

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING (VIA ZOOM)  
MONDAY, JUNE 8, 2020 - 7:30 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

**MEMBERS PRESENT:** Berger, Canton, Carroll, Galicki, Nairn, Porter

**OFFICIALS PRESENT:** Fiscal Officer Romanowski, Fiscal Auditor Lechman, Police Chief Rizzo, Street Commissioner Alder, Solicitor Matheney

**GUESTS:** Kent Kristensen, Paw Paw Lake; Virginia Dix, Paw Paw Lake; Claire Rousch, Paw Paw Lake; Andrew Pegman; Chris Tropf, Sugarbush Ln.; Kathy Simone, Paw Paw Lake; Patric Fransko, Paw Paw Lake; Keith Roberts, Sugarbush Ln.; Rich Haber, Paw Paw Lake; Heidi Baumgart, Paw Paw Lake; Sally Guzik, Paw Paw Lake; Kyle Canter, Sugarbush Ln.; "Coach Saul;" Ashley Fox; "Tom's Iphone;" Ben Stewart, Paw Paw Lake; "Anonymous"

The Mayor stated that prior to the meeting he and a group met to discuss how to follow the State guidelines to open the Village of South Russell Park playground. He stated that it would be necessary for the Village to display signage and disinfect. The Mayor then called the meeting to order. The Fiscal Officer called roll. Carroll made a motion to approve the minutes of the May 11, 2020 Council meeting, seconded by Porter. Roll call – ayes, all. Motion carried. Carroll made a motion to approve the minutes of the June 1, 2020 Special Council meeting, seconded by Porter. Roll call – ayes, all. Motion carried.

Heidi Baumgart identified the visitors from Paw Paw Lake. Virginia Dix stated there had been a lot of meetings discussing the streets of Paw Paw Lake, but not all Council members had been present. She had obtained quite a few quotes. She stated that the community desperately needs its roads repaired and could not afford to wait given inexpensive costs of fuel and loans at the present time. She felt that if everyone saw their street, they would be appalled and would think they were in downtown Cleveland. Dix hoped Council would take the matter seriously. She said it was easy to say the Village would not want to spend the money or have tax dollars raised, but she encouraged Council to come see the condition of the road.

The Mayor stated that discussion of this matter began on a Sunday afternoon in November 2018 with 20 to 25 people at a home. They discussed Paw Paw Lake. He stated Paw Paw Lake is a private road. In a meeting on the morning of June 8, 2020, the Village and members of Paw Paw Lake met with a representative of the Ohio Department of Transportation (ODOT) and discussed a State Infrastructure Bank (SIB) loan. The amount could be between \$1.2 to \$1.5 million dollars, and the loan would only be given to the Village. The Village would have to guarantee the loan. The Mayor clarified that the Village has a budget of \$3 million dollars, which would mean \$1.2 to \$1.5 million is a lot of money. The possibility of a side agreement with the residents of Paw Paw Lake was discussed. He added that the residents have been diligent in looking into what can be done, from getting a private loan to finding out about the SIB loan. The Mayor stated the information provided by ODOT was very helpful. In the



meantime, the Mayor spoke to the county Treasurer about the process and the Treasurer's experience with SIB loans. He also spoke to Northeast Ohio Areawide Coordinating Agency (NOACA). The Mayor addressed the future needs of Bell Road in terms of NOACA. He wanted to make sure everyone had the information and facts and said everyone is still just thinking about what to do. The Mayor acknowledged it was a big decision for Council and the residents of Paw Paw Lake. He speculated that it would mean the residents would be paying \$1000 per year for 25 years to raise the \$1.2 million to have the road turned into a road that the Village would take over as a public road. He encouraged the residents to keep in touch and eventually Council and the residents would be able to sit down and look at each other face to face. He told them to hang in there and they would continue to gather information and keep doing due diligence. The Mayor stated that the lines of communication between the Village and Paw Paw Lake would stay open.

Kent Kristensen stated that from the time the representatives from Paw Paw Lake Homeowners Association (HOA) started the process with the State, they were first told it was a 20-year loan but discovered through the meeting that it could be 25 years. He also felt ODOT personnel were pitching to the Mayor with offering the first year with no payments and no interest, and the second year would be no payments and interest only. This would allow the Village time to get finances in order. He said the State was really trying to help make it work for the Village. Kristensen addressed the labeling of their road as private but stated in truth it is just as public as anything else. Paw Paw Lake receives Fire and Emergency Services from the Village, and all kinds of cars and traffic enter in and out of the neighborhood. He added that there was even a Paw Paw Lake Drive street sign that he thought the Village put up. In so many ways, Kristensen stated the road is being treated as a public road. He concurred with Dix about the immediate need and attributed the deterioration to excessive amounts of rainwater. Kristensen stated the community has been able to maintain the roads for many years, but with the weather changing, it cannot keep up. The community needs a road and drainage. Kristensen added that beyond the road issue is their function in the community dealing with the watershed. Kristensen stated that yes, the Village has a \$3 million dollar budget, but it may cost \$80,000 per year. He advised that the Village should look at the tax income it has from property taxes and income taxes, as well as monies received from the State to support road expenditures. Kristensen said the community has been a good citizen for 99 years and plan to be so forever. He stated if the community is forced to do it on their own, they would be looking for tax abatements or other types of compensation from the Village. Kristensen felt sure something could be worked out.

The Mayor thanked Kristensen and stated this characterized the nature of the discussions thus far, frank, unemotional, but firm. There are two points of view, and the Mayor stated something needed to be decided soon.

Carroll stated he attended the morning meeting and found it enlightening. He stated that the elements of the grant allowed the extension and the interest rates, so it was important to be clear on this. Carroll had asked the ODOT representative at the morning meeting to provide examples of side agreements. He stated it was necessary to obtain confirmation about how such an agreement would work, and to consult with the Solicitor to determine whether it was permissible. Carroll also stated that it should be known that if the Village were to take on the loan, the Village would be responsible for the loan and it would go against the Village's debt and/or bond rating. He clarified that the Village currently does not do a bond



rating, but it has the Bell Road East project that it must take into consideration. Carroll added that it was beneficial to find out that the SIB loans are available for multiple projects, but elaborated to say that if a municipality were to have an outstanding loan, it would have a lower rating when pursuing other such loans. The ODOT representative shared, however, that there was a community with eight different projects based on the loans. In fairness to the residents of Paw Paw Lake, Carroll felt that Council needed to weigh in on two specific issues. Carroll said the first issue is whether the Village would take on the road if Paw Paw Lake built it to the Village's standard. He thought the residents should be given a clear message that if they build it to the specifications approved by the Village Engineer, to include detailed engineer drawings that are stamped and approved, that the Village would be willing to take on the road. Otherwise, he did not think it was fair to the residents to keep kicking the can down the road. The financing piece is complicated, and he reiterated his concern with putting debt against the Village in any way. It concerned him that the Village had to apply for the grant and felt there was more exploration necessary on this topic. However, moving forward, Carroll said Council should be clear that it would take the road on if it were brought up to standards. He did not think Council had voted on this, and he wanted to give the community direction since they had spent a lot of time on it. Carroll asked Council what its flavor was to take on the road if built to the specifications agreed upon with the Village Engineer and Paw Paw Lake community.

The Mayor stated this was an unfair question right now since for some members of Council, this was the first time they had heard all the facts dealing with the situation. He said he was going to slide this off for now.

Baumgart reiterated that Paw Paw Lake is a private road and said the community gets pigeonholed this way. They have a 99-year-old community that has functioned as a small government and financially for 99 years. This is the first time the community is coming to South Russell to say it is too much. They have handled some major watershed issues, to include projects involving the State, EPA, contractors, and a ton of rules. Their spillway was a two to three-year project. She added that they have a dam and water system that they have handled themselves. She said their small community is impressive. Baumgart stated that the community has a lot of burdens from South Russell, to include being taxed and complying with zoning laws. She stated with rebuilds and new construction, they have worked well with South Russell. They are also required to abide by septic cleaning rules. They had exhausted all options. Community members were present at the Council meeting to request help other than being given guidelines necessary for the Village to take over the maintenance of the road. Baumgart stated the community required financial help. They were aware of the Village's budget and reiterated it could cost the Village \$80,000 per year. However, it would be a lot of money for the residents, and they had done the best they could for a long time. She said the benefit to the community is there, and it would not be like the Village was giving Paw Paw Lake a bunch of money and they would get a road. There are more financially affluent people moving into the neighborhood, so the income taxes and property taxes would be increased. A road would also improve safety. They do not have bus service, and there are a lot of tricky places for ambulances to navigate. Additionally, there are Amazon trucks and landscapers using the roads. Baumgart said there is a true community benefit for 42 homes and about 300 residents. She wanted to paint a clear picture for the Council members who had not been present for the other meetings.



Galicki stated he shared Baumgart's pain, and acknowledged the community was in a tough scenario being a private road. He shared that they are not the only community in the state of Ohio which has faced similar challenges. Galicki cited several well-established cases in the State, including Middletown, OH where an effort was made to find municipal funding for private roads. He thought the Solicitor could address the matter better than he could, but he did not want to mislead the community with a public private partnership concept when the vast majority of public private partnerships involved private entities that invested in private projects. The law indicates that the Village cannot use public funds for private purposes. Galicki added that in the meeting with Rep. Grendell, she stated it had never been done before, and he surmised that this was the case because of law precedent and the Ohio Revised Code having strong restrictions on use of public monies for private projects. He saw this as the big hurdle that needed to be overcome. If the Village can do it in some way, the Village would be the first municipality to accomplish this. Galicki noted that Rep. Grendell said it would be great to see what happened because it could become the method to be used for other communities. Galicki said it would be difficult and he did not want to give the residents the impression that this was an easy path or process. He said he felt their pain and said it would be nice if something could be worked out but did not know what the chances are.

The Mayor stated that Sugarbush was next on the agenda and noted that the community is watching as they too have a private road. The Mayor stated that the Engineer could not be present but had investigated what needed to be done with the Sugarbush silt pond. He explained that the silt pond is downstream from Manor Brook and Fox Run. To clean the silt pond to a depth of six feet, haul the material away, and conduct a bathymetric survey of the excavated area would cost \$13,000. The Mayor stated the Engineer mentioned that the pond will get silt with the Manor Brook construction that will take place in 2021. He thought the Village should get a proper reading before the Manor Brook construction begins and after its completion in order to return it to its original state.

Kyle Canter, President of the Sugarbush HOA, expressed appreciation to the Village. He asked the Mayor for clarification of his use of "silt pond" and asked about the exact location to which he referred. The Mayor stated that the Engineer called it the Sugarbush pond settling area. Canter thought the Engineer was referring to where there is silt, because it is now an island, and felt sure the Engineer saw this and understood where the problem areas are. Canter said the HOA's only request would be for clarification of the area to be addressed.

The Mayor stated this may be the first time for some Council members to hear how far down the road the Village is with the Sugarbush issue. He wanted to get the information out and said no decision would be made now as with the Paw Paw Lake situation.

The Mayor addressed letters received from residents of Chagrin Lakes concerning the water situation around their homes. They will be visited later in the week. The Mayor stated the properties had been previously visited, but the situation seemed to be changing. He wanted to acknowledge that the letter was received and would be addressed.

**MAYOR'S REPORT:** The Mayor stated that in the past, there was an appreciation luncheon the Friday before Memorial Day. The Mayor stated that the following individuals would have been recognized: former Council member, Ray Schloss; the members of the Architectural Review Board; the Board of



Zoning Appeals; members of Planning Commission; Nancy Grattino and Dave Hocevar of the Building Department; Fiscal Officer Romanowski and Fiscal Auditor Lechman; members of the Police Department; and the Street Commissioner and members of the Service Department. The Mayor thanked everyone who worked or still works for the Village. COVID 19 brought out the best in a lot of people and it is appreciated.

**FISCAL OFFICER:** She distributed her report to Mayor and Council. Porter addressed the delay of tax collection due to reduced Central Collection Agency (CCA) staff during COVID. The Fiscal Officer stated that because of the limited business hours and the change in the tax deadline date to July 15<sup>th</sup>, the Village would not receive its normal collection in April. This year would be thrown off. She was not sure what to expect when and added that in August, the Village should receive the July collections, but it may have to be estimated. There is not a way to predict what the Village will get, but by August or September, there might be a good idea of how collections are for the year.

The Fiscal Officer stated that the Tax Budget Hearing needed to be scheduled for the beginning of the July 13<sup>th</sup> Council meeting at 7:30 p.m. Five Council members would be required to be present. The Mayor stated the Public Records would occur at 7:20 p.m. and Budget at 7:30 p.m.

The Fiscal Officer stated that the property tax exemption application for the former rental house property was being completed and would be submitted to the County Auditor's Office. She explained that since the rental house was gone and the Village no longer earned rent on it, it could be made tax exempt. She wanted to get a motion of Council to ensure that there was agreement to allow her to proceed with the process.

**FISCAL AUDITOR:** The Fiscal Auditor reported that for the month ending May 31, 2020 the total of all cash and investments was just under \$3.2 million. The interest rate, as previously mentioned, had dropped to under half of a percent. The balance amount was \$67,000 less than the beginning of the month, but the Village was still up \$128,000 for the year. The key revenues for the month included the quarterly ambulance fees which accounted to 65% of the budgeted amount, the quarterly cable franchise fees, real estate taxes, and a Safety Grant of \$1,000 from the Public Entities Pool (PEP). The fund balances, which he arrived at independently, match the fund balances shared by the Fiscal Officer in her report to the penny. He would distribute his report to Council.

Porter asked if there was a net increase or decrease in the cash on hand from the prior month until now. The Fiscal Auditor stated there was a decrease of \$67,000.

**FINANCE COMMITTEE:** Carroll stated the Finance Committee met on June 2, 2020 at 8:00 a.m. The minutes were distributed to Council. For the benefit of the Paw Paw Lake residents, Carroll asked the Fiscal Officer to explain briefly how property taxes are determined, specifically that just because a new house is built or house value increases, it does not necessarily mean there is an increase in property tax collections. The Fiscal Officer explained that the year a levy is put in place determines the property taxes that will be collected. Some levies, for example, were from 1972. Even though it is currently 2020, the Village can only bring in the same amount brought in when that levy was passed. It does not matter if property values have increased or more houses have been built, the Village only receives the same amount of money. In essence, all the taxpayers pay a little less each year because the Village only receives the same amount, unless a renewal is done. The Village usually does renewals, but if a replace is done, then the property taxes are considered, and the levy is then based on this information. With Paw



Paw Lake, if houses have gotten bigger and property values have increased, the Village still only sees the amount of when the property taxes went into place. Carroll clarified this would be the case unless the Village did a replacement levy, which would increase the collections. The Fiscal Officer concurred and stated there was an operating levy, which covers the Street Department activities but not the Road Program. There are also two Safety Levies for the Police Department. There is also the General Levy which is general, and all those monies collected get distributed to Village needs for roads and other issues. The current Road Levy was passed in 2017, and the monies are dedicated to roads. Previously the funds for the Road Program came from the General Fund, which help subsidize all the other funds.

Regarding the Cable Franchise Fees referred to in the Building Committee minutes, Carroll noted that Berger stated the fees were possibly being reported incorrectly. Carroll asked Berger for clarification. Berger stated he saw some reports where the Cable Franchise Fees were reported as part of the Building Department budget, but he had not located those reports. He said it would be sorted out. The Fiscal Auditor asked if he had possibly seen this in the Revenue Budget. Berger stated it was. The Fiscal Auditor explained that the category did not say Building Department, but actually Permits, Fees, and Licenses. He said it was a coincidence that there were only two sources of revenue that fit in this category, and five of the six are Building Department and the other is the Cable Franchise Fee. Berger stated that perhaps this was his confusion. Carroll stated he noticed in the minutes that Berger thought it had been inaccurately reported for several years, and that maybe it was just a matter of getting a better understanding of the accounting. The Fiscal Auditor stated it had been done in the Tax Budget. He understood the confusion with the other revenues being from the Building Department, giving the appearance of the Cable Franchise Fees being grouped with them accidentally, but he explained it was just the way it is categorized. There are not many sources of permit fees and license revenues. The Fiscal Officer further explained that it is the General Fund that supports the Building Department, and these revenues come into the General fund. It must be classified and categorized as Fines, Licenses, and Permits for the State Auditors. As the Fiscal Auditor explained, there are the sources from the Building Department and that the Cable Franchise Fees fall into this category. Berger stated it sounded like his rookie mistake.

Carroll stated that the Finance Committee had also discussed having a training session because when there are new Council members, there are concepts that can be difficult to understand as presented. The committee felt training would be beneficial.

Carroll stated that the Finance Committee will be meeting July 7, 2020 at 8:00 a.m.

Carroll made a motion to acknowledge receipt and review of the credit card report dated June 8, 2020 and approve the ACH payment, seconded by Berger. Roll call – ayes, all. Motion carried.

Carroll made a motion to allow the Fiscal Officer to file the appropriate paperwork to get the property tax exemption for the former rental house, seconded by Berger. Roll call – ayes, all. Motion carried.

Regarding the credit card policy, Carroll stated the policy was updated as a housekeeping issue. Carroll made a motion to adopt the credit card policy as submitted, seconded by Berger. Roll call – ayes, all. Motion carried.

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



Regarding Paw Paw Lake, Carroll asked if this was something that was in the wheelhouse for the Village. The Solicitor stated she did not know. She stated that if the Village were to take out a loan and there was a separate agreement, she was trying to figure out how this would work and what would happen if there were a default on behalf of the agreement. At the end of the day, the Village was on the loan. The Solicitor stated that the question would really be whether the Village would take over the road as a public road if brought up to county specifications. If not, she would need to do a lot of research as to whether this would be something the Village could do. It was still a private road, and the Village would have affected its credit rating. She felt this was the threshold question. The Solicitor stated that the ODOT SIB coordinator who spoke at the morning meeting said she might have an example of an agreement between a municipality and a HOA or other entity and she wanted to learn more about this. The Solicitor was trying to figure out how it would work.

Carroll noted that the Solicitor brought up a good point about taking over the road, equating it to the chicken and the egg. If the Village is going to commit to taking over the road, the road must meet certain specifications which the Village needs to identify for Paw Paw Lake. Carroll said taking on a loan for a private street would be a nonstarter and may not be legally allowed. If the Village is willing to commit to taking on the road, it changes the conversation slightly, but Carroll did not think the Village had reached this point yet. In fairness to Paw Paw Lake, it would be nice to make the commitment. Carroll asked if the Street Committee could make a recommendation by the next meeting, he thought this would be important to avoid just spinning wheels with the project. Carroll asked the Mayor for his response to the question and explained that it was necessary so that Paw Paw Lake could firm up their estimates and tie down some of the questions for Council and Paw Paw Lake. Carroll wanted to pin down the plan. The Mayor stated that this had been ongoing, and the Engineer weighed in. The Village would continue to meet with Paw Paw Lake to decide what the Village wanted to do. The Mayor stated this was the first opportunity to look at funding. Carroll stated this had been discussed for a while and felt a need to identify what the Village expected with the road for the Village to take it over. Additionally, it was necessary to definitively identify it for the community so that they could base their project scope of work and the possible loan application on it. Two parallel paths were running simultaneously, but he thought the road layout and whether Council would agree to the layout and take it on would be the first point of discussion. The Mayor stated the Street Committee could go down that path and keep working that angle and he thought the discussions should continue with Paw Paw Lake to look for possible funding. The SIB loan may not be the way to go, but perhaps NOACA might or might not be. The Mayor stated if the Street Committee wanted to have a meeting just with Paw Paw or just with the Engineer to determine, that was fine. Carroll clarified that the committee could meet with the Engineer and representatives of Paw Paw Lake to agree to what would be presented to Council so that all of Council would know that from a Street Committee standpoint, the Paw Paw Lake community addresses specific elements with the road, the Village would be in favor of taking the road over regardless of how it would be funded. Carroll stressed that from a Council standpoint, it would be beneficial for Council and Paw Paw Lake to definitively identify this. Carroll consulted Porter and suggested they meet with the Engineer and representatives of Paw Paw Lake to pin it down.

Kristensen added that they are prepared to have the meeting at any time and have the description of what they think is a functional road system. They have been through discussions about the structure and drainage for the road, as well as the issues with utilities. They are prepared to have the conversation right away and can describe to the Village how their proposal can be beneficial to the Village.



Kristensen advised that Rep. Grendell stated that the SIB bank amount will not be available for a long period of time because the State will be redoing the budget, and this would be one of the first things to go.

Porter suggested addressing the matter at the June 26<sup>th</sup> Street Committee meeting at 7:00 a.m. in the Street Department. He said it would be helpful for Paw Paw Lake to send a representative. Porter was interested to know what sort of financing Paw Paw Lake had or envisioned to support the project. The Mayor stated this sounded like a plan.

Galicki addressed Carroll and stated that there are established standards for municipalities to take on a road that had been a private road and to make it a public road. The caveat is that the road must be previously brought up to standards. Once brought up to the standards by the private entity, then a Village, municipality, city, or township can take the road over. What he viewed as the long pole in the tent for Paw Paw Lake was a matter of where the money would come from to bring it up to standards. This was where he saw the glitch because it was a matter of public funds for a private purpose. Paw Paw Lake is not the only community in Ohio with the same frustration or first to face the issue. Unfortunately, it is like a stand off because the residents would like the Village to take over the road, but the road must be brought up to standards before the Village would take it over. The problem is to determine where the money would come from with the issue of public funds for a private enterprise. Perhaps there could be side agreements that could be made, but the fact remains that public funds would still be used for private purposes. The liability would remain with the Village. Regarding the availability of the funds, Galicki stated this money was for use with public projects, not necessarily for private projects to assist in bringing a road up to standards. Galicki stated he felt for Paw Paw Lake and saw the hardship in being a private road in a private community where some of the costs had to be borne by the community itself. Without overcoming the obstacle, it would be a nonstarter. Galicki added that if there were a time crunch for good deals on services or blacktop, there is a problem in that it is not an easy situation to figure out and would take a lot of time and expense with legal research to figure it out. Galicki concluded that there was not an easy answer.

Rich Haber stated he could not disagree more with Galicki because there are 42 homes with taxpayers and any interest relating to those 42 homeowners is actually a public interest of South Russell. So when Galicki stated it was public dollars going to a private enterprise, Haber argued that it is not. It is public dollars going to a public enterprise because the public will take over the road and will provide the services that the social contract agreed they would provide, which is the residents pay taxes and the Village provides services. Paw Paw Lake had not received this for the last 90 years, and he stated it was not a private enterprise. As a result, he felt Galicki was looking at it wrong. Haber was happy to discuss the matter with the Solicitor and added that Paw Paw Lake had legal counsel as well.

Galicki stated he hoped Paw Paw Lake would engage the legal counsel because unfortunately, precedence and Ohio State Law did not support his contention. He said it was similar to someone who sent their kids to Hawken and paid for schools in the Chagrin Falls School District. Galicki stated that the residents of Paw Paw Lake receive a lot of services from the Village and suggested the Fiscal Officer share what portion of their tax dollars goes to streets. He added that it was a small percentage. Haber stated that school choice is a very different issue and is distinct from the issue being discussed. Haber reiterated he was happy to speak with the Solicitor about it but wanted to share that he disagreed with



Galicki's perception that this was not a public venture. Galicki stated it went beyond perception but thanked Haber and said that is what makes America great.

**STREET COMMISSIONER:** The Street Commissioner stated he submitted his monthly report to Mayor and Council.

**STREET COMMITTEE:** Porter asked the Street Commissioner to discuss 12 Forest Drive. The Street Commissioner advised that off Daisy Lane there is a waterway that goes between the houses, runs over towards Forest, goes underneath the road at Forest, and then onto private property. He said there is an issue with a metal pipe that was put in many years ago that had degraded and was causing a backup that caused overflow with possible damage to the road. He recommended the Village get estimates to remove the metal pipe on the private property and go with an open ditch next to the resident's house. This would lead in between Forest Dr. and Bell Rd. to a larger ravine where the water would be discharged. Porter asked if the metal pipe belonged to the Village. The Street Commissioner stated it did not and was on private property. However, the Village's water flows through it. When it backs up, it floods into the resident's garage and basement. Porter asked if it was a danger to the road, and the Street Commissioner verified it was. Porter stated he would be inclined to get estimates but was not sure he wanted to commit to this kind of operation without the estimates and the extent of the Village's exposure in the matter. This could be addressed at the Street Committee meeting on June 26 after speaking to Paw Paw Lake. The Street Commissioner would have estimates by this date.

Porter stated the Street Committee minutes were posted. He stated that the Village had Trash Day on June 6, and the new employee, Thad Blair, was a part of it. The Street Commissioner stated that with the short notice, it was more than he thought it would be. He advised that Chief Rizzo had video from the drone showing the line backed up on Bell Rd. It was busy the entire time from 8:00 a.m. until 2:00 p.m. Porter suggested having a fall and spring Trash Day in the future as was done in the past because the event was well attended. The Chief noted that it took some of the people 45 minutes to an hour to get through the line. He knew that the staff was overwhelmed but did a good job keeping the line going. Carroll expressed appreciation to Chagrin Falls for providing a loader when the Village's broke. Porter stated that Russell helped with personnel, and the Street Commissioner indicated Russell provided one person and the loader. Porter noted this was helpful.

Porter advised that the 2020 Road Program was approved with three major streets and one smaller one being done. The streets are Kensington Circle, Sheerbrook, Daisy Lane, and Maple Hill. He noted it would be the largest Road Program other than Bell Road West that the Village had ever done. Carroll added that as discussed earlier, Daisy Lane was contingent upon the approval of the use of the Permissive Tax. He thought it would be a great program and would put the Village in a good position moving forward. Carroll recognized Porter, the Street Commissioner, and the Engineer for their efforts.

**BUILDING COMMITTEE:** Canton commended the Street Department and stated that the Street Commissioner and his men did a great job.

Canton stated that the Building Committee met on June 4, 2020, the minutes of which were submitted. In the minutes, Canton stated there was a discussion concerning the modification of the fee schedule. It was agreed on by those in attendance that the committee should schedule two hours per week for 60 days for the Building Department Administrative Assistant to work on the fee schedule for the Building



Department. Canton made a motion to extend Nancy Grattino's schedule two hours a week for 60 days for the purpose of working on the fee schedule for the Building Department, seconded by Berger. Carroll stated the fees were increased possibly three to four years ago, and he thought they were in line, adding that an assessment had been done. Secondly, he stated this is where the Village starts having hourly creep with two hours here and two hours there. He felt that when given an assignment, it should be able to be completed within the hours allotted. He did not understand why 16 hours needed to be added. Carroll stated it had been debated long and hard before Grattino was hired and it was agreed that no more than 25 hours would be allowed given the workload. Carroll reminded Council that Grattino was put at the highest rate of pay and was supposed to have come with experience. Carroll was struggling with this because it seemed she was so overwhelmed. Now two more hours per week were needed to do something that was done two or three years ago. He was confused about the necessity. Carroll asked for the thoughts of the Fiscal Officer, who is the Department Head. Canton also asked for the Fiscal Officer's input. The Fiscal Officer explained that the way construction deposits and some of the Building Department fees are done is questionable as well as the amounts. The committee thought there needed to be a complete analysis and comparison with other communities as to what was being charged and whether deposits should be taken. The Village has a process of taking a deposit and then refunding the money once the project is successfully completed, which entails a lot of work and the Village does not get anything for it. The analysis would also be to see if the Village is competitive with the charges and examine whether the Village should perhaps adopt a fee structure instead of deposits. The Fiscal Officer advised that she does not have the time to do this study, and it was determined in the meeting that if the Building Department Administrative Assistant were given two more weeks dedicated to just that task and not answering phones or assisting customers that possibly at the end of the 60 days she would have a recommendation for Council.

Carroll asked how the cross training was going and suggested that this could be a cross training opportunity. The Fiscal Officer's Administrative Assistant could go over to the Building Department to help so that the Building Department Administrative Assistant would not have to answer phones or anything else. He realized it was just 16 hours, but he saw it as going down the road again. It had happened before, and the hours were debated long and hard before she was even hired.

The Mayor stated that the issue was that Council blew it. He explained that the position used to require 84 hours of work. When Hocevar left, there was Heilman, Maggie, and Chris Wilson and the job was done for 65 hours a week. The Mayor stated that Council was trying to ask somebody to do the job in the Building Department for 35 hours a week and it was not getting done. Carroll stated that he thought the Building Department Administrative Assistant came with a lot of experience. The Mayor stated that she did, and she had done a good job. The Mayor asked Council to just think. The Building Department Administrative Assistant cannot get the job done with her 25 hours a week and Hocevar's 10 hours a week. It was not getting done. The Mayor stated with the upcoming Planning Commission meeting, the minutes from January would be approved. Carroll stated that this was the Building Department Administrative Assistant's fault. The Mayor stated Council should look at how much Council was asking her to do. It was not her fault; it is the amount of work that is done. They are getting people who are doing jobs that are asking for permits and she cannot get it done because she does not have the time. The Mayor asked why Council expected to have someone do something in 25 hours that used to take many more hours of work. He stated, "we blew it."



Carroll stated he disagreed and cited the independent study done by Clemens Nelson which assessed the department and studied the hours. He added that Council had discussed there being cross training so the administrative staff could help each other but realized COVID interrupted this. He disagreed with the Mayor's statement that they blew it. He was seeing the addition of hours and he completely disagreed with the Mayor's conclusion with how this was approached. Carroll thought there was a great analysis on it. He did not agree with going back to where the Village had been when there was an independent study, and added that they could go back six to eight years when Council was looking at reframing the Building Department and cutting hours because they knew the work was not there. He completely disagreed with the statement, "we blew it."

The Mayor stated that with Clemens Nelson, no one from the organization attended a Council meeting to give Council any information. The Clemens Nelson report talked about how the analysts talked to the administration, and the Mayor said they never talked to him. Clemens Nelson sent two people who spent a half of a morning on a Monday and charged the Village \$5,000 who said it could be done for 25 hours. Carroll stated this was completely inaccurate and said the Mayor was misrepresenting the facts. The Mayor said to talk to the people in the department and have a face to face with them and ask them what was going on. Carroll stated that again, the Mayor was trying to make it more than it was, which he had been doing for the last three years.

Porter asked if it was the Fiscal Officer's recommendation to increase that the Building Department Administrative Assistant's hours two hours per week. The Fiscal Officer stated that if Council wanted to have the study done with her strictly dedicating her time to doing the analysis, she could not really answer to the hours in a week. She was put in charge of the department and held the responsibility but did not have any authority over it. She cannot hold anyone accountable for anything, so she did not know about the hours. With the COVID, the Fiscal Officer was returned to Village Hall, and as a result she did not know the work that went on in the Building Department. She added that the cross training had not been possible. The Building Department Administrative Assistant has said she is busy, and the Fiscal Officer said she had to take her word on it. She hoped that the analysis was a onetime thing and hoped it would be done in the 60 days. However, she reiterated that she was not working in that office and had no actual oversight which would enable her to account for the Building Department Administrative Assistant's time. In the Building Committee meeting, it was decided to give the Building Department Administrative Assistant the extra two hours, but to make it clear it was dedicated to just this project and for only 60 days. Carroll stated that the Fiscal Officer was supposed to be the direct report for the Building Department Administrative Assistant, but to whom was she reporting? The Mayor, the Building Committee, Hocevar? Carroll wanted to know what was going on in the Building Department. The Fiscal Officer stated that the administrative staff were together in one building for a short time and then the Fiscal Officer was moved back to Village Hall. With COVID she was not going over to the Building Department. As restrictions relaxed, she hoped cross training would be possible, but it had not been previously. Carroll asked again to whom the Building Department Administrative Assistant was reporting. The Fiscal Officer stated that on paper, she reported to the Fiscal Officer. Carroll asked the Building Committee to whom the Building Department Administrative Assistant reported. Canton stated she reports to the Fiscal Officer. Carroll asked if she was reporting to the Fiscal Officer, or was she reporting to the Mayor, Hocevar, or the Building Committee in lieu of the Fiscal Officer. As Chairman of the Building Committee, Canton gave the Building Department



Administrative Assistant instructions that she was to report to the Fiscal Officer. Carroll asked the Fiscal Officer if she was doing this, and the Fiscal Officer stated that the Building Department Administrative Assistant reports to her, but if she is given an answer she does not want, then the Fiscal Officer is circumvented. The Fiscal Officer stated it was hard to have authority over her with that. Carroll stated it was a discussion for another time, and the Fiscal Officer concurred.

Roll call – ayes, Porter, Berger, Canton. Nays, Carroll, Galicki, Nairn. The Mayor voted aye. Motion carried.

Canton stated that the Building Committee had a meeting at 6:00 p.m. on June 8, 2020 with citizens of South Russell dealing with the septic tank cleaning schedule cycle. He thought it was an excellent meeting and that quite a bit of information was received. He and Berger would study the research collected and planned to make a recommendation at the July 13<sup>th</sup> Council meeting.

**POLICE CHIEF:** The Chief submitted his monthly report. The Chief addressed department vacancies. He addressed the need to fill existing part-time openings and pending retirements. With the time involved with the hiring process, he hoped to have the full-time position filled by December 1, 2020. The Chief asked if he needed to have authorization to begin the process. The Solicitor suggested solidifying the process with a motion. Carroll made a motion to allow the Chief to initiate the process to find new employees, seconded by Canton. Roll call – ayes, all. Motion carried.

The Safety Committee will meet June 11, 2020, and the Chief intended to submit an inventory list to the committee to hold an online auction in the near future. There will be equipment the Chief will auction on GovDeals. They would look for approval at the July 13<sup>th</sup> Council meeting.

**SAFETY COMMITTEE:** Canton stated that due to the Chagrin Falls rallies during the past week, the committee meeting was postponed until June 11, 2020 at 7:00 a.m. at the Police Station. Canton wanted to thank the Chief and his men for a great job in Chagrin Falls and said that they made the Village proud.

**HUMAN RESOURCE COMMITTEE REPORT:** Porter had no report.

**PROPERTY COMMITTEE:** Nairn had no report.

**PUBLIC UTILITIES REPORT:** Galicki had no report. The Mayor stated that there was a search of the public utilities a couple of months ago, and he wanted to know if there would be action on the information he received. Galicki asked if the Mayor could be more specific. The Mayor stated that the Solicitor did research on public utilities that cost \$470, and he did not know if anything was being done with public utilities. Galicki stated he was not in receipt of any report from the Solicitor, and he was confused by the Mayor's question. If the Mayor authorized the Solicitor to do anything, he did not know where the report may be. The Mayor stated that Galicki sent it to him. He would send it to Galicki. Galicki stated he sent the Mayor nothing and asked the Mayor to review his emails and that he would not find a report on public utilities from him. The Mayor asked Galicki what public utilities was going to do and asked if there would be a meeting before long. Galicki asked if there was an issue to address. The Mayor said that last year two different groups of people spoke to the Public Utilities committee about trash and recycling, and he did not believe anything was done. Galicki stated he believed the Mayor scheduled a future meeting, and given the COVID, he did not know if it had been



delayed. The Mayor stated that basically, Public Utilities had done nothing so far this year and nothing was planned. Galicki stated that was affirmative, much as in the past 10 years of the Village's history. The Mayor stated Galicki was partially correct in that the last Public Utilities meeting was September 25, 2017. Carroll stated that was not true. The Mayor stated he was referring to the minutes of the last committee meeting listed and that was when it occurred. Carroll stated that he and Porter met at least once. Porter asked if this was the sewer issue, and the Mayor said it was about USGS.

**PARK COMMITTEE:** Nairn stated that the Park Committee met on June 2, 2020. She thanked the Street Commissioner and crew for the installation of five trees around the playground and noted it looks lovely. There was discussion at the meeting about the possibility of having more trees installed in the future. She reported that the Mayor attended the meeting. Nairn advised that the committee asked that information pertaining to the purchase of trees be put in the summer newsletter for the residents. Nairn asked if there was a limit on how many trees could go around the playground. She recalled there was a specific number and wondered if Council could identify a goal of how many trees should be installed. The Mayor stated he would have to go back and look at the information provided by CT Consultants. He did not recall it off hand, but said it was something to consider for fall. Canton said his recollection was 20 trees, which seemed to be a lot. He believed there had been a discussion in Council about the large number of trees and concern that it would look like an orchard. The Mayor stated that there was a recommendation for the trees and types of trees and their locations, and there was also a map. He would provide it to Nairn.

Nairn stated that the tentative date of Sunday, September 20 for the Fall Festival was discussed. There were concerns raised by the committee about proceeding with the planning given the pandemic. Nairn was aware of an issue with availability of the pony ride vendor, and concern about social distancing with the bouncy houses. A change would also have to occur with the way the food was served. She concluded that there was a lot to think about, and she asked Council for input. Canton thought it might be prudent to cancel it, although the Village would hate to do so. He acknowledged the difficulty with contracting with the different vendors. Nairn advised that the committee was concerned with moving forward and executing contracts that involved down payments. She recognized how the community loved the tradition, but the committee had concerns about safety issues. Canton thought most parents would want the Village to be safe. Carroll concurred and as much as he would hate to cancel the event, he cited other communities that had cancelled events as well. Carroll thought that the following year would be that much better for the event. With the uncertainty, he agreed it would be prudent to cancel the Fall Festival. Porter stated that the Geauga County Fair would be going forward. The Mayor advised that the Plain Dealer stated that the Fair Board said it would still occur. Porter stated that this took place over Labor Day weekend, and typically the Fall Festival was several weeks later. Carroll explained that the Governor allowed the Fair Boards to make the decision individually in each county. Carroll stated that he still concurred with Canton and explained that the Village has a lot of elderly people who attend the Fall Festival who are more susceptible to COVID than younger people.

Heidi Baumgart stated she has two small humans, one second grader and a rising kindergartner, and they have thoroughly enjoyed the Fall Festival the last three years. She added she is a former event planner and acknowledged the difficulty with contracts. She asked Council to reconsider what it might look like instead of cancelling it. Carroll suggested that perhaps there was something that could be done that



would meet the elements of the Fall Festival but in a different format. Canton suggested having a winter festival at the park. Porter stated that this had been considered in the past for early February, with fireworks and bonfires. It was to be called Winter Blast. Berger suggested putting up a banner to inform the community to stay safe and that the Fall Festival would be held the following year. Chief Rizzo stated that in about two years, the Village will be celebrating a centennial.

Nairn addressed the opening of the playground and stated the committee was working diligently to determine how to do this. The Park Committee has a meeting scheduled in two weeks and she would convey Council's comments to them at that time.

**ORDINANCES/RESOLUTIONS:** Nairn provided the third reading on an ordinance approving work authorization of CT Consultants to develop project plans and specifications for bidding, provide survey, and provide hydrologic and hydraulic studies for the Manor Brook Headwater Stream and Restoration Project and authorizing the Mayor to execute such work authorization on behalf of the Village of South Russell and declaring an emergency. Nairn made a motion to adopt, seconded by Carroll. Roll call – ayes, Porter, Carroll, Galicki, Nairn. Berger and Canton abstained. **ORD 2020-25**

Porter provided a second reading on the resolution authorizing the Village to discard dirt, grindings, and mulch not needed by and of no value to the Village and declaring an emergency. Galicki stated it seemed like the resolution contained carte blanche wording for any type of dirt in perpetuity. He questioned whether this was what Council wanted. Porter stated it would establish a system by which various materials that come about as a result of Village projects could be uniformly distributed to people who wanted them, who are residents, and who are interested in obtaining them. Galicki stated he understood this in Section (2) of the resolution, but Section (1) appeared to be open ended about anything at anytime and did not really articulate who made the decision about its value, besides currently saying that none of it had value. Galicki stated there may be times when there is a project where the fill dirt is needed in the Village. He concluded he was uncomfortable with the wording of the resolution. He thought he had mentioned this at the previous meeting and that the matter would be explored. However, he said it remained the same. Porter agreed that it did, and that he changed some of the wording and he sent it to the Solicitor. Porter said Section (1) deals with the three categories of dirt, grindings, and mulch and nothing else. As far as deciding who would make the determination of value, in the Whereas clause, the Council for the Village of South Russell would be the one to make this determination. It is up to the Mayor and Street Commissioner to maintain the list of people who are interested in such materials. Porter thought the resolution was quite limited in both its scope and in its duration. Galicki stated it would appear that Council would be making a decision on all future dirt, grindings, etc. Carroll said his understanding was that if the Village did not need the material, the Mayor or Street Commissioner could call someone on the list. It would not apply to materials the Street Commissioner identified as needed. Porter stated it would only operate when Council decided that certain grindings, dirt, or mulch were of no value to the Village. Then, it addresses what the Village does with the materials that are of no value as designated by Council. Neither the Mayor nor the Street Commissioner are involved until Council has made that determination. Carroll clarified that if the Street Commissioner notified Council of a project with resulting materials, Council then would decide whether the Street Commissioner needed the materials. If the materials were not needed, Council would declare that there was no value to the Village and the Mayor would then call people on the list. Porter stated this



was correct. The Solicitor stated that first Council must determine that the materials were unneeded for public use, obsolete, or unfit. The next step is that Council makes the determination the materials have no value. Galicki stated that in the Section (1) wording, the resolution indicates that the Village of South Russell hereby determines that it has no value. It is not like there is a future time when Council will determine this. The resolution in his view determines that any future grindings, dirt, etc. have no value and can be disposed of in accordance with what is outlined in Section (2). The Solicitor stated this is the intent and was an effort to bring past practices to fit within the codified ordinances by first having Council determine that it is not needed for public use. Galicki stated that the current resolution indicates that all the materials have no value and are not needed, so that it determines once and forever that none of the materials have value. Porter stated he did not read it that way. The Solicitor suggested better defining "certain personal property," and added that it is material that has actually been excavated and removed from Village property. She saw Galicki's point in that it seemed open ended, but was just trying to make it fit within the Ohio Revised Code to ensure the Village had fulfilled the obligation to determine the Village did not need the material and second to determine it had no value. Otherwise, it cannot be disposed. Galicki stated his point is that by this resolution, Council is determining that it has no value and never will nor will it be of any use to the Village. The Solicitor stated it must, or otherwise it could not be disposed. She asked Galicki if his concern was that it should be for a certain duration or for a specific property. For example, if there were something removed from the Village Hall Stream water project. Galicki stated he would prefer that the wording indicate on a case by case basis, and was hung up on the wording because it indicated that Council resolves that the material has no value forever.

Nairn asked if it were also true that if somebody wants the material, it has value. The Solicitor stated yes. However, she referred to the property left in the rental house, where an inventory was conducted because it might have value. No assumption was made that it did not have value. She thought that this would be something that could be done with dirt, grindings, and mulch that is actually excavated or removed from any Village property or project, attaching it each time to a resolution. The Solicitor felt this was cumbersome. Porter agreed. The Solicitor also suggested it could be done for a duration, like through the end of the year, or specify from which projects the dirt, mulch, and grindings are coming. She clarified that Council is not making a determination that the materials have no value for the recipient, Council would be saying the materials have no value to the Village and that there is no fair market value to the Village because it is not needed for public use. Porter illustrated the point by stating the Village collected all kinds of items on Trash Day, and occasionally, an individual would indicate he wanted an item. The item had no value to the resident who discarded it, but it did to the resident who retrieved it. Nairn stated she understood this.

Galicki thought Porter was confusing issues. He stated there is a legal term that applies to when an individual puts something to the curb as trash, the person is basically saying he relinquishes control over the property. So, the illustration that the dirt is like trash because someone can go through another person's trash does not seem to apply. Porter said the concept is similar because the materials have no value to the Village but might have value to a homeowner. Galicki asked if the Village was never going to use dirt for Village purposes in the future? Porter did not think the ordinance said this. Galicki felt that it inferred this in perpetuity that Council is determining that dirt, grindings, etc. have no use or value to the Village. Porter stated he goes with what the resolution states. Galicki explained that is how he is reading it. Porter stated he does not and thought the Solicitor agreed with what he read. The Solicitor



thought that she could more specifically define "specific personal property." Galicki asked if the Village needs a resolution that covers everything. For example, with the Village Hall project, if there were spoils not being used from this project, could it be brought up in a Council meeting to determine disposition at the time. Porter stated he thought this came under the "dirt" heading. The Solicitor agreed. Galicki said he understood this but advised that the resolution states that for any project in the future, the materials have no value. He verified with the Solicitor that the resolution stated this, and she agreed there was an inference. She thought it could be more defined, or there could be an attachment. She suggested attaching each inventory but was not sure how else to go about it without sounding ridiculous. If there were a way to define it better or keep it within a certain timeframe, she thought it could be done. However, Council would then have the same resolution that she assumed Council would want to pass each year for certain projects that will have these materials which the Village does not need and have no value. The Village would want to be able to discard of them. Porter stated he thought it went to future use because it says, "certain personal property that has been or will be excavated." Galicki agreed and explained that is why he is saying it talks to every future piece of dirt, mulch, etc., that Council determines has no value. Porter stated Council must determine it has no value. Galicki stated that by passing the resolution, Council will be determining that it has no value. Porter stated he did not agree.

The Mayor suggested tabling the matter, and the Fiscal Officer advised that it was the second reading of the resolution and would have a third in July and could be addressed then.

Carroll introduced an ordinance affirming funds received in the Coronavirus Relief Fund will be expended only to cover costs of the Village consistent with the requirements of Section 5001 of the Coronavirus Aid and Economic Security Act as described in 42 USC 601(d) that any applicable regulation and declaring an emergency. Carroll made a motion to waive readings, seconded by Porter. Roll call - ayes, all. Motion carried. Carroll made a motion to adopt, seconded by Porter. Roll call - ayes, all. Motion carried. **ORD 2020-26**

**BILLS LIST:** Carroll made a motion to ratify the bills dated May 15, 2020 in the amount of \$90,020.57 and the bills list of May 29, 2020 in the amount of \$18,268.70, seconded by Berger. Roll call - ayes, all. Motion carried.

**NEW/OTHER:** Porter, Berger, Galicki had no new business.

Canton stated he had a point to make. He referred to the last Council meeting in May, and stated that Galicki, in a strongly worded statement, questioned the validity and competence of the Building Department in conjunction with the filing of the Building Department Annual Report to the State of Ohio. His comment, according to Canton, motivated Laura Heilman, a 39-year resident of the Village and former Building Department Inspector to pen an equally strong worded rebuttal. Canton stated he received the letter based on the fact that he Chairs the Building Committee. He stated he was not going to read the entire letter. Galicki asked that Canton please read it. Canton continued that he would make some points. Galicki urged Canton to read the letter so that there would be no inferences and Council would know what Heilman said.

"I have been a resident of South Russell Village for 39 years and was an employee of the Village for well over 17 years. I have listened to the last Council meeting and feel I need to address



some issues.

The reports to the State were done correctly. No amendment is needed. The question was pertaining to estimating compliance with the Ohio Energy Code, not the EPA, (clearly, Mr. Galicki is confused or has no idea what he is talking about) and was, in fact, answered accurately. We do not track which of the specific paths the applicants choose to follow for compliance with the code in our computer and therefore we do not lie to the state on our reports. I do not know of another building department that tracks that information, but maybe some do. If Mr. Galicki had bothered to actually read the questions on the report, he would have realized the questions were answered correctly.

Some of the people listed in the report are actually employees of CT Consultants, not the County. Once again, Mr. Galicki did not research to determine who these people are; he just tries to imply that the Building Department is either hiding something, incompetent, or being dishonest. He is simply not happy that my name is on the report. I believe he is spoon fed topics to bring up publicly by the Fiscal Officer and/or his wife for the purpose of trying to close the Building Department. Is this so his wife and the Fiscal Officer can have larger offices? Childish, I know, however, over five years ago I knew the Fiscal Officer was on a mission to move into the Building Department office. I wonder how Mr. Galicki even knew that I was listed as a back-up on the report? These reports have not typically been shared with Council in the past, EVER. I can only guess that he has a personal issue, possibly because I did not support him in his run for County Commissioner?

It is my belief that Mr. Galicki assumes most of the employees of the Village, especially the Building Department, are dishonest, incompetent, liars. Nothing could be further from the truth and I resent his accusations deeply. I have **generously** DONATED my time to the Village to get these and other reports done, accurately and completely, and submitted in a timely manner. Instead of being appreciated, he publicly accused me of doing it WRONG, multiple times. Has Mr. Galicki ever done one of these reports? Has he obtained Building Official certifications? I have to question his competency to serve as an elected official if he does not even know the difference between the EPA and the Building Codes.

I chose to help Nancy do this report without extra people present as a means of trying to stay healthy and safe from COVID-19. This was yet again twisted into something negative as a missed training opportunity, which I also resent deeply. It seems to me that the Village has lost quite a number of incredibly good and loyal employees over the last several years. Perhaps that should be your focus.

It appears to me that a few people here are more interested in power and control, and their own personal agenda, than doing what is in the best interests of the residents. Mr. Galicki is one person who has made it clear that he wants to close the Building Department without actually understanding it. He has no idea why we collect fees for the State of Ohio or even what the consequences to the residents might be if the Building Department was closed. He along with a few others, have been on a witch hunt for some time on this issue, which honestly, contributed greatly to my decision to leave. I wonder which of the other departments will be next? You could turn over our awesome Police Department to the Sheriff's Office, or just try to get the



County to do such a wonderful job maintaining our roads. Why would anyone even THINK we would get the same level of services from the County Building Department that we can provide with our own? I think it should be clearly understood by all of Council that the budget to keep the entire Building Department open is FAR less than the compensation package of the Fiscal Officer alone, and some of these expenses are actually recovered in permit and other fees, making the cost pretty minimal and insignificant by comparison.

On another point, in the minutes of the April 27 Council meeting, the Fiscal Officer reports that money must be deposited within 24 to 48 hours. I am sure that is true for HER department, however, both she and the Fiscal Auditor are fully aware that money for registration fees might be held in the Building Department for weeks and sometimes months at a time before they are deposited. You are being misled, and though I can guess why, I will leave that to you to find out. The Fiscal Officer has no place trying to oversee a department she knows nothing about. There are several excellent reasons these funds are held until it is appropriate to process the payments. This is not illegal or inappropriate and the employees are not mishandling the funds.

Mr. Carroll and Mr. Galicki have never actually made any attempt to understand the function and purpose of the Building Department. Mr. Carroll promised to meet with me several times and never did show up. To Mr. Galicki's question, "what the heck is going on over there?" I would have to ask the same question. What the heck is **he** doing? What value is **he** adding?

If this is how Mr. Galicki chooses to treat the residents of this Village, I hope he resigns immediately. He has publicly stated that he does not see a need to hear from the residents on issues, even though he was elected as their representative, not their dictator. I, for one, do **not** appreciate the schoolyard bullying tactic he seems to embrace.

Very Sincerely,  
Laura Heilman"

Canton stated that before any comments were made about the letter, he wanted it to be known that he was not planning on reading the letter in its entirety. He planned to touch on some notes, highlight it, and then submit it to the Village for inclusion in its entirety in the minutes. Galicki thanked Canton for sharing those comments, and stated he appreciated that he read them in their entirety. He added that every resident and every voter has a right to an opinion, and this is what America is all about.

Carroll said it was interesting and thanked Canton.

Carroll thanked Chief Rizzo and his Officers for their support during the rallies of the past two days. Carroll stated that bluntly, he found some of the comments made to be disappointing to him as an elected official to see how some of the residents felt about a very important topic. It was surprising and disappointing at the same time, but he appreciated the Village's Officers' work and effort and admired the work the South Russell Police do. Carroll said proudly that the Village of South Russell Police Department represents law enforcement in the best possible way. Speaking as a public safety official, he knows the police have it very tough compared to Fire and EMS. Knowing what Chief Rizzo and his officers do make Carroll proud to be a South Russell resident and stand proud with law enforcement, because the vast majority of them do the right thing all the time every time. Carroll felt this should be



applauded and recognized. He stated that he also supported the initiative of the two rallies. He said there was a lot to be learned and a lot of work to do moving forward. Carroll reiterated his appreciation for the Village's police.

Carroll addressed the Building Department hours, and said it was not a reflection of Heilman's letter. As Galicki said, she has a right to her opinion. Carroll stated it should be known that the Building Department Administrative Assistant was part-time in Broadview Heights and pushed it to full-time. She left Broadview Heights and went back to part-time with the Village. Even during the hiring process, Council was not made aware of all the elements of why she left Broadview Heights until after the fact. Carroll stated this was concerning to him and wanted it noted. He acknowledged Council's vote for extra hours for her, and stated he hoped it ended after the 60 days as described and motioned. He hoped good information came from it and supported the fact that she will do the work and do it to the best of her ability, but he had his concerns.

Carroll stated that with COVID, many more people seemed to be purchasing bikes. He addressed the three-foot distance rule and said that Hunting Valley had the single file requirement. Carroll asked if bicyclists are required to ride single file by law and thought it should be adopted. He noted that there were more bicyclists and on East Bell with the hills, it could be tricky. Carroll asked the Chief if this was an ordinance the Village had, or possibly a State Law. He asked that Council consider addressing this for the safety of the bicyclists and residents. The Chief advised that the Village did not have any requirements for bicyclists to ride single file, but he would add it to the agenda for the upcoming Safety Committee meeting.

Carroll thanked the Street Commissioner and his staff for Trash Day, stating that it was well done, and the residents appreciated it.

**ADJOURNMENT:** Being that there was no further business before Council, Carroll made a motion to adjourn at 9:43 p.m., seconded by Canton. Roll call – ayes, all. Motion carried.

  
William G. Koons, Mayor

  
Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki