

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, NOVEMBER 12, 2013 – 7:30 P.M.  
MAYOR MATTHEW E. BRETT PRESIDING**

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

**MEMBERS ABSENT:** Binder

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

**VISITORS:** Frank Jacobson, Bell Road; Mike Carroll, Lakeview Lane

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer Romanowski read the roll. Councilman Koons moved to approve the minutes of the October 28, 2013 Council meeting, seconded by Councilman Dishong. Roll call – ayes, all. Motion carried.

**VISITORS:** Frank Jacobson told Council he and his wife are in favor of sewers for Maple Hill.

**MAYOR'S REPORT:** Mayor congratulated the officials who won election and stated the Village would miss Councilwoman Wolfe.

Mayor stated the Safety Levy passed at 78% plus approval rating says a lot about the Village, the Police Department and the services offered.

Mayor informed Council that Ann Dunning has had some favorable meetings with Sun Ridge and they have expressed an interest in joining with a sewer project. Mayor referred to an email he sent to Council regarding forming a sewer committee, but he thinks there are problems with that and he doesn't think that is the best course of action. However, he stated the residents in the eastern section of the Village are looking for what Council is going to look for. Mayor asked Council to weigh in on: 1.) How to define the voting parameters. 2.) What is a successful percentage that is a portion of the defined area. 3.) The petition and the language that goes into that. 4.) The timeframe. Porter said he will take the lead on putting this together and will make a recommendation to Council at the 11/25/13 Council meeting.

Mayor referred to another email he forwarded to Council regarding Show Your Colors. Mayor reported that over the years he has received comments on the Gadsden flag and people complaining that it is a Tea Party flag. Mayor said Show Your Colors is a good program, but thinks the Village should put parameters on what flags could be flown and pass a motion to identify what flags can be flown and how many times per year they are to be hung. Solicitor stated he believes as long as what the Village is permitting Show Your Colors to hang is arguably neutral, the U.S. flag, the State of Ohio flag and the POW flag, the Village is on safe ground. The members of the Show Your Colors program put up the flags in the Village and South Russell Service Department takes them down. Mayor recommended not authorizing the Gadsden flag to be hung because it conjures up other sediments and feelings from residents.

Kostura stated playing devil's advocate, he asked why should the Village allow the POW flag to be flown when people could be against war altogether. Kostura asked why the Village wouldn't just have the American Flag and the State of Ohio flag. Mayor said he never heard a complaint about the MIA POW flag, but he doesn't know of any party affiliation with it. Porter stated the Gadsden flag is traditional and flags are carried by all kinds of groups. Porter said it would be sad not to fly the Gadsden flag and he prefers to allow Show Your Colors to be allowed to fly flags as they see fit. Wolfe said the original intention of Show Your Colors was to show pride in our country and unity. It was never meant to be a political statement of any sort. Wolfe asked if the Village has had a conversation with the Show Your Colors members about concerns. Mayor said he has spoken to them but they said it is not anything to do with the Tea Party. Dishong said flying flags is supposed to be a unifying thing and not cause distention and the Village needs to set stipulations for the Show Your Colors program. Koons said this could turn into a bigger issue when people realize that the Gadsden flag is not being flown. Wolfe made a motion to designate the only flags to be hung by the Show Your Colors program are the American, State of Ohio and POW flags, seconded by Koons. Roll call – ayes, Wolfe, Dishong, Koons, Kostura. Nay – Porter. Motion carried.

Mayor reported on a meeting he and Wolfe attended with the Geauga County Auditor **Gliha** and State Senator John Ecklund regarding a potential water line extension associated with the potential project of the assisted living Alzheimers facility on Route 306. They discussed options available for some sort of partnership that could occur between the Village, the school and the developer. One of the topics discussed was a community reinvestment area which is also called a tax abatement process. Mayor said he and Wolfe are trying to get up to speed on what is involved in that, how does it work and how can it be structured. Anita Stockard was there from Geauga County \_\_\_\_\_ and Development. It appears that Anita is very familiar with the concept. The feedback from the Auditor and Anita is positive. The idea of grant money coming from the state for a project like that is less favorable.

Mayor talked to the Department of the Interior, USGS and let them know Council had several questions. Martha from USGS said sometime in the next year she will look to attend a meeting and answer questions.

**FISCAL OFFICER:** Fiscal Officer informed Council she took an idea from Councilman Binder and started putting message recordings on her voicemail for important Village news and updates such as the change in trick-or-treat hours or the storm damage cleanup. She has received positive feedback from residents and will continue to make those messages of Village news.

Fiscal Officer informed Council she spoke to our representative from the State Auditor's office and the Village is eligible for an agreed upon procedures audit for 2012, 2013 which is less expensive. The Village will be required to have a one-year audit in 2015 for 2014 since there will be a large federal grant for the Bell Road project in 2014. No one on Council was against this type of audit for the 2012, and 2013 budget years.

Fiscal Officer reported she and the other department heads have a meeting on 11/14/13 at 9 am to go over the fuel dispensing and billing.

As Tax Administrator, Fiscal Officer said he is working on some tax cases.

**FISCAL AUDITOR:** Not present.

**ENGINEER'S REPORT:** Engineer reported on his meeting with the residents on Anglers Drive and discussed some of the water issues on that road. Engineer said he gave them low-cost suggestions. There was brief discussion about the water issue, common property and marking the areas.

Engineer said there is a meeting at Village Hall on 11/13/13 at 7 am with ODOT to discuss the Bell Road project.

Engineer said he will get a comprehensive cost estimate broken down into line items and distributed to everybody. Mayor said there was confusion because of a recent invoice with a project cost estimate of \$306,000.

**BUILDING COMMISSIONER'S REPORT:** Building Commissioner said ZBA met for zoning variance for a house on Hazelwood which was not approved. The homeowner filed again today for another zoning variance. Building Commissioner said approximately 17-18 years ago, zoning code was changed to reflect a minimum of 1,300 sq ft for one floor and 2,400 sq ft for two-level house. Wolfe asked if the zoning could be a certain size for certain areas of the Village and different for others. Building Commissioner said that is possible.

Building Commissioner reported Planning Commission will be meeting 11/14/13. Mr. **Makesh** will be coming in with his architect and some drawings to show the Village what he would like to do with that property. He would like to request a zoning change for the front part of property.

Building Commissioner informed Council the concrete pad for the pavilion was laid. He stated they are about a week behind on the pavilion going up. Building Commissioner said it was good the pavilion is placed where it is because when they dug the holes for the footers they filled quickly with water where it was. If they put it in the other suggested location, they would not have been able to pump the water out fast enough to pour the concrete.

**POLICE CHIEF'S REPORT:** Chief said he is currently working with school on Turkey Trot race for Thanksgiving morning. The race will not go through the park this year because they can accept more participants with this other route and it will be easier to manage. The race starts at 10 am.

Chief reported he has received several donations for Shop with a Cop. They will be taking three families and nine children shopping this year.

Porter questioned issues in the park listed in the Chief's monthly report. Chief reported the Service Department employees have had issues with one dog owner at the park. The Chief stated he talked with the gentleman. Chief said he had an issue with a lady who he warned and she still didn't comply. He warned her again and told if he had to warn her again she would be banned from the park. Mayor said at a recent meeting with Department Heads, their feedback was much more negative than he had anticipated regarding various incidents that have occurred with the Service Department employees where dogs are doing business right next to where the employees are trying to clean up. Mayor informed Council that he has asked Chief to have his department to be more vigilant about going to the park and being more visible. Mayor said the proposal that was set forth was a six-month window. He said by the time everything was up and ready it was August. Mayor doesn't believe a six-month window in the fall and spring is the right timeline. He thinks the six-month window should start May 1<sup>st</sup> or April 15<sup>th</sup> or something along those lines. Kostura questioned if any citations have been given – to which the Chief replied they have

not issued any citations yet. Kostura asked how long the Village was going to allow this honeymoon period. Wolfe said she takes exception to the fact that the Chief of Police addresses a person and tells her she is not complying and she walks away from him. Kostura asked when the Village will start writing citations. The Mayor said it is up to the Chief and the situation to determine when a citation be issued. Mayor said he told employees to film issues at the park and the employees should not be subject to these situations. Chief said when the Service Department employee told the park patron that there were rules in place, they didn't take him seriously until an officer was sent down there and caught him in the act. The Chief said the only way the patron complied was to the Police Officer.

**STREET COMMISSIONER'S REPORT:** Street Commissioner updated Council on storm damage cleanup which is 99% done. He has received a lot of positive feedback and emails from appreciative residents. Mayor said a lot of credit goes to the Street Commissioner and Blue Dog for putting this initiative together in such a timely fashion. They averaged 10-14 loads per day per truck of debris.

**SOLICITOR'S REPORT:** Solicitor had no report.

**COMMITTEE REPORTS:** Koons and Porter had no report.

Wolfe said the Human Resources committee will ask to go into Executive Session to discuss personnel compensation.

Dishong said newsletter articles will be due December 1<sup>st</sup> to get the newsletter out before the holidays.

Dishong thanked everyone for their work on the budget and thought the budget work sessions went well.

Kostura stated there is a Planning Commission meeting on 11/14/13 at 7:30 pm.

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

Wolfe introduced an ordinance and declared an emergency authorizing the Mayor and Fiscal Officer to enter into a contract with Medical Mutual of Ohio for the medical benefits for the employees of South Russell Village, and to fund employee health savings accounts for the same amount as last year. Wolfe moved to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Wolfe moved to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **Ordinance 2013-41.**

Mayor gave second reading on an ordinance authorizing the Mayor and Fiscal Officer to enter into an agreement with the Chagrin Falls Suburban Volunteer Fireman's Association, Inc.

**BILLS LIST:** Koons made a motion to approve the bills list dated 11/15/13 in the amount of \$27,834.47, seconded by Dishong. Roll call – ayes, all. Motion carried.

Dishong made a motion to ratify the bills list dated 10/31/13 #2 in the amount of \$4,069.38, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

Wolfe made a motion to go into Executive Session to discuss compensation at 8:34 pm.

**ADJOURNMENT:** Being that there was no further business before Council, at 8:58 p.m. Wolfe made a motion to adjourn the meeting, seconded by KOons. Roll call – ayes, all. Motion carried.

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Matthew E. Brett, Mayor

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Danielle Romanowski, Fiscal Officer