

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 13, 2014 – 7:30 P.M.
MAYOR MATTHEW E. BRETT PRESIDING**

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

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

VISITORS: Barbara Stiebeling, East Bel Meadow Lane; Faith Pescatore, Novelty; Gregory Pike, Whitetail Drive; Joan Demurjian, Chagrin Valley Times; Mary Beth Wolfe, Daisy Lane; Martha Jagucki, USGS Hydrologist; Michael Hogan, Woodside Road; Bob Hunt, Chagrin Schools; Ralph Richard, Chillicothe Road; Rae Carlton, Maple Hill Drive;

Mayor Brett called the Regular Council meeting to order and led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Koons moved to approve the regular meeting minutes of the September 22, 2014 Council meeting, seconded by Dishong. Roll call – ayes, all. Motion carried.

VISITORS: Bob Hunt, Superintendent for Chagrin Falls School, attended the meeting to inform Council about the Board of Education plans for their facilities and capital improvements. After surveying the community, they have decided to move forward with predesign work for a pre-kindergarten through 3rd grade with a 4th through 6th grade elementary building. They will hold a community meeting on October 21 to discuss their plans with the residents and anticipate work will begin in January. They are expecting the building changes to bring an additional 900 students to South Russell Village as well as the relocation of the central office. The addition at Gurney will affect athletic field space and the school would like to request a portion of the South Russell Village Park for athletic fields that could be used by the school. Hunt wasn't aware of how much space they would request but he is guessing at least enough space for a soccer field and baseball field.

Dishong reminded Council that the purchase of the park was approved under the intention to designate 10 acres of the property to government purposes. The Mayor said that a partnership between the Village of South Russell and the schools is critical and he believes the changes are the right thing for the school district. Mayor suggested the School Board contact the Building Department to ensure they are aware of the proper process for plan approval. Due to the potential partnering between the Village and Chagrin Falls Schools for use of the Washington Street side of the park, Mayor stated he would like to include the Parks Committee and Council in the decision making. Binder stated he can't think of a better use of 10% of the open space than for use by kids. Hunt said he will have a better idea of the amount of space needed this December or January and he will have the architect contact the Building Department.

Martha Jagucki, Hydrologist at the USGS (United States Geological Survey), attended the meeting about monitoring water well levels in the Village. There are four aquifers that are currently monitored in this area. In 1999, Council asked USGS to submit a proposal for monitoring because

residents in the Village depend on the well water. Two of the wells are electronically monitored and give continuous results but the others are monitored twice yearly.

Jagucki said the transducer on the deepest well, which has been in place since 2001, broke and will cost \$8,800 to repair. The Village can replace the transducer on this well located on Fawn Court for \$8,800 and continue to receive hourly monitoring, or not replace it and have USGS come out to monitor the well four times a year. Jagucki said the second option would cost \$6,200. Council will need to decide what they would like to do by the end of October.

Jagucki gave an update of the water and gas wells throughout the County. The only place she found pesticides in a well was in the northeast part of the county - in an area with 90% agriculture surrounding it.

Ralph Richard from EnerCom Utility Refund Service addressed Mayor and Council and explained how his employer analyzes utility bills of non-profits to see if they qualify for any refunds or price reductions. Mr. Richard said he believes the Village could save some money and he would like to enter into an agreement to help the Village recover it. The agreement includes a charge of 50% of the initial findings and 50% of the reductions for the following two years. If he doesn't find any savings then he won't receive any compensation for his time. Richard stated he can save the Village about \$2,000 initially and about \$500 going forward. He feels the savings may be more than that if the Village changes the gas rate from a variable rate to a fixed rate. Council will review the proposal and get back to Richard.

Barbara Stiebeling and Faith Pescatore addressed Council with updates on their petition progress against the holding the circus in South Russell stating they have collected over 400 signatures. Stiebeling would like to get both supporters and non-supporters of circuses involved so Council can hear both viewpoints. She feels it is a big issue that needs to be heard. Pescatore asked if Council is concerned about the safety issues and presented Binder with a packet of information to review. They will attend the November 10th meeting to present the petitions and hope to have 500 signatures by then.

Regarding the proposed miniature pig ordinance, Rae Carlton expressed concern with setting a weight limit and said a lot of pigs are under-fed to be under a specific weight due to these requirements. She suggested adding a height and length requirement of about 15" long and 12" to 15" high. Carlton also suggested specifying the pig cannot reside outside or be kept in an outside pen. Several revisions to the proposed ordinance were discussed. This ordinance will be revised and presented at the next Council meeting.

MAYOR'S REPORT: Mayor briefly discussed the highlights of the cemetery work session. During that meeting several modifications were made to the rules and he asked Council to review the revised Rules and Regulations so they can be approved in the near future. Mayor also suggested that the Village open Section 2 of Phase 1 since the property is already cleared and change the grave width to 48". Koons moved to increase the grave width to 48", seconded by Dishong. Roll call – ayes, all. Motion carried.

The opening of the cemetery is planned for around May 1st. It was decided to wait until then to make sure everything settles properly from the construction. Extending the fence along the front of the property was discussed. Dishong moved to approve extending the fence by three sections along the front of the property with three additional brick columns, not to exceed \$9,000, seconded by Koons. Roll call—ayes; Koons, Binder, Carroll, Porter, Dishong, Nay; Kostura.

Motion carried. After much discussion, they realized there was some discrepancy with the quote totals. They will hold off on this topic and come back to it after the Engineer has some answers.

The test period at the Village Park started earlier this year in May and was to extend for six months. The test criteria were specified and the Mayor has determined that the park issues and rule violations are beyond the level that was set for pass/fail. The Village needs to start the process of what to do now since the six-month window runs through the end of October. Chief revised the ordinance which was sent to Council. Porter asked if the Park Committee had an opportunity to weigh in on this issue and the Mayor responded that they have been updated with the statistics.

Gregory Pike from the Park Committee said that Frohring Meadows has cameras and people let their dogs off leash out of the camera view. He stated the Village will not be able to stop the issues 100%. Dishong suggested allowing residents only the privilege to have their dog's off-leash and said the Village could implement a permit process and assign orange collars to those registered. Mayor asked for thoughts from the Park Committee and Council. The Mayor stated the test period and criteria was set and the Village needs to stick to the guidelines and time frame set.

Mayor is in the process of filling the open Planning Commission, Architectural Board of Review and Zoning Board of Appeals secretarial position.

Mayor met with Chagrin Lakes again concerning the Lantern of South Russell project. He feels confident that they will come to a resolution on the storm water issue soon.

The service building project is on hold due to having to move the phone lines. It should take about another 2-3 weeks to finish up after the lines are relocated.

Trick-or-treat will be held in the Village from 6-8 p.m. on Friday, October 31st.

FISCAL OFFICER: The Fiscal Officer reviewed her monthly report.

There was discussion regarding the process of collecting the Permissive Tax money from the County. The Engineer stated the County requires a copy of the signed pay release with a letter on village letterhead to include a breakdown of how much Snyder Road repairs were. The Village will pay Specialized Construction and the County will provide the village with reimbursement. The Village will receive about \$160,000 and the amount for the entire Snyder Road project is \$182,989.

The 2015 Budget Work Sessions are scheduled for November 3rd and 10th.

As Tax Administrator, Fiscal Officer reported income tax collections for the month of September were \$119,295.32 with a year to date balance of \$1,306,307.00.

FISCAL AUDITOR: The Fiscal Auditor presented his report to Council and reported that he and the Fiscal Officer balance to the penny on all funds.

The Huntington CDAR account matured on Friday and the Finance Committee will meet to decide where the money should now be invested.

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

ENGINEER’S REPORT: The Engineer stated there is 130 feet of frontage that needs to be covered if Council wants to extend the cemetery fence along the property line. The quote was broken into two sections to extend the fence 32 feet and add three brick columns for \$6,480. To extend the fence an additional 104 feet along the front property line with one column would be about \$15,500. Just a fence across the front with one column at the end is about \$9,000.

Dishong moved to rescind the previous motion to approve extending the fence by three sections along the front of the property with three additional brick columns, not to exceed \$9,000, seconded by Kostura. Roll call–ayes; all. Motion carried.

Dishong moved to approve a fence along the front of the property with one column at the end of the fence not to exceed \$10,000, seconded by Koons. Roll call–ayes; Koons, Carroll, Porter, Dishong, Nay; Kostura, Binder. Motion carried.

Sitotech is almost done with the construction at the cemetery and the 2015 Road Program is almost complete.

Bell Road is almost finished. The final layer of asphalt and grading, topsoil placement and seeding should be installed by the November 4th deadline. The rumble strips on the edge of Bell Road are about \$8,000 if it falls under the Northeast Ohio Areawide Coordinating Agency (NOACA) grant split. If it isn’t deemed an eligible project cost per Ohio Department of Transportation (ODOT) standards, then the cost would be the village’s responsibility. Binder feels the widened road with a smooth surface will bring in more drivers using it and they may be texting and distracted. He is concerned that a pedestrian may be injured. The Engineer pointed out that rumble strips distresses the road with holding water and bikers are not a fan of them because it can cause them to crash. The Engineer added that he could not find any options other than visual aids to make the road safer and keep people in their driving lanes.

BUILDING INSPECTOR’S REPORT: The Building Inspector gave an update on the service building addition and said it is moving forward.

The Building Department conducted 42 inspections last month. Carroll asked that the Building Inspector submit a monthly inspection report, the same form used by Inspection Solutions, for the inspections she completes monthly.

POLICE CHIEF’S REPORT: Chief referred to his monthly report and reviewed a couple changes to the Soliciting and Peddlers Permit ordinance. He suggested eliminating the fees associated with the permits and would like to look into the background check section further. Council would also like to have an age limit on the permit so that kids selling items for school, Girl Scouts and Boy Scouts don’t have to obtain a permit to go door-to-door.

Chief reported that a dog bit a female resident on Alderwood Trail. The Dog Warden will be citing the dog’s owner.

Chief would like to see the curfew ordinance introduced at the next meeting. He referenced several surrounding communities’ ordinances to draft the proposed ordinance.

STREET COMMISSIONER'S REPORT: The Street Commissioner referred to his monthly report and said the Service Department has completed some road repairs. A company will be coming through soon to do street striping.

The Street Commissioner filed for liquidated damages from Morton Salt and the Village is still waiting for the check.

SOLICITOR'S REPORT: Ondrey may not be available for the next meeting. Someone from Thrasher, Dinsmore and Dolan will fill in for him.

COMMITTEE REPORTS: Porter, Binder, Carroll and Dishong had no report

Koons met with the Building Inspector and Hocevar to get an update on current projects they have been overseeing.

The Park Committee is working on obtaining a grant for restrooms near the pavilion at the park.

Mayor thanked all the employees involved with the Fall Festival.

Kostura said the Planning Commission reviewed four items at their meeting. The Lantern of South Russell landscaping was finalized with some additional mounding to the north, south and rear of the building and plans for an additional pond to help drainage issues. Bob Flesher attended the meeting to review the water sustainability results from Dr. Eckstein for the proposed subdivision near the village park. Circle K proposed some plans as an informal discussion for the Bell Station on the corner of Chillicothe and Bell Road. Also, Chris Wilber received a conditional use approval from the Commission for a pizza shop on East Washington Street. The main construction for the pizza shop must begin within six months of the date of their approval and be completed within a year. Wilber will be cleaning up the property in the meantime.

Mayor added that he and a few of the Planning Commission members felt that Circle K might have some challenges with adjusting the current property and keeping within the current zoning and charm of the Village.

ORDINANCES/RESOLUTIONS:

Dishong gave third reading on an ordinance increasing Income Tax transfers \$7,000 and Special Land and Building Fund expenses \$7,000, seconded by Porter. Roll call—ayes; Koons, Carroll, Dishong, Porter. Nay; Kostura, Binder. Motion carried. **Resolution 2014-45**

Kostura introduced an ordinance transferring funds in the amount of \$125,000 from the Income Tax Fund to the Safety Fund. Kostura moved to waive further readings, seconded by Dishong. Roll call – ayes, all. Motion carried. Koons moved to adopt, seconded by Kostura. Roll call – ayes, all. Motion carried. **Resolution 2014-46**

Kostura introduced a resolution of appreciation for Margaret Tomaro.

Dishong introduced an ordinance to amend the appropriations increasing Special Land and Building Expenses in the amount of \$5,700 and increasing Income Tax transfers \$5,700.

Dishong introduced an ordinance for the transfer of funds in the amount of \$5,700 from the Income Tax Fund to the Special Land and Building Fund.

BILLS LIST: Dishong moved to ratify the September 30, 2014 bills list # 2 in the amount of \$39,365.71, seconded by Kostura. Roll call – ayes, all. Motion carried.

Dishong moved to approve the October 15, 2014 bills list in the amount of \$664,775.13, seconded by Kostura. Roll call – ayes, all. Motion carried.

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

Dishong moved to approve the quote from Ayers Well Drilling Company in the amount of \$7,017.92 for the cemetery, seconded by Porter. Roll call–ayes; Koons, Carroll, Dishong, Porter. Nay; Kostura, Binder. Motion carried.

The Mayor discussed the possibility of marking out Section 2 of Phase 1, which is already cleared and would cost about \$5,200 for the layout design, pins and surveying. Koons moved to open Section 2 of Phase 1 for an additional \$5,200, seconded by Dishong. Roll call–ayes; Koons, Dishong, Porter. Nay; Kostura, Binder, Carroll. The Mayor voted to break the tie and is in favor of the motion presented. Motion carried.

There is a \$500 fee for the cemetery software associated with all changes to the original plans.

Koons stated that 123 people attended the shredding event.

Koons attended the Chagrin Falls Board of Cemetery Trustees meeting and checked with several other local cemeteries. He is suggesting that the Village install a columbarium in the cemetery.

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

Meeting adjourned at 10:30 PM.

Matthew E. Brett, Mayor

Danielle Romanowski, Fiscal Officer

Prepared by Jennell Dahlhausen