

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, MAY 11, 2015 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Dishong, Koons, Kostura, Porter and Carroll

MEMBERS ABSENT: Binder

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; Faith Pescatore, Novelty; Joan Demirjian, Chagrin Valley Times; Cindy Nairn, Whitetail Drive; Linda Hernandez, Solon; Joe Constant, Aurora; Dave Dillon, First Energy;

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 noted that Foxhall Street on page 6 and 7 of the minutes is one word but is listed as two words. Koons moved to approve the minutes of the April 27, 2015 Council meeting as amended, seconded by Dishong. Roll call – ayes, all. Motion carried.

VISITORS: Dave Dillion attended the meeting on behalf of First Energy. First Energy’s plan is to remove vegetation along the power lines between June 1st and July 31st in the right-of-way on Manorbrook Drive and continuing up to East Washington Street. First Energy is planning to speak with property owners in this area to answer any questions prior to the maintenance. The company uses EPA approved products and there won’t be a helicopter used this time.

Porter asked about the herbicides that will be used. Dillion stated there is a mix of both non-selective and selective herbicides used, with the non-selective herbicide being a chemical comparable to roundup.

Mayor added that First Energy and the Village are trying to make residents aware of what is going on with the removal of vegetation due to past concerns about the herbicides possibly contaminating underground wells.

Mayor and Koons brought attention to the fact that power outages haven’t been as prevalent in the village lately. Dillion stated that First Energy has installed some new equipment to help pinpoint why and where outages are occurring for better timing on repairs.

MAYOR'S REPORT: The Mayor congratulated the Fiscal Officer on earning her degree.

In regards to the new cemetery, the Mayor stated there are a few punch list items such as top dressing and final seeding that need to be completed prior to the opening. The Mayor will meet with the Cemetery Board on May 27th at 7 am at Village Hall to finalize an opening date. The previous target date was July 18th but the Mayor feels the cemetery is close to completion and as long as the grass is in, he would like to target the end of June for the opening. Mayor would like the Engineer to follow up with SiteTech, the contractor, to find out when they can complete the final items.

The Farmers Market opened this weekend. There are several new vendors and the Mayor believes this is the most vendors they've had at the market.

The Mayor brought attention to the Show Your Colors program and flying the Gadsden flag. He feels it is best at this point that South Russell take over the Show Your Colors program and have the Street Department account for the upkeep of the flags, as well as putting them up and taking them down. Dishong stated that although he likes the volunteer part of the Show Your Colors program, he agrees with the Mayor.

Kostura asked if the Gadsden flag would be flown and if volunteers could help. Dishong said he would like to see the Gadsden flag flown at the cemetery and Village Hall. Mayor suggested referring volunteers to the Street Commissioner.

The Street Commissioner said he believes some people support flying of the Gadsden flag because of the holiday and suggested flying the flag for the holiday only.

Carroll stated while driving through Solon, he noticed that they do fly several flags, but not the Gadsden flag. Carroll then asked what happens to the funds Show Your Colors still holds. The Solicitor responded that they don't belong to the Village. Mayor feels if the Village takes over the responsibility of the program then the Show Your Colors program should contribute funds to this line item in the Village's funds.

The Street Commissioner said there are 197 brackets on poles currently, but flags are normally flown on 235 poles. Not all brackets are in good condition and 38 brackets are missing off of poles. He said there are approximately 110 flags in good condition.

Porter asked if Show Your Colors had any comments about the new process. Mayor said they attended the previous meeting and said they would be at this meeting but no one is in attendance.

Mayor reminded Council of the Special Meeting on Tuesday, May 26th at 7:30 pm to approve 2015 Road Program bid and approve bills. He would like the road program to begin shortly after school lets out and have the project completed by July 4th.

The Mayor reported that Aqua Doc has provided a quote to treat Chagrin Lakes due to the Lantern of South Russell project. The Lantern of South Russell has agreed to pay for the cleaning.

Mayor stated the Village is acquiring 11.5 acres of land contiguous to the South Russell Village Park, which is west of the pasture area and backs up to Deerfield. This gives flexibility for future uses of the property and the park since the Village acquired the land without funding assistance. The property will close and the Village will take title towards the end of June if all goes as planned.

The Mayor addressed the Chagrin Valley Jaycees' request to hold another circus at the South Russell Village Park. The Mayor reviewed the onsite plan with the Police Chief and Street Commissioner and it was agreed that the plan is feasible. If the park is wet, the Village will require offsite parking. The Jaycees have addressed other concerns that were requested but the Village still needs to provide an agreement to them.

Carroll asked if the safety and evacuation plans need to be approved by the Police Chief. The Solicitor said that is listed in the proposed agreement and the Police Chief will have to approve the plan. Carroll suggested having the Fire Chief also review the safety and evacuation plan and asked if the signage requirements will be addressed. The Solicitor stated that signage requirements were added as an item they need to follow in the agreement. The Solicitor also said that health concerns were brought up by Stiebeling and Pescatore and the Village is requiring the Chagrin Valley Jaycees to follow the Geauga County Health Department's requirements.

Koons moved to enter into an agreement with the Chagrin Valley Jaycees to hold a circus event on July 27, 2015 at the South Russell Village Park, second by Porter. Roll call—ayes; Koons, Kostura, Porter and Carroll. Nay; Dishong. Motion carried.

Stiebeling said she is disappointed in Council's decision to move forward with the circus and said she tried to educate Council and the public as much as possible. She is concerned about health issues and hopes that there is a follow up that all elephants and staff members are tested yearly to ensure public safety. Carroll said the employees are probably HIPPA protected.

Hernandez from Solon said that she is very disappointed with the decision and that she will be at the circus to protest. She said it is sad that the Village is allowing the entertainment of suffering animals and that parents will be taking their children to watch. Dishong said people have the choice whether or not they attend and added that someone else may have a different opinion. He brought attention to the Ringling Brothers as an example of letting the marketplace determine their removal of elephants from the circus because they were receiving animal cruelty complaints.

Stiebeling said people will make their choice and that they were trying to help South Russell be ahead of the movement, not behind it.

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

The Fiscal Officer stated that the Village will be getting a \$2,400 reimbursement from the Chagrin Schools for the fuel sharing program capital outlay.

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 bid opening for the 2015 Road Program will be held on Thursday, May 21st at 12 noon at Village Hall. The Engineer said the Mentor-on-the-Lake bids came in 30% higher than expected because Cleveland is filling up a lot of local companies' time to have roads paved before the Republican National Convention next year.

A meeting has been scheduled for Friday, May 15th at 12 noon at Village Hall with the Ohio Department of Transportation, (ODOT), Karvo, Street Commissioner and Engineer to finalize the Bell Road project.

BUILDING INSPECTOR'S REPORT: The Building Inspector reported that a Zoning Board of Appeals meeting has been scheduled to build a detached garage and install a front porch on a house. The applicant is seeking variances for side lot clearance for being too close to the lot line and for the square footage of the garage proposed to be built over the allowable size.

The Building Inspector stated that Lashley Builders will be replacing the Police Department roof for \$11,275. The Village received a quote from Cleveland Remodelers for siding the Police Department building for \$9,875, with an additional \$500 for incidentals. Since the portico on the front of Village Hall will not be fluted, the job will cost \$8,000. The Building Inspector is also looking into getting the front doors at Village Hall weather stripped. It was proposed that the lighting at the Police Department be replaced. The Building Inspector is waiting for a quote for that work, which will include lights along the sidewalk.

The Building Inspector will be meeting with an appraiser on Wednesday to get an appraisal of the rental house.

The Lantern of South Russell is moving along quickly and should be under roof by early June. They would like to open their doors by October 1st.

Koons moved to ratify the expenditure for the replacement of the roof at the Police Department with Lashley Builders in the amount of \$11,275, seconded by Carroll. Roll call—ayes; Dishong, Koons, Porter and Carroll. Abstain; Kostura. Motion carried.

Koons moved to allow the Building Inspector to enter into an agreement with Cleveland Remodelers for the siding at the Police Department for \$9,875, with an additional \$500 for trim work around the windows, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

The Police Chief stated the quote from Signal Services for an LED conversion on the traffic light is \$3,238.40. In order to receive a discounted rate, the Village needs to install a meter on the traffic signal. Currently the Village has a fixed rate, but the meter fee would be \$7 per month. Chief has projected this bill will go from the current charge of about \$62 per month to about \$15 to \$18 per month, plus the \$7 meter charge. The total cost would be recouped to the village

within approximately 6 ½ to 7 years. Chief would like to replace the controller as well next year for about \$4,000. There is no need to replace the controller at the same time as the LED project and there is nothing currently budgeted for these items.

Kostura asked if there was any grant funding available for this project. Dillion suggested contacting Denise Dean at Northeast Ohio Public Energy Council (NOPEC). Chief stated that he looked into grant money but there is nothing currently available.

The Cops and Seniors event will be held Tuesday, May 12th at 6 pm at Village Hall.

The Police Department purchased new AED's and will be installing an Automated External Defibrillator (AED) unit at Village Hall. The Fiscal Officer, Administrative Assistant and a member of the Street Department will be AED and Cardiopulmonary Resuscitation (CPR) certified soon.

The Police Chief ordered new bike patrol uniforms. The uniforms will be safety yellow shirts with black shorts or pants.

STREET COMMISSIONER'S REPORT:

The senior trash day went well. It started 1995 and serviced 13 seniors at that time. This year 74 seniors were provided services and the Department on Aging was very cooperative. Trash Day went well also and there were a lot of tires collected this year.

The Street Commissioner stated the well casing is in at the cemetery but the tank and faucet still need to be installed. The flagpole will be installed by the Street Department when the lighting comes in. The Street Commissioner noticed deer walked through the granite aggregate walkway right after it was installed. It's been 2 weeks since the walkway was installed and it still isn't cured; it was supposed to take 3 days to cure. The Engineer with talk to the contractor about this issue.

The Street Department is working on several culvert replacements and storm sewer repairs.

There were some problems with the brakes on the new loader so Southeastern Equipment has the loader and gave the Village a loaner while they are repairing it.

A couple people at the park got into an argument because one of the individual's dogs approached their family and the kids were frightened. The dog wasn't on a leash. There was another issue with the dog bags being replaced on Friday and by Monday they were all gone, as well as damage to the signs. Both issues occurred on the East Washington Street side of the park. The Street Commissioner added that he has heard several complaints about dogs being off leash at the park.

The Street Commissioner will be filing Council's approval of the ODOT salt contract this week. The Street Commissioner said salt prices may rise this winter.

Margaret Horner contacted the Street Commissioner to let him know the Women's Club will be purchasing a flagpole for their garden area at the corner of State Route 306 and Bell Road.

SOLICITOR'S REPORT: The Solicitor stated the escrow has been opened for the Village's property acquisition.

COMMITTEE REPORTS: Dishong and Porter had nothing to report.

Koons reported on several park events. Ohio Bikes has held two events at the park teaching kids how to ride bikes; the Cub Scouts flew kites; the Girl Scouts held a successful camp out over the weekend; the Police Department will hold the Valley Enforcement Group (VEG) training at the park May 17th from 12 pm to 3 pm; the Geauga Park District has a bird walk scheduled for June 20th; a Chagrin Schools Alumni group will be holding a class reunion at the pavilion in July; the circus will be held on July 27th; a Boy Scout will install 15 birdhouses by the end of July; the Boy Scouts will hold a campout sometime in August; and the Fall Festival is scheduled at the pavilion for October 4th.

Village Hall received a request by Marabeth Izzo to hold a birthday party at the park from 6 pm to 10 pm on Friday, May 15th. Koons moved to allow Izzo to use the park until 10 pm Friday, May 15th, seconded by Carroll. Roll call – ayes, all. Motion carried.

Ondrey suggested giving authorization to someone to allow these kind of circumstances since there have been quite a few requests lately.

Koons referred to an Ohio Historic Preservation Map listing several historic sites in the area. There are a couple marks on the map near the Village Park and he thinks this may be why the Ohio Historical Society was so adamant about the Village having an archeological survey completed at the park property.

Kostura stated that Ohio State Treasurer Josh Mandell's office is now providing an online checkbook service to Villages, Cities and Townships to provide transparency with residents. Discussion followed. The Fiscal Officer will get more information on the project and get back to Council with the details.

Kostura would like to allow department heads or someone else the authority to move forward with projects, as long as they are in the budget. Currently Council approves the project, then has to approve the bill as well. If the project will cost more than what was budgeted, then Council would have to amend the budget. However, when projects will cost what was originally planned Kostura would like the flexibility to be able to move forward with them. Discussion followed.

The Finance Committee would like to start the long-term budgeting process in September this year so the process is complete by the end of October.

Council previously discussed digitizing old ordinances and resolutions which includes a searchable database; Kostura would like to move forward with this. Kostura moved to allow

Assure Vault to digitize paper copies of ordinances and resolutions not to exceed \$7,000, seconded by Koons. Roll call – ayes, all. Motion carried.

Carroll stated the Safety Committee will meet May 18th at 7:30 am.

Carroll reported the Fire Inspector is invited to the Safety Committee meetings. The Fire Inspector wanted to know if Council was satisfied with the reports he has been providing. Carroll said any feedback can be relayed to him.

Carroll stated that the gas consortium public outreach meeting concerning fracking was postponed.

ORDINANCES/RESOLUTIONS:

Mayor gave second reading on an ordinance approving the current replacement pages of the South Russell Codified Ordinances and declaring an emergency.

Kostura introduced an ordinance amending appropriations increasing Special Land and Building expenses \$300,000 and General Fund Transfers \$300,000 and declaring an emergency. Kostura moved to waive further readings, seconded by Koons. Roll call – ayes, all. Motion carried. Kostura moved to adopt, seconded by Koons. Roll call – ayes, all. Motion carried. **Ordinance 2015-20**

Kostura introduced an ordinance transferring funds from the General Fund to the Special Land and Building fund \$300,000 and declaring an emergency. Kostura moved to waive further readings, seconded by Koons. Roll call – ayes, all. Motion carried. Kostura moved to adopt, seconded by Koons. Roll call – ayes, all. Motion carried. **Ordinance 2015-21**

BILLS LIST:

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

Kostura moved to approve the May 15, 2015 bills list in the amount of \$122,581.54, seconded by Carroll. Roll call – ayes, all. Motion carried.

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

Mayor asked Council to review the Show Your Colors program. Ondrey stated that for years the Village has allowed Show Your Colors to use the utility poles, so he suggested Council consider a motion be made to withdraw permission to the group to hang flags on the utility poles.

Porter said he would like Moissis in attendance before a decision is made. Mayor stated that there is a timing issue as the flags need to be put up before Memorial Day and Council won't meet again before then.

Koons moved to withdraw the Show Your Colors organization from installing flags in South Russell Village and designate the Street Department to install and remove Council approved flags from the utility poles around the Village during the appropriate holidays, seconded by Carroll. Roll call – ayes, all. Motion carried.

Mayor asked Council to consider designating funds to replacing flags. The Street Commissioner stated that the flag and hardware needed is between \$55 and \$60 per flag set. The funds could come from the Mayor’s Discretionary Fund and the Village is currently holding \$490 in donations. The Mayor will ask that those funds and the additional donations held by the Show Your Colors program be provided to the Village to go toward flag replacements. Dishong moved to designate a \$2,500 expenditure from the Mayor’s Discretionary Fund for flag and hardware replacements, seconded by Kostura. Roll call – ayes, all. Motion carried.

Discussion was held concerning where Council would like to fly the Gadsden Flag. Dishong moved to fly the National, State, POW and Gadsden flags on the utility poles at the intersection near Village Hall, the Cemeteries and at the armory for special holidays. All other times only the National and State flags will be flown, seconded by Porter. Roll call – ayes, all. Motion carried.

Dishong noted the usage of park is down now that the leash laws have changed.

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 9:30 pm.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen