

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 22, 2014 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

MEMBERS PRESENT: Dishong, Koons, Kostura, Porter, Binder, Carroll.

OFFICIALS PRESENT: Fiscal Officer Romanowski, Solicitor Ondrey, Engineer Haibach

VISITORS: Tibor Prokay, Chesterland; Barbara Stiebeling, East Bel Meadow Lane;

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Koons moved to approve the regular meeting minutes of the September 9, 2014 Council meeting, seconded by Kostura. Roll call – ayes, Carroll, Koons, Kostura, Porter, Binder. Dishong abstained. Motion carried.

VISITORS: Tibor Prokay from Chesterland stated he enjoys dogs and asked why dogs have to be leashed every other day at the park. The Mayor said this issue has been debated a lot over the last several years. The end of summer last year Council voted to move forward with the plan that is in place. Mayor said there have been a lot of continued issues with dogs jumping on people and cars. This continues to be a challenge and dogs need to be under control at all times, even when off leash. Prokay said the Village spent a lot of money on the pavilion and grill and no one uses it. Dishong said he lives across the street and people do use the pavilion and grill. Dishong said the dog issue has been a real challenge and people have weighed in on it multiple times. Prokay asked if the Police would shoot his dog after the third violation. Mayor replied that they would not shoot the dog, but the violations would go through a process like any other legal violation. Binder said he appreciates Mr. Prokay's opinion and that he comes to our community to utilize the park, but asked him if he ever went to his trustees in Chesterland where he pays taxes and asked them to build a leash-free park. Mr. Prokay replied that he had not. Binder stated that might be a good place for him to start.

MAYOR'S REPORT: Mayor attended a Chagrin Valley Chamber event on September 19 where Mayors from the area were invited to discuss any current issues in their community. A majority of the communities presented financial challenges due to inheritance taxes going away and with the decrease in local government taxes. Mayor was pleased to tell them the Village never budgeted inheritance taxes and weren't deeply affected by this issue.

Mayor updated Council on The Lantern of South Russell project and said the flocculating agents have helped clear the water. The Mayor is still working with residents of Chagrin Lakes, The Lantern of South Russell, the Engineer and Building Department on resolving this issue.

First Energy is proposing the use of chemicals to eliminate vegetation along their utility lines next year. They will have a public session in the spring to inform residents of their plans and the chemicals that will be used before the fall treatment.

Mayor distributed information to Council about a Leadership course offered through Cleveland State University. He has received positive feedback on the course and is recommending Koons and Romanowski as candidates for the program. Applications are due by October 17th. If Council approves, the appropriations would need to be amended for the cost of one tuition.

The Planning Commission, Architectural Board of Review and Zoning Board of Appeals Secretary, Maggie Tomaro, is retiring after 17 years of service. The Mayor said he will miss her and that she has done an outstanding job for the Village. Administrative Assistant Dahlhausen has experience with this role and will be providing minutes to the Boards in the interim until a replacement is found.

Mayor stated there would be a cemetery work session to discuss some proposed changes and make decisions on final details. The meeting is scheduled for Monday, October 6th at 7:00 p.m. Porter replied that the Rules and Regulations were already approved and he felt the few changes should be voted on at this meeting. Mayor stated there are several issues the Committee has run into and they wanted to present why they have made these changes to the rules. They would also like to review the prices and grave width.

FISCAL OFFICER: The Fiscal Officer said she and the Fiscal Auditor balance to the penny on all funds.

Fiscal Officer reported that she prepared and submitted the Village's Drug Free Safety Program Annual Report, which the Village has paid to have prepared in the past.

The Fiscal Officer met with the Workers' Compensation Representative and Chardon Township's Street Superintendent to look at some temporary traffic lights they obtained with BWC grant money. Pictures of Chardon Township's setup were provided and included four lights (two for each end of the construction zone which is required by law), a speed bump, signs and a trailer to haul the equipment. The Village can apply for a grant to receive 75% of the cost. She will meet with the Street Commissioner to review the cost and benefits to decide if this is something they would recommend the Village pursue.

Fiscal Officer informed Council she will be attending a class through the Ohio Bureau of Workers' Compensation to learn about the Ohio Public Employment Risk Reduction Program (PERRP). She said the Service Department employees have been very receptive to the enforcement of new rules. Koons mentioned that a scissor lift for putting up and taking down flags would be a good purchase or item to rent, which would help with safety.

The 2015 Budget work sessions are scheduled for November 3rd and 10th.

FISCAL AUDITOR: Not scheduled for this meeting.

ENGINEER'S REPORT: Not scheduled for this meeting.

BUILDING INSPECTOR'S REPORT: Not scheduled for this meeting

POLICE CHIEF'S REPORT: Not scheduled for this meeting

STREET COMMISSIONER'S REPORT: Not scheduled for this meeting

SOLICITOR'S REPORT: Emerald Lakes II Community Association Inc. is considering changing their name to Preserve of Chagrin. They have provided the Village with a letter from the association that they plan to proceed with the name change if the Village doesn't have any objection. The Building Inspector had asked if the Village could stop a name change if it wanted, but the Solicitor said they hold the right to change the name. Mayor said the Village is not required to do anything for this change but they will need to apply for a new sign.

The Solicitor distributed two pieces of sample legislation regarding peddlers and solicitors which have gone through court challenges. The Girl Scouts and Boy Scouts would need a permit to solicit, but obtaining signatures for voting would not need permit. An option that the Village could provide to residents would be starting a sign up to be placed on a "Do Not Solicit" list through website. The license fee in the ordinance provided is \$1. Binder felt the Village should charge a little more to account for the process time of the paperwork. Mayor asked Council to review it and introduce or make changes at the next meeting. Solicitor said the Village could add an age limit so kids could sell items for the school, Boy Scouts and Girl Scouts.

The Mayor suggested that the Village add a requirement to the proposed swine ordinance that the individual must have at least a one-acre or greater parcel. Discussion followed on how strict Council wants to make the rules.

COMMITTEE REPORTS: Dishong and Carroll had no report.

Koons said Building Department meeting will be held October 1st.

Koons has scheduled pony rides for this year's Fall Festival. He asked for assistance from the Mayor and Council to help with the Fall Festival events.

Parks Committee will be meeting September 24 at 6:45pm at the pavilion. A topic they have been discussing is whether the Village should allow certain organizations to use the pavilion rent free. The Parks Committee will also be asking Council to move the 10 acres of park property that is split down the middle to the front 10 acres. This will have to be approved by the Western Reserve Land Conservancy and the County.

The Parks Committee would like to form a nice relationship with Geauga Park District and may ask them to help with providing something for the Fall Festival next year. Binder said he has attended a lot of events at the Shaker Nature Center and they have educational events about animals. They have talked about making relationships with other communities as well.

Koons reminded Council that shredding day is scheduled for October 11th.

Koons said the Parks Committee is going to apply for grant for a bathroom at the park in January.

Kostura said the Planning Commission is tentatively scheduled for October 9th. Mayor stated that the ZBA approved the pizza shop on East Washington Street, which will now need to go before the Committee. Flescher may have some additional details by then concerning his proposed subdivision.

Porter reported that he reached out to Northeast Ohio Public Energy Council (NOPEC) concerning grant money for the Police Department but they don't have any grants for this project.

Binder said the Street Committee is still looking into the parking issues on Manorbrook.

Binder reported that the Safety Committee met on September 12th and the dog complaint statistics are now being compiled by the Chief.

Binder mentioned that the Chief would like Council to consider enforcing a curfew. Kids are out too late at night and he doesn't have anything in the ordinances to enforce.

ORDINANCES/RESOLUTIONS:

Koons gave third reading on a resolution of appreciation for Ann Dunning. Koons moved to adopt, seconded by Dishong. Roll call – ayes, all. Motion carried. **Resolution 2014-40**

Koons gave third reading on a resolution of appreciation for Dave Hocesvar. Koons moved to adopt, seconded by Kostura. Roll call – ayes, all. Motion carried. **Resolution 2014-41**

Koons gave third reading on a resolution of appreciation for Walter Sutliff. Koons moved to adopt, seconded by Dishong. Roll call – ayes, all. Motion carried. **Resolution 2014-42**

Kostura gave third reading on a resolution accepting the amounts and rates as determined by the County Budget Commission. Koons moved to adopt, seconded by Kostura. Roll call – ayes, all. Motion carried. **Resolution 2014-43**

Dishong introduced an ordinance to amend the General Fund appropriations by \$3,100. Dishong moved to waive further readings, seconded by Carroll. Roll call–ayes, all. Motion carried. Dishong moved to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **Ordinance 2014-44**

Kostura gave second reading on an ordinance increasing Special Land and Building Fund expenses by \$7,000 and increasing the Income Tax transfers by \$7,000. Porter moved to waive further readings, seconded by Dishong. Roll call–ayes; Dishong, Koons, Porter. Nay; Kostura, Binder, Carroll. **Motion failed.**

BILLS LIST: Dishong moved to ratify the September 15, 2014 Bills List in the amount of \$7,647.92, seconded by Koons. Roll call – ayes, all. Motion carried.

Dishong moved to approve the September 30, 2014 bills list in the amount of \$67,273.44, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

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

Carroll asked that the Building Inspector provide Council with a list of inspections like Inspection Solutions and the Fire Prevention Officer.

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

Meeting adjourned at 8:43 p.m.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen