

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 8, 2019 - 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, Police Chief Rizzo, Street Commissioner Johnson, Solicitor Matheney, Engineer Haibach

**VISITORS:** Joan Demirjian, Chagrin Valley Times; Randy Glorioso, W. Bel Meadow; Kate Jacob McClain, Foxhall Dr.; Lorraine Sevich, Ridgecrest Dr.; JoAnn Mychenberg, Louise Dr.

Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. Fiscal Officer read the roll. Carroll made a motion to approve the minutes from the March 11, 2019 Special Council meeting, seconded by Nairn. Voice vote - ayes, Canton, Carroll, Galicki, Nairn, Schloss. Because Porter did not attend the meeting, he abstained. Motion carried. Carroll made a motion to approve the March 11, 2019 Regular Council meeting minutes, seconded by Nairn. Voice vote- ayes, Canton, Carroll, Galicki, Nairn, Schloss. Porter abstained.

Randy Glorioso, Chagrin Falls Dad's Club, presented the Village with a donation for the South Russell Village (SRV) Park playground. Canton accepted the donation and thanked the Dad's Club.

Sgt. Todd Pocek, SRV Police Department, explained a car show charity event he and Officer John Zippay would like the Village to approve. Pocek explained that the fund raiser was an effort to assist families with children suffering from leukemia. It would also serve to replicate the experience of Officer Zippay, who was the recipient of law enforcement and community support when his son had been diagnosed with leukemia. Recently, the child of a State Trooper living in Auburn Twp. had been diagnosed with leukemia, and Pocek viewed this as an opportunity for the South Russell Village community to pay it forward. The car show would occur at the Village complex, which could accommodate about 100 show cars, although he expected 50 to 80 vehicles with it being a new event. Spectator parking had been explored and approved. Pocek added that the National Guard participation as well as Police and Fire would be sought to serve as a small static display. The classic and exotic cars would constitute most of the display. The Sandford and Son truck had been confirmed as the celebrity truck for the event. There would be a kids' play area, possibly with a bouncy house, and two food trucks. A spectator tent and D.J. were also planned. To offset costs, they would seek sponsorship. Pocek added that Ganley of Aurora came forward as a sponsor for this South Russell Police Department event.

The registration for the cars would be \$20. Funds would also be raised through a small VIP parking area at \$50 each, and through proceeds from a raffle. Although the event would be free to spectators, donations would be accepted.

Two to four officers would be needed for parking and safety, and one in the station for visitors. The Village would also provide a tent, tables, and chairs.

Pocek anticipated spouses, family, and community volunteers, and added that the Chief would oversee the advertising which would be through social media, internet, newspapers, etc. Judges would include the Chief and the Mayor, and Donut Trophies and awards would be given.

Porter asked how many spectators could be expected. Pocek thought there would be about 250 throughout the duration of the event. With 50 or more cars and 300 attendees, Pocek would consider the event a success. The event would take place August 4, 2019 12:00 p.m. to 4:00 p.m. with setup beginning at 10:00 a.m. The rain date would be August 11, 2019.

Chief Rizzo stated that approval for the event was being sought from Council. The Mayor stated that the Street Department suggested parking a vehicle as a display for the event and spoke to the Farmers' Market about having a vehicle parked the two Saturdays before the event to advertise. Pocek agreed that this would be a good idea.

Schloss asked who the recipient of the funds would be. Chief reiterated that it was a State Trooper with a young child with leukemia who lives in Auburn.

Carroll asked if there were other car show fundraisers conducted by local law enforcement. Chief stated that this was a new endeavor. Although there was a recipient for the proceeds of this event, the fundraiser could be used for a variety of causes, such as Shop with a Cop.

Galicki made a motion that Council would support the Police Department's proposal to hold a car show on August 4<sup>th</sup>, seconded by Nairn. Voice vote – ayes, all. Motion carried.

Lorraine Sevich was scheduled to address recycling and trash hauling. Porter first spoke of the history in the Village of considering a single trash hauler. Porter explained that previously, it was proposed by the Public Utilities Committee that the Village consider a single trash hauler, and the proposal was presented to Council. When the issue was brought to a well-attended public hearing, the community expressed agreement in the concept of having a single hauler, but disagreement as to which hauler to use. He added that when Russell Twp. went to a single hauler, they were sued by numerous residents over the selection of the hauler.

Sevich pointed out that this proposal was presented eight to ten years ago, when circumstances were different regarding recycling. Through her research, she found that Burton switched to a single hauler with Waste Management. With the same size garbage and recycling containers, the residents are billed \$16.50 per month, which would equate to \$49.50 per quarter. Sevich stated her last Waste Management bill for the same service was \$126.62. She added that Burton has trash hauling every week and recycling every other week. Burton also offers the option of using special bags for residents with a low volume of garbage for a discounted rate. Bainbridge, which has a recycling center but has had problems, would be going to a single source trash hauler. Chagrin Falls has had this service for years. She felt the topic was worth revisiting. Sevich added that the Village just passed a levy for roads, and the weight of the combined trash haulers takes a toll on the roads. Sevich asked about Kensington Green's use of a single hauler and how this was received by the residents. Porter stated nearly all residents were already using Waste Management, and the handful who were not were not happy. Through the arrangement, the residents were given a better rate. Sevich stated that another current issue is that recycling has changed and only one hauler takes recycling (Waste Management). With other haulers, everything goes into the trash. Although she did not consider herself an environmental extremist, she believed in the importance of taking care of the

planet. She said, for example, that glass can no longer be recycled in Geauga County, and that it takes one million years for glass to break down. Furthermore, it takes 450 years for plastic to disintegrate. She thought most South Russell residents were somewhat environmentally conscious.

Carroll stated that the issue was discussed by the Public Utilities Committee, and it was agreed more research would be conducted. An effort would be made to ascertain interest by local haulers. Sevich was asked to assist with the process. Carroll thought it was worthy of consideration. He added that the trash hauling companies were becoming fewer and fewer, with Waste Management being the only hauler that still does recycling. He thought that by the next Council meeting, the committee would have suggestions for the next steps to take.

JoAnn Mychenberg, Louise Dr., spoke about recycling education at Gurney Elementary School. She added that she had heard neighbors discussing the need for lower garbage hauling rates.

Porter suggested using a survey as well as a public hearing to gauge interest in changing to a single trash hauler.

**MAYOR'S REPORT:** The Mayor first requested an executive session for employee compensation. He then indicated that he had a meeting with the Farmers' Market organization and signed an agreement without approval by Council, which would require correction. Carroll asked if anything was changed on the agreement, and the Mayor stated only the date would need to be changed. Carroll made a motion to allow the Mayor to sign the agreement for the annual Geauga Fresh Farmers Market. Canton seconded. Voice vote – ayes, all. Motion carried.

The Mayor addressed the South Russell Village Headwaters Stream and Wetland Restoration contract which involved turning over the \$188,000 319 grant project to Chagrin River Watershed Partners (CRWP) to manage at the cost of \$10,000. Canton made a motion to accept the contract, seconded by Schloss. Voice vote – ayes, all. Motion carried.

The Mayor asked Council to look at a list of 2018 goals and to consider a strategic planning session in the future.

The Mayor complimented the three Village department heads for persevering through recent challenges of audits, annual reports, inspections, etc.

The Mayor spoke about a Federal Emergency Management Agency (FEMA) webinar he attended, during which he presented the idea of buying a piece of property on Chillicothe Rd., tearing the home down, and using it as a stormwater solution. He submitted a preapplication, which was accepted. The Mayor added that obstacles included the Village not having a designated flood area. FEMA was sent the North Central Study to support the application and the Mayor advised the cost of the proposal would be worthwhile. The feedback was that the Village's proposal was potentially a good fit. More information would be received in May 2019.

Regarding the Cleveland State University (CSU) Leadership Academy Certified Public Manager Program, the Mayor stated he had been accepted into the program.

The Mayor stated that a Girl Scout was interested in building a bridge in SRV Park. Canton will discuss it further.

The next Council meeting will be April 22<sup>nd</sup>. Prior to the meeting, there will be a tour of Chagrin Falls Intermediate School at 6:00 p.m. for 20 individuals. Council members who care to attend should let the Mayor know by Monday, April 15<sup>th</sup>.

First Energy Solutions will offer a tour of their Emergency Operations Facility on Thursday, May 23<sup>rd</sup> in Brecksville from 9:00 a.m. to 11:00 a.m. Interested Council members should notify the Mayor.

The Mayor stated that from South Russell residents alone, the new gas tax should generate \$85,000 in 2020 and \$86,000 in 2021.

A letter was received from the Western Reserve Land Conservancy and will be distributed to Council.

Carroll asked if Congressional Training was still being conducted in Washington D.C. because the Village had not sent anyone for several years. The Mayor stated that it had become an unpopular event. The last time he attended, he had 20 minutes in a conference room with standing room only with Congressman Joyce. He said it was not what it used to be but provided the opportunity to find out what is happening in other communities. The Mayor added that there was not much notice given for it and added that the mayors and managers were unhappy with it. However, they went because they needed the face time and connections. Carroll stated that historically the Village sent two people. The Mayor stated that previously it had been worth attending. Nairn asked when it was held, and the Mayor stated that the Village should be receiving the invitation soon, and that last year only three weeks' notice was given. Galicki added that he did not remember it being offered last year. Carroll said he would be interested in attending and added other members of Council might be as well. The Mayor advised he would let Council know.

Kate Jacob McClain, Foxhall Dr., asked if the Village paid for this training, or if it was self-funded. The Mayor stated the Village paid for it. She questioned the value of paying for a trip to Washington D.C. for 20 minutes of face time with Dave Joyce. Porter stated that when LaTourette ran the training, it was a meeting which specifically addressed the needs of the Village in terms of the Federal Government. McClain stated that this would be something the Representatives would be willing to do at a local level, since they have local offices. She thought this sounded like a huge waste of money for South Russell residents. The Mayor explained that the best part of it previously was presentations at a national level that explained local impact and provided information on funding resources. He added that there were other activities that were well done. Nairn clarified that this was a networking opportunity. Galicki added that it was networking with other communities, which was more than 20 minutes with a Congressman. Porter added it was not just LaTourette but the entire Ohio delegation present to speak to elected officials from their local communities about what the Federal Government could do for them. McClain thought this would be a worthy event, but that elected officials should pay their own way. She thought it was a waste to be a taxpayer funded event. Porter stated for \$1,200 for two members of Council, the Village received much more in return.

**FISCAL OFFICER:** The Fiscal Officer advised that she distributed her monthly report to Mayor and Council. In it, she explained the requirement of Council to have Public Records training each term of office. Carroll made a motion to make the Fiscal Officer the Public Records Designee for the elected officials to meet the training requirements, seconded by Porter. Carroll stated that members of Council should attempt some public records training. Voice vote – ayes, all. Motion carried.

The Fiscal Officer stated that the State Auditors were still conducting the audit and were being very thorough. She added that at the next Human Resources (HR) Committee meeting, the PayChex system would be discussed and a determination made on whether to continue use of it.

**FISCAL AUDITOR:** The Fiscal Auditor had no report.

**FINANCE COMMITTEE:** Nairn made a motion to acknowledge receipt and review of the detailed credit card report for April 2019, seconded by Porter. Voice vote – ayes, all. Motion carried.

Galicki and Nairn were appointed by the Mayor to investigate engineering firms, which they had begun to do. Galicki added that as they progressed in the process of soliciting input for contract proposals, suggestions by Council were welcome. He indicated that Council was provided with a draft request for quote. He asked that Council review the document to assist the committee since the Village had not requested quotes for engineering services for many years. Porter asked if Galicki was looking for recommendations for the engineering contract for 2020 or for the current year. Galicki clarified that it was for the current year. He explained that there had been discussion at a previous Council meeting to explore options. He added that it was no reflection on the Engineer or CT Consultants, and hoped that they would be among the firms to submit a bid. Galicki explained that the Village currently had no contract, but that CT Consultants was providing services without a contract while Council explored the issue. Porter stated that there was an Ordinance in the Council packet authorizing the Mayor and the Fiscal Officer to enter into a contract with CT Consultants. Galicki stated that the contract and Ordinance were devised prematurely since there was no discussion by the committee tasked with investigating the contract. Porter questioned whether the Engineer was then going to continue to work without a contract. The Engineer indicated he would be happy to keep going.

Nairn stated that the next Finance Committee meeting would take place Friday, April 19, 2019, at 8:00 a.m.

**SOLICITOR:** The Solicitor advised that there was a House Bill that was effective March 28<sup>th</sup> but did not actually go into effect for 9 months. It pertained to codes and Codified Ordinances of Villages and political subdivisions regarding the carrying, selling, transferring, and manufacturing of any firearm. If there were any provision in the Zoning Code that did not permit manufacturing of firearms, it might have to be revisited.

**ENGINEER:** The Engineer reported meeting with a group of residents on April 3, 2019 near 200 Fox Ln. to discuss the 319 grant issues and the proposed stream restoration project. They wanted to address their specific stormwater concerns and the streams in their front and side yards. They wanted clarification on the ramifications of the Village's proposed culvert/downstream restoration project on their properties. The Engineer explained to them that the culvert would not be replaced until there was something in place to do the stream enhancement/restoration project to quell the flow of water that would come their way. He added that it was the Village's intent to have a net zero effect for everyone downstream of the project. Until the 319 grant is approved, the Village would be waiting.

The Engineer stated that he provided the Street Committee with recommendations for this year's Road Program. He hoped they could be discussed at the upcoming Street Committee meeting and have firm recommendations for Council by the next meeting.

**STREET COMMISSIONER:** The Street Commissioner provided a monthly report. He was trying to wrap up the winter season but noted that the Village was committed to the Ohio Department of Transportation (ODOT) contract for 90%, which was the minimum amount of salt the Village could purchase for the bid. He added that the building was full, and the Village would not be purchasing the 110% it was allowed. ODOT distributed next year's contract, and the Resolution was provided to Council. The Street Commissioner said he decreased the minimum bid requested from 1,700 to 1,500 because of the salt supply the Village currently has on hand.

The Commissioner added that a new Memorandum of Understanding (MOU) would be required between the Village and Geauga Soil and Water. The MOU must go before the County Commissioners, and he surmised it was hung up between the Prosecutor and the County Commissioners, but had been assured the Village would be in receipt of the MOU by the end of the month for review and signature.

The annual Stormwater Report was filed as required.

The EPA conducted an audit of the Street Department and identified two violations. The Stormwater Pollution Prevention Plan (SWPPP) needed to be updated. The Street Department would coordinate with CT Consultants to accomplish this.

Carroll asked if the Street Commissioner had heard from Justin Rainer, the Village's summer help. The Street Commissioner had been in contact with him and he was interested in returning. He would provide a schedule soon. The Street Commissioner added that HR was supposed to be discussing Rainer's pay. Carroll pointed out that Village employees received a raise and questioned the need for further discussion. Galicki stated that he was unaware of any pay issue, and added no issue was presented to the committee.

Galicki asked if the Street Commissioner would clarify the alternate storage plan for salt and how it played into next year's contract. The Street Commissioner explained that many of the surrounding communities such as Moreland Hills, Orange, and Pepper Pike have set up stockpiling sites in the event that a community was not able to meet their quota for purchasing salt for the year. The Village arranged a reciprocal agreement with Chagrin Falls. It would provide an alternate storage site in the event the main one was not accessible or full. Carroll asked if it was necessary to be specific about the partner community. The Street Commissioner stated he would put the address of a specific partner, not that either one would ever have salt delivered, but just to have a stockpile site.

**STREET COMMITTEE:** Galicki stated the next Street Committee meeting would be April 19, 2019 at 7:00 a.m.

**BUILDING COMMITTEE:** Schloss indicated that the March 21, 2019 Building Committee meeting minutes were provided in Council packets. Schloss advised that the Building Committee supported continuing operating the Building Department on a part-time basis through the end of the year. He advised that this decision was based on the number of permits and registrations, which he said were "just not there," nor were people coming in off the street. The committee would continue to keep an eye on it to see if there were any changes.

Carroll asked if it would be worthwhile to have the Geauga County Building Inspector and Zoning Inspectors from Bainbridge and Russell come to speak to Council. Schloss thought this would be a

good idea. Carroll said he continued to think that it was necessary to evaluate options. Referring to the Building Committee minutes, he said he did not know where Hocevar was getting his information about members of Council wanting to shut the Building Department down. Carroll stressed the importance of considering all options. Schloss stated that he and Porter would be meeting with Chief Rizzo and Hocevar on April 10<sup>th</sup> to discuss zoning issues.

**POLICE CHIEF:** The Chief reported that on April 1<sup>st</sup>, the Village had a table top training with the Emergency Management Association (EMA), which he felt was valuable. It was conducted in order to put the Village's Emergency Operation Plan to the test. The scenario involved a tornado touching down with resulting damage at Chillicothe Road and Bell Road, followed by torrential rain and flooding. He said that EMA was impressed with the Village plan.

**SAFETY COMMITTEE:** Galicki stated that Safety Committee met on April 2<sup>nd</sup>, the minutes of which were attached to the Chief's Report. He distributed proposed changes to an Ordinance dealing with disturbing the peace. In response to recent complaints about construction and yard work noise in the Village, the Safety Committee initiated changes to the Ordinance. Galicki invited input of Council on the changes, which had been reviewed by the Solicitor. In the meantime, one of the original complaints had been brought to the attention of the contractor, who complied.

Carroll addressed the issue of Ambulance Service hard billing. He inquired about the issue with the Solicitor and Mark Vedder of the Chagrin Falls Fire Department. Carroll added that Vedder would follow up with the specific resident who questioned the charges. Vedder offered that he would meet with the Safety Committee or attend a Council meeting to explain the billing process. Carroll explained that the Fire Department bills on behalf of South Russell, which in itself generates a fee. The Fire Department sends out invoices to residents for 90 days to try to collect the balance of the bill. If the resident does not pay, it ends there. They do not send residents to collections. However, there are parties that are paid directly by the insurance company for the ambulance services. Between the billing company, LifeForce and the Fire Department, they know when someone has been reimbursed for an ambulance fee. They will go after those individuals with collections because they have actually been paid by the insurance company for the service and are supposed to turn the payment over to the Fire Department or Village, but do not. Because the Fire Department is a private company, the Attorney General does not pursue collection of Ambulance fees for them. They will bill the resident's insurance and then will send invoices for the balance but will not pursue it further. This plays into the reimbursement the Village receives from Ambulance fees. With higher and higher deductibles, the Village can anticipate its costs rising because the reimbursement will decrease. Carroll advised that the Fire Department is reluctant to put this explanation in the contract because it takes away flexibility to work with the Villages. Galicki requested that the Fire Chief provide an executive summary of this explanation so that it could be distributed to residents in a newsletter or eblast.

The Mayor asked Galicki for the main reason for the change in the Ordinance. Galicki stated it addressed, for example, people cutting grass at 7:00 a.m. on a Saturday morning, or using power tools, etc. The Chief added that the language in the Ordinance was weak and did not relate to construction activity. The Solicitor stated that primarily the hours were changed and included a fine and classification. The Mayor pointed out that with daylight savings time, the Village would be preventing contractors from getting to work at sunrise. The Chief pointed out that the hours were extended to 9:00 p.m. The Mayor asked how this pertained to trash haulers. The Chief stated that there had been complaints about this matter, and that perhaps this could be addressed in the

Ordinance as well. Nairn asked how this would be addressed with the trash haulers, and the Chief explained that the companies would be contacted. Nairn also indicated that the matter of party noise and loud bands would not be addressed through this Ordinance. Porter questioned the portion of the Ordinance that addressed a temporary permit issued by the Mayor. Galicki stated that this was already a part of the Ordinance. Porter suggested the wording be changed to “temporary permission” instead of the issuance of a permit. Porter also suggested a timeframe be included relative to the number of offenses.

The Mayor stated that on June 10<sup>th</sup>, the Chagrin Falls Volunteer Suburban Fire Department was scheduled to be at the Village.

**HUMAN RESOURCES COMMITTEE:** Galicki stated that there was an HR meeting scheduled for April 10<sup>th</sup> at 8:15 a.m.

Carroll addressed the end of the probation period for Leslie Galicki, administrative assistant to the Fiscal Officer. Galicki recused himself from the discussion. Carroll made a motion remove Leslie Galicki from the probationary period and to raise her pay rate to \$17.51/hr. effective April 1, 2019. Nairn seconded. Voice vote – ayes, Canton, Carroll, Porter, Nairn, Schloss. Galicki abstained.

**PROPERTY COMMITTEE:** Canton reported that the Property Committee met on April 8, 2019. Land preparation for the SRV Park playground was discussed. Preparation will begin mid-May, weather permitting, and should take three to five days. The playground equipment company would then be contacted for equipment installation, which should take five to six days. He stated that the children might be able to use the playground the first or second week of June. There was a question of how many benches to include and the Park Committee decided on six benches. Money had already been pledged by individuals for these benches, at \$750 each, which would include a brass plaque. The Committee also decided to include up to 15 trees, which would sell for \$600 each. This would allow individuals to memorialize a friend or family member. Canton added that a Girl Scout, under the guidance of her grandfather, would be building a bridge over the swale. The playground will be dedicated at the SRV Fall Festival.

Nairn asked what materials the benches would be made of, and Canton advised they would be the same wood as the playground. Nairn was concerned about consistency.

Porter stated money had been allocated for the five benches in the Cemetery Scattering Garden, and the Village could proceed. These benches would all match and would not exceed the budget.

Porter added that the SRV Cemetery was also discussed. He requested an increase in the Cemetery expense account by \$3,750 for removal of crabgrass, which would cost approximately \$1,000. The amount also would include the planting of six trees, totaling \$2,500. Additionally, the Cemetery software maintenance package is \$450. Permanent flagpole lighting was also discussed for three of the Village properties for \$1,500.

Carroll asked what the issue was with the trees at the Cemetery. Nairn stated that they had died because they were planted in the middle of the hot summer. Carroll asked who had planted the trees, and the Street Commissioner stated it was the contractor that developed the Cemetery. Some of them had already been removed and the landscape architect recommended replacing six of them with a different species of tree.



**PUBLIC UTILITIES:** Carroll stated the single trash hauler had been discussed earlier in the meeting.

The United States Geological Survey (USGS) water quality monitoring was discussed by the Committee. Before November, the Committee would determine what Geauga County will be doing with regard to the USGS services. The Mayor stated that the County was no longer discussing this. Carroll stated he would attempt to obtain this information and address it at the next Committee meeting.

**ORDINANCES:** Porter made a motion to amend appropriations for \$8,586 from the Income Tax Fund, with \$3,750 going to the Cemetery Fund, \$1,500 going to the Service Fund, and \$3,336 going to Safety Fund for the 2019 School Resource Officer and move \$5,000 from Building Fund Salaries and Benefits to Building Fund Other and declared an emergency. Porter made a motion to waive further readings, seconded by Canton. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Canton. Roll call – ayes, all. Motion carried. **Ordinance 2019-16**

Schloss provided the third reading on the Ordinance amending chapter 1012 of the Codified Ordinances of the Village of South Russell use of public ways and design guidelines for small cell wireless facilities and wireless support structures and declaring an emergency. Schloss made a motion to adopt. Carroll seconded. Roll call – ayes, all. Motion carried. **Ordinance 2019-17**

Galicki introduced a Resolution authorizing participation in the ODOT Winter Contract 018-20 for road salt and declaring an emergency. Galicki made a motion to waive readings. Canton seconded. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt. Seconded by Canton. Roll call – ayes, all. Motion carried. **Ordinance 2019-18**

Carroll introduced a Resolution approving the Solid Waste Management Plan for Geauga County Solid Waste Management District and declared an emergency. Carroll made a motion to waive readings. Seconded by Schloss. Roll call – ayes, all. Motion Carried. Carroll made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **Ordinance 2019-19**

Carroll made a motion to adopt an Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2019 Energized Community Grant Funds and declared an emergency. Carroll made a motion to waive readings. Seconded by Schloss. Roll call – ayes, all. Motion carried. Carroll made a motion to adopt, seconded by Canton. Roll call – ayes, all. Motion carried. **Ordinance 2019-20**

Porter introduced an Ordinance to amend section 2.01 (115) of the Zoning Code of the Village of South Russell and declared an emergency. Porter made a motion to waive readings. He referenced the proposed verbiage read at the April 8, 2019 Public Hearing. Seconded by Schloss. Roll call – ayes, all. Motion carried. Porter made a motion to adopt. Seconded by Nairn. Roll call – ayes, all. **Ordinance 2019-21**

Nairn introduced a Resolution declaring it necessary to levy a tax in excess of 10 mill limitation.

Nairn introduced an Ordinance transferring \$8,586 from the Income Tax Fund with \$3,750 to go to the Cemetery fund, \$1,500 to go to the Service Fund, and \$3,336 to go the Safety Fund. Nairn made a motion to waive further readings and declared an emergency. Seconded by Carroll. Roll call –

ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **Ordinance 2019-22**

**BILLS LIST:** Nairn made a motion to ratify the March 14, 2019 Bills List in the amount of \$68,297.73 and the March 29, 2019 Bills List in the amount of \$41,100.06, for total of \$109,397.79. Seconded by Porter. Voice vote – ayes, all. Motion carried.

**NEW OTHER:** Schloss, Canton, Carroll, Galicki had no new business.

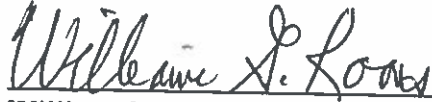
Regarding the rental house, Porter stated the tenant had been late with his payments. He was not sure what the solution would be, other than looking for another tenant. Nairn asked if the tenant was paying the late fee when he paid his rent. The Fiscal Officer stated that the late fee is \$50 and that the tenant paid February's rent, due February 19<sup>th</sup> on March 19<sup>th</sup>. The tenant said he would have the March payment by March 22<sup>nd</sup>, but to date it had not been received. The tenant provided the Village with a letter from his bank indicating the account was frozen due to fraud, but the tenant had already admitted he did not have the money for the rent. Carroll suggested it was time for the Village to get out of the rental business and sell the property. The Mayor stated that he visited the tenant, who was in the concrete business and did not have work all winter. Carroll added that the Village's original agreement was not with the tenant, but with his parents, who were deceased. The Mayor suggested the Property Committee study the situation and provide Council with this information in May. Carroll added that Council should make a decision about splitting the property for possible Cemetery expansion, but that the property should be sold. Canton asked the Mayor to share what the attitude and demeanor of the tenant was when they spoke. The Mayor stated this was a public meeting, but that his concern was with someone who did not have a job all winter in this economy. Canton asked if the tenant was able-bodied and could work. The Mayor said he was. Galicki asked if the tenant was two months in arrears, and the Fiscal Officer advised that the tenant had not paid March rent and the rent for April is due April 19<sup>th</sup>. Galicki offered that in his experience with being a renter, rent was due in advance. Nairn added that the tenant never signed a lease. The Mayor stated that the Village did not have a lease. Porter stated the tenant was month-to-month, and the Village only needed to send a 30-day notice to the tenant to terminate. He added that the property could be rented to another tenant for much more money. The Mayor stated the Property Committee would have a month to bring options to Council. Carroll asked if the Solicitor could determine what was required to split the property. The Solicitor asked how much would be split, and Porter explained it would be the house and an acre, which would be the front portion, to include the driveway and then all the property behind it would remain with the Village.

Porter stated that there was an Ordinance that required Council to designate which flags would be flown at the four corners at Chillicothe and Bell Roads by April 1<sup>st</sup>. He thought last year it was Coast Guard and Air Force. Galicki stated that two years ago were Army and Navy. Last year were Marine Corps and Coast Guard. Air Force would be up for consideration for the Armed Forces. Porter stated this year would then be the Merchant Marine. He made a motion that the Mayor and Street Commissioner make the arrangements to fly the Merchant Marine and Air Force flags at the four corners per the Ordinance. Nairn seconded. The Street Commissioner asked if this meant the two flags at the intersection and each of the two flags at both Cemeteries. Porter stated this was correct. Voice vote – ayes, all. Motion carried.

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

Council exited Executive Session at 9:43 p.m. Present were Carroll, Canton, Nairn, Porter, Schloss, the Solicitor, and the Mayor.

**ADJOURNMENT:** Being that there was no further business before Council, Schloss made a motion to adjourn, seconded by Canton. Voice vote – ayes, all. Motion carried.

  
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William G. Koons, Mayor

  
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Danielle Romanowski, Fiscal Officer

Prepared by: Leslie Galicki