

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, JUNE 10, 2013 – 7:30 P.M.  
MAYOR MATTHEW E. BRETT PRESIDING**

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

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

**VISITORS:** Mark Vedder, Hillside; Roger Weiss, Country Ln.; Jim Leffler, Mapleridge Rd; Patrick Holtz, Fox Way; Judy Maloni, Foxhall Dr.; Thomas Harder, Foxhall Dr.; Chris Kostura, E. Washington; Nick DiCicco, Lander Rd.

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the Flag. Fiscal Officer Romanowski read the roll. Koons moved to approve the minutes of the May 20, 2013 council meeting seconded by Dishong. Roll call – ayes, all. Motion carried.

Judy Maloni, Foxhall Dr. addressed Council regarding markers currently in the Park and asked if there will be more markers. Mayor responded off leash dog areas have not been marked yet. Maloney said she is also concerned about the distance from the perimeter back to the parking lot should a storm arrive and with no quick way back. Mayor responded anyone can put their dog on a leash and go anywhere they want in the park to find a quicker route back to the parking lot.

Roger Weiss, Country Ln., addressed Council regarding accessing the trails in the woods and whether they are designated on leash or off leash. Dishong responded during the trial period the perimeter path will be the off leash area and the trails in the woods will be on leash.

Mayor turned the floor over to Chief Rizzo. Chief Rizzo recommended Andy Kelley to Mayor and Council for a part-time patrolman position for South Russell Village. Rizzo stated that Mr. Kelley has been with the Bainbridge Police Department for 24 years and a sergeant since 2005. Chief Rizzo recommended having Kelley sworn in as a part-time officer. Mayor stated he agreed with Chief Rizzo and was very impressed with him and thinks he will be a great fit for South Russell. Dishong made a motion to affirm hiring Andy Kelley as a part-time patrolman for the South Russell Police Department, seconded by Binder. Roll call, ayes – all. Motion carried. Council affirmed the appointment of Andy Kelley to part-time patrolman and Mayor swore him in.

Mayor stated the Fiscal Auditor would give his report first due to a time conflict and turned the floor over to Fiscal Auditor Lechman.

**FISCAL AUDITOR:** Fiscal Auditor reported the village's balances have decreased slightly but are still higher than the beginning of the year. He reported the Fiscal Officer's balances and the bank statement balances matched with his. Lechman reported overall everything looks to be in

line with expectations. Mayor asked about interest income, and Fiscal Auditor responded the interest income will jump in July from a one year CD coming due.

**MAYOR'S REPORT:** Mayor reported the past several months the Village has been reviewing dispatch, fire and EMS needs. He stated with the help of Chief and Mike Carroll a very fair evaluation and analysis was conducted with a 30 page questionnaire. Mayor said it was a very comprehensive process and the conclusion from the Safety Committee and Mayor is to stay with what the Village currently has today. He stated there were very good options with some cost savings, however there were other costs and uncertainties that had to be considered. Mayor stated the Village will stay with Chagrin Falls for fire and EMS services, and with the Chagrin Valley Dispatch Group for dispatch services. Binder commented that Mike Carroll did a lot of hard work to help with understanding the options and evaluation and thanked him. Kostura inquired about the unknown cost possibility as far as Chagrin Falls versus Geauga for dispatch. Mayor responded an approximately \$10,000 difference. Kostura asked about the Cuyahoga County consolidation and what the likelihood of the Chagrin Valley group receiving money from the county is. Mayor answered that it is somewhat to be determined. He said the county is looking to get down to 4 dispatch centers and it appears the group will receive some money from Cuyahoga County no matter what. Mayor stated we shouldn't go into this expecting to get a lot from the county though. Mayor asked Council to move on the resolution. Mayor informed Council the Village is committed to a capital improvement amount of \$60,000 but he does not know yet how that amount is to be paid. He stated Council will need to approve a capital expenditure in 2013 for \$60,000 and will need to amend the appropriation for that.

Mayor reported he will be meeting with the department heads on Wednesday morning to do project planning for the cemetery and park.

Mayor reported the upcoming Chagrin River Watershed and Geauga Soil and Water informational session topic will be lakes and ponds and is scheduled for Thursday, June 20, 2013.

**FISCAL OFFICER:** Fiscal Officer reported May's monthly report will be included with June's report. She informed Council they will need to have the tax budget hearing prior to the next Council meeting. Fiscal Officer will schedule the hearing for 7:25pm. She stated she needs to be sure enough attendees are at the July 8, 2013 meeting for the tax hearing. Fiscal Officer reported she asked all department heads if they have any significant changes for next year otherwise the tax budget is estimated.

Fiscal Officer reported Council will need to approve the \$5,000 for the Police Department because the appropriations need amended.

**ENGINEER'S REPORT:** Engineer reported the road program was advertised on June 6, 2013 and out to bid scheduled for June 20, 2013 at Village Hall at 2 p.m. He stated they went with 5 separate alternatives as recommended by Council. Engineer reported the Bell Rd. project made the first round and will advertise on September 26, 2013 and award on October 1, 2013. He stated we could see work begin as soon as mid October.

Engineer stated he spoke with a resident on Deerfield Dr. regarding tar bleeding up from the chip and seal surface on the cul-de-sac and he went to look at it. He stated heavy vehicle traffic on hot days may have caused the tar to bleed up and he is concerned with the amount on Deerfield and

is pursuing as a warranty repair. Binder asked Engineer why the aggregate seemed different from Cleveland Heights when the specifications were exactly the same, and he responded that he is not sure because they should be the same. Binder asked if there is a mid October start date what would be done. Engineer replied they would most likely do storm sewer work, ditching, ditch enclosures, and box culvert replacement for fall/winter work.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner reported the rental property target date is hopefully July and much has been completed. Mayor stated he would recommend a tour in the near future to see the good work that has been done.

**POLICE CHIEF'S REPORT:** Chief Rizzo reported he submitted his month end report. He stated he needs to accept an anonymous donation for the sign for the police department. He said the price for the sign at the entrance is \$475 and the anonymous donor is a local resident would like to pay for the sign. Chief reported the Cops and Kids fishing is scheduled for June 22, 2013 and they are receiving reservations. He said they have approximately 25-30 registered and also expect people to just show up. Chief stated they have ordered t-shirts for the kids.

Porter made a motion to accept an anonymous donation for the police department sign, seconded by Binder. Roll call – ayes, all. Motion carried.

**STREET COMMISSIONER'S REPORT:** Street Commissioner reported he submitted his month end report. He stated quite a bit of work has been completed on the Village properties including landscaping, winter flood damage, and the PD drainage improvement project. He said they will be doing back filling and grading for sidewalk preparation and over the weekend the Boy Scout project will be going on. Street Commissioner reported after Flag Day they will be taking the flags down for disposal. Dishong complimented the Street Department for the great job and Mayor thanked them for the hard work.

**SOLICITOR'S REPORT:** Solicitor asked Council if they are willing to go into executive session at the end of the meeting to discuss pending litigation.

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

Porter reported he sent around a resolution to be added to the notification list for ODNR and has an updated copy. He stated the Division of Oil and Gas Management is now in charge of these items and if they are provided the resolution, the Village will receive notification of any type of permits issued for drilling or anything related to drilling, such as new wells, old wells or pertaining to wells. Porter reported that he will be attending a township meeting in July and will report at the August meeting.

Binder reported he was contacted by the management company for Emerald Lakes II regarding Teaberry Circle having water issues. He said they asked if Council and the Village Engineer will be able to attend the meeting to discuss remediation.

Dishong reported the fall newsletter may be moved up a little due to the Fall Festival and the Bell Road project. He asked Council to think about articles and topics. Dishong stated it would be good to get it out right after Labor Day.

Koons reported they have solidified what they would like to do with the pavilion and thinks they are in good shape. Koons made a motion for \$1,000 to Hostetler Milling to purchase blueprints for \$750 and possible changes would be extra, seconded by Binder. Roll call – ayes, all. Motion carried. Mayor clarified the blueprints will be for an approximately \$50,000 price point and Koons responded yes. Koons also stated that half of the \$750 will be credited if the Village buys materials from them. Koons reported that a memo of understanding for \$25,000 for the pavilion has been drawn up by the Jaycee's.

He stated that Pete McDonald recommended they purchase pins to stake out a resident's property to see if it helps with the dogs entering their property from the park. Mayor suggested that perhaps the Building Commissioner could help make sure the markers are placed accurately.

Koons reported that he visited the park and counted at least 100 healthy little trees. He stated the Parks Committee will be soliciting volunteers for the Fall Festival.

### **ORDINANCES/RESOLUTIONS:**

Binder made a motion for a resolution authorizing Mayor to enter into a restated and amended agreement continuing the Chagrin Valley Dispatch Council and declaring an emergency, seconded by Dishong. Roll call – ayes, all. Motion carried. **Ordinance 2013-17.**

Dishong made a motion to increase the income tax appropriations \$60,000 transfer to the Safety fund increasing expenses by \$60,000 for capital improvement costs for dispatch. Dishong moved to waive further readings and declare an emergency, seconded by Binder. Roll call – ayes, all. Motion carried. Dishong moved to adopt, seconded by Binder. Roll call, ayes- all. Motion carried. **Ordinance 2013-18.**

Dishong introduced an ordinance to transfer \$127,000 from the income tax fund as follows; \$60,000 to the Safety Fund and \$67,000 to the Special Road fund. Dishong moved to waive further readings and declare an emergency, seconded by Binder. Roll call – ayes, all. Motion carried. Dishong moved to adopt, seconded by Binder. Roll call, ayes- all. Motion carried. **Ordinance 2013-19.**

Dishong made a motion to increase the Special Land and Building Fund appropriations by \$5,000 for improvements to the Police Department. Dishong moved to waive further readings and declare an emergency, seconded by Kostura. Roll call – ayes, all. Motion carried. Dishong moved to adopt, seconded by Kostura. Roll call, ayes- all. Motion carried. **Ordinance 2013-20.**

Porter introduced a resolution to obtain notification from the Ohio Department of Natural Resources Division of Oil & Gas Resources Management for permits issued for the purpose of oil and gas drilling and related activities. Porter moved to waive further readings and declare an emergency, seconded by Koons. Roll call – ayes, Koons, Kostura, Porter, Dishong. Nays - Binder. Motion did not pass.

Kostura moved to waive further readings and declare an emergency for the ordinance defining control of dogs or other household pets or animals in any Village park or Village property and waste removal thereof and declaring an emergency, seconded by Porter. Roll call – ayes, Kostura, Dishong, Porter. Nays – Koons, Binder. Motion did not pass, majority of voting body required to pass.

Binder made a motion to table an ordinance amending sections of the zoning code of the Village of South Russell by establishing municipal cemetery as a permitted main use within each zoning district of the residential, commercial and industrial districts and by establishing there shall be no minimum lot area, no maximum lot coverage, no minimum lot width, no minimum front side or rear yard dimensions, no parking regulations and no signage regulations for such use, seconded by Dishong. Roll call – ayes, all. Motion carried.

Mayor read the second reading of a resolution declaring it necessary to levy a tax in excess of the 10 mil limitation.

**BILLS LIST:** Dishong made a motion to ratify the bills list dated 6/14/13 in the amount of \$54,943.29, seconded by Binder. Roll call – ayes, Binder, Porter, Dishong, Kostura. Koons abstained. Motion carried.

**NEW/OTHER:**

Binder reported he attended the Elected Officials Day in Washington D.C. and he felt it was very good. He stated there were great speakers such as a former profiler for the Secret Service who specialized in school violence and was very informative.

Koons complimented Blue Dog Landscaping.

At approximately 8:52 p.m. Dishong made a motion to adjourn into Executive Session to discuss pending litigation, seconded by Binder. Roll call – ayes, all. Motion carried.

**ADJOURNMENT:** Being that there was no further business before Council, at 9:17 p.m. Dishong made a motion to adjourn the meeting, seconded by Binder. Roll call – ayes, all. Motion carried.

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Matthew E. Brett, Mayor

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Danielle Romanowski, Fiscal Officer

Prepared by Sheryl Hatridge.