

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 9, 2015 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

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

MEMBERS ABSENT: Dishong.

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Johnson, Building Inspector Heilman, Solicitor Ondrey, Engineer Haibach, Fiscal Auditor Lechman

VISITORS: Barbara Stiebeling, East Bel Meadow Lane; Faith Pescatore, Novelty; Patty Mills, Manor Brook Drive; Cindy Nairn, Whitetail Drive; Gary Dole, Maple Hill Drive; Gary & Mary Rivin, Countryside Drive; Linda Alexander, Montville; Frank & Ann Jacobson, Bell Road; Katherine Malmquest, Louise Drive; Alexandra Kermode, Chagrin Falls; Amy Keller, South Russell; Karen Goodin, South Russell; Larry Staley, South Russell; Ken Wadley, Chagrin Falls; Betsy Somerstried, South Russell; Mary Beth Webster-Maistros, South Russell; David Herfst, South Russell; Mark McGrievy, Russell; Sharmyrm Clark, Russell; Rob Rodusky, South Russell; Gayle Klein, Moreland Hills; David & Sandra Cobb, Moreland Hills; Cathy Lafe, Euclid;

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Regarding the January 26 Council meeting minutes, Carroll brought attention to amending his report at the bottom of page 4 about the fracking group. He spoke with the group but it states that he met with them. Koons moved to approve the regular meeting minutes of the January 26, 2015 Council meeting as amended, seconded by Kostura. Roll call – ayes, Koons, Kostura, Porter, Carroll. Binder abstained. Motion carried.

VISITORS: Ken Wadley of Cable Communications presented different options listed on his quote for a security system at a cost of \$14,145.98 and the camera system at \$14,918.23 for the Villages campus. The system would be accessed through computers and smartphones. Council will review the options and get back to him.

Regarding the circus, Larry Staley read from a letter he prepared for Council. He said he supports the Chagrin Valley Jaycees but he doesn't agree with having the circus return to the Village of South Russell.

Alexandra Kermode said that exotic animals sometimes carry tuberculosis. She is concerned about the public's safety due to some circuses not providing adequate veterinary records and the fact that a few tigers got loose while a circus was traveling last year. She hopes that Council considers these concerns and makes their decision with honesty, integrity and compassion.

Linda Alexandra currently lives in Montville and is a past resident of South Russell. She said the animals are tortured to perform for entertainment and she believes that the village has a responsibility to set an example of kindness.

Faith Pescatore from Novelty passed out literature on bull hooks which are used to train elephants and are at times stuck in their skin. She stated that the Kelly Miller Circus uses them and said the South Russell Village Codified Ordinances prohibits cruelty to animals. She asked if the bull hook would qualify as cruelty. Pescatore added that wild animals are dangerous and it would only take one incident to forever taint this community.

Barbara Stiebeling saw an article in the Chagrin Valley Times about the petition signatures. She reviewed that there are 548 signatures, with only 42 from South Russell Village. She asked who received phone calls or emails pertaining to the circus. Koons said he received 3 against and 2 in favor and the Mayor said he received about 5 against and 5 in favor. Stiebeling said that there were a couple letters to the editor that she thinks are South Russell Village residents. She pointed out that there aren't any signatures in favor of the circus.

Stiebeling asked if Council members that are current Jaycee members are able to vote on prohibiting the circus. The Solicitor stated that the only reason a Council member would have to abstain from a vote is if there is an ethical reason from which the family may benefit or if there is a self-benefit, but he will research the issue prior to the next meeting.

Mayor would like to wrap up this matter at the next regular meeting. Mayor added that Council operates in a transparent approach on this topic which has been discussed at 15-20 meetings, so it has been debated openly.

Frank Jacobson said that the public was blindsided by the circus last year and asked when it is returning. Mayor said that the Jaycees would plan the details for the event if Council would choose to allow it to be held at the park.

Binder said he doesn't believe anyone would vote according to their membership in the Jaycees. He added that the Jaycees do a wonderful job and he personally would like to see a survey of the entire community.

Porter added that the Village violated the rules of the Western Reserve Land Conservancy by mowing early and that we would make sure we weren't violating any rules if the circus is held again.

Koons said the Park Committee researched the circus last year by taking time to attend the Kelly Miller Circus in Aurora, Macedonia and Middlefield before it came to South Russell Village. He

said he made a mistake by allowing the property to be mowed early but he doesn't see a difference between the circus and dog or horse shows. He feels that society needs to educate people about elephants and the concern with their decreasing population.

Carroll said he would like to know if the concern is to ban circuses or if Council can still allow other entertainment shows involving acrobats. He also stated he hasn't received any response from the public concerning the circus.

Porter asked where the photos that Pescatore presented to Council were taken and who took them. Pescatore will contact him.

Maistros said she attended the meeting because she is opposed to having the circus return.

Kostura added that his statement in the papers was precise and was based off facts that he had available such as the 42 residents that signed the petition. He appreciates the comments from the audience but he would like to see more opposition from South Russell Village residents before he moves forward with a ban.

Gary Dole said the Street Department is doing a good job with clearing the streets.

MAYOR'S REPORT: The Mayor asked for discussion on the proposed cemetery prices. Binder distributed a proposal and thinks the prices should be significantly higher or double the Cemetery Committee's suggestion. He would also like to see more desirable lots at a higher price than less desirable lots.

Nairn added that on a personal level she would like to increase the initial starting price. She explained that the reason they didn't decide to charge different prices for different areas of the cemetery is because the desirable sections are of personal opinion to each individual.

Porter said the Cemetery is a service to the community.

Kostura said he would like to see the proposed prices increased slightly. Discussion followed.

Porter moved to approve the cemetery pricing at \$1,000 for a full size lot and \$800 for cremation lot for current residents, and \$2,000 for a full size lot and \$1,600 for cremation lot for past residents, with a review of the sales after December 31, 2015 to see if they need to be adjusted. Koons seconded the motion. Roll call – ayes, Koons, Kostura, Porter, Carroll. Nay, Binder. Motion carried.

The Mayor asked Council to make a decision on whether to allow the Chagrin Valley Jaycees to hold another circus at the South Russell Village Park at the next meeting. He would also like to discuss allowing an area of the park for dogs to be unleashed, which was somewhat discussed in October. Koons will follow up with the Western Reserve Land Conservancy to see if they will allow the Village to install a fence.

The Mayor and Street Commissioner reviewed the salt usage within the last month and it was determined that the Village probably won't have a problem meeting the required purchase amount. Therefore the Village won't look into selling salt to other communities.

Mayor will forward Council the financials for the Dispatch Council of Governments.

The Chagrin Falls Schools have approached the Village for an After Prom donation. The Village has donated \$500 in the past.

Harvest for Hunger would like the Village's support to allow Village Hall as a drop-off location for items.

The Mayor stated that the Northeast Ohio Mayor and City Managers will be providing a training called Efficiencies in Government on February 19 from 9 a.m. to 1 p.m. in Independence.

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

The Fiscal Officer is receiving several quotes for property and casualty insurance and a decision will need to be made at the next Council meeting.

The second meeting in May is scheduled on Memorial Day. The Mayor suggested the meeting be cancelled and reschedule it if there are any items that need to be addressed.

The Fiscal Officer gave Council an update on the fuel sharing program with the school. Their meter wasn't working properly and the school was estimating the gas usage based on the vehicle. Employees are temporarily filling village vehicles at the Shell gas station until the school's meter is fixed.

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.

The fund balances increased due to the Permissive Tax Money that was received in January 2015.

ENGINEER'S REPORT: The Engineer reviewed site plans for a new home at 105 Ashleigh Drive.

The Engineer is looking into an issue with the new asphalt on Bell Road cracking. Typically the Service Department doesn't start crack sealing newly paved roads until a couple years after they are paved because they should hold up. This will become a punch list item with Karvo since their contract with ODOT hasn't been closed. The Engineer added that the cracks aren't severe but there are a lot of them.

The Engineer will start assessing the 2015 Road Program in March. The goal is to start the projects after school lets out and have it completed before July 4th.

BUILDING INSPECTOR'S REPORT: The Lantern of South Russell should be open by early fall.

The Building Inspector stated there is a new requirement for septic permits to be filed through the state.

POLICE CHIEF'S REPORT: The Police Chief referred to his report and added the cases for increased fraud are moving forward.

The Mayor wants to see if there might be other options available for the campus camera system.

STREET COMMISSIONER'S REPORT: The Street Commissioner referred to his monthly report and stated that the village received a check from Morton Salt for liquidated damages.

The Street Commissioner said there is a check in the mail for the damaged sign on the Newbury end of the Village due to an accident that occurred in September 2014.

The Street Department is replacing the radiator on the 1998 international truck.

SOLICITOR'S REPORT: The Solicitor stated that the Public Hearing for review of the subdivision variance of the Ketchell property proposed by Flesher was cancelled. The decision remains undecided so the Solicitor made a recommendation that Flesher withdraw his subdivision variance request by the end of this week or the village would dismiss it without prejudice and he can refile when he is ready. This will allow the Village to contact the surrounding residents with an update instead of leaving the issue open-ended.

The Subdivision Regulations and Zoning Regulations will be available on the new website.

COMMITTEE REPORTS: Binder had no report.

Koons will meet with the Properties Committee February 10th.

The Parks Committee will submit a grant application for restrooms at the park. The amount of money available to Geauga County is less than \$37,000 but it isn't know yet if anyone else from the county has applied.

Koons said the Geauga Park District will be holding a bird walk at the South Russell Park on Saturday, June 20th.

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

Fiscal Officer reviewed several projects that Council would like to complete this year, which will require an amendment of the budget.

Porter said that the Street Commissioner would like to replace the loader. Porter moved to allow the Street Commissioner to advertise for bids for a new loader, seconded by Binder. Roll call – ayes, all. Motion carried.

Carroll moved to approve the bid from Liberty Ford for the trade-in of the current cruiser of \$4,500 and the cost of a new cruiser at \$27,018, leaving a balance due of \$22,518, seconded by Binder. Roll call – ayes, all. Motion carried.

ORDINANCES/RESOLUTIONS:

Kostura introduced an ordinance amending the annual appropriations increasing income tax transfers \$54,413, Special Land and Building expenses \$24,300, Street Maintenance expenses \$25,000. 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 2015-02**

Kostura introduced an ordinance to transfer funds from the Income Tax Fund to: Special Land and Building \$54,413; Safety \$300,000; Operating \$200,000; Street Maintenance \$100,000; Cemetery \$25,000; Parks and Recreation \$30,000. 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 2015-03**

Carroll introduced an ordinance to enter into an agreement with Liberty Ford for the bid amount of \$22,518. Carroll moved to waive further readings, seconded by Binder. Roll call – ayes, all. Motion carried. Carroll moved to adopt, seconded by Binder. Roll call – ayes, all. Motion carried. **Ordinance 2015-04**

Mayor gave third reading on a resolution for the Mayor and Fiscal Officer to enter into contract with CT Consulting for Engineer services for the Village of South Russell from January 1, 2015 to December 31, 2016. Kostura moved to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **Resolution 2015-05**

BILLS LIST:

Koons moved to ratify the January 30, 2015 bills list #2 in the amount of \$784.87, seconded by Kostura. Roll call – ayes, all. Motion carried.

Koons moved to approve the February 13, 2015 bills list in the amount of \$37,460.64, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

Mayor asked for a motion to make a donation for the Chagrin Falls Schools After Prom. Binder moved to make a donation of \$500 to the Chagrin Falls Schools for their After Prom event, seconded by Koons. Roll call – ayes, all. Motion carried.

Koons said the Farmers Market will begin May 9th. This is their 15th year offering the market.

Koons met with Pete McDonald concerning an archeological study for the park property.

Koons isn't available for the March 9th Council meeting.

At 9:47 p.m. Carroll moved to enter into executive session to discuss employee compensation, seconded by Koons. Roll call – ayes, all. Motion carried.

Council reconvened at 9:52 pm.

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

Meeting adjourned at 9:52 PM.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen