

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, MAY 8, 2017 – 7:30 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

**MEMBERS PRESENT:** Canton, Carroll, Kostura, and Nairn

**MEMBERS ABSENT:** Dishong and Porter

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

**VISITORS:** Gary Dole, Maple Hill

Mayor Koons called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Nairn made a motion to approve the minutes of the April 24, 2017 Council meeting, seconded by Carroll. Voice vote – all in favor. Motion carried.

**MAYOR’S REPORT:** Mayor reported that the Village has heard from the Chagrin River Watershed Partnership (CRWP) and the Village has made it through the first round of the grant application process. This is for a study of the water going from Kensington through the Village Hall property, under Chillicothe Road and into the Chagrin Lakes area. The application remains under consideration into the next round.

Mayor informed Council he would like to sit down with business owners in the Village later this year to have an open discussion about their experiences in the Village.

**FISCAL OFFICER’S REPORT:** Fiscal Officer reported that the auditors from the Ohio State Auditor’s Office are onsite conducting the audit for 2015 and 2016.

Fiscal Officer stated that the Centralized Tax Collection proposal has been pulled from the State Budget. The topic is not closed and it will be treated as a separate piece of legislation.

Fiscal Officer said she included a flyer in the Council packets about ethics training through the Ohio State Ethics Commission being offered at Gates Mills on May 31<sup>st</sup>. She encouraged all elected officials to attend.

**ENGINEER’S REPORT:** Engineer reported that the Village held a bid opening on Thursday, May 4, 2017 for the 2017 Road Program. There were three bidders: Specialized Construction at \$231,081 for the base bid and \$28,807 for the alternate; Burton Scot at \$283,805 for the base bid and \$33,410 for the alternate; and Ronyak Paving at \$273,500 for the base bid and \$33,480 for the alternate. Specialized Construction was the lowest bidder. Engineer said since Specialized

Construction came in below the budget, he would like to look at possibly substituting Westover with a higher priority road. The base bid consists of Spring Drive and Anglers Drive which will be getting a 4" full depth recycle and paving. Forest Drive is also included in the base bid but there will not be a recycle there. Instead, they will be doing a rather heavy duty chip and seal and then pavement will be installed immediately over that; the road surface will come up 3". Westover is the alternate bid and they will grind down 2", put a chip and seal down, and then immediately pave over that. Engineer said Westover is not in that bad of shape.

Engineer stated his office has started the design process for the Cascades Culvert project so that it will be ready to advertise for bids right around the time the Ohio Public Works Commission (OPWC) fifty percent grant money gets awarded; that should be in July.

Regarding the Lake Louise bridge - CT Consultants did a structural report for the Village. Engineer reported that within the next five years, major work will have to be done to this bridge. To replace the bridge, the estimated cost would be approximately \$250,000. There are some other options, but it depends on the condition of the foundation the old bridge is on as well as some other factors. Other options may not be feasible and the Village may have to replace the entire bridge. Engineer stated the Village received OPWC applications for future funding and he will be calling the County to make them aware that this project will be coming up and start asking for grant money now.

**BUILDING INSPECTOR** – Building Inspector reported that there is a hold up with the Environmental Protection Agency causing the delay in demolishing the old gas station.

Building Inspector informed Mayor and Council that her office received several variance requests that are going before the Zoning Board of Appeals. One is for a lot split, one is for the red barn across the street to manufacture furniture and put in a showroom and one is for the Paw Paw Lake HOA to build a water treatment building.

**POLICE CHIEF** – Police Chief reported that Cops and Kids Fishing is set for Sunday, June 25<sup>th</sup> at Lake Louise and the Police Department Open House is scheduled for September 9<sup>th</sup>.

Carroll reported that the Police Department received a donation from a resident as a sign of appreciation for his vacation watch. That money will go towards the Shop with a Cop program. Carroll made a motion to accept the \$100 donation from John Freer to the Shop with a Cop program, seconded by Nairn. Voice vote - all in favor. Motion carried.

**STREET COMMISSIONER'S REPORT:** Street Commissioner reported that Trash Day was successful; seven dumpsters were filled. Russell Township sent two of their employees and a loader to assist the Village staff and it was very helpful.

Street Commissioner said the paperwork was filed and the Village is listed on the Ohio Department of Transportation (ODOT) salt bid contract.

**SOLICITOR'S REPORT:** Solicitor said he may be missing the May 22<sup>nd</sup> Council meeting but will send someone in his place if he is in fact going to miss the meeting.

**COMMITTEE REPORTS:** Kostura had no report.

Canton reported that the Parks Committee will be meeting May 17<sup>th</sup> at 6:45 p.m. at the pavilion.

Canton informed Council the contracts for the Fall Festival entertainers have been secured. The costs are: Pony Ride Express - \$950, Dr. Awesome - \$825 and Bo Jangles - \$770.

Carroll stated that Officer Cardaman will retire on July 19<sup>th</sup>. Nairn, the Police Chief and Lieutenant conducted interviews with a couple of part-time officers who are interested in filling the upcoming full-time position opening. A candidate has been selected and will be sworn in at the July 10<sup>th</sup> Council meeting.

The new police cruiser is in and is currently being set up. It should be in service soon.

Regarding the Emergency Operations Planning (EOP) Committee, Carroll said he will reach out to resident John O'Donnell to set up a meeting date in June with a contact reference who has offered to help the group on some issues.

Nairn reported that the Building Department Committee will be meeting Thursday, May 11<sup>th</sup> at 9 a.m. at Village Hall.

### **ORDINANCES/RESOLUTIONS:**

Carroll did a second reading on a resolution of appreciation of Gregory Gamm for his service on the Zoning Board of Appeals.

Carroll did a second reading on a resolution of appreciation of Christine Houston for her service on the Zoning Board of Appeals.

Solicitor explained that in December Council adopted a lengthy ordinance regarding stormwater erosion control. The ordinance contained some references to chapters in another ordinance that could have been adopted at the same time, but wasn't. Therefore, the ordinance that was adopted has references to XXX that don't exist. While preparing the ordinances for codification, Walter Drane Company questioned the ordinance references. Mike Kelly from Walter Drane Company worked with Engineer Haibach who came up with appropriate substitute language. Mike Kelly has plugged that into what was codified and Council is being asked to approve the codified ordinances. Solicitor said Mike Kelly from Walter Drane Company solved a problem for the Village. Solicitor said there is an ordinance Council needs to pass to accept the codification ordinances as submitted by Walter Drane, and he doesn't see any problem with Council doing so.

Nairn introduced an ordinance to approve the current replacement pages to the South Russell Codified Ordinances and declaring an emergency.

Kostura introduced an ordinance transferring \$60,750 from the Income Tax Fund to the Street Maintenance Fund and declaring an emergency.

Kostura introduced an ordinance amending appropriations increasing Street Maintenance Expenses \$60,750 and Income Tax Fund transfers \$60,750 and declaring an emergency.

**BILLS LIST:**

Kostura made a motion to approve the 5/12/17 Bills List in the amount of \$36,680.78, seconded by Carroll. Voice vote - all in favor. Motion carried.

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

Engineer reported that he would like to start the Chillicothe Road North Central Drainage Study which would look at the stormwater drainage that flows down to the culvert crossing under Chillicothe just north of the Village Hall (in the area of the red ranch that has historically had water issues). The study would look at the different issues in that area and how they can be addressed along with the costs involved for each of the options. Mayor clarified that the Village will be spending \$12,000 to do a study and then use the information from that study to determine how and when they address the various issues. Carroll asked if the Village can look for grant funds once that study is complete. Engineer replied it absolutely can and should. He said having the study already done will help the Village when it does file grant applications.

There was a brief discussion about the Village installing a cap on the Federated Life Center's (FLC) pond drainage pipe and that the Village is not responsible if something goes wrong. Solicitor said the Village has signed a letter agreement with FLC, but he doesn't believe it said the Village would not be responsible. The letter said if the FLC gave the Village the permission to install the cap, the Village would indemnify them from damages if it would cause any problems. The Village has the right to remove or modify it at any time if there is an issue. Solicitor doesn't think the Village could get the FLC to agree to be responsible for damages that the Village caused.

Mayor stated that with two members absent, he would like to hold off on discussing the "Krappe" property until the next meeting. The Mayor did talk to Chris Hitchcock about the property and homeowners in Laurelbrook want the green space but are not interested in purchasing the land.

Mayor said he met with the Building Inspector, Dave Hocesvar and Fire Prevention Officer Davis to tour and look over the red barn and discuss what the potential issues are. The owner will be going before the Zoning Board of Appeals (ZBA) for a variance on May 25<sup>th</sup> at 7:00 p.m. The owner originally went to the Planning Commission (PC) who referred him to the ZBA. If he gets approval from the ZBA it will then go back to PC for a vote.

Chief explained how his department has reduced dispatch costs over the last few years by having the officers use the internal radios for communication amongst each other for certain types of calls. By reducing the number of calls going through dispatch, it has reduced the Village's dispatch contract cost.

Mayor reported that since it is the Village's year to oversee the Valley Enforcement Group (VEG), if there were any legal issues for the organization this year, the Village would be responsible to cover those expenses. This is something that the group will need to look at. Carroll asked Mayor to forward a copy of that contract to the Safety Committee to review.


Carroll reported that The Lantern is taking in more nursing home type patients than originally expected which is increasing the number of ambulance calls to the facility. He wanted Mayor and Council to be aware that this will impact the Fire and EMS contract cost.

Carroll asked about park and pavilion use and whether those using them need to sign a contract or do they just fill out a permit. He questioned doing a concert in the park or something of that nature and whether there should be a contract process in place. Solicitor said contracts are supposed to eliminate future arguments about who was supposed to do what. He said the Village could probably come up with almost a form contract that would cover most situations, but he would definitely recommend that the Village have something in writing as people are using it. Carroll said for the small personal parties a permit would probably be fine, but a concert in the park or some bigger scale event should have a contract to spell everything out. There was a brief discussion about some small personal parties of 10-15 people and then others having over 100 people and two bouncy houses, parking lot limitations, and the responsibility for damages. Fiscal Officer said she would include the current pavilion permit in the next Council packets for review.

Mayor and Chief met with the high school senior class President, student officers and senior advisor regarding the Senior Spring Fest. They came up with rules for the types of vehicles that would be acceptable and the location has been changed to the armory on East Washington Street. These changes will make the event safer, will reduce the distance, and help with traffic problems.

**ADJOURNMENT:** Being that there was no further business before Council, at 8:39 p.m. Canton moved to adjourn, seconded by Kostura. Voice vote – all in favor. Motion carried.

  
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William G. Koons, Mayor

  
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Danielle Romanowski, Fiscal Officer