

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 22, 2018 - 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Canton, Carroll, Galicki, Nairn, Porter, Schloss

OFFICIALS PRESENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman, Street Commissioner Johnson, Solicitor Matheney

VISITORS: Lee Schloss, Bainbridge; Kristin Schloss, Lyndhurst; Heather Schloss, South Russell; Charles and Elizabeth Schloss; Andy Ilcin, South Russell

Mayor called the Regular Council meeting to order and Fiscal Officer read the roll. Mayor swore in Ray Schloss as the newly appointed Council member. Carroll made a motion to approve the minutes of the October 8, 2018 Council meeting, seconded by Porter. Voice vote – ayes, all. Motion carried. Mayor stated there were minutes from the October 13, 2018 Special Council Meeting and requested a motion to approve. Comments on the minutes: Nairn stated she made a motion to end Executive Session at 12:55 p.m. not a.m. Carroll made a motion to approve as amended, seconded by Nairn. Voice vote- ayes, all. Motion carried.

MAYOR'S REPORT: Mayor distributed the Mayor's Report for October 22, 2018. He stated that his report reflects items that need to be addressed in the remaining three meetings of the year. He asked to be invited to the Finance Committee meeting relative to looking at the five-year plan. Mayor addressed the Solicitor regarding the ditch between West Bel Meadow and Chillicothe Road, which he stated was private property and a determination is needed regarding the requirement or existence of an easement. He asked the Solicitor to obtain this information and then advise Council on whether the Village can clean out the ditch. The Mayor is meeting with the Engineer on October 23, 2018 to discuss whether this is a project the Village should do. Carroll asked for clarification about the location of the ditch. The Mayor stated it is the big ditch that spans West Bel Meadow across to Chillicothe Road and is located two houses north of the red ranch. By the next meeting, it should be determined whether the project can and should be done and who pays for it. The Mayor will also discuss with the Engineer putting a new culvert under Chillicothe Road into the Manorbrook Drive, Fox Run, and Thomas and Thomas property. The Mayor asked the Solicitor to determine the property ownership and easement status.

The Mayor stated that regarding the complaints by Manorbrook Drive residents of dead trees, the Mayor has already told them that the Village will not remove the trees. The Mayor asked the Solicitor to clarify whether the trees are the responsibility of the Village. He stated that the residents have asked again. The Mayor addressed the issue of the Village cleaning out the storm water drains on private property, and the Mayor stated he told the residents no, but he would check. Canton stated that when he was President of one of the three Manorbrook Homeowners Associations (HOA), the residents did this themselves.

Solicitor asked to clarify if there were already easements on the West Bel Meadow ditch, and the Mayor stated he did not know. He stated there could be, but through discussion with the Street Commissioner, there was no recollection of the Village doing anything with it. He explained that now it would be a big undertaking and would require the Village to obtain a contractor to do the work, and then there would be a question of whether the project was to stop stormwater and what portion of the project should be billed to the property owner. He did not know the ramifications and wanted to consult with the Engineer. Solicitor asked if it was a Geauga County ditch, and the Mayor did not know.

The Ohio Public Works Commission (OPWC) grant is due on Wednesday and is being addressed by the Engineer. If passed by Council, the Mayor will deliver it. He clarified that this is the Lake Louise Bridge project. He stated that it would probably be a year before construction could start and stated that nothing could be done until July 1, 2019 due to the funding. Regarding this project, the Mayor requested to discuss the five-year plan with the Street Committee.

The Mayor stated he wanted to share his ideas with the Building Department about replacing the Board Secretary. He wants to replace the title of the Building Inspector.

In regards to joining the Planning Commission, the Mayor stated that Galicki will be jumping into a mess with the riparian setback legislation as they have been discussing it for a year and have not gotten much done.

The Mayor also addressed the house just south of the red ranch, 5133 Chillicothe Rd., which had been vacant with water in the crawl space. It was turned into a two-story colonial. The house passed inspection, and the new owner then had to spend \$52,000 to protect the walls and the crawl space from stormwater damage. The Mayor did not know if there was anything the Village could do about this.

Regarding the Safety Committee, the Mayor spoke to the Chief about the Chagrin Documentary Film Festival Run, and explained it was difficult because it was on a Sunday morning with church traffic. The Turkey Trot run does a better job with notifications and it takes place on a Thursday morning, so the Mayor did not anticipate issues. Mayor is organizing a bike tour with the South Russell Village Police Department for next summer. Regarding the Police Levy, the Mayor stated he was not concerned about it passing. The Mayor inquired about the Emergency Operation Plan and asked if there was any information about it.

Addressing the HR Committee, the Mayor stated he wanted to review the Clemens Nelson process and hiring procedures.

Regarding Public Utilities, the Mayor was underwhelmed with his mayoral colleagues' response to the difficulties with Spectrum. The U.S. Geological Survey (USGS) will be at the Village on Monday, November 26, 2018 at 2:00 p.m. at the Kensington Green solar panel well. He will give a presentation to Council in the evening.

The Mayor addressed the Property Committee stating he is meeting with the Engineer and Craig Cawrse to discuss the cemetery, specifically the lawn, condition of the bio-swale and trees. The

Mayor asked if the Village wanted to advertise for the cemetery, and/or consider building a columbarium. Nairn explained a columbarium is a large structure for cremains. She further explained that in previous Cemetery Committee discussions, it was noted that they are very expensive and susceptible to water damage, and that the Village already beautifully accommodates urns/containers for cremains. She felt it was an expense the Village did not need to consider. Porter asked if Nairn recalled the expense, and Nairn stated it was about \$40,000 when the committee originally discussed it. Street Commissioner mentioned that the cemetery in Chagrin Falls has a columbarium which has sold out and they are considering adding another one. He added that the structures pay for themselves. Nairn asked how Chagrin accommodates cremains that are not in the columbarium and the Street Commissioner did not know. The Mayor stated he was not in favor of including a columbarium.

Regarding South Russell Village Park, the Mayor met with Bill Timmons on October 21, 2018, and presented him with a check. He said Timmons previously has charged \$3,000 to hay the park and he plans to increase his fee to \$3,300 or \$3,500 next year as the quality of hay continues to decrease. Timmons advised the Mayor that applying weed killer would help make the hay more valuable. The Mayor said Peter MacDonald will be providing a written report sometime this fall. Regarding the dog situation, the Mayor stated that Timmons reported that the situation was so much better regarding cleanliness and people keeping dogs on leashes, and that the situation is under control. The Mayor also wanted to attend the Park Committee meeting to talk about the idea of half pay. Carroll asked what "half pay" was. The Mayor explained that if the Fall Festival is cancelled due to weather, the vendors will receive half pay instead of full pay.

The Mayor took a tour of the park on Oct 22, 2018 with some people who wanted to buy either a memorial tree or a bench. One of the memorials would be for James Edmunds, a Chagrin Falls Middle School student who recently passed away. The Mayor discussed the quality of the benches with Street Commissioner and agreed that there are nicer benches available. The Mayor spoke with Mrs. Edmunds who told him that the bench is from family and friends and that the Village should not worry about the cost; just to find something nice. The Mayor wants to get this information to the Parks Committee, and needs it handled expeditiously. The other family might be interested in purchasing a tree.

Regarding the playground, the Mayor asked the Jaycees, Chamber of Commerce, and Dad's Club, about the Gurney Playground equipment, which he said was questionable. He wants to come to the Parks Committee meeting and discuss the results.

Regarding the 319 Grant, the Mayor tentatively scheduled the Chagrin Lakes Homeowners Association (HOA) meeting on Sunday, November 11, 2018, at 6:00 p.m. at Village Hall, and Kensington Green HOA to follow an hour later. The Mayor stated he met with the Kensington people on October 22, 2018 and had some ideas. The ideas ranged from pushing ahead because there was already a written agreement, cancel the written agreement, clean out the Kensington retention pond located at the north end of Foxhall Drive in exchange for the HOA giving the Village the .4 acre it wants for wetlands. Other ideas included leasing the land, buying the land, and everything in between. The idea was to start educating the people and letting them know the options, as well as explaining wetlands and what wetland maintenance entails. Clarification would also be given about the dimensions of the curbs that will go around the catch basin.

Carroll asked if the Mayor brought up Bullfrog Pond in his discussion with Kensington Green, and he said he did not. The Mayor corrected himself and said he did, but not as an option. The Mayor said that Kensington Green has four situations: the retention pond has never been cleaned, eight houses on Kensington Circle had water in their basements where they have never had water in their basements before; and catch basins have sunk. In the meeting, he just wanted to deal with the .4 acre east of Kensington Drive. Carroll asked whether the Village would ultimately be responsible for the catch basins. The Mayor said no, that the Village, in fact, does not want to be responsible. Carroll asked about the necessity of cleaning catch basins, and the Street Commissioner clarified that these are in the grass on the common property. Galicki stated these would all be part of the wetlands appropriation of Kensington property by the Village. The Mayor stated there were three catch basins, and the problems with them date back to 1999 with sinking. The Mayor stated that something is eroding the land, and the previous efforts to remedy the problem have not worked. That, according to the Mayor, was a side issue because all that he wanted to discuss was the .4 acre and what it would take to get approval. He would like the Village to look at legal issues about the possibility of leasing .4 acre for \$1.00, and whether the Village can purchase the land for \$1.00 or \$5,000. Carroll asked to clarify that a Kensington HOA vote was still necessary to decide the issue. The Mayor stated that was correct, and that the HOA would first be educated; according to the bylaws, there is 90- day waiting period, and then a vote is called.

Galicki asked for the basis of the Mayor's statement concerning the option to press ahead because there was a written agreement. The Mayor said he met with the Kensington Green HOA President Ross Golden, and Joe Cimperman, the Treasurer. Galicki asked if the Mayor was presuming that there is a written agreement, and the Mayor stated yes. Galicki stated the Mayor should standby for a challenge on the fact that it is a legal written agreement. Galicki said he has spoken to the Mayor several times about this and that the Mayor does not have a valid written agreement with the HOA because the HOA bylaws were not followed. The Mayor stated that he did not say this idea was his, rather the five people at the meeting and one of the ideas was to push on. Galicki stated for the record that "pushing on" is not a viable option - there is no valid written agreement with the HOA. Galicki pointed out that as a member of the Kensington Green HOA, the Mayor should be fully aware of that. Galicki did not know why the Village would continue to pursue the contract based on an erroneous contract. The Mayor stated that he thought Galicki would see on November 11th one of the things that will be done is the voiding of that agreement. Galicki stated that this may be so, but then pressing ahead is not an option. The Mayor clarified that these were the options presented to the Mayor by the HOA board members during the meeting. The Mayor said the Village would not do this to the people. Galicki said he hoped not because this was the premise under which the Village started to engage in the first place.

Regarding the Manorbrook tree issue, Porter asked if residents are asking for the trees to be replaced by the Village, or just removed. Nairn commented that there were many trees, and the Mayor said there were possibly 18. Carroll asked if they were in the right-of-way. The Street Commissioner said they were in the right-of-way, but that during development, the trees were put in as beautification of the streetscape. He thought they were put in with the understanding that the HOA would take care of them, even though they are very close to the boundary of the right-of-way. He said some of the trees might be outside the utility easement and Dave Hocevar

might possibly have more information. The Street Commissioner stated that it should be a Village practice that if trees are in the Village's right-of-way, the Village has the right to remove but not necessarily replace them. Carroll agreed, but said he would be inclined to treat the dead tree situation as a safety issue. If they are that much of an issue, perhaps the Village should consider taking them down. The Street Commissioner said that some of the dead trees were new plantings that did not take and are not very big. Canton advised that in nine years living on Manorbrook, and while serving on the HOA board, the association took care of removing and replacing trees. He stated that the trees in question are closer to Chillicothe Road and are not in his HOA's area of responsibility. Carroll asked which HOA would be responsible for the trees; Nairn stated it is the Whitetail Condominium Association. Canton stated that the HOA's responsibility is the water plant and the landscape. If the trees are a safety issue, Carroll stated the Village needs to know to whom to address a letter if necessary. Canton stated that if a tree fell across Manorbrook, it was never the responsibility of his HOA, rather the Village would take care of it. The Street Commissioner explained that if a tree falls and blocks the roadway, the Village will remove it. However, the Village only takes care of the portion of the tree blocking the road. The Mayor asked the Solicitor to determine what the Village could do about the trees and provide the information at the November meeting. Nairn questioned what caused the trees to die, and Canton pointed out that the trees in the Reserve are all healthy, and just the ones from Chillicothe Road to just south of Whitetail are dying.

Schloss asked for an explanation about the \$3,500 paid to Mr. Timmons. The Mayor said the Village pays \$3,000 to Timmons to cut and haul away the hay, and that Timmons said the price was going to go up because the quality of the hay continues to decline. Schloss asked whether the Village receives income from the hay, and the Mayor replied that it does not, and the Village is happy to have it taken away. Schloss stated that he had a farm for many years and stated that he had Amish workers come in to cut it, and that he was paid for the hay. He was curious about how this worked with the park when it is beautiful hay. The Mayor explained that the issue was weeds and the other problem was that it can't be cut until August 1st. He thought that Timmons would be happy for the Village to find someone else to cut the hay.

The Mayor requested a break to take the group elected officials' picture.

FISCAL OFFICER: Regarding the cemetery, a bench was purchased by the Wise family. They will be the first owners of a bench, which is one of five budgeted for 2019.

Regarding the culvert on Chillicothe Road, Fiscal Officer said she spoke to the Engineer who stated this could be started in the fall of next year. As for the Lake Louise Bridge project, the Engineer told her it could be bid in the spring, so that when the grant money is available in July, the project can begin. The project will probably span fall 2019 into 2020 – however this project is not in the currently proposed 2019 budget. Fiscal officer asked if Council wanted her to include it for next year. Carroll asked how much it was, and the Fiscal Officer said the Village must budget for the whole project, which is \$246,000, and the Village will get half back with the grant. The Mayor asked Porter if he needs a committee meeting to do this planning. Porter stated that he did not think so because the Village needed to submit the grant application by Wednesday. He stated the Council should adopt a resolution to allow the submission of the grant on time and allow planning to continue.

The Fiscal Officer stated that per the Mayor's report, \$2,000 would be added to the budget for the Show Your Colors, and then haying will be changed from \$3,000 to \$3,500. Fiscal Officer explained that regarding the Lake Louise Bridge project, the Village could not proceed on it now because it was not included in the tax budget. It would have to be submitted as an amendment in January/February. However, she would run the budget numbers both ways so that Council could see where the Village will stand with and without the project.

Regarding the County's Cents per Gallon tax issue, the County shows \$637,000 in erroneous payments to the Village but cautioned the Village not to panic. The issue will be reviewed by the State Attorney General to decide what, if anything, the County should attempt to recoup. The determination will take three to six months. Carroll asked how this happened. The Fiscal Officer explained that the Village receives Motor Vehicle and Cents per Gallon money. The auditor made the error 37 years ago with instituting a formula change incorrectly. Nairn asked how the State expects the communities affected by this to pay back the money. The Fiscal Officer said the County is in the process of determining this. Porter stated that theoretically, the Village might have to send a check to the Engineer's office for money that came to the Village in error. The Fiscal Officer explained that there is a question of whether the Village would be responsible for the entire amount, or whether there would be a statute of limitations. Nairn asked if the mistake happened at the State level, and the Fiscal Officer clarified it was at the County level.

Regarding the NatureWorks grant for the playground and the Engine Brake Ordinance, the Fiscal Officer explained there were procedural errors at the last Council meeting whereby no motion was made to accept the grant or ordinance. The Mayor asked that since he has nothing except a phone call from Ohio Department of Natural Resources on the NatureWorks grant, he proposed that Council do nothing. Eventually, when the paperwork is received, Council can consider it. Carroll asked if the Chagrin River Watershed Partners (CRWP) would know more about the status of the grant, and the Mayor said he would check with them on October 23rd. Porter asked if the Fiscal Officer knew when to expect the grant paperwork, and she advised that she had not been a part of the process and did not know. The Mayor explained that the information previously provided to Council was based on a Friday afternoon phone call where he was told that not all of the money was taken, and he was asked if the Village would take it. He said the Village would take the \$22,000. Carroll clarified that this was for the playground and the Mayor verified it was.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the month ending September 30, 2018 and reviewed the current fund balances. He stated they match the balances arrived at by the Fiscal Officer in the Cash Transactions Report. He noted a balance decline of \$400,000 in September due to a check to Burton Scott Contractors for \$312,000 as part of the road program. It was not a month for receipt of revenue; however, \$800 was received as a donation from Walmart for the Shop with a Cop program. The Village is still up \$273,000 for the year. However, balances will continue to decline until the end of the year.

Schloss asked for clarification about fund balances on the Building Department fund and the Ambulance/Fire fund where he noted a figure in parenthesis, which he interpreted to be

problematic. The Fiscal Auditor explained that although this is a negative balance, money from the Village Income Tax fund is transferred to this fund. At year end, it just closes out with the General Fund. He further explained that the Village pays Chagrin Falls Fire Department \$30,000 per month, which exceeds what is received for ambulance fees.

Before having the Solicitor's Report, the Mayor distributed page 9 of a 10-page email from the Mayor to Kim Brewster, CRWP, regarding resistance on the Kensington Green agreement. Galicki stated that he could understand Kim Brewster's comment that "I am not aware of other communities having any push back to the type of agreement signed between the Village and the HOA." Galicki stated he believed Kim is assuming that the HOA and the Village entered into a valid legal contract. If they had, it is understandable that there should be no opposition to it. The fundamental premise on which Galicki stated he takes exception is that due process was not given to the HOA members. The community bylaws were not followed. The HOA President was not empowered to sign on behalf of the HOA and enter into the contract; and the Mayor, as a property owner in the HOA, should have known that the bylaws were not followed and that it was an invalid contract into which the Village entered.

FINANCE COMMITTEE: Porter said the Finance Committee will meet November 8, 2018 at 8:30 a.m.

Porter asked if Schloss would be filling Kostura's committee positions. The Mayor advised that he would be on the Public Utilities and Building Committees. Porter said he would contact Schloss about having a Building Committee meeting.

Porter asked the Fiscal Officer about the budget. The Fiscal Officer stated she needs to make the changes and update the spreadsheets, and that these will be provided before the next Council meeting. She will draft the legislation that can be introduced at the meeting and then perhaps adopted at the second meeting in November.

Porter made a motion to approve the month end balances as submitted by the Fiscal Auditor and Fiscal Officer dated October 22, 2018, seconded by Nairn. Voice vote – ayes, all. Motion carried.

SOLICITOR: Nothing to report.

STREET COMMITTEE: The Street Committee met October 18, 2018. The road crack sealing is complete. The roadside mowing is coming to an end for the season.

Canton made a motion to continue the road salt partnership with Chagrin Falls Schools at \$44.63/ton. Porter seconded. Voice vote – ayes, all. Motion carried.

BUILDING COMMITTEE: Building Committee will meet once they decide on a date. Discussions will include the Board Secretary replacement.

SAFETY COMMITTEE: Photography of the SRV Police cruiser with the graphics on it went well. The next Safety Committee meeting will be held November 6, 2018 at 8:00 a.m.

HUMAN RESOURCES COMMITTEE: Carroll reported that the Medical Insurance renewal rates for the Village came in reasonably well with a 1.19% increase. Medical Mutual, which the Village currently has, was least expensive. Carroll stated this was reflective of the employees' limited use of health care. The Fiscal Officer explained that the Village is grandfathered in the plan the Village had before Obamacare and rates are based on the groups' health. The Village has been lucky with renewals for the last few years with only a 1% to 2% increase where other municipalities face 13% to 17% increases. The Village would want to keep the plan as long as possible. Leaving the plan would mean losing the advantage. Carroll made a motion to approve the renewal of the contract with Medical Mutual. Nairn seconded. Porter asked if the Village is spending \$200,000 per year for the employees' health care. The Mayor stated it is \$204,000. Porter stated that this was lower than he expected. Voice vote – ayes, all. Motion carried.

Carroll stated that although the Council accepted the resignation of the Board Clerk at the October 8th meeting, she requires more time to complete pending work. Carroll stated that Sevich was willing to stay long enough to find a replacement and train the replacement if needed. Carroll made a motion to rescind the resignation, seconded by Nairn. Porter asked if Sevich would be continuing at her former rate of pay. Carroll said yes. Porter asked if she would continue at an hourly basis and would be keeping track of the hours. Carroll replied it would be just as it was previously. Nairn asked how much work was left. The Fiscal Officer stated that Sevich was transferring and organizing files from one computer to a new laptop. Porter asked whether there had been advertising for a replacement. The Fiscal Officer stated she realized there was a motion at the last meeting to advertise the position, but that the Mayor stated he had other ideas of what he wanted to do. As a result, she was unsure about posting the ad. Carroll stated the Fiscal Officer should place the ad. The Mayor stated that the motion had been passed, so that it was necessary to place the ad. He explained that he had some ideas on the position. Carroll stated that the Village has a hiring process procedure in the Employee Handbook, and that would be the process that would be followed. The position should be advertised, and then the committee will do the interview with the Building Inspector, etc. Porter stated that since the advertising was just now being done, Sevich should stay until at least the end of November. Carroll agreed and stated he would be meeting with her October 23rd. Voice vote – ayes, all.

Solicitor asked whether Council moved to accept her resignation effective on a specific date in the future. The Mayor said the Village would just keep her as an employee because if she gets a new job she would come in evenings and weekends to train the new employee. Porter stated Council voted to rescind the acceptance of Sevich's resignation letter.

HR Committee will schedule a meeting the first week of November, date to be determined.

Carroll stated he would be making a motion to go into Executive Session to discuss employee compensation and possible litigation.

PROPERTY COMMITTEE: Canton looked at the swingset and monkey bars that Gurney School is offering the Village for the SRV Park playground. Canton questioned whether the styles of equipment would clash. The Mayor said that the school would gladly say the Village

could take the equipment. However, the Mayor stated the equipment would need to be inspected by an insurance adjuster for safety issues. Canton asked whether the insurance adjuster would examine it prior to moving it, and the Mayor confirmed this and stated that the Village would not want to take the set unless it passed inspection.

Canton also said there is a community member, Mr. Gillespie, who would like to purchase and donate a weather station for the park. The Village already has one, but this one would be cell based and accessed through the internet by the community. Carroll and Canton questioned who would pay to maintain it. The Mayor suggested the matter be further examined by Council and the Parks Committee before asking the donor to come in and give a presentation. The Mayor read an email from the donor to Council.

Regarding the playground, Carroll asked if Council has voted on the installation and location of the playground. The Mayor said it had not. Carroll was concerned about due process with obtaining money prior to solidifying plans. The Mayor stated that the Council had not done anything and said he would not do anything until the money was in the bank. Carroll asked what would happen if Council voted against having the playground. The Mayor said the Village would not want to accept money. The Mayor said a \$300 donation for the playground was accepted, but probably should not have been. He stated that the Village would not want to do anything until all the money was in the bank before going forward. Galicki asked whether there was an allusion to the community in the newspaper this week that the park was a done deal and going forward. Canton stated that he was confident that it would be built, but the newspaper quoted him as saying "with Village funds" and possibly with more gifts basically we will get it done. He called Joan Demirjian with the Chagrin Valley Times and asked if he said, "Village funds," and she said he did. He did not recall saying this to her and that it was not true that Village funds would be used. Demirjian will write a correction. Carroll acknowledged that the Parks Committee has been working on the playground concept, and Council will need to make a motion. The Mayor stated he would not do anything until there is \$120,000. Nairn thanked the Mayor for overshooting the dollar amount. Nairn is also concerned with the responsibility of the playground maintenance. If it is the Service Department that maintains it, there is a cost to the Village. Porter stated that this must be considered going forward, and Council may conclude that it does not want to do the playground and return the money to where it came from, which is Council's prerogative. Carroll was getting the impression that the ship is sailing, and Galicki stated that was the impression given by the Chagrin Valley Times article. Galicki clarified that to date, there was no NatureWorks grant money accepted. Porter said the Village had not received the paperwork, and no action has been taken to accept the grant.

The Mayor passed out three maps provided by Craig Cawrse with the proposed playground. Carroll asked whether the plans could be put on the website with an invitation for resident comments. Canton stated that at the public meeting held last May 2018, eight or nine residents attended; the Mayor clarified that it was 18.

STREET COMMISSIONER: The project for the Maple Springs culvert is completed, which included the rebuilding of the head wall and culvert grate. The 1992 International truck was hauled away, the check cleared, and the title was sent to the purchaser.

The Mayor stated that the grate used in the Maple Springs culvert was \$3,000 and add that to the \$37,400 which is what Chagrin Lakes has paid to redo their spillway, docks, and dam - this totals \$40,400 from the July 4th storm.

PUBLIC UTILITIES: Nothing to report. Carroll will try to attend the USGS visit. He will get together with Schloss to talk about the committee.

ORDINANCES/RESOLUTIONS: The Fiscal Officer explained that with the Loud Crackling Noise Ordinance, all readings were done; however, no motion to adopt the ordinance at the October 8, 2018 Council meeting was done. Nairn made a motion that Council adopt the Loud Crackling Noise Ordinance, Porter seconded but requested a modification to the ordinance. He wanted it to specify "gross vehicle weight" in the title so that no one is confused about what vehicles are subject to the Engine Brake Ordinance. Nairn asked if this could be done after the three readings had been completed. Porter stated he would put the phrase right after "lbs". The Fiscal Officer asked whether the wording was already in the ordinance itself under Section 1. Porter stated yes. Porter stated it was in the body but needed to be in the title as well. Roll Call – ayes, all. Motion carried. **ORDINANCE 2018-39**

Regarding the Lake Louise Bridge project, Porter introduced a resolution authorizing the Mayor to apply to participate in the Ohio Public Works Commission State Capital Improvements and local transportation improvement program, and to execute contracts as required for the Lake Louise Bridge replacement project, declaring an emergency. Porter made a motion to waive readings, seconded by Nairn. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Canton. Roll call – ayes, all. Motion carried. **RESOLUTION 2018-40**

BILLS LIST: Porter made a motion to ratify the bills paid on October 16, 2018 in the amount of \$54,653.99, Nairn seconded. Voice vote – ayes, all. Motion carried.

NEW OTHER: Galicki, Nairn, Porter, and Schloss had no new business.

Canton provided a lengthy article from the *New Yorker* about The Lantern for Council to see.

Carroll made a motion to go into Executive Session for possible litigation and employee compensation. Nairn seconded. Roll call – ayes, all. Motion carried.

Council left for Executive Session at 9:05 p.m. Council exited Executive Session at 9:35 p.m.

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



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Leslie Galicki