

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, AUGUST 10, 2015 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Binder (arrived at 7:40 pm), Carroll, Koons and Kostura

MEMBERS ABSENT: Porter and Dishong

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

OFFICIALS ABSENT: Street Commissioner Johnson

VISITORS: Mary Jo Minello, Manor Brook Drive; Thomas Collins, Fairfax Drive; Walter Weber, Maple Hill 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.

Kostura moved to approve the minutes of the July 13, 2015 Tax Budget Hearing, seconded by Koons. Roll call – ayes, all. Motion carried.

Carroll moved to approve the minutes of the July 13, 2015 Council meeting, seconded by Kostura. Roll call – ayes, all. Motion carried.

VISITORS: Mary Jo Minello of Manor Brook Drive informed Council that she moved to her current home last year and is having difficulties sleeping due to the buses at Gurney School. The noise and exhaust fumes wake her every morning at 5:30 a.m. and she would like Village Officials to meet with the school to discuss long term noise control. Minello suggested that a 6-foot barricade fence be installed to block noise. She likes her neighborhood and doesn't want to move but she has health issues and needs help.

Walter Weber is 80 years old and has lived in South Russell for over 50 years. He is looking for an exemption to the leash law in the village park. He trains Labrador Retrievers with electric shock collars and uses the park for some of the training. He stated the dogs are very well behaved and listen well when he gives them a command. He uses the park for retrieving training between 8 a.m. and 9 a.m. and would like to continue using the park for these activities but was told by a police officer last week that he has to have his dogs on a 6-foot leash. Weber asked if he could have permission to continue his training at the park with the shock collars and stated he wouldn't do any training if someone else was using the park. Weber commended Council for their efforts with the leash requirements and trying to accommodate park users by giving plenty

of time to conform to the system. Koons asked which side of the park Weber is looking to utilize. Weber responded the Bell Road side of the park and he would stay in the mowed area. Carroll asked if Weber carries some kind of insurance for his training. Weber said he doesn't carry insurance. Mayor said the shock collars make this a unique situation and asked the Chief and Council to think about this topic for the next meeting.

FORFEITURE: Mayor asked to reconvene the forfeiture hearing that was held prior to the Council meeting. Action could not be taken due to lack of a quorum. Mayor updated Council Member Binder that the Village is holding a construction deposit of \$1,290 for work that has not been completed at the Collins residence at 50 Fairfax Drive. The homeowners, Dr. and Mrs. Collins, have approached the village asking to have the deposit returned to them. Sometimes a portion of the deposit goes to the village and some to the homeowner but in this case the contractor didn't finish the job and isn't responding to the Building Department. Another contractor has been hired to complete the work and this project has cost the homeowner additional expenses.

Carroll moved to refund the construction deposit of \$1,290 to the homeowners, Dr. and Mrs. Collins, seconded by Koons. Roll call – ayes, all. Motion carried.

MAYOR'S REPORT: The Mayor updated Council on the rainstorm that occurred July 14th which caused significant flooding. The storm was rated as a 75 to 100-year rain and the Mayor said more information on the storm is available at the Geauga County Department of Soil & Water's website. The Village received many reports of wet and flooded basements.

The Street Department is in the process of repairs such as washed out berms and any other issues around the village due to the flood. There were some issues with water flowing over roadways, which is the reason the Storm Water Study was completed in 2004. Most storm sewers are constructed with the premise of being able to handle a 25-year storm but this storm surpassed that threshold. The Mayor wanted to remind everyone that there are times when storm water systems are overwhelmed. A dumpster was available at the Village campus for the residents that had flood damaged items.

The Mayor reported that residents from Waverly Lane were concerned about some flooding issues directly to the west of the Gurney School athletic fields. They think there is a lot more water coming off the fields and overwhelming their storm water infrastructure during rainstorms. The Engineer explained the north end of the Gurney field is designed to drain in a sheet flow pattern. In recent years the water has found its own way to drain and formed small creek channels.

The Cemetery Ribbon Cutting ceremony was held on Saturday, July 18th and the weather was accommodating. There was a good turnout of about 35 to 40 people and the Mayor thanked everyone that has worked on this project. There have been 14 lots sold so far.

Mayor requested to go into executive session at the end of the meeting for possible pending litigation.

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

The Human Resource Committee is working on the employee handbook and will be bringing changes to Council in the near future.

The Fiscal Officer attended the Mayors and City Managers meeting concerning the House Bill 5 changes in municipal income tax. The Central Collection Agency will have sample legislation to the Village within the next month. The Village will then have to prepare its own legislation and get it passed prior to the end of the year. Fiscal Officer said she will work with the Solicitor and the Finance Committee on getting this new legislation drafted.

The Tax Budget Commission Hearing will be held Tuesday, August 11th at 11:40 a.m. at the County Offices.

FISCAL AUDITOR'S REPORT: The Fiscal Auditor presented his report to Council and explained line item fund amounts. He reported that he and the Fiscal Officer balance to the penny on all funds.

ENGINEER'S REPORT: The Engineer provided a copy of the 2004 Storm Water Report to each Council Member and discussed some of the highlights. He explained that the north side of Chillicothe Road (Rt. 306) should be the next area of concentration for storm water repairs.

The 2015 Road Program is off to good start. The roads have been milled and are currently in the cure period. Next week Specialized Construction will be able to bring a proof roll truck to identify soft spots and base failure areas. Immediately thereafter base repairs will occur. Mayor stated that school starts August 19th and asked the Engineer to make sure Specialized Construction tries to work around the schedule of the buses.

The Engineer stated that Chelsea Court Road buckled during the July 14th storm and by the next day it settled back down. The water forced itself under the pavement since asphalt is built in layers.

Mayor asked the Engineer to follow up with Karvo Paving concerning the Bell Road punch list items that need to be completed. Sugarbush residents seem to be satisfied with the additional work Karvo was required to complete in their neighborhood.

BUILDING INSPECTOR'S REPORT: The Building Inspector stated that Zoning Board of Appeals (ZBA) recently approved two accessory structures. Augie's Pizza would like to install a 12' by 20' walk-in cooler with a fence around it and will be going before ZBA on August 26th.

The Building Inspector stated the salt dome roof will be repaired in mid-September and there are two upcoming construction projects for an addition on Daisy Lane and a new house at the corner of Maple Ridge and Bell Road. The new house will be tied into the sewer system.

The Building Inspector reported that 21 additional parking spaces were approved in the old Milbar parking lot.

The Building Inspector can now look up all the information from the department's software on her cell phone.

The Mayor asked if there was any feedback concerning the tree house reviewed by ZBA. The Building Inspector stated the homeowner is very pleased with the ZBA decision. Mayor thinks this is an issue that will come up more in the future and ZBA has asked the Planning Commission to review the current height restrictions. The Solicitor added that no neighbors came to the meeting to object to the structure.

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

The Chief stated the assault at Panini's Bar and Grill was viewed by 18,000 viewers on Facebook and they were able to catch the suspect.

Chief reported another incident that is under investigation is a bicyclist that was hit by a car in a hit-skip on Bell Road. This information went out to 1,500 Facebook viewers but the Police Department hasn't received any good tips yet.

Chief reported that he has provided three proposals for the traffic lights. Signal Service Co. submitted a quote for \$8,411.40. Chief suggested going with Signal Service since they have been reliable in the past. The previous repairs and the damage from the Illuminating Company line coming down resulted in an additional bill of \$2,892.25. Chief suggested submitting this to the Village insurance. Signal Service agreed to reduce one of the repairs by \$338 in labor if they get the contract for the upgrades. The total cost that Signal Service is proposing is \$11,303.65.

Mayor asked if there is a better surge protector available for this equipment. Chief said it has the best surge protection available. Mayor recommended Council approve the proposal from Signal Service. Chief said he would use funds from the new equipment line item in his budget. Binder moved to approve the Signal Service quote for \$11,303.65, seconded by Carroll. Roll call – ayes, all. Motion carried.

The automated external defibrillator (AED) has been installed at Village Hall in Council chambers.

The Chief reported that Safety Town went well. Chief said Officer Cardaman did a fantastic job with the program and added that Cardaman is considering retirement soon so this may be his last year assisting with the program.

Chief has some good footage of the recent flooding. He will make the footage available to Council.

The Police Department Open House is scheduled for Saturday, September 5th from 10 a.m. to 2 p.m.

Koons stated the Police Chief of Bainbridge recently commended Chief Rizzo for solving a crime committed at a local church. Chief Rizzo was working a detail of directing traffic when he noticed some individuals scoping out cars in the church parking lot. It was the same person that broke into cars a couple weeks earlier. They were able to catch the suspect.

Mayor stated the cameras are installed at Village Hall. Monitors are installed in both the Fiscal Officer and Administrative Assistant's offices.

STREET COMMISSIONER'S REPORT: The Street Commissioner was not available to report.

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

COMMITTEE REPORTS: Binder had nothing to report.

Carroll stated the Safety Committee will meet August 14th at 11:30 a.m.

Carroll is going to set up a meeting for the Emergency Operations Planning Committee. Carroll reminded Council of the National Incident Management System (NIMS) training requirements.

Carroll said the employee handbook will be sent to Council soon for review.

Koons said the Parks Committee will meet on August 19th to plan the Fall Festival and there are three different Boy Scouts with projects in the park. Koons talked to Pete McDonald of the Western Reserve Land Conservancy and he stated that the Village is still mowing too much of the park property.

Kostura stated the Finance Committee met the week prior and discussed long-term planning with Department Heads. The Committee will send out information prior to the September 15th Strategic Planning meeting which will take place at 6:30 p.m. at Village Hall. Kostura asked Council to send him any ideas for long-term projects prior to the meeting.

Kostura stated the Planning Commission meeting was cancelled due to no items on the agenda.

Kostura stated the Finance Committee will meet again September 2nd at 7:30 a.m.

ORDINANCES/RESOLUTIONS:

There were no ordinances or resolutions before Council.

BILLS LIST:

Koons moved to ratify the July 31, 2015 bills list in the amount of \$56,401.16, seconded by Kostura. Roll call – ayes, all. Motion carried.

Koons moved to approve the August 14, 2015 bills list in the amount of \$25,892.34, seconded by Kostura. Roll call – ayes, all. Motion carried.

NEW/OTHER: Binder and Koons had no new business.

Chief informed Council that Grand River Timberframes is going to stop collecting deer remains soon. They currently charge \$75 per removal but Chief contacted another company that charges \$300 per removal. Ohio Environmental Protection Agency (OEPA) has enacted strict laws in recent years concerning this matter and has made it harder on companies to collect the remains.

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

Kostura spoke of Joy Crabb who is an avid park lover and walked through the Village park often. She has been diagnosed with cancer and her family would like to use a small tractor or something of that nature to carry her through the park. Kostura moved to allow the Crabb family to use a small tractor or golf cart for Mrs. Crabb in the park, seconded by Koons. Roll call – ayes, all. Motion carried.

At 9:50 p.m., Carroll moved to enter into executive session to discuss personnel issues and possible pending litigation, seconded by Koons. Roll call – ayes, all. Motion carried.

Council reconvened at 10:05 p.m.

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

Meeting adjourned at 10:05 p.m.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen