5-year Financial Budget and she feels the information shared was extremely helpful. The Fiscal Officer will send Council the information presented.

The Fiscal Officer forwarded a draft copy of the newsletter to Council and asked them to let her know if there is anything they would like added. She looks to get it out the first week of March.

The Lean Ohio Bootcamp scholarships were approved for the Fiscal Officer and Council members, Nairn, Carroll and Canton. They will be attending the classes March 29th -31st and April 6th-7th.

FISCAL AUDITOR'S REPORT: The Fiscal Auditor distributed and reviewed a 15-year revenue lookback report to Council. This will be a helpful reference tool in preparing the 5-year budget.

SOLICITOR'S REPORT: The Solicitor had nothing to report.

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

Porter met with the Building Committee. The Building Inspector thinks the Lantern will open sometime in April.

Carroll said the Safety Committee met at 6:30 pm before the Council meeting. They will meet before the first Council meeting of every month at 6:45 pm.

Kostura stated that the Streets Committee has begun the review of the 2016 Road Program. They will have a recommendation to Council at the March 14th meeting so the project can go out for bid.

ORDINANCES/RESOLUTIONS:

Kostura gave second reading on a resolution requesting the County Auditor certify to the taxing authority the total tax valuation of the subdivision and the dollar amount of revenue that would be generated by a renewal levy of 4.2 mills for the purpose of current expenses of South Russell Village.

Dishong introduced a resolution in appreciation for Matthew E. Brett.

Porter introduced a resolution in appreciation for Jack Binder.

The hunting ordinance is tabled and will be discussed at the next meeting.

BILLS LIST:

Dishong moved to ratify the February 12, 2016 bills list #2 in the amount of \$12,022.06, seconded by Canton. Voice vote – all in favor. Motion carried.

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

Carroll will be presenting a resolution to adopt the Geauga County Mitigation Plan which will allow the Village to apply for federal funding in the event of a major storm.

Dishong brought up consolidating to a single provider for garbage. He thinks this will help with wear and tear on village roads as well as offer a discounted trash collection fee for the residents. He noticed there was an oil leak that stopped at every house within his neighborhood; it was obvious the leak came from a garbage truck. The Mayor said this was discussed at a recent meeting he attended and he would like to wait until it is discussed by Russell Township again to see how the public responds to the topic.

Kostura reminded Council that the Cub Scouts will attend the March 14th meeting to lead the Pledge of Allegiance.

The Mayor said Council will review storm water issues at the March 14th meeting.

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

Meeting adjourned at 9:09 p.m.

William G. Koons, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen