

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, JANUARY 28, 2019 - 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Johnson, Solicitor Matheney, Engineer Haibach

VISITORS: Gary Dole, Maple Hill Dr.; Mike Mulloy, Bell Rd.; Stephanie Bush, Westover Dr.; Anne and Ike Tripp, Champion Ln.; Catharine and Maryanne Golden, Kensington Dr.; Heidi Baumgart, Paw Paw Lake; Martha Bistriz, Daisy Ln.; Tom Harvey, Manor Brook; Ted Kruse, Bell; Randy Glorioso, W. Bel Meadow; Julie Simon, Bell Rd.; Kate Jacob McClain, Foxhall Dr.; Darlene Canton, Manorbrook Dr.; Page Borger, Champion Ln.; Lisa and Dylan Nelson, Silver Springs Tr.

Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. Fiscal Officer read the roll. Porter made a motion to approve the minutes from the January 14, 2019 Council meeting, seconded by Nairn. Voice vote- ayes, all. Motion carried.

The Mayor recognized the service of former solicitor David Ondrey. Ondrey expressed his gratitude for his time and experience with the Village as he pursues his new position as Geauga County Judge of Common Pleas Court. Carroll presented Ondrey with a plaque. Former Mayor Harvey offered his congratulations. Street Commissioner offered his gratitude for Ondrey's service. Porter presented a Resolution of Appreciation for David M. Ondrey for serving as Village Solicitor for over 20 years of service. Former Council members, Bill Howell and Bryan Kostura, expressed their appreciation. The Mayor then presented Ondrey with the Scales of Justice sculpture. Ondrey apologized for missing the last meeting and was advised by the Mayor he could listen to the recording of his State of the Village.

The Mayor stated the Park Committee and the playground issue would be next and asked the members of the Park Committee to address Council. Martha Bistriz, Park Committee member, stated she was 100% in favor of the playground. She said the Gurney playground was not always accessible and there was no other playground in South Russell. She hoped Council would support the playground. Bill Howell, Park Committee, stated he was 100% behind the playground and appreciated the effort involved in getting it to this point. Ted Kruse, Park Committee, said it was a fabulous opportunity to pass something that did not cost the Village any money and provided a high level of essential services. He added that it would be used for many generations to come. He added that there was fiscal responsibility because it cost

the Village nothing other than the maintenance, and there was no reason not to approve it. Ike and Anne Tripp stated that emails were sent to Council over the weekend. She added that the President of the Dad's Club was present, and that one of the Club's fundraisers this year supported the playground. Stephanie Bush stated that she was new to South Russell and was 100% for the proposed playground. She came from a suburb of Cincinnati where there were public parks and was a little surprised at the lack of facilities in South Russell. Had it not been for the house they chose to purchase, they would have looked at Solon or Hudson because of their facilities. She believed a playground would create a sense of community. Heidi Baumgart stated she emailed Council and said she, too, was new to the area and had small children. She praised the Tripp family for their generous donation for the playground. She stated that the Gurney playground was inadequate. She said this was an opportunity to add a playground with no additional cost to taxpayers and advised that there were many young families in the community who would benefit. She added that she would remember which Council members voted no.

The Mayor asked Craig Cawrse, CT Consultants, if there were any details that had not been addressed with regard to the playground. Cawrse said he did not think there were. The aesthetics and equipment had been considered as well as the best location for it and preparation of the site. The drainage was carefully considered. Cawrse further advised that there was space allowed for expansion in the future as well as a parking lot.

Ike and Anne Tripp stated they have lived in South Russell since 1977 in three different houses. Recently she was faced with where to take her granddaughter on days she watched her and found playgrounds in other communities. While attending the Fall Festival, she and her husband questioned why there could not be a playground in South Russell Park. She added that it would not only be for younger children, but children 5 to 12 years of age. She was ready to provide the money and wanted to see the playground built. Ike Tripp stated that the process for the proposed playground had included meetings of the Parks Committee, design team meetings, research, and community meetings. The design was chosen from a company called Kompan which produces wood structures in keeping with the rural environment of South Russell. The playground would not be an urban playground with bright colors and galvanized steel. It would be wood with muted greens and browns and designed for kids 2 through 12 years of age and is Americans with Disabilities Act (ADA) compliant. Through the process, six quotes were received. They were able to reduce the quote by 15% as long as a purchase order is in place by the end of February 2019. The Village was awarded a \$23,291 Nature Works grant and the balance would be provided by his wife and him. He added that there was a \$700 commitment from Canton, Catharine Golden, and David York to install benches. Mayor, Ted Kruse, and Cawrse also donated \$600 to plant trees. He asked Council for an affirmative vote and asked the individuals in attendance for financial support of the playground.

Canton stated that 17 months ago he met the Tripps who proposed the idea of a playground. He thanked the Tripps for their donation and vision. He also thanked Pricilla Hoag and Cynthia O'Donnell for their contributions, as well as those who showered Council with emails. Canton thanked Cawrse for logistics and Street Commissioner for his input. He thanked the dedicated members of the Parks Committee. He advised that he was a substitute teacher with the Chagrin

Falls Village Exempted Schools and had spoken to the children about their preferences for a playground.

Carroll thanked the Parks Committee for their work and willingness to provide Council the requested information about costs. He clarified that Council wanted to avoid finding surprise expenses that are at times found on projects. Carroll thanked the Tripps for their generous donation. He asked with the proposed location, if there would be room in the future to build restrooms. Canton stated yes. Carroll also asked about the location of the swale between the playground and pavilion brought up by the Mayor at the 01-14-19 Council meeting. Cawrse stated he looked at the drainage, and it would not interfere with the playground. Galicki extended his thanks to the members of the community who, throughout the process, had remained engaged and were concerned with the decision that Council made. He appreciated that they took the time to contact their elected officials - this was an example of representative democracy. Galicki said he hoped that beyond the playground project the residents would remain engaged in the community and with future decisions made in an effort to make South Russell a better place to live and work.

As a former kindergarten teacher, Nairn offered her thanks. Schloss advised that until he received the emails from the community, he was not certain about the playground. With the community participation, however, he stated that this was what it was all about. He thanked the Tripps and the residents.

Porter thanked the Tripps for their extraordinary generosity. He asked Canton if it was the recommendation of the Parks Committee that Council should proceed forward with the playground. Canton answered it was.

Carroll made a motion to go to recess, seconded by Galicki. Voice vote – ayes, all.

Carroll made a motion to return from recess, seconded by Galicki. Voice vote – ayes, all.

MAYOR'S REPORT: Mayor stated there will be a Stormwater meeting, Monday, February 25th. At the next Council Meeting, the Mayor will give a report on Hazmat. He distributed the Hazmat report and said he would address it at the next Council meeting. Porter asked if the Hazmat Team was looking for money. The Mayor stated no, that the group meets once per year and everything was good.

FISCAL OFFICER: The Fiscal Officer met with Human Resources (HR) Committee and Finance Committee, who will provide the reports.

The Mayor advised that the Fiscal Auditor was not present and said he needed to set a date for the possible Zoning Code change regarding streamers. He asked if Council wanted to do this before the next Council Meeting, February 11th. The Mayor suggested Monday, February 11th at 6:45 p.m. for a Zoning Code Hearing regarding streamers. He asked if this would allow enough time for the notices. The Solicitor stated there were no notices required because it was initiated by Council. This was a definition change so there were no notices required other than a public hearing.

FINANCE COMMITTEE: Nairn stated the Finance Committee met January 25, 2019. Information was provided by Street Commissioner about the aging generator. She referenced the quote provided to Council. Nairn made a motion to purchase and have installed a new generator for the Service Building and Village Hall at a cost not to exceed \$20,150. Porter seconded. Porter stated there was \$25,000 in the budget for projects like this. The Village has had the generator for 16 years and it did not automatically power both the Service Department and Village Hall. Street Commissioner clarified that the transfer was in place but needed to be upgraded. Voice vote – ayes, all. Motion carried.

Nairn added that Council needed to appoint two new members to the Tax Board of Review. The Finance Committee wanted to make a motion to post the Tax Board of Review openings on the Village website, eblast, and place an ad in the local newspaper. Carroll seconded. Voice vote – ayes, all. Motion carried.

SOLICITOR: Nothing to report. The Mayor reminded Council that he asked them to review the Solicitor's bills for 2018 and asked that any concerns be emailed to him.

STREET COMMISSIONER: The Street Commissioner stated that the Spring Trash Day will be April 27, 2019. This had also been confirmed with Geauga County Department on Aging for the Senior Citizen trash pick-up days on Wednesday, April 24th for the west end of the Village, and Thursday, April 25th for the east end. October 12th had been confirmed for Shredding Day; this is also the last day of the Farmers' Market. The Street Commissioner added that he was still waiting for a quote for the street sweeping that takes place the first part of May. Porter asked if there was going to be electronics gathering for Trash Day. The Street Commissioner replied that it would be the same as in the past. Tire collection, metals, electronics and general trash would be collected. Street Commissioner said the Village was holding its own with the salt supply, and he had two additional orders placed. He stated there was an electrical problem with the new truck, but that the repair was covered under the warranty.

The Mayor stated he would be meeting with Russell Township personnel to discuss two guys and a piece of equipment for Trash Day.

Kate Jacob asked about the status of the EPA grant with regard to Kensington Green. She noted that the minutes from December 10, 2018 indicated a decision would be made at the current meeting. She asked if there had been an update from the Ohio Environmental Agency (EPA). The Mayor stated that the Ohio EPA had accepted the revised location. Porter stated that Kensington Green was not involved, that it would be in South Russell Village Park. Jacob stated she wanted to clarify the matter.

STREET COMMITTEE: Galicki stated the Street Committee report was provided at the previous Council Meeting and there was nothing more to report.

BUILDING COMMITTEE: Schloss stated that the Building Committee had its meeting earlier on January 28, 2019. He stated it went well and further discussions would be required for what would be done with the Building Department. Carroll asked if there would be another meeting where zoning personnel from neighboring communities might attend. Schloss thought

that would be beneficial. Porter added that it would be beneficial to look at Moreland Hills to speak to their Building Department staff because they are comparable in size to South Russell but are in Cuyahoga County. Nairn asked the Mayor if he said Moreland Hills shares inspection services with another community. Mayor stated Moreland Hills shared a Building Commissioner with Pepper Pike. They have a Building Inspector and a secretary. Carroll asked if the Inspector was their Street Commissioner, or did the individual only do inspections. The Mayor did not know. Carroll stated that it would be beneficial to have Moreland Hills come to the meeting with the other communities to have an open discussion.

The Solicitor suggested that Council consider having a Village Zoning Inspector come to the meeting, instead of just a Township Zoning Inspector to see what the differences are. She suggested contacting the Village of Burton Zoning Inspector. Porter said in comparing apples to apples, Moreland Hills compared most closely to South Russell. Galicki stated that the closest municipality that resembled South Russell was the Village of Plane City in the Columbus area. The Mayor added that Moreland Hills with its income could require much higher fees.

POLICE CHIEF: The Chief stated the Safety Committee met on January 22, 2019 for the purpose of discussing the temporary stop signs on Chillicothe Road and Bell Road. Safety Committee recommended that Council move to adopt legislation to authorize placement and use of the temporary stop signs. The Solicitor was working on this and the legislation should be ready by the next Council Meeting. Safety also conducted interviews for the existing and upcoming openings in the Police Department.

SAFETY COMMITTEE: Galicki stated he would defer to the Police Chief's report.

HUMAN RESOURCES COMMITTEE: Galicki stated that the HR Committee met on January 21, 2019. A review was conducted of the latest job descriptions with the Clemans Nelson representative. There were additional qualifications added to the Fiscal Officer job description. Clemans Nelson was also asked for information for full-time and part-time Building Inspectors or Building Officials to include job descriptions. Additionally, job descriptions were requested for part-time and full-time Zoning Inspectors and full-time and part-time administrative support for those departments. He added that this request was in no way reflective of any decisions made regarding the Building Department. Clemans Nelson was still drafting evaluations that would be tied to job descriptions. They should be available for review February 12, 2019. A salary survey was being conducted and should be ready for the next meeting with Clemans Nelson on February 12 at 1:00 p.m. He invited all Council members, Mayor, and interested parties to attend this meeting. Regarding the new Paychex System, there may be a need to amend the Personnel Manual with a Resolution on overtime and how it is calculated and pay period adjustment.

Galicki addressed the Building Inspector Conference and hotel reservations for March 2nd and 3rd which were previously made. The HR committee recommended cancelling these – Council agreed.

Galicki said he spoke to Dave Hovevar who offered to rescind his resignation and work past March 31st. He indicated he wanted to work with the Village to resolve the Building Department issues.

Galicki stated that there was an outstanding resignation from Laura Heilman effective February 4th. The Solicitor stated she did not see this letter, and the Fiscal Officer explained it was the letter drafted by the Mayor and Solicitor. The Solicitor stated this was not a letter of resignation and there was no need for Council to accept anything. The Mayor stated he sent Heilman a letter stating she was done on February 4th. Galicki asked, then, if there was any action required by Council, and Solicitor said there was not.

Carroll stated that at the February 11th Council Meeting, the HR Committee would introduce legislation adopting the job descriptions, and go through the three readings. The Solicitor would be consulted for the proper process to do this.

Carroll said that there was a need to go into Executive Session to discuss employee compensation.

The Mayor said there should be a consultation with the employees before they receive their job descriptions. The Fiscal Officer stated that the descriptions had been provided and reviewed by the Department Heads already.

PROPERTY COMMITTEE: Canton thanked Council for the affirmative vote for the playground. He asked if preparation of the ground would take about a week. The Street Commissioner said yes, preferably if the ground was dry. It would be necessary to put in drainage as well, which was just for the playground. There would be additional drainage that would need to be discussed that would run parallel to the parking lot, as well as the work that would be done with the 319 grant.

Carroll stated that Cawrse provided the Village with additional \$3,200 in charges on top of the \$7,800 previously approved. It was his understanding that the \$7,800 was supposed to cover the work. He asked what precipitated the \$3,200 charge. Porter stated that Cawrse was owed the money for the work. Nairn stated she was concerned that an additional 40% charge of the original quote was made. Carroll stated it was his understanding that this was a quote. Porter stated that some of the work had been done, and that Cawrse had done much more than one would expect for this price point. Carroll felt it was expensive for the type of work being done. Carroll pointed out that the Village was stuck at this point being in the middle of the project. With an original quote of \$7,800 to handle the project, Carroll questioned the addition of another 40% on top of that. He said that part of what Cawrse was contracted to do was handle the bid reviews, but now the Village would not be doing that. Porter stated that Cawrse did not know that at the time. Carroll thought \$3,200 seemed excessive. Nairn questioned whether there were more requests to come. Porter said none that he knew of. Schloss asked if he was going to inspect each piece of equipment that went in, and the Mayor stated "no". He explained that the 40% extra was for work that he had done over 2018 to get the Village to the point where it had the playground and was ready to go. He said that the Village kept adding and adding and extending the parking lot and looking at everything the Village needed to do to get the park the

way the Village wanted. Porter added that the swale was an added feature. He stated that Cawrse added up all the costs and projected what the Village would incur to include the \$5,000 estimate for material and Service Department personnel expense. Porter stated Cawrse did more than envisioned, and the \$3,200 was to compensate him for this. Carroll asked if this would be all, or would the Village be getting another bill from Cawrse. The Mayor stated that the Village was done now, but he would think the Village would want to employ Cawrse for 2019 also. Carroll asked what they would use him for in 2019. The Mayor said he thought there was a lot of work that he would be doing for the Village. Porter stated he would be more comfortable staying with CT Consultants because Cawrse was part of that firm now. Carroll agreed that the Village should stay with CT Consultants, but if there were a need for a landscape architect, perhaps the Village should look for other options. Nairn asked if Cawrse were consulted via phone or email, would the Village be charged by the contact. The Mayor stated he believed Cawrse operated the same way the Engineer does. The Engineer had a stipend and bills for extra work. The Fiscal Officer explained that if Cawrse was called for a meeting, there would be a charge. So far, Cawrse had been paid \$8,300 and he was looking for \$11,000, so there would still be money owed to him. The Fiscal Officer reminded Council that the Village had a contract with the Engineer and with Cawrse so that each time they were asked to come out to look at something, it all added to the cost. The Mayor stated that most of the work done by the Engineer at the 01-27-19 Special Council Meeting regarding stream enhancement was done by Cawrse. Nairn asked whether the Village would be billed for the presentation, and the Mayor said "yes". Carroll clarified that if the Village were considering work that fell outside CT Consultant's scope, that it would consider other options; he was concerned about the spiraling expenses. Schloss added that engineering would also be necessary for a restroom facility for the park, and that it would be beneficial to follow Carroll's suggestion. The Mayor stated previously Cawrse would provide information in exchange for lunch, but now that he is with CT Consultants, things have changed.

Galicki asked whether the original contract was with Cawrse. The Mayor replied that it was. Galicki asked then with Cawrse's change of employment, how it was that CT Consultants now bills for Cawrse's services which were previously contracted directly with Cawrse. The Fiscal Officer explained that CT Consultants purchased Cawrse's consulting company. Porter explained that the contract was between the Village and Cawrse and any of its successors or assigns. Thus, CT Consultants took the contract when they purchased Cawrse's company.

Porter made a motion to pay Cawrse \$2,700 that he is owed through CT Consultants. Canton seconded. Carroll asked that there would be a conversation with CT Consultants about future charges, and that Council might have this information in advance so that if there were the option to go a different direction, in particular with the playground, that Council have the opportunity to pursue it. Porter suggested going to the local community for a landscape architect. Voice vote- ayes, all. Motion carried.

The Mayor stated that he heard that the Chagrin Falls Dad's Club and the Jaycees would be providing a donation of \$1,425 from their Texas Hold 'em Night. Porter stated that the Fiscal Officer could let Council know when it was received, and Council could then decide to accept or reject the funds.

Schloss asked whether the flags were correctly illuminated now. Canton stated that they were down. Galicki stated that the flags were down in two locations, the Cemetery and the Park. Schloss clarified that this was until they could be properly illuminated.

The Mayor asked about the 192 flags that are displayed down Bell Road and whether there would be an issue with these flags. Galicki said this was something that needed to be discussed before the next holiday in May. Porter stated he was not sure that the flags could be taken down each day or illuminated every night. Galicki stated that he did not think anyone was asking to do either. He felt that there should be a discussion about whether the Village parades the streets with American flags or not. There had also been discussion at previous Council Meetings about the condition of these flags, so there was robust discussion possible for the future.

Porter stated there would be a February meeting about the corner lot with the flag poles, which might present an opportunity to discuss whether Bell Road and Chillicothe Road would be lined with flags for Memorial Day and Veterans Day. Carroll suggested that another point of discussion would be about having flags all over the Village if the flags were added on the corner.

PUBLIC UTILITIES: No report. The Mayor asked if the Trash Hauling meeting would be on February 25th and whether there would be a report back from Public Utilities Committee about trash and recycling. Carroll said yes.

ORDINANCES:

Canton introduced a Resolution on behalf of the South Russell children of today and tomorrow accepting the approving of the Kompan quote dated January 4, 2019, for the playground for the Village of South Russell Park playground and declaring an emergency. Canton made a motion to waive further readings. Porter seconded. Roll call – ayes all. Motion carried. Canton made a motion to adopt. Porter seconded. Roll call – ayes, all. Motion carried. **Resolution 2019-05.**

Porter introduced an amendment to the budget in the amount of \$2,700 such that Craig Cawrse can be paid. Porter made a motion to waive readings and declaring an emergency. Nairn seconded. Roll call – ayes, all. Motion carried. Porter made a motion to adopt. Nairn seconded. Roll call – ayes, all. Motion Carried. **Ordinance 2019-06**

Porter made a motion to transfer \$2,700 from the Income Tax Fund to the Park Fund declaring an emergency. Porter made a motion to waive further readings, seconded by Nairn. Roll call – ayes, all. Porter made a motion to adopt, seconded by Nairn. Roll call – ayes, all. **Ordinance 2019-07**

BILLS LIST: Nairn made a motion to ratify the bills list dated January 15, 2019 in the amount of \$53,089.62 and approve the bills list of January 29, 2019 in the amount of \$32,085.44, seconded by Porter. Voice vote – ayes, all. Motion carried.

NEW OTHER: Schloss, Canton, Galicki and Porter had no new business. Nairn made a motion to donate \$500 to the Chagrin Falls After Prom, seconded by Porter. Voice vote – ayes, all.

Carroll made a motion to go into Executive Session to discuss employee compensation, seconded by Porter. Roll call – ayes, all.

Council reconvened from Executive Session at 9:24 p.m.

ADJOURNMENT: Being that there was no further business before Council, Canton made a motion to adjourn, seconded by Schloss. Roll call – ayes, all.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Leslie Galicki