

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, MARCH 9, 2015 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Kostura, Porter, Binder, Dishong.

MEMBERS ABSENT: Carroll, Koons.

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

VISITORS: Barbara Stiebeling, East Bel Meadow Lane; Faith Pescatore, Novelty; Frank & Ann Jacobson, Bell Road; Lisa Heintz, 134 Fairview Road; JoAnne DeHamel-Small, Daisy Lane; Joan Demirjian, Chagrin Valley Times; Ed Weston, Whitetail Drive; Cassandra Moran, Chagrin Falls;

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Binder moved to approve the regular meeting minutes of the February 23, 2015 Council meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

VISITORS: Barbara Stiebeling attended the meeting to ask if anything has transpired since the last meeting with the Chagrin Valley Jaycees holding another circus event this summer. She also asked if the meetings concerning this topic are public or private. The Solicitor stated that the only time a meeting is required to be open to the public is when a majority of Council is present. The Mayor has been in contact with the Jaycees and informed them they might be limited to 10 acres that the village is permitted to mow and utilize any time of the year. He has suggested the Jaycees contact the Kelley Miller Circus to see if that would be enough room.

Frank Jacobson was curious if the circus can fit on the 10 acres and asked where this part of the property is located. A map was shown to the audience. He also suggested that the 10 acres be mowed all summer since some of the nests of the bobolink birds were destroyed last year. The Mayor said he understood his concern but doesn't see a need to have the property mowed all summer.

Faith Pescatore from Novelty passed out some information about bull hooks, a draft ordinance to prohibit the use of bull hooks in the village and an article about the Ringling Brothers Circus phasing out elephants from their acts. She also presented a photo of the bull hook being used at the Kelley Miller Circus in the South Russell Village Park while a child is riding an elephant.

JoAnne DeHamel-Small said she is very dismayed about Council's decision to change the dog park to having dogs leashed at all times and questioned the amount of citations and warnings issued. She said everyone she knows that uses the park keeps their animals under control. She offered to patrol the park and suggested that more citations be given to offenders. She would like some more thought given to the topic before a decision is made.

The Mayor deferred her questions to be answered by the Police Chief. Mayor added that during the test period there were many offenses by the park users, which caused the issue to fail. Having dogs leashed at all times is the alternative to the test period failing.

Dishong added that he is a proponent of the keeping the park unleashed days but told DeHamel-Small she is doing everyone a disfavor by calling the park a dog park because the purpose of the park is for the residents of the Village, not the dogs.

Cassandra Moran from Chagrin Falls said she had the same questions as DeHamel-Small and spoke with the South Russell Police Department. Most warnings that were filed were for violating rules in the parking lot area, which she said she has seen as well. Moran said that she hopes Council slows down on the readings of the ordinance and suggested putting trash receptacles near the wooded area to help with the dog waste cleanup **because she has seen a lot of people that don't clean up after their dogs.**

Moran also commented that the bull hooks used at circuses are heartbreaking. She said that wild animals shouldn't be performing tricks for the public. She doesn't want to see another circus in the village park.

Ed Weston wasn't aware that there were issues with the unleashed days at the park and asked what determined there is a problem that is causing the ordinance to be changed. The Mayor responded that the ordinance stipulates that the rules were a test period and listed specific success criteria. The violations surpassed the acceptable amount by two to three times. The Police Chief added that Police Officers tried to educate the park users as much as possible through this process.

Weston suggested that the village enforce a stiff fine for people that are violating the rules instead of eliminating off leash days at the park. He feels this will get their attention and may allow the village to have some extra money to utilize.

Binder doesn't feel that the Village should have to tie up **half of the** Police force to watch the park for violators or the Service Department emptying the trash cans.

Mayor thanked the park users that have followed the rules but said that unfortunately the users that didn't follow the rules have brought Council to this decision. There were many violations and in some cases injuries that resulted in broken bones due to dogs that weren't being controlled. Unfortunately this is what has come out of the years of Council **discussions for** trying to accommodate the unleashed days at the park.

Dishong agreed with Binder's comment and said that the rules Council had in place were a way for park users to self-police the property. Unfortunately what was in place didn't work due to some people disregarding the rules. Dishong stated that he witnessed the Chief politely talking to someone about their dog being out of control at a village event at the pavilion and the lady he was speaking to was very argumentative and disrespectful. This is one of the many problems we are facing.

Binder commented on the handouts Council received from Pescatore and said if a circus is going to be held in the Village, banning control mechanisms for the animals is counterproductive. He said an ordinance to ban circuses from the village would be the first step if that was what Council wanted to do.

Dishong didn't agree with allowing the circus to be held again at the park but doesn't agree with banning events. He added that he agrees with comments from the last meeting that the attendance should show whether or not people want to support it.

MAYOR'S REPORT: The Mayor brought up the issue that the newly paved Bell Road west is cracking. He added that this year has been unusually harsh on all of the roads in the village and surrounding communities. The Mayor will email Council some photos that the Street Commissioner has taken of Bell Road. This item will be discussed with the Ohio Department of Transportation (ODOT) and Karvo (the company that paved the road), while the Village continues to investigate the problem.

Mayor has been discussing the 2015 Road Program with the Engineer. He recommends that Council approve that the Engineer move forward with the program planning. Porter moved to authorize the Engineer to begin the 2015 Road Program, seconded by Dishong. Roll call – ayes, all. Motion carried.

The Mayor asked for a motion from Council recognizing that DeMarco is no longer the Planning Commission/ABR/ZBA Secretary and that Savage is no longer working part-time at the Police Department. Binder moved to acknowledge that Kathy DeMarco is no longer employed with the village effective January 21, 2015 and that Brandon Savage is no longer employed with the village effective February 9, 2015, seconded by Porter. Roll call – ayes, all. Motion carried.

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

The Fiscal Officer is accepting newsletter articles, which should be submitted by March 27th.

The Fiscal Officer received a call from a local Boy Scout Troup Leader, Dave Mast. The Boy Scouts are always looking to do community service and they offered to do some type of Eagle Scout project at the new cemetery. The Fiscal Officer will refer them to the Mayor and Cemetery Committee.

FISCAL AUDITOR'S REPORT: The Fiscal Auditor was not present but submitted his report to Mayor and Council.

ENGINEER'S REPORT: The Engineer reported to Council that the Phase 2 Stormwater meeting was held the week prior and that one of the big action items was an updated map. The Engineer presented the updates and will share the plans electronically with the village. Mayor recommended adding the map to the new website.

BUILDING INSPECTOR'S REPORT: The Building Inspector has submitted her yearly reports to the Board of Building Standards.

The Building Inspector said there have been some issues with the hot water heater at the service building. PK Wadsworth has agreed to install a new one since it's still under warranty.

There is a zoning controversy with a nearby home in Russell Township. There have been a lot of signs protesting the matter and the Street Department has moved the signs out of the right-of-way.

A proposed pizza shop next to Panini's on East Washington Street has submitted business plans to the Building Department.

Kostura asked what process the Lantern of South Russell is at currently. The Building Inspector said they are still installing concrete and that they are hoping to open by October.

POLICE CHIEF'S REPORT: The Police Chief referred to his report.

The Police Chief is looking at updating the current quote for a campus camera system to an access control security system for Village Hall. This will include a door buzzer. They are also looking at smaller options for the Police Department. Dishong recommended a Motorola camera.

The Police Chief is working with the Street Commissioner on some parking issues on side streets. He will present a change to the current ordinance at the next meeting.

The Police Department completed a little over 200 house checks last month. An officer noticed burst pipes in a home while checking on one property.

STREET COMMISSIONER'S REPORT: The Street Commissioner referred to his monthly report and stated the weather has been rough the past couple months but the current salt contract has held up well.

Everything for Trash Day is scheduled with the garbage company and the Geauga County Department on Aging to assist seniors. Saturday, May 2nd will be the drop-off date.

The Street Commissioner presented the state contract for a new loader. The amount of the quote is \$80,051.02. The Fiscal Officer stated that the budget will need to be amended by \$11,270 since the budgeted amount was for the cost of the loader with the trade in amount included.

The Women's Club is selling Lowes Greenhouse gift cards as a fundraiser again this year. The Street Commissioner said they make a profit off of the cards sold. Mayor added that part of their funding is used to plant flowers for the village and that he would like to purchase \$300 worth of gift cards for the villages use.

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

COMMITTEE REPORTS: Kostura said the Planning Commission meeting was canceled since there were no items for review.

Kostura reported that the tenant at the village rental property is building a house and requested to get out of his lease in June instead of when the lease ends in October. This may be a benefit to the village since it might be easier to find a renter earlier in the year. Kostura will get some additional specifics from the tenant but asked if Council would like to sell the property or continue to rent it out. He would like to revisit this topic at the next meeting.

Porter said the Street Committee met a couple weeks ago and discussed the new loader. The next Street Committee meeting will be held March 20th.

Binder discussed the different classes of pay for Police Officer ranks, which would constitute different pay ranges. The Police Chief provided copies for ranks to the Mayor and Council. The process of how the officers move up in rank should be specified by motion since there is already an ordinance in place designating the ranks. Binder moved to approve the process of how the officer moves up in rank, seconded by Porter. Roll call – ayes, all. Motion carried.

Dishong said the Human Resource Committee met and an applicant will be interviewed for Planning Commission/ABR/ZBA Secretary position this week.

ORDINANCES/RESOLUTIONS:

Porter introduced an ordinance to amend the appropriations increasing the Operating Fund expenses \$11,270 and the Income Fund transfers \$11,270 to cover the cost of the new loader.

Kostura introduced an ordinance to transfer \$11,270 from the Income Tax fund to the Operating Fund.

Mayor gave second reading to an ordinance amending the dog leash ordinance at the South Russell Village Park and to eliminate the even and odd day leash requirements to require a leash at all times. Kostura asked to amend the proposed ordinance to reflect that park users must clean up animal waste.

BILLS LIST:

Dishong moved to ratify the February 27, 2015 bills list #2 in the amount of \$16,741.70, seconded by Kostura. Roll call – ayes, all. Motion carried.

Binder noticed a charge for a Glock gun on the bills list and asked the Police Chief if the Police Department provides officers with a gun. The Police Chief stated that all guns are department issued and are returned upon departure of employment.

Dishong moved to approve the March 13, 2015 bills list in the amount of \$29,770.14, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

At 9:01 p.m. Binder moved to enter into executive session to discuss personnel compensation and potential property acquisition, seconded by Dishong. Roll call – ayes, all. Motion carried.

Council reconvened at 10:07 pm.

Dishong moved to authorize the Mayor to negotiate with the Fiscal Officer for compensation within the existing pay range, seconded by Binder. Roll call, ayes – Kostura, Binder and Dishong. Nay – Porter. Motion carried.

ADJOURNMENT: Being that there was no further business before Council, Binder moved to adjourn, seconded by Dishong. Roll call, ayes - all. Motion carried.

Meeting adjourned at 10:08 PM.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen