

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, JULY 13, 2015 – 7:30 P.M.  
MAYOR MATTHEW E. BRETT PRESIDING**

**MEMBERS PRESENT:** Porter, Binder, Carroll, Dishong, Koons and Kostura.

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

**VISITORS:** Barbara Stiebeling, East Bel Meadow Lane; Linda Hernandez, Solon; Cindy Nairn, Whitetail Drive; Patty Mills, Manor Brook Drive; Ed Pyle, Potomac Drive; Gerald Canton, Manor Brook Drive; Janet Weimann, Manor Brook Drive

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer Romanowski read the roll. The Fiscal Officer asked for some clarity on the motion in the May 11, 2015 minutes stating when and where the Gadsden flag should be hung in the Village since the recording wasn't clear. Dishong clarified that his intention of the motion was to hang the flag by the intersection near Village Hall, the armory and the two cemeteries. Koons moved to approve the minutes of the May 11, 2015 Special Council meeting as amended, seconded by Kostura. Roll call – ayes, all. Motion carried.

Koons moved to approve the minutes of the June 8, 2015 Council meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

Kostura moved to approve the 2016 Tax Budget as presented, seconded by Koons. Roll call – ayes, all. Motion carried.

**VISITORS:** The circus was canceled due to a threat of violence. Linda Hernandez of Solon wanted to clarify that the threats didn't come from her protest group and that they are a peaceful group. She thanked the Chagrin Valley Jaycees for canceling the event to protect the public and she also thanked the Police Chief for meeting with her several times to discuss the protest she was organizing.

Barbara Stiebeling of South Russell Village was also disturbed when she discovered that there were threats made concerning the circus and also thanked Council for taking these threats seriously by canceling the event. She asked the Police Chief if the threats were made from someone against the circus. The Police Chief stated they did not know who made the threats since the call was made through a telemarketing company.

Stiebeling also followed up on the tuberculosis issue that was discussed at previous meetings. She said that she spoke with the Geauga County Department of Health and they stated the Ohio Department of Health doesn't have any reported cases of elephants with tuberculosis.

Koons mentioned that he attended a horse show that was celebrating their 50<sup>th</sup> anniversary. The horses were kept in cages and forced to perform for the audience yet Koons didn't see any protesters at this event. Stiebeling stated that some people feel this is a form of animal cruelty and some people disagree. The major point with circus animals is that they are wild animals and horses are considered domesticated animals. When training a domesticated animal, they listen and follow commands. Wild animals don't listen as well so more intense techniques, such as bull hooks, are used when training the animal.

Binder thanked Stiebeling for her dedication to the circus topic and for presenting her findings to Council.

On behalf of the Cemetery Committee, Nairn presented several changes to the Cemetery Rules and Regulations. The changes included:

- Adding "The deed to a grave only conveys the right of burial, not land ownership".
- A list of specific items that must be presented as proof of Village residency. Porter requested to clarify that only one of the items is required to be presented.
- Additional details requiring when payments must be made for burials.
- Adding "or any Village designated holidays" to the days when burials are not permitted.
- Remove the sentence about roses being planted in the scattering garden.
- Add that bricks won't be removed twice from the scattering garden area for engraving
- Add that foundations will be installed twice yearly
- Designating the direction of the stone to "be placed at the head of the body with the writing on the east side of the stone for graves going east/west and on the south side of the stone for graves going north/south"
- Add "No natural boulders, sandstone, limestone or marble headstones will be permitted. All headstone design and material make up must be approved by the Cemetery prior to installation."
- After discussion was held on whether or not to include a section that designates which side the husband and wife are placed, it was determined that the lot owner will make this decision.

Dishong moved to amend the Cemetery Rules and Regulations with the changes noted, seconded by Binder. Roll call—ayes; Porter, Binder, Carroll, Dishong and Kostura. Nay; Koons. Motion carried.

Pyle stated there has been discussion among the Cemetery Board to rotate Section 2 of the cemetery so the graves facing north/south will face east/west. The software and engineering costs are estimated at about \$4,000 for the change.

Dishong asked what the benefit was for all lots going in the same direction. There wasn't another explanation besides that all the graves would point the same direction. Dishong asked if any other cemeteries have all lots that face the same direction. Only a few were mentioned.

Pyle stated he didn't feel the change was necessary, especially with the additional \$4,000 to change it. He also said he doesn't feel it will effect sales.

Koons stated that it is custom practice in most cemeteries that graves face east/west with the head at the west so you rise up to face the sun and that the husband is always on the right and the wife is on the left.

Mills added that she and Nairn discussed the rotation at the last Cemetery Committee meeting and agreed that it would make things a little more uniform.

Carroll said he has stopped at several cemeteries and has noticed that most of the lots face east/west. He stated this is a forever project and has rethought his decision since voting no at the last meeting.

Porter feels that \$4,000 is a lot of money to spend for the change.

Carroll moved to rotate Section 2 of the cemetery by 90 degrees, seconded by Koons. Roll call—ayes; Carroll and Koons. Nay; Porter, Binder, Dishong and Kostura. Motion failed.

The Cemetery Opening Ceremony will be held Saturday, July 18, 2015 at 9 a.m.

**MAYOR'S REPORT:** In regards to the cancellation of the circus, the Mayor directed anyone with questions to visit the Chagrin Valley Jaycees website for their announcement. He said he believes it was the right decision to make to ensure the safety of the village.

The Mayor said with the significant rains this year, the storm sewers have been an issue. Regarding the Bell Road Project, the siltation fences were removed but there are still some additional items that Karvo still needs to address before the project is complete.

The Mayor reported the village received an update from the OEPA and Chagrin River Watershed Partnership in regards to the Lantern of South Russell project. The Engineer was pleased with the items addressed in both letters.

The Mayor stated that the land transfer to add another parcel of property to the park is complete.

The Mayor said the Tax Board of Review met earlier this evening and reached a conclusion to the ongoing case they reviewed in June.

The Mayor announced that he will not be seeking re-election this fall and it has been an honor and privilege to serve the Village of South Russell.

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

The Fiscal Officer stated that Ms. Reiss contacted the office and asked if she could place a second stone at her lot at Rarrick Cemetery. We will send her a letter with the approval so she has something in writing.

The County Tax Budget Hearing will be held on Tuesday, August 11<sup>th</sup> at 11:40 am at the Auditor's Office.

The Fiscal Officer stated the income tax distribution for June was \$221,631.33. She stated collections are slightly above what they were last year at this time.

**FISCAL AUDITOR'S REPORT:** The Fiscal Auditor presented his report to Council and reported that he and the Fiscal Officer balance to the penny on all funds.

**ENGINEER'S REPORT:** The Engineer and Street Commissioner met with Ohio Department of Transportation (ODOT) and Karvo Paving to address items that still need to be addressed on Bell Road. The Engineer doesn't have any details at this time about the Village receiving a credit due to Karvo missing the deadline date.

The 2015 Road Program will be completed by the deadline specified but Specialized Construction wasn't able to give the Engineer a start date due to the inclement weather. The Mayor asked that they finish all work before school begins.

Binder asked if there have been any violations from Ohio Environmental Protection Agency (OEPA) concerning the Lantern of South Russell project. The Engineer replied they have not had any violations.

Dishong asked if the Village could go back on the Geauga REALink or Google Maps to see if there was an issue with the lakes in Chagrin Lakes before the project began. The Engineer stated they did look at previous maps online and some years they looked muddy while other years they did not look muddy. Dishong stated that there has been a historic amount of rain recently and suggested the Village might want to take that into consideration.

Regarding grant money financing, Dishong asked if something similar to the Bell Road west grant could be done to pave Bell Road east. The Engineer stated that it is possible but the Village would have to wait a couple more years to qualify for grant money.

**BUILDING INSPECTOR'S REPORT:** The Building Inspector thanked Council for providing extra help in the Building Department.

The Building Inspector informed Council that a variance was granted for 21 additional parking spaces at Washington Center, LLC and another variance was granted on Leaview Lane for an additional garage space in an accessory structure.

The siding is complete at the Police Department.

The Building Inspector stated there was standing water in the crawlspace at the Police Department from a leaking hot water tank. It will cost about \$2,600 to have the crawlspace cleaned and sprayed for mold. Binder suggest looking into some kind of pump to make sure the water drains from the crawlspace in the future since there have been other problems in the past.

The Police Department generator was also repaired this month for \$575.

The Building Inspector stated there are currently about 25 septic tanks that are overdue on inspections. There are issues with the disposal sites where the waste is taken because the ground is so saturated.

There are four (4) properties within the Village that are in the foreclosure process and we have hired a company to mow due to overgrown grass.

The pizza shop on East Washington Street has until October 9<sup>th</sup> to complete their project.

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

The Chief provided traffic signal quotes to Council. He was asked at the last meeting if Perram Lampion has been operating well for their customers. When talking to Perram's customers, the Chief said they seem to be happy with their service. The Chief said another option for the Village is to still use Signal Services for maintaining the traffic lights. The original quotes were \$11,638 for Signal Services and \$9,394 for Perram Lampion. Signal Services submitted a new quote for \$8,411.40 and stated the reason for the decrease was due to the first quote including the cost to repair the current controller for about \$1,500. However, they didn't tell the Chief about this extra charge until after they discovered another company quoted. The Mayor said the Village doesn't want to repair the previous controller. Chief replied that the Village may have to repair the current controller anyway since it is Signal Service's equipment, but if Council decides to go with Signal Service quote, they may be able to discount the repair cost.

Chief suggested going with Perram Lampion for the replacement and service due to their reputation and prompt response when Chief requested a quote. Binder and Porter agreed. Porter asked if Council would like to include the snow scoops on the lights, which is included in the current quote prices.

Ondrey suggested that Chief ask for the repair bill for the current controller before a decision is made concerning the replacement. Chief will follow up with Signal Service.

Chief distributed a map for the Manor Brook Drive parking.

Janet Weimann, a Manor Brook Drive resident, stated that she and her neighbors don't want a parking ban. She said there isn't an issue in the winter due to the parking ban when it snows. She doesn't understand the current issue and thinks accidents may be due to speed, not the curve. Weimann feels they are being singled out since other areas of the neighborhood don't have parking bans.

Chief stated that cars are permitted to park on the other side of the street but they have proposed this parking ban due to visibility issues, especially when trees and bushes are in full bloom.

Binder also stated that visibility is a major safety concern, even when driving slowly.

The Mayor added that a curve on Alderwood Drive is also being reviewed for a ban due to safety. The concern has come up several times within the past few years and they have decided to take action on it.

Kostura suggested that Weimann contact the Police Department for special permission to park on the road when she is having guests that will need to park on the road. This would allow the Village to have the parking ban in place while being flexible with Weimann's concern. Weimann agreed to this solution. Mayor asked for more time to look into this option and would like to address this issue at the next meeting

**STREET COMMISSIONER'S REPORT:** The Street Commissioner referred to his report and said the Street Department is currently working on several culvert replacements and storm sewer repairs.

The Street Commissioner received the salt bid contract which decreased slightly from last year's winter season. The paperwork for the lawsuit with Morton and Cargill was filed as well.

The Bell Road punch list with Karvo includes; grading on the far west end of the village from some channels that washed out during a rain storm, one drainage inlet on the west side of Laurel Road will be monitored, an inlet on Countryside needs to be lowered, the silt pond on Sugarbush needs addressed, and the west village property was not left in the condition that it was before - it must be upgraded from a rock garden to grass.

The Street Department is focusing on items at the cemetery before the opening ceremony.

The Street Commissioner will deliver letters to residents that will be effected by the 2015 Road Program stating what will be done and a timeframe for the work.

The flagpole was installed before Independence Day at the corner of Bell Road and Chillicothe Road thanks to the Women's Club and the VFW.

**SOLICITOR'S REPORT:**

The Solicitor mentioned that political signage was upheld in court and added that the Village can't limit the size of political signs.

**COMMITTEE REPORTS:** Binder had nothing to report.

Porter stated the Street Committee met June 18<sup>th</sup>. The tentative date for the next meeting is August 27<sup>th</sup>.

Carroll said the Safety Committee will meet July 27<sup>th</sup>.

Dishong stated that the Human Resource Committee met the previous week and reviewed the current handbook. They will have updates for Council to review in the near future.

Koons reported that the Farmers Market is growing and they are now utilizing the grass.

Koons feels that the Police Department needs a little color and suggested a green trim around the windows.

The bird walk was held at the park last month even though it rained and Koons said many visitors enjoyed the Village Park.

Koons said the Park Committee will discuss possibly putting up a small fence to hide the portable restroom that is in the parking area.

Koons congratulated the Building Inspector on passing a few tests that she needed for her certification, which now classifies her as Interim Building Official. The final test will be taken in November. She will then have all of her certifications except for electrical.

Koons stated Kurtz Brothers Construction gave a quote to replace the shingles of the salt dome for \$18,170 but this doesn't include any rotted wood that would need to be repaired. The Street Commissioner didn't notice any rotten wood, however the true condition wouldn't be known until the shingles are removed. Discussion followed on the funds available and how much to designate for this job. Koons moved to approve the quote from Kurtz Brothers Construction to replace the roof of the salt dome not to exceed \$19,170, seconded by Carroll. Roll call—ayes; Porter, Carroll, Dishong, Koons and Kostura. Nay; Binder. Motion carried.

Kostura moved to approve the June Financial Statements as submitted, seconded by Carroll. Roll call – ayes, all. Motion carried.

Kostura planned a Strategic Planning meeting with Council and Department Heads for September 15<sup>th</sup> at 6:30 p.m. at Village Hall.

Kostura reported that the Planning Commission met June 11<sup>th</sup> concerning the Bell Station and their desire to have a Circle K move to this location. Another discussion was held on the parking lot at the Veterinary Clinic, which was approved.

#### **ORDINANCES/RESOLUTIONS:**

There were no ordinances or resolutions before Council

**BILLS LIST:**

Carroll moved to ratify the June 15, 2015 bills list #2 in the amount of \$922.42, seconded by Kostura. Roll call – ayes, all. Motion carried.

Kostura moved to ratify the June 30, 2015 bills list in the amount of \$51,847.61, seconded by Dishong. Roll call – ayes, all. Motion carried.

Kostura moved to approve the July 15, 2015 bills list in the amount of \$40,476.83, seconded by Carroll. Roll call – ayes, all. Motion carried.

**NEW/OTHER:** Porter, Carroll, Dishong, Koons and Kostura had no new business.

Binder announced that he will not be running for re-election this fall.

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

Meeting adjourned at 9:35 p.m.

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Matthew E. Brett, Mayor

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Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen