

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 26, 2018 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Canton, Carroll, Galicki, Kostura, Nairn

MEMBERS ABSENT: Porter

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Solicitor Ondrey

VISITORS: Greg Kanzinger, West Bel Meadow; Ralph Richard, Chillicothe Road; Ashley Rozsa, High Street; Chris Tropf, Sugarbush Lane; Jamison Burg, Sugarbush Lane; Mary Kay O'Toole, Foxhall Drive; Elke Neumeyer, Sugarbush Lane

Mayor Koons called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Galicki made a motion to approve the minutes of the February 12, 2018 Council meeting, seconded by Nairn. Voice vote – all in favor. Motion carried.

VISITORS: New School Board member Greg Kanzinger introduced himself. He has lived in the Village for 20 years. The school has been talking about safety and security and a School Resource Officer.

Resident Ralph Richard introduced himself. He has lived in the Village 21-22 years on Chillicothe Road just north of Manorbrook and has had water issues for 17 years. He said the culvert under Chillicothe Road in front of his house is only 12 inches wide and is supposed to be 30 inches. Water runs over the top of his driveway and it is eroding his front yard and ruining his driveway. He said he has been attending Council meetings for 17 years asking for someone to do something.

The Mayor replied that the Village spent \$10,000-\$12,000 to have a storm water study done by CT Consultants. They proposed three ideas. 1) The Village could buy the backyards of many of the houses on Chillicothe Road and put in a large retention pond at an estimated cost of \$700,000. 2) The Village could replace the culvert under Chillicothe Road with a bigger culvert. 3) Consider a combination of different things.

Richard said nobody from the consulting group stopped by his house. He said the Village allowed the house next door to him to raise their land. Richard asked why the engineer would allow his neighbor to raise the property height with dirt which now causes him additional water problems.

Mayor said this topic has been discussed the last couple of years. The Village sent a letter out to residents on Chillicothe and West Bel Meadow. When the Village decides on how it is going to proceed, it will do the same thing again and let the residents know when the meeting will be held.

Richard asked who is responsible for making sure pipes under driveways don't get clogged up. Mayor responded that the responsibility should first fall to the homeowners and then if they don't maintain it, neighbors usually let the Building Department know and the Village takes care of it. Mayor explained the Village's culvert replacement program and how homeowners pay for the pipe, and the Village does the labor of the replacement pipe and covering it with stone. It is then up to the resident to put the final finish over the area.

Chris Trof said she is concerned about the article she saw last week in the Chagrin Valley Times and the idea of directing more water to her neighborhood pond. She said the homeowners take responsibility for dredging the silt pond and with the construction on Bell Road and the replacement of making the culvert larger, the amount of water going through there has increased. It is a private street and the homeowners pay thousands of dollars each to dredge the pond. She said with the amount of silt and construction runoff, they are going to have to dredge the silt pond more often. Trof said when she moved into her home in 1999, the creek that goes along Gurney was dry most of the time, but now there is constant water. She said with the big storm a couple of years ago, she had 2 feet of water in her basement and she is on high ground.

Neumeyer said in its current state, the amount of water is already concerning, and it would be worse if more water was directed their way. She said it is her understanding that when Fox Run was built, there was a retention pond that should have been installed but was eliminated; a home was built there instead. She stated the residents feel that the water issues started when the retention pond wasn't put in and the water level has been increasing since then. She said ever since the new culvert was installed, the water rushes through faster and the idea of more water coming through there makes the residents very nervous.

Mayor said the residents have a right to be concerned. He said water is moving faster because there is more pavement and hard yards. He said the Village's intent is not to increase the amount of water sent to anyone, but rather catch the water and slow it down.

Neumeyer said the residents just wanted the elected officials to know they are having water issues and they want to be informed when a decision is being made. Mayor said the Village knew there was a problem with Sugarbush and the Village thought it was solved with the new culvert on Bell Road, but that seems to have made it worse.

Richard said the Village allowed the building of the new dental office on Chillicothe Road and it is a beautiful building, but the problem is the owner was permitted to raise his lot significantly. While they put in a retention pond, everything running off the solid surface parking lot is doing nothing but running back down Bell Road and causing more of a water problem near his home.

Jamison Burt asked whose responsibility it was for the culvert under Sugarbush if it can no longer manage the water. The Mayor said a normal culvert would be the Village's responsibility, but he doesn't know where the Village's responsibility ends with a private road like Sugarbush. He said most, if not all, of the lakes and ponds in the Village are manmade; they were streams that were dammed up. As they start to fill, the water spreads sideways.

Regarding school safety, the Chief said in the past the Village supported the School Resource Officer (SRO) program at the school. He said it was ended in 2007 when the multiple jurisdictions no longer funded it. He said the current Chagrin Falls Police Chief was previously the SRO. She implemented safety plans and worked with the kids and was at Gurney School one day per week. Chief said with what is going on at schools these days and mental health issues, an SRO has value. He understands the SRO would be used most of the time in Chagrin Falls at the high school and middle school, but the Gurney coverage would be limited because he believes it may not be in as much need as the other campuses. Chief said South Russell police officers are at Gurney School every day at arrival and dismissal and they have done that ever since the events at Sandy Hook. They are onsite at the school at arrival and dismissal, and they are also there multiple times throughout the day doing routine patrol; he feels the police visibility is fantastic at Gurney School. He said he doesn't believe there needs to be an officer there multiple days a week because they already do have a presence there, but he also feels there is some value to an SRO.

Ashley Rozsa said she was present to support the school security issue. She said if South Russell is at Gurney as much as indicated, maybe they don't need to pay for an SRO to be at Gurney. Her hope is that there would be one or two people per school every day, but she knows that costs money. She is trying to figure out what she can do to help get money together if that is what needs to happen.

Carroll said he believes an SRO is a good idea and feels the value gained from having an SRO is huge given that half the students in the school are from South Russell. He feels the interaction with the SRO and students would be great and he thinks the Village should consider it.

Kostura asked: 1) Where the figures for the SRO came from. 2) What the experience of the officer is going to be. 3) Would it be an officer from Chagrin Falls, a new hire, or someone who has interacted with children before.

O'Toole replied that since it is Chagrin Falls Schools, it would probably be a Chagrin Falls police officer. In terms of cost, she believes it would probably pay approximately \$65,000 in salary plus additional benefits.

Chief said they are going to take the grand total of salary and benefits and split it up. They are going to figure out the percentage of time the officer will not be in the schools and that is when Chagrin Falls will be utilizing them as a regular police officer. He said Chagrin Falls is not

expecting the Village to pay for them to have a police officer on the road. South Russell Village's portion would be for time they are spending in the schools and he believes they are looking for \$10,000 from the Village and the \$65,000 would be school's portion; the remaining balance would be from Chagrin Falls Village.

Carroll asked if Chagrin Falls Village is going to pull the SRO to cover shifts in their own community. O'Toole said if there is a major issue in town, then the school would let the police officer leave the district to do work for the Village. She confirmed that \$65,000 would be the maximum that the school would be able to contribute.

Kanzinger said the concern at the school is that most of their money goes to salaries, so if they need to put this in their budget, then they must take something away. He said usually with mental health issues and other issues, a stronger student-to-teacher ratio helps a lot with the security of the school.

Mayor said the Village received an email from Christine and Rich Houston regarding the SRO and asked the Fiscal Officer to put that into the Village records.

Canton said he is a substitute teacher at Chagrin Falls Schools and though there is no such thing as a 100% safe environment, he does feel very safe in all four buildings.

MAYOR'S REPORT: Mayor referred to his report emailed to Council, there were no questions.

FISCAL OFFICER'S REPORT: Fiscal Officer stated the new property and casualty insurance is in place and there was no lapse in coverage.

Fiscal Officer said the invoice for S.E.T, Inc. for the Cascades culvert project is on the Bills List for \$34,688.43. The Mayor has the final paperwork to sign.

Fiscal Officer distributed the annual financial report that was filed with the State of Ohio on February 23rd.

SOLICITOR'S REPORT: Solicitor stated that he will keep an eye on the municipal income tax collection issue. He assumes the municipalities in the lawsuit are going to appeal but that doesn't mean the State will start to press forward about enforcing the new legislation to permit commercial enterprises to use the State of Ohio for collection of the municipal income taxes. He will keep the Village posted on this issue.

COMMITTEE REPORTS: Nairn, Carroll and Galicki had no report.

Canton reported that the new snowplow truck arrived on February 22nd. Like any new vehicle, there were some issues with a sensor needing replacement and the tailgate air control not functioning; the vehicle was serviced.

The 1992 snowplow truck needs to be advertised on GovDeals.com

The Village is in pretty good shape with salt and has about 600 tons in stock with an order in for 300 more tons.

The property mowing bids are out with a submission deadline of March 15th.

Canton is calling for a Park Committee meeting for Tuesday, March 13th. Kim Brewster from the Chagrin River Watershed Partnership (CRWP) will be attending to share her expertise on Nature Works grants.

Kostura said the Building Committee will meet on March 9th.

Kostura said the Planning Commission (PC) met several weeks back and discussed riparian setback and that will be an ongoing discussion over the next several months.

ORDINANCES/RESOLUTIONS:

Kostura gave third reading on an ordinance amending Section 260.02 of the codified ordinances of the Village of South Russell by providing for the appointment of two "alternate" members of the Planning Commission who shall serve whenever a regular member of said Commission is unable to attend an administrative hearing of said commission and declaring an emergency. Canton made a motion to adopt, there was no second. Solicitor explained that someone should second the motion so that Council could vote on it. Carroll seconded the motion.

Carroll said as he has expressed other times, he believes that the Village should give both the Zoning Board of Appeals (ZBA) and the Planning Commission a year to see how attendance is. He also said two alternates is something he has not been in favor of the entire time the issue was discussed. He is not completely against alternates but having two alternates is not a good option; one he would consider.

Solicitor said the ZBA met last week. The board discussed this potential ordinance after conducting the regular business and he was to convey their thoughts. Solicitor said ZBA members felt that with a regularly scheduled meeting they probably would improve their attendance. They also indicated they had no objection to alternates. They thought if there were two alternates, that could prove to be a beneficial service to the Village.

Nairn said these are adults and now that the attendance situation has been brought to their attention, hopefully the attendance is going to improve and the adults on these committees either want to do their job and come or they don't. She thinks the Village should look at the attendance in six months and if it is still not good, then the Village could talk about an alternate.

Canton said he thought everyone could agree that things happen; people get sick, go on vacation, etc. He doesn't question the idea of an alternate.

Kostura stated from the beginning he is not opposed to the legislation, but he believes two alternates is one too many.

Mayor said there is a set schedule for the Planning Commission and there were only three (3) out of ten (10) Planning Commission meetings where all five members attended. There was already a meeting this year that had to be cancelled because they couldn't get three people to attend. That is not the way to provide a service to the community. He stated he is on the Planning Commission and he knows he missed two meetings last year. It would be nice to know that somebody that is capable could come into the Planning Commission meeting and replace an absent member for one specific item. If someone wants to move a fence 8 feet from a property line instead of 10 feet, it is not rocket science and an alternate can do this. He said when this program is set up it would probably not take effect until next year by the time the two alternates get all the minutes from the past two years and they would have to attend two meetings. If the boards are averaging five meetings per year, there is a chance they wouldn't be able to use an alternate until late 2018 or maybe 2019. Alternates would be called in on specific items and it is a service to the community. ZBA didn't have a scheduled calendar previously but they do now. Only four out of eleven ZBA meetings over the last two years had five people there – that is not serving the residents. Mayor said this has been discussed almost a year and he is shocked. He said this is a chance to do something for the community and for the people on the committees and the Village is kicking it down the road.

Carroll asked Solicitor if this gets voted down, can it be presented again with one alternate instead of two. Solicitor said there are two ways to do that. Amendment is one way to reduce it from two to one or Council can vote it down and introduce a new ordinance with one alternate.

Canton made the motion to adopt, seconded by Carroll. Roll call: Nay – Nairn, Carroll, Galicki, Kostura. Aye – Canton. Motion failed.

Kostura gave third reading on an ordinance amending section 262.01(a) of the codified ordinances of the Village of South Russell by providing for the appointment of two alternate members of the Zoning Board of Appeals who shall serve whenever a regular member of said Board is unable to attend an appeal and declaring an emergency.

Mayor said ZBA did not have a set calendar and they do now. They averaged four meetings out eleven over the past two years where they had five members.

Kostura made a motion to adopt, seconded by Carroll. Roll call: Nay – Nairn, Carroll, Galicki, Kostura. Aye – Canton. Motion failed.

BILLS LIST: Nairn made a motion to ratify the 2/16/18 Bills List in the amount of \$424.96 and approve the 2/27/18 Bills List in the amount of \$215,240.41, seconded by Kostura. Voice vote, ayes – all. Motion carried.

NEW/OTHER: Nairn, Kostura and Galicki had no new business.

Canton said he attended the CRWP meeting on Thursday February 15th.

Carroll gave a shout out to summer seasonal helper Justin Rayner for 120 wins in wrestling.

At 8:23 p.m. Kostura made a motion to go into executive session for possible property acquisition and employee discipline, seconded by Carroll. Roll call, ayes – all. Motion carried.

Council reconvened at 8:39 p.m.

Kostura made a motion to allow the Mayor and Fiscal Officer to enter into a contract with Iammarino Appraisers to appraise the red ranch on Chillicothe Road, seconded by Canton. Voice vote – ayes, all. Motion carried.

ADJOURNMENT: Being that there was no further business before Council, at 8:40 p.m. Kostura made a motion to adjourn, seconded by Carroll. Roll call - ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer