

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 06, 2017 –7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Canton, Dishong, Kostura, Nairn and Porter
Carroll arrived at 8:45 p.m.

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

OFFICIALS ABSENT: Fiscal Auditor Lechman, Engineer Haibach

VISITORS: Dennis Galicki, Westover Drive; Kendall Smith, Lakeview Lane;
Joe & Stacy Porter, E. Bel Meadow Lane; Rick Haber, Paw Paw
Drive; Gary Dole, Maple Hill

Mayor Koons called the Regular Council meeting to order at 7:30 p.m. Mayor led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Mayor explained that Councilman Carroll must attend the Lyndhurst Council meetings and since the Mayor moved the date of this Council meeting, Carroll would try to attend after the Lyndhurst meeting was over. Nairn made a correction to the minutes of the October 23, 2017 meeting correcting the third paragraph to read that there were two holes dug. Nairn made a motion to approve the minutes as corrected, seconded by Canton. Voice vote – all in favor. Motion carried.

VISITORS: Resident Stacy Porter, who is a nurse and is pursuing her bachelor's degree, needs to do an educational presentation for her community class; the Mayor gave her ten minutes to present to Council. Stacey gave a general overview of opioids, what they are and how they effect the community.

Mayor explained there is a 1.5 mill, five-year Road Levy on the ballot November 7th. The monies this levy would bring in would be used for road repairs of some of the longer Village roads. He distributed a document titled "Koons Key" which showed recent roads that were paved including the year they were paved along with paving costs. He explained some of the thought process behind what roads were chosen each year including the Pavement Condition Index (PCI), what costs would fit in the budget for that year, as well as the street locations being closer together and that helping to keep the program costs down. Mayor explained the Village has been doing smaller streets and cul-de-sacs but will have to do the longer, more expensive roads which is why it is asking for a levy.

Kendall Smith asked if there is a list of the "long roads" that the Mayor referred to. Mayor replied that the five long roads that would be considered include Kensington Circle, Ashleigh, the Bel Meadows, Sheerbrook and the Lake Louise/Garden Park area. He said he didn't know what order those roads would be addressed in, but those are the five long roads that need to be

addressed because they are in the worst shape. Dishong said east Bell Road will have to be addressed as well in the not too distant future.

Mayor explained that Bell Road west was paved in 2013 and the Village has not yet paid for it because it was disappointed in the quality of the restoration work. The Village has met with the Ohio Department of Transportation (ODOT) who managed the project to try to rectify the issues.

Mayor said he has written a thank you letter to residents for the passage of the levy and sent it to the Chagrin Valley Times. Hopefully the levy passes and the letter will be in the paper next week.

Gary Dole asked about the "No Turn on Red" sign at the intersection and if there was a way to make it more visible. He has heard complaints from people that they can't see the sign, especially at night. Chief said perhaps the sign can be replaced with one made of reflective material.

MAYOR'S REPORT: Mayor stated he made a mistake by sending out an e-mail to the Planning Commission asking them for their opinion about the red barn. That was a violation of the Ohio Sunshine Law because he discussed business. He will work harder to avoid these mistakes but wanted Council to be aware of it.

Mayor said at the next Council meeting he would like Council to decide how it wants to handle the ODOT invoice and the loan.

The red barn will be going before the Planning Commission (PC) in December.

Mayor said he met with the Building Inspector, Building Secretary and Board Clerk. Now that summer is over, there seems to be a lot of RVs and campers parked everywhere. The Building Department is going to send letters to remind people that RVs and campers must be 10 feet from the property line and that they are required to be shielded so the neighbors don't see them.

Mayor met with Pete McDonald from the Chagrin River Watershed Partnership (CRWP). They talked about bees, a sledding hill, the parking lot, a possible restroom and some soccer fields. McDonald is supportive of the park and what the Village is doing, but there are restrictions on what can be done with the land. The Mayor feels the Village is near the point of getting a master plan for the Bell Road side of the park so that will be proposed to the Park Committee. He would like to talk about getting a landscape architect and decide what the Village wants to do with that property.

Mayor met with people from Auburn, Burton, Bainbridge, Chagrin Falls and Moreland Hills to talk about the idea of alternates to the Zoning Board of Appeals (ZBA) and the Planning Commission (PC). At the last ZBA meeting they came up with some guidelines where there would be two alternates who would receive all of the information for the ZBA and PC and they would be expected to read it all and show up for at least two meetings so they would know the

people on the boards. Then after July 1st, if someone could not attend a ZBA or PC meeting, they could step in and keep the group whole so there would be five people in attendance. He stated other communities said it is great to have a farm system and have people who are in the know and are ready to go if they are needed to step in. ZBA has decided to have established meetings at 7 p.m. on the third Wednesday of each month.

Mayor said there are two new water issues in the Village. One is a concern from the residents of the Preserve of Chagrin where they are having issues with standing water. Paw Paw is having issues from the gas line project where the water was held back and filled their silt pond with a lot of silt.

Mayor said Spectrum will provide free cable access to the Police Department for one year and then there will be a \$6 charge per month after that. This is something that will have to be looked at.

Porter asked if Pete McDonald had any input on the beehives. Mayor said he found out from McDonald that beehives have personalities and he talked about that at length. Continuous maintenance of the beehives would be necessary and there are significant bee losses over the winter.

FISCAL OFFICER'S REPORT: Fiscal Officer referred to her monthly report previously distributed to Mayor and Council; there were no questions. Nairn thanked her for including information from the State Auditor's office on cyber security in her report.

Fiscal Officer reported that the Village received a \$25 donation towards the flag program and asked if Council would pass a motion to accept that donation. Kostura made a motion to accept the \$25 donation, seconded by Nairn. Voice vote, all in favor. Motion carried.

Fiscal Officer stated that there is an invoice on the Bills List to renew the membership with the Geauga Growth Partnership. She confirmed with Council that they were in favor of maintaining that membership.

BUILDING INSPECTOR: Building Inspector said the ZBA had three variance requests at the last meeting. All three were approved, however one of the issues was a resident who built a structure before he got any permits; this resident was penalized.

Building Inspector reported that Stroud Lawrence has asked for an occupancy permit for the Gallery building at 516 East Washington Street. They will not be handling bodies in that facility. They lost their facility in Chagrin Falls so they will meet with families in this office space to make arrangements

The gas station on the corner will be open before the end of the year. The Architectural Board of Review (ABR) still needs to approve the lighting. Kostura asked if the lights were approved by

PC. Building Inspector said ABR took issue with the lighting fixtures and they want details. She said the lights that are there are down lights, and are on a dimmer. Nairn said the lights are attractive. Building Inspector said the owner has been very cooperative. She explained there is going to be a bio-retention area on the property because all new commercial properties that disturb one acre or more of land are required to address stormwater runoff.

Due to the recent passage of legislation by Council, Porter asked Building Inspector about the new building fees and if contractors are getting notified of those new fees. She replied that her department is sending out registration renewal letters to all the contractors with a notice that fees will go up next year.

Porter asked about the signs at The Lantern facility. Building Inspector said the banners will be hung intermittently because the facility needs additional staff. The Village is working with the owner to help him get some good, qualified employees. Mayor stated he asked the Building Inspector to cut The Lantern some slack with the signs so they can find employees.

Building Inspector said the ground sign at The Lantern has also been an issue because it is not the sign ABR approved; they will be replacing the ground sign.

POLICE CHIEF'S REPORT: Police Chief said as a fundraiser, the officers are participating in No Shave November to raise money for the Cleveland Clinic Pediatric Cancer Center Child Life Team. The funds are donated towards the group which provides gifts and toys to the kids that go in for chemo treatments.

Chief explained that the Valley Enforcement Group (VEG) has created an Aviation Unit which works with drones. The drones carry both infrared cameras as well as some high-quality cameras. These devices have proven very useful in assisting the officers.

Nairn asked if an article can be placed in an upcoming newsletter regarding open burns being prohibited in the Village.

STREET COMMISSIONER'S REPORT: Street Commissioner said the Village fared well in the recent storm when compared to the surrounding communities.

The weather has taken a toll on the flags and many will need to be replaced. He is hoping to find funds next year to purchase new flags.

Street Commissioner said his employees dug three test holes 105 feet back which would be the location of the front of the proposed house on the "Krappe Property". Concrete, asphalt and decayed branches were found. According to the builder, they needed to dig down 14 ½ feet for a foundation. When the Service Department employees dug down 14 ½ foot, the soil was what is referred to as virgin land; it was soft soil, no clay, and nothing solid. They dug another hole closer to the road and they found solid soil. They want to do one more test and start digging

southward 4 ½ feet down to see where the soil actually changes to see if there could be a variance between the 35 feet and the 105-foot location.

The culvert pipe replacement project will hopefully start mid-November.

Last summer the Village went to the Federated Life Center (FLC) and installed a pipe to make the detention pond work properly. With the recent rain, he checked the pond and it is working as it was intended to do.

Street Commissioner explained the water cooler that is being tested in Village Hall. He reviewed the quality of the Village water versus the filtered water and bottled water. He also explained the various possible contamination causes of the different units. He asked elected officials to test the water and give him their feedback.

SOLICITOR'S REPORT: Solicitor reported that the Fiscal Auditor notified him that Huntington Bank has presented the Village with a proposed agreement for the monies that the Village keeps there. They are one of the Village's designated depositories and there is a new type of deposit – a pooled collateral fund that the Ohio legislature adopted in July. Huntington Bank wants the Fiscal Auditor to sign an agreement on the Village's behalf that the monies can be deposited into this new fund. Fiscal Auditor asked the Solicitor if he had the authority to sign it on his own. Solicitor stated he felt he did, but he thought Council should be aware of it. Solicitor said if any Council member has an objection to this agreement he can look into it, but stated he felt it is a new, perfectly legitimate method for the bank to use. There were no objections to the Fiscal Auditor signing this agreement.

COMMITTEE REPORTS: Nairn and Porter had no report.

Canton reported that the Parks Committee thanked the Service Department employees for laying limestone from the north to south areas of the park.

Canton said there is a couple who would like to purchase two trees in the park as a memorial.

Canton said the Eagle Scout will go to the next Park Committee meeting to discuss the beehives in more detail and answer Council's questions.

Dishong said the health insurance is up for renewal and the best option is to stay with the current plan under Medical Mutual; the increase is approximately 8%. Dishong made a motion to renew the Village's current health care plan with Medical Mutual of Ohio, seconded by Kostura. Voice vote, all in favor. Motion carried.

Kostura said the Streets Committee meeting will be Monday, November 27th at 7:30 a.m.

Kostura said Council needs to decide how they want to handle the Bell Road invoice with ODOT. The ODOT bill is \$127,926.53 and he doesn't believe ODOT will go any lower. Kostura explained when the Village initially received the invoice from ODOT it was approximately \$400,000 which was much more than anticipated when the project started and far above what the Village engineer said the Village owed. Through work of the Fiscal Officer, Engineer and Mayor, the invoice is now \$127,926.53. Though it is still slightly higher than what the Village felt it should be paying, when looking at the whole project and what the Village's share is, the Village did very well. If the Village doesn't pay this now and it has the opportunity to use ODOT in the future for other grant projects, there is a high likelihood that the Village will be black-listed for future grant opportunities. Kostura said it is the Street Committee's and Finance Committee's recommendation to pay the \$127,926.53 now to avoid future issues. Kostura went on to explain there is also a loan with the Ohio Public Works Commission OPWC) for \$182,541.63 and that is a 20-year interest-free loan. In the Budget work session, there was discussion whether this should all be paid off in one shot or utilize the interest-free loan that was given to the Village. Kostura said the Finance Committee's recommendation is that the Village take the loan. The Village has an open Purchase Order (PO) for approximately \$151,000. With that open purchase order, ODOT can be paid off completely and then the remaining funds on the PO can be used to either immediately pay a portion of the loan or use the PO to pay the first year's loan payments. This option would give the Village a year to decide on whether to pay the loan off or make payments. It doesn't cost the Village anything because it is a 0% interest loan, but would give the Village time to think about how they want to handle the loan.

Carroll reported that the Safety Committee did not meet as there was nothing on the agenda.

Carroll said the HR Committee met with the Mayor and Department Heads to review the employee handbook. Everything is settled for the most part and he emailed some verbiage changes to the Fiscal Officer to update the book.

Carroll said since the Emergency Operations Plan was adopted at the last meeting, after the first of the year, he will work towards putting some type of training together.

ORDINANCES/RESOLUTIONS:

Kostura introduced an ordinance transferring \$100,000 from the Income Tax Fund to the General Fund and declaring an emergency. Kostura made a motion to waive further readings, seconded by Canton. Roll call – ayes, all. Motion carried. Kostura made a motion to adopt, seconded by Nairn. Roll call – ayes, all. Motion carried. **Ordinance 2017-38**

BILLS LIST: Kostura made a motion to ratify the 10/30/17 Bills List in the amount of \$56,175.45, seconded by Porter. Voice vote, ayes – all. Motion carried.

NEW/OTHER: Nairn, Porter, Canton, Carroll and Dishong had no new business.

Kostura said the Village received the first release for the 2017 Road Program in the amount of \$232,186.90. This comes in approximately \$17,000 under budget which is a step in the right direction. Kostura made a motion to pay Specialized Construction \$232,186.90, seconded by Dishong. Voice vote, all in favor. Motion carried.

Chief said before the Village considers replacing the “No Turn on Red” sign, he wanted to know if there was any interest in changing the time frame for the restriction - such as cutting it off at a certain time. He said the Village could change it to no turn on red between 6 a.m. and 10 p.m. or something like that. Dishong said he was in favor of that. Porter said he had concerns because the speed limit on Chillicothe Road is 45 MPH and with the gas station there, he has concerns about people driving very fast through the intersection. Mayor asked if the Safety Committee can review this issue and have a recommendation for Council at the November 27th Council meeting.

At 8:52 p.m. Dishong made a motion to go into Executive Session to discuss personnel compensation and possible hiring of a contractor, seconded by Nairn. Roll call – ayes, all. Motion carried.


Council reconvened at 9:23 p.m.

Dishong made a motion to increase both full-time and part-time employee salaries 2.5% for 2018, seconded by Canton. Voice vote, all in favor. Motion carried.

ADJOURNMENT: Being that there was no further business before Council, at 9:25 p.m. Dishong moved to adjourn, seconded by Nairn. Voice vote – all in favor. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer