

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

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

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

**VISITORS:** Lee Schiemann, Forest Dr.; Gregory Pike, Whitetail Dr.; Mike Kramer, Chillicothe Rd.; Roger Weiss, Country Ln.; Jonathan Seewald, Tanglewood Trl.; Andy Hitchcock, Southwyck Dr.; Michael & Buffie Hogan, Woodside 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. Mayor presented Michael Hogan a resolution of appreciation for his service as a member of the South Russell Parks Committee as a thank you from Village Council.

Wyatt Kramer from Boy Scout Troop 102 presented his plan for his Eagle Scout project. He explained the three phases to re-landscape the area in front of the South Russell Police Department. He stated they will be ripping out all of the shrubs, mixing the soil and adding compost to it, and planting new shrubs to make the landscape look nicer. Kramer said Bell Station, Lowe's Greenhouse, and Leuty's Nursery have all donated to the fund-raising effort for the \$1,000 project. He stated they will use gravel mulch because it is much easier to maintain, much less work and doesn't ever need to be renewed. Kramer stated he was seeking Council's approval and asked if anyone had questions or comments about it. Mayor asked Kramer if May or June is when he expects to do the work and Kramer responded yes. Koons asked if there were any plans for a marker to acknowledge the project and a diagram was distributed to Council. Dishong made a motion to approve the Eagle Scout project as laid out by Wyatt Kramer, seconded by Wolfe. Roll call – ayes, all. Motion passed.

Bill Koons distributed the last agenda from the Parks Committee meeting and stated they are ready to draw up a written agreement with the Jaycee's to address the design, bidding, contribution limit, signs, 20 year naming rights and completion of the pavilion. He stated the committee met three times and feels that it would be a good idea to have the Solicitor prepare an agreement and introduce a motion at the next meeting to build the pavilion with general guidelines.

**MAYOR'S REPORT:** Mayor reported he previously emailed a resolution regarding the Chagrin Valley Dispatch group who has created a new set of bylaws and a new restated agreement. Mayor stated he would like a resolution introduced tonight that authorizes the Mayor to enter into the restated and amended agreement for the Chagrin Valley Dispatch, declare an emergency and have three readings. He stated things are moving along quite well with moving to the Bedford Hospital location and the dispatch group's Council feels that by mid-May a lease will be ready to go. Mayor reported Gates Mills has made a decision to join the group August 1<sup>st</sup>.

He said Gates Mills will bring 911 consoles and Cuyahoga County has agreed to replace those which will offset future expense for the dispatch center by as much as \$160,000. Mayor stated the Chagrin Valley Dispatch Group has agreed to provide to Gates Mills a credit against service of \$40,000, so there will be a savings in 2013 and in 2014 the savings will be applied for the credit to be given to Gates Mills. Mayor asked if anyone would like to introduce the resolution. Binder introduced a resolution to authorize the Mayor to enter into the restated amended agreement with the Chagrin Valley Dispatch Group.

Mayor reported at a meeting on April 18 with First Energy they agreed they would not use any herbicides until the following three things happen; 1) they would get back together and go through how they would apply it, 2) explain what they are using and 3) they would provide the Material Safety Data Sheets (MSDS) sheets and the labels. Mayor stated the original timeline was that they thought they would begin at the end of May beginning of June but at the meeting they felt it would be pushed back to the end of summer.

Mayor reported a new agreement regarding the fuel purchasing agreement with Chagrin Falls Schools, Chagrin Falls Fire Department, Bentleyville and Village of Chagrin Falls was sent over a couple of weeks ago. He asked the Village Solicitor and Fiscal Officer to look it over.

Mayor reported the Building Commissioner has continued to work on the rental property. He said work is being done on the siding, front windows and the shrubbery will be removed by the service department.

Mayor extended congratulations to the Park Committee and Lee Shiemann for receiving written approval on April 17<sup>th</sup> for the Ohio Historical Marker grant as well as the plaque for it as well.

Mayor reported that House Bill 5 continues to get fast tracked and he distributed the current language with opinions from the Northeast Ohio Mayors and City Managers group. He stated it continues to be a concern and if this passes it will have a serious impact on South Russell.

Mayor reported that five Council members will be attending the May 20<sup>th</sup> meeting at 7:30 PM. He also stated the Cemetery Committee will be attending. Mary Beth Wolfe will not be able to attend the June 10, 2013 meeting.

Mayor reported late next week is Congressman Joyce's event and the three council members that will be attending should have the registration information. Mayor stated he would forward it to them if they did not have it.

**FISCAL OFFICER:** Fiscal Officer reported she turned in her month end report.

Fiscal Officer reported that those who are attending Congressman Joyce's event should mention their concerns regarding House Bill 5 to our representatives.

Fiscal Officer stated the appropriations needed to be amended for the rental house improvements payroll related items due to the added full-time employee in service department.

**FISCAL AUDITOR:** Fiscal Auditor reported he will present a report next meeting and will be out of town at the end of June.

**ENGINEER'S REPORT:** Engineer reported he is working to get the road project off the ground and met with the Street Committee to identify problem roads that will need attention in the near future. He stated they are focusing on the east side of the Village to avoid the Bell Road project. Roads they are considering are Snyder Road and Silver Springs in particular, and several other roads such as Leevue, Lakeview and Belmeadow. Mayor stated we are tight time-wise and the Village should look at the roads and make a decision soon. Mayor also stated the \$250,000 budgeted for the Road Program may not be adequate to cover the project so budgeting could be tough. Engineer reported they are submitting the final set of plans for approval on Bell Road on Friday. He stated everything is on schedule and moving along. He stated that they have two signed residents' agreements for driveway improvements associated with the Bell Road project. Engineer reported he met with the Chagrin Falls Engineer to discuss the transition between the Village and Chagrin Falls. He stated they discussed options whether Chagrin Falls receives a grant or not.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner was not present due to a conference in Columbus.

**POLICE CHIEF'S REPORT:** Chief Rizzo reported he distributed his month end report and stated to note on the summary page that Mike Fabian also won awards for marksmanship, community service and commendation.

He stated the total credit the Village received for ammunition trade in was \$9,340 which means the entire project for the guns was paid for by the credit. He stated he also intends to purchase an ultra-sonic gun cleaner for the new weapons with the rest of the credit.

Chief Rizzo discussed an incident at the Chagrin Falls High School regarding an 18-year-old male threatening he had explosives. South Russell Police Department assisted in the situation.

Chief reported the Cops with Kids fishing event is soon approaching and his department has received some positive feedback, RSVP's, and some donations for the event.

**STREET COMMISSIONER'S REPORT:** Street Commissioner reported he turned in a month end report. He reported Trash Day weekend went well and serviced 54 senior residents and 449 Village residents dropped off items. Mayor said the feedback from the residents was very supportive and he thanked the service department.

Street Commissioner reported the Village did get on the state salt contract.

**SOLICITOR'S REPORT:** Solicitor had nothing new to report.

#### **COMMITTEE REPORTS:**

Koons reported he distributed the Parks Committee agenda and discussed a few pavilion issues such as location. He said he met with a landscape architect and was advised the Village may want to have two entrances to help with traffic flow. Koons stated they discussed lighting, a waterless restroom, and a possible green metal roof. Mayor asked about seeking bids for the pavilion only, and Koons responded the other items could be addressed in the future.

Koons reported the Fall Festival will take place on October 6, 2013 and the dedication of the pavilion, Historical Society Marker and a birthday cake will also be at this event. He said they will need volunteers to help.

Koons stated Pete McDonald from the Land Conservancy said he doesn't like using the road grindings for the parking lot.

Kostura reported the next Planning Committee meeting was Thursday May 9<sup>th</sup> at 7:30PM to discuss the Bell Station and an informal discussion regarding a possible assisted living facility for the property on the South Russell/Bainbridge border.

Kostura reported they have made an ordinance to define what under control means. Kostura said the ordinance would be implemented for a 6-month trial and all requirements can be altered at any time by a motion of Council. He said some changes made were; 3 dogs will be allowed at park with the owner, but only 2 can be off leash, punishments for each violation starting from a minor misdemeanor to a second degree misdemeanor, doggy bag at all times with a \$150 ticket if waste is not picked up. Kostura also reported that signs warning of loose dogs and identifying what areas of use are, and dogs should be no more than 50 feet from the owner at any time. He said they should declare an emergency because otherwise it will be into June before it is implemented. Mayor stated to waive the readings is important and makes it go into effect immediately rather than waiting 30 days. Koons expressed he thinks they should wait. Kostura introduced an 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. Kostura moved to waive further readings and declare an emergency, seconded by Dishong. Roll call – ayes, Kostura, Dishong, Porter. Nays – Koons, Wolfe, Binder. Waiving was denied. The ordinance will be on the second reading at the 5/20/13 Council meeting.

Porter reported that he attended the Geauga County Township Association meeting where fracking was discussed. He said that he found out the Village could be notified if someone has applied for a permit to drill by signing up for notification and he suggested the Village should sign up.

Wolfe reported the Safety Committee meeting was changed to Tuesday May 14, 2013 at 7:30 am at Village Hall.

Binder reported the Streets Committee met and discussed a concern with the fuel storage sharing and how school closure for Christmas break will affect plowing the driveway for access to the fuel.

Dishong reported the Finance Committee recommends putting a renewal with no increase on the ballot in November for a levy that generates approximately \$123,000 and expires next year. Mayor stated he thinks the levy renewal is a good idea and suggests they begin the process at the next Council meeting.

Dishong reported the Finance Committee discussed the cost of the cemetery and feel it is something to think about long term as far as the impact of revenues and expenses.

## **ORDINANCES/RESOLUTIONS:**

Dishong introduced an ordinance increasing transfers \$50,000 from the Income Tax fund into the Operating Fund and increase Special Land and Building Fund expenditures for \$20,000. Dishong moved to waive further readings and declare an emergency, seconded by Koons. Roll call – ayes, all. Motion carried. Dishong moved to adopt, seconded by Koons. Roll call, ayes- all. Motion carried. **Ordinance 2013-12.**

Koons moved to waive further readings and declare an emergency on ordinance to amend appropriations \$15,000 for the rental house, seconded by Porter. Roll call – ayes, Koons, Kostura, Wolfe, Porter, Dishong. Nays – Binder. Motion carried. Koons moved to adopt, seconded by Porter. Roll call – ayes, Koons, Kostura, Porter, Dishong. Nays – Binder, Wolfe. Motion carried. **Ordinance 2013-13.**

**BILLS LIST:** Dishong made a motion to ratify the bills list dated 4/30/13 in the amount of \$43,520.72, seconded by Binder. Roll call – ayes, all. Motion carried.

**ADJOURNMENT:** Being that there was no further business before Council, at 9:04 p.m., Dishong made a motion to adjourn the meeting, seconded by Kostura. Roll call – ayes, all. Motion carried.

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Matthew E. Brett, Mayor

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Danielle Romanowski, Fiscal Officer