

**RECORD OF PROCEEDINGS
TAX BUDGET HEARING/REGULAR COUNCIL MEETING
MONDAY, JULY 8, 2019 - 7:25 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

ABSENT: Fiscal Auditor Lechman

VISITORS: Heidi Baumgart, Paw Paw Lake Dr.; Robert O'Brien, Paw Paw Lake Dr.; Chris Manchester, Paw Paw Lake Dr.; Richard Haber, Paw Paw Lake Dr.; Anna Sahlani, Bell Rd.

At 7:25 p.m. the Mayor called the Tax Budget hearing to order.

Nairn reported that the 2020 Tax Budget was prepared by the Fiscal Officer and distributed to Council. The proposed 2020 Tax Budget includes estimated revenues for: General Fund \$886,278; Safety \$1,371,274; Operating \$414,158; Road/Bridge \$232,800; Special Revenue Funds \$2,415,960; Capital Project Funds \$230,000; and Fiduciary Funds \$81,000. There were no questions on the Tax Budget.

Carroll made a motion to adjourn, seconded by Canton. Voice vote – ayes, all. Motion carried.

At 7:30 p.m., Mayor Koons called the Regular Council meeting to order. Mayor led the Pledge of Allegiance to the flag. Fiscal Officer read the roll. Nairn made a motion to approve the meeting minutes of the June 10, 2019 Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried.

VISITORS: Richard Haber, Paw Paw Lake Homeowners Association (HOA) President, distributed a presentation regarding the Paw Paw Lake Community. He explained that the private community which surrounded a 12-acre lake was founded in 1929. The lake was created through an earthen dam created without bulldozers. In 1940 the dam washed out and was replaced. The community supplies its own water, paves, repairs, plows and salts its own roads. Over time, with development in South Russell Village, there has been change in the flow of the watershed throughout the Paw Paw Lake community, which has resulted in degraded roads. The roads are chip and seal roads and are falling apart.

He further explained that since 1921, the community has financed the building of a water tower, pump house, electricity, dam/shoreline, a second water tower, dredging of the lake, creation of a silt pond, addition of a concrete bridge, \$270,000 water system, refurbishing of the spillway and emergency spillway, and road resurfacing. The community is now unable keep up the

maintenance of the roads due to the watershed. Haber advised that he and the Mayor have discussed bringing Paw Paw Lake roads into compliance with the Village so that the Village could provide services since the community pays taxes. None of these taxes have gone to the Paw Paw Lake Roads.

Haber stated that the Paw Paw Lake Board is active and dedicated to resolving infrastructure issues to include water issues that have cost the community substantial amounts of money. They would like to partner with the Village in creating a permanent solution to improving the road quality which would translate to increased housing values.

Chris Manchester, former Paw Paw Lake HOA President, advised that the developer of the Paw Paw Lake community did not envision the eventual development of the surrounding neighborhoods. The HOA is turning to the Village to find a solution for the road and drainage problems because they do not have the expertise and resources to do so.

Haber added that although there is a plan in place, there are also concerns by the Fire Department regarding access to parts of the Paw Paw Lake community.

Carroll asked if Haber was suggesting that the community wanted to make the roads public but maintain the neighborhood as private, and that the community wanted South Russell to assume the responsibility of the roads. Haber agreed.

Canton asked Haber if the Paw Paw Lake community had considered joining forces with other private lake communities in South Russell to approach the county or state along with the Village to get their problems addressed. Manchester stated that the community had spoken to the Department of Transportation and found there were funds to loan, but not to a private organization. Haber stated that as a community, the three major infrastructure expenses were water, roads, and the lake. The community had been proactive in funding many of the projects. The roads present a more complex issue, and are the last major infrastructure issue the community has.

Canton asked if the Chagrin River Watershed Partners could help with the matter, and the Mayor stated it was one of the possibilities. Carroll asked the Engineer what would be involved in correcting the community's road issue. The Engineer stated the first step would be to determine what is currently in place before being able to determine possible solutions. Porter asked how much widening of the roads would be necessary to bring them up to standards. Haber stated it varied but ranged from 12 feet to 14-16 feet. Manchester added that it would be necessary to determine if the roads must meet the standards of a new development or the standards for existing communities. The Engineer stated that the narrowest street in the Village is about 20 feet. Haber advised that there was an easement which would allow for adequate expansion of the roads to 30 feet. Porter asked how the residents would react to the Village taking 12 feet of residents' front yards, and Haber said it would be a mixed reaction. He did not think there would

be a problem passing the issue. Manchester added that there had been a turnover in the community and many younger owners understand the need to fix the road issues. Carroll asked about the expense involved in obtaining core samples of the Paw Paw Lake roads. The Engineer advised core samples should be taken from various sections of the road.

Galicki asked what the roadway width was on the bridge. Haber stated it was one lane. Galicki clarified that the community was asking for the bridge to be replaced as well. Haber stated the bridge would need to be addressed as well as the dam. Galicki stated that the proposed project would include road resurfacing and addressing the bridge and the dam. He added that the founder of the community envisioned Paw Paw as a summer community without a great deal of traffic, and the roads were probably originally dirt roads. Schloss asked how many miles of road were in Paw Paw Lake. Manchester surmised that it was not quite a mile. Porter asked if the Village were to widen the roads, would the dam then become the Village's dam. The Engineer said this would not necessarily be the case. The Village would own what would be in the easement/right-of-way. Carroll advised that the Village would want to avoid owning a dam. Haber stated that the dam is inspected by Ohio Department of Natural Resources (ODNR) every five years. He added that the community understood its responsibility with regard to the dam and potentially the road over the dam.

The Mayor stated that Council would gather information and address this issue at the August 12th Council meeting.

Robert O'Brien, Paw Paw Lake Dr., called Council's attention to the topographical map in relation to how Paw Paw Lake functions as a watershed.

MAYOR'S REPORT: The Mayor addressed the pavilion permit request, and the Fiscal Officer explained that it was the request by an individual to hold a graduation party July 28, 2019, and said the committee previously approved it for June or August, but the requested date had changed and the individual requested permission to set up for the event with tents and tables on July 27th. The Fiscal Officer reminded Council that an answer was promised to the individual on July 9, 2019. Canton stated that playground construction and installation, which began July 8th, could possibly be occurring during the requested time.

The Street Commissioner stated that the installation was scheduled to begin July 24th. The plan would include digging the footers, putting the equipment in, and pouring the concrete. The Village would then install the drainage and the contractor would return to install the matting.

The Mayor stated that the policy called for the Mayor to make the decision and he stated he was denying the application based on the conditions and construction of the playground. He added that the applicant was not a South Russell resident, and he did not see any reason to take a chance. He added that if two or more Council members took issue with this, they should notify him within five days.

Galicki pointed out that the individuals could just show up on July 28th and use the pavilion according to the policy. Porter pointed out that they were not residents and that only residents could show up and use it at a moment's notice. The Fiscal Officer advised that it is public property and not limited to residents only. Carroll suggested that the pavilion and construction area should not be used for any parties for safety reasons. Canton agreed that during the construction no gatherings should be permitted. Nairn suggested posting a sign stating it was closed during the construction of the playground. The Mayor recommended waiting to see how the project progresses.

The Fiscal Officer asked if just the pavilion would be closed during construction because on July 27th, RPT Fitness was scheduled to use the pavilion. The Mayor did not recall seeing this application.

The Chief stated that the Police Department had an officer scheduled for security for the July 28th party, and asked if the event was now cancelled. The Mayor stated it was. Carroll suggested telling the individual that she could reschedule, and the Mayor stated he would speak to her.

Galicki asked what the status was on RPT Fitness using the pavilion, and whether they were permitted to use the pavilion but the individuals who wished to use it for a party the next day were being denied. The Mayor stated he did not know anything about an application by RPT Fitness.

The Fiscal Officer explained that per the policy, events with less than 50 persons and without special requirements did not require approval by the Mayor. Those applications were given to the Building Department Secretary to check for availability and scheduling. The Village policy was that any application for an event over 50 people would be presented to Mayor and Council.

Galicki asked what the Mayor meant in suggesting Council wait to see. Galicki pointed out that the Mayor was declining an application for July 28th but waiting to see the progress of playground construction for a July 27th event. Galicki suggested that the Village should be consistent in enforcing policy. Nairn asked if the concert July 17th in the park was still going to be held. The Mayor stated it was.

Carroll asked for clarification on the timeline for the playground installation.

Canton stated that the process should be fair across the board, and Carroll, Galicki, and the Solicitor agreed. Galicki pointed out that if Council knows the construction schedule, the debate of the policy for use of the park should be consistent for all, to include the concert. He asked how Council could justify allowing use to a significant portion of the public who might attend the concert, but not a small amount of the public who might use the pavilion space. Galicki stated he did not see the logic in this.

The Mayor said he would investigate the RPT Fitness application and just play it by ear to see what would be accomplished with the playground. If there were an issue the night of the concert, the Village would have that prepared. Galicki clarified that the concert and RPT Fitness would be allowed to use the park, but the individual applicant would not be permitted to use it for the July 28th party. The Mayor stated this was correct. Carroll and Nairn stated this was not good judgement. Carroll repeated that during construction, the area should be out of bounds for safety reasons. Porter added that this would allow the concert but no other use. Nairn, Carroll, and Galicki disagreed. Canton stated that the park should be shut down the rest of July.

Carroll questioned the reasoning in cancelling the July 28th party but not the July 17th concert in the park. The Mayor explained that the only issue with the concert would be that there was a hole that had been dug for the playground and would not be a safety issue in his opinion. Likewise, use of the pavilion on July 27th for an exercise class was also not a concern to him. Bringing in tents, food trucks, alcohol, and 50-60 people was a concern to him. He added that after the playground company began installation, there could be pieces of steel sticking out of the ground and swings half put together, which could happen before the event on July 28th, which was why he would cancel the event. He would tell the individual to find some other place to have her party. Porter stated that the individual changed the date of the party and that she did not appear to be set on the date.

Carroll asked how many people typically attended the concert in the park. The Mayor thought between 100-200 people. Carroll further inquired whether there was alcohol at these concerts and the Mayor acknowledged there was. Carroll pointed out that this was four times the amount of people would attend the July 28th party, and he felt it was as much of a safety hazard for both. The Mayor disagreed and said there would just be a hole in the ground at the concert which would be marked with caution tape. Before the July 28th party, the playground installation might have started, which would present more of a danger.

The Mayor reiterated that Council had five days to object to his denial of the application for the July 28th event.

The Mayor said he would consider further applications for use of the park on a case by case basis during the construction period.

Galicki questioned whether this meant the Mayor would decide by event if the playground construction presented a safety hazard in lieu of applying the same standards to all hands. The Mayor said yes. Carroll questioned that the Mayor did not see this decision as being an issue, and the Mayor stated he did not.

The Mayor complimented the Engineer and the Street Commissioner for their efforts relative to the EPA inspection. He also complimented the Department Heads on their efforts to beautify Village Hall.

The Mayor stated that he was notified by the Ohio Environmental Protection Agency (EPA) regarding the stream enhancement grant application that the Village would be receiving “favorable status.” However, the EPA questioned why the Village was waiting to replace the 12-inch culvert and asked if it could put a sign on the property to display the project. He thanked the Fiscal Officer, Solicitor, Engineer, Street Commissioner, and Chagrin River Watershed Partners (CRWP) for getting the Village to this stage of the process.

FISCAL OFFICER’S REPORT: Fiscal Officer distributed a monthly report. She stated that Nairn would be addressing the Tax Budget. Regarding the Manor Brook Downstream Restoration Project, the Fiscal Officer stated it was not included in the 2020 Tax Budget because receipt of the grant is still unknown. The Fiscal Officer added that she would include a narrative report with the Tax Budget explaining the Village’s upcoming projects in relation to projected year-end cash balances.

The Mayor asked the Fiscal Officer about rent received from the tenant, stating that February rent had not been paid. She explained that when she received rent money, she applied it to the month prior. The Mayor stated that in total, the Village had lost two months’ rent.

FINANCE COMMITTEE’S REPORT: Nairn made a motion to acknowledge receipt and review of the June 2019 credit card transaction report, seconded by Porter. Voice vote – ayes, all. Motion carried. Nairn made a motion to adopt the 2020 Tax Budget, seconded by Porter. Voice vote – ayes, all. Motion carried.

SOLICITOR: No report.

ENGINEER’S REPORT: Porter addressed questions posed by the Solicitor on the Headwaters Stream and Wetland Restoration Project draft which involved the warranty period for plantings and the \$500 per day penalty relative to the contractor’s completion of work. Porter favored a two-year warranty instead of one for the plantings. The Solicitor clarified that the \$500 penalty was based on CRWP’s standard recommendation. Porter stated that the purpose of the penalty was to encourage the contractor to complete the project on time. Schloss thought the penalty should be \$1,000. Porter agreed. The Solicitor and the Engineer addressed the dollar range of penalties.

The Engineer addressed Porter’s preference for a longer warranty for plantings with the Headwaters Stream and Wetland Restoration Project. He explained the necessity to consider the likelihood that the plantings would fail in relation to the duration of the warranty because a longer warranty would cost the Village more money. Porter referred to the tree plantings in the cemetery that failed after the warranty period ended.

The Engineer stated that the Ohio Public Works Commission (OPWC) grant for \$123,000 was awarded to the Village and was available for use. This grant pertained to the \$246,000 Lake Louise Bridge Replacement project. As of July 1st, the project could go out for bid. The

Engineer would determine the status of the HOA's spillway repair. He did not want to begin work on the detailed design for the bridge replacement until he knew what the community planned to do with the spillway.

The Road Program had begun with Specialized Construction milling Ashley Dr. From his observation, the contractor was doing well with traffic management and personnel were courteous with the residents. The recycling phase would begin July 9th and continue for two to three days. The Engineer described the recycling process and addressed the specifics of the process and materials that would be used to improve the quality of the road.

The Engineer submitted a grant request for 2020 for 50% of the cost of paving Kensington Circle. The Engineer thought the chances were low that the Village would receive these funds because of OPWC's reticence in funding paving projects.

Schloss asked the Engineer what would be done with the easement that runs through Bellwood to Chillicothe Rd. The Engineer examined the easement and said it was in rough condition with weeds and vegetation. He recommended to the Mayor that the Village clean it out, which could involve subcontracting the work. Schloss asked when this would happen. The Mayor said there were details that needed to be determined. The Engineer speculated that it could cost \$20,000. Schloss wanted to see the project started. The Mayor stated the Village would get estimates. The Engineer added that the project involved brush hogging and cutting, and because the project would be under \$50,000, there would be no need to go out to bid. Schloss asked if the Street Commissioner would be involved, and the Engineer added that it would be the Street Commissioner and the Fiscal Officer. He added that he would be available to assist as well to define the scope of the work. Carroll asked if the Engineer would write the scope of the project, and the Engineer agreed.

STREET COMMISSIONER'S REPORT: The Street Commissioner distributed his monthly report which addressed the playground construction and 2019 Road Program. He added that it would be longer than expected before the contractor could pave due to delays the contractor was experiencing due to weather. The Village planned to address repair of catch basins during this time.

Schloss thanked the Street Commissioner and the Police Department for the landscaping work around Village Hall.

STREET COMMITTEE'S REPORT: Nothing to report.

BUILDING COMMITTEE'S REPORT: Schloss reported that the Building Committee met on July 2nd with Porter, Schloss and Hocerar. They reviewed resumes and applications submitted which they whittled down to two candidates. They are going to be doing interviews on July 11th at 9:00 a.m. and 9:45 a.m. and he would like to have the HR Committee members present.

The Building Committee decided they would like to get Kris Wilson more involved with zoning and have her drive around the Village and check lawns and miscellaneous zoning issues. Schloss said he has spent a lot of time in that department and there is more work that goes on than he thought. If the Village agrees with giving Wilson zoning responsibilities, Council will have to make some concessions on her hours and get approval. Schloss reported that Hocevar plans on staying on as the Building/Zoning Inspector until the Village can find a replacement.

Schloss reported that Wilson will not be able to do the Board meetings after August when her daughter returns to school. Wilson is currently doing the Board Clerk responsibilities for the ABR, ZBA and Planning Commission, but after August, she will not be able to do that, and the Village will have to find somebody to take her place.

Porter said the consideration for Wilson is that Hocevar has been doing a fair amount of duties of the Zoning Inspector which is identifying high grass and properties not meeting Village standards. He stated if the Village adds two hours per week to Wilson's permitted time raising it from 25 to 27 hours per week and pay her at her current rate of \$17.51/hour, she would still be well below the threshold for full-time employment with the Village. This would free Hocevar up to do more building inspections that he has actually been contracted to do. Porter said the Village has a job description for an Assistant Zoning Inspector and the qualifications are straight forward – such as; sit at a computer and enter data, walk, stand, stoop and kneel. Having a high school diploma and most importantly – having two years' experience is also required. With that in mind, perhaps the Mayor will consider appointing her as the Assistant Part-time Zoning Inspector for the Village of South Russell with two hours added to her time per week and she would spend a half-hour four days per week checking zoning and potential infractions in the Village. That would require an amendment to the budget. Porter said that the Board Secretary position and the Building Secretary position, by Council's action a couple of months ago, are now in one job description. This was the recommendation of Clemans Nelson, but from what the Building Committee has seen over the last couple of months, they feel the positions should be separated and returned to what they were previously. Porter said these should be separate positions occupied by separate people because Wilson indicated she is not going to do the Board Secretary position after August when her daughter goes back to school and he thinks the Village can find someone part-time to do that job at a reduced rate.

Carroll stated it was not long ago that Wilson was not interested in working for the Village and was looking for another job. Porter said he does not know that for a fact, but she had indicated that she would not be staying if both positions came under one person. Carroll replied that the whole reason the Village did the time study and streamlined some of the work was to make better use of the personnel and their time and the Building Department has been functioning under the current setup. The Village was told the zoning code is very, very complicated and it would be hard to find someone to fill that position and multiple people weren't sure if Wilson would be the right person for that position. He said Hocevar called him and told him she has changed, and she has gotten better and is filling that role better. Carroll said, "As Council we all voted to do what we wanted to do", and before anything is split or changed from what has

already been done, he proposed that the Building Committee and the HR Committee work together and see what makes sense.

Porter said the situation has become clearer and certainly having an active Zoning Inspector who does that on a daily basis rather than Hocevar's ad-hoc basis, makes a lot of sense. Quite frankly, Wilson has two years' experience now and the experience in getting a Building Inspector has not been as successful as they would like in terms of the number of the quality of the candidates that the Village is getting.

Carroll responded the Village thought the part-time Building/Zoning Inspector might be a good model, but if the Village can't fill that position, maybe the Village should go back to the idea of strictly having a Zoning Department and going with the County to do the inspections.

Porter said Clemans Nelson recommended otherwise and at least that part of the recommendation he thinks is accurate. Porter replied that Clemans Nelson was right in one respect and was completely wrong in another. Schloss said he doesn't see a problem if the two committees work on this together, it is good to be transparent; Porter agreed. Schloss again invited the HR Committee to attend the interviews on Thursday.

Solicitor asked if Wilson wants to do the zoning portion, Schloss reported that she did. Solicitor stated she didn't feel the Village had to undo anything. The Village did keep the original job description which included a Building Department Assistant in addition to a Board Clerk. The positions were also combined into one position. Those job descriptions still exist. The Village can keep the position description and not fill them. Porter said the Mayor could appoint Wilson as the Assistant Zoning Inspector part-time and then that would be subject to Council confirmation at some point if the Village decides to go that way.

Galicki asked about the proposed construct and what official of the Village would be attending the Architectural Board of Review (ABR), Planning Commissions (PC), Zoning Board of Appeals (ZBA), and those type of things. Carroll said he thought the Zoning Inspector would at least do the ZBA stuff; Porter replied, "No" and said that would be the Mayor because he is a member of them. Galicki asked for clarification that the Zoning Inspector would not be attending the ZBA or board meetings. Porter said attending those meetings was not part of her general description of duties. Galicki said it appears that Heilman attended all those board meetings and lacking that, he asked who would be attending. He said if Wilson can't attend the meetings as the Board Secretary, he wanted to know how she was going to attend being the official. Porter said she would not be the official. Porter said Heilman was the Building Official and that her job was to answer questions from PC, ZBA and ABR about the Building Department's take on various things. Galicki said that lacking that, who would that person be. Mayor stated it would be Dave Hocevar; Porter agreed. Mayor said for the ABR, the Board Secretary is there to have the materials ready, turn on the recorder, handle the secretarial work and write up the minutes. At PC, Hocevar has been stepping in as needed. For the ZBA, Hocevar has also attended. The Board Secretary would be at the ABR, ZBA and PC because there is clerical work that has to be done. Hocevar, as the Building Inspector, attends the ZBA

and PC meetings. Wilson, as a part-time Zoning Inspector, would not be attending those meetings.

Galicki wanted clarification and stated that Wilson is abandoning the Board Secretary position but the Village is increasing her hours even though the combined position had a certain number of hours, but it is still thought that despite the fact that she is going to abandon on her own initiative some of the proposed duties, that that doesn't equate with taking on the new duties being proposed. Porter said she is far more suited for the Zoning Inspector job. Galicki said the recommendation was 24 hours for the combined positions and Council agreed to add an additional hour to that making it 25 hours. Now the Building Committee is proposing adding more hours and abandoning some of the job duties; Mayor said that was correct. Mayor said Wilson would be going from sitting and typing minutes to getting out in the field and doing what he considers a higher-level amount of work that is being done sporadically by Hocevar at a higher pay rate.

Carroll asked how many road miles are in the Village; Street Commissioner replied 46 road miles. Carroll asked whether the Village needs someone to spend another two hours per week to drive 46 miles to do zoning inspections. Porter replied that is a way they can enforce the zoning code better than it is being done now.

Carroll asked where the Village is seeing gross neglect with zoning issues. He referred to the monthly report and said there were four. He said he drives through the Village and he just doesn't see an issue. Carroll said to Galicki's point, the committee is looking to drop function but add more hours, and he is really confused why the Village would have a Zoning Inspector that wouldn't go to ZBA meetings to discuss zoning issues. He said he personally felt that before any action is taken, that the Building and HR Committees get together, look at the hours and really try to sort it all out; Schloss agreed.

POLICE CHIEF'S REPORT: The Chief addressed a grant the Village could anticipate receiving in the amount of \$5,961.74. Once received, he requested an amendment be made to the appropriations so that a second purchase could be made by the end of the year. He also reported issues with the tornado siren and added that the modification was estimated to be \$7,000. Carroll asked for clarification, and the Chief explained that changes in the terrain between the Chagrin Valley Dispatch (CVD) in Bedford and the tower on East Washington St. were causing the deterioration of the signal. The result is sporadic activations of the tornado siren. The modification would involve placing a radio in Chagrin Falls Police Department that could be activated to the tower for a cleaner signal to the tornado siren. The Chief stated that he was awaiting other options from the radio company. Carroll asked if the County offers the siren services, and the Chief explained that network differences preclude this possibility.

SAFETY COMMITTEE'S REPORT: Galicki reported that the Safety Committee met on July 2, 2019, the minutes of which were contained in the Chief's monthly report. The committee discussed introduction of an ordinance enacting the noise disturbance ordinance.

HUMAN RESOURCE COMMITTEE REPORT: Galicki stated that the Clemans Nelson agreement was discussed by the committee. He explained that the Village entered into an agreement a year earlier with Clemans Nelson for a specific product. On review of the agreement, it was found that the contract automatically renewed unless action was taken to abrogate the contract. HR Committee proposed termination of the contract with Clemans Nelson since there was no further need of the services.

The Solicitor advised that the original agreement was entered into June 11, 2018, and that the contract automatically renewed, and a 30-day notice prior to June 11th would have been required for termination.

Carroll stated that the work product received from Clemans Nelson included valid job descriptions, salary survey, employee evaluations, and job study. Despite an email by the Mayor which was critical of Clemans Nelson, Carroll argued that there had been positive feedback of success for Clemans Nelson. However, since the project was complete and there was no continued need of the services, he recommended terminating the contract. Carroll agreed to address this with Clemans Nelson.

PROPERTIES COMMITTEE REPORT: The Parks Committee planned to meet on August 5th, at 6:30 p.m. at the Pavilion. He stated that the committee was on track for the Fall Festival. The Mayor asked if Canton had provided notification that ground had been broken for the playground. Canton said he would do this.

Regarding the rental house, Canton stated that it still contained furniture, personal belongings, and clutter. The Street Commissioner added that the walls were scuffed from the wheelchair, and the toilet was shifted as well. There are clothes in the closet, and old mattresses. Canton said it would take a lot of work to clear it out. The Solicitor recommended making an inventory of the larger items, to include the hospital bed. The Mayor suggested hiring someone to clean the house. The Street Commissioner reminded Council that the house previously had bedbugs. Carroll asked if a bedbug dog could be run through the house before moving anything. Porter added that the tenants left the washer, dryer, and refrigerator but took the stove.

Carroll speculated that if the tenants went to Florida for two weeks and planned to return to retrieve their belongings, he would like them to have the opportunity to retrieve their belongings. The Mayor stated that the tenants had the opportunity. The Solicitor questioned whether the tenant still had a key. She stated that actual garbage could be disposed of, but with anything of value, the Village would have to wait 30 days. Galicki asked if the Village planned to change the locks, and the Solicitor said this should be done.

The Mayor advised he had been in contact with the tenants. He said they are gone and not coming back. He said the Village needed to get somebody in the house now to get rid of the things that could be disposed of.

Canton made a motion that the Village contract a local cleaning service to clean the interior of the rental house of trash and debris. Porter seconded. Voice vote – ayes, all. Motion carried.

PUBLIC UTILITIES: No report.

ORDINANCES/RESOLUTIONS: Nairn introduced an ordinance establishing a Capital Projects Fund to be known as Lake Louise Bridge Fund and declaring an emergency. Nairn made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2019-39.**

Nairn introduced an ordinance amending Annual Appropriations increasing Income Tax Transfer of \$60,000. She made a motion to waive further readings and declaring an emergency, seconded by Carroll. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Porter. Voice vote – ayes, all. Motion carried. **ORD 2019-40.**

Nairn introduced an ordinance transferring \$60,000 from the Income Tax Fund to the Lake Louise Bridge Fund and declaring an emergency. Nairn made a motion to waive further readings, seconded by Porter. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2019-41.**

Nairn introduced an ordinance amending annual appropriations increasing Lake Louise Bridge Fund Expenses \$60,000 and declaring an emergency. Nairn made a motion to waive further readings, seconded by Porter. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2019-42.**

Galicki introduced an ordinance enacting new Chapter 650 of the Codified Ordinances of the Village of South Russell “Noise Disturbances” Ordinance and declaring an emergency. Galicki made a motion to waive further readings, seconded by Nairn. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt, seconded by Nairn. Roll call – ayes, all. Motion carried. **ORD 2019-43**

The Mayor asked for clarification about the introduction of the ordinance pertaining to amending Codified Ordinance 1480.02. Porter explained that it pertained to the maintenance standards storage of things on properties. Nairn added that it included vehicles and the Solicitor added vehicles and trailers. The Mayor suggested waiting to address this. He explained that he mistakenly told two residents who had inquired about the ordinance change that it was not on the agenda for the July 8th meeting. He suggested waiting a month because there were 41 residents identified with violations and he believed they should be warned.

Porter stated that it could be introduced but not acted on as an emergency. He reiterated that the Village could not force individuals to move property that had been there prior to the enactment of the ordinance. The Solicitor concurred. She added that the Village has a zoning regulation in place that pertains to recreational vehicles which includes boat trailers, etc. This ordinance does not pertain to recreational vehicles. It specifically pertains to the maintenance standards and is part of the Codified Ordinances and not the recreational vehicle zoning regulations. It addresses the outdoor storage and parking of vehicles and trailers for more than 72 hours in the front yard of residential districts. The change attempts to address the corner lots in addition to the front yards.

Carroll had a question about parking of a recreational vehicle, and the Solicitor clarified that there are zoning regulations which apply and address the issue, but that the proposed ordinance change is a separate matter and involves motor vehicle and trailers (storage trailers). She added that boat trailers and jet skis fall under the recreational vehicle definition in the zoning regulations. The Chief asked if this was an existing ordinance and the Solicitor said it was. The Chief explained that in previous situations, if the trailer was beyond the front set back of the house, it was acceptable, but the corner lots were not addressed.

To clarify, Nairn asked whether the trailers stored on the corner lot of Maple Ridge Dr. and Bell Rd. would be allowed to remain with the change in the ordinance and the Solicitor stated that it was possible the residents might discontinue the use for more than a year and then the new ordinance would apply. They would not be allowed to bring the storage trailers back to the side lot. Nairn stated that the residents would be grandfathered if they do not move the trailers for a year. For an individual who is trying to move the vehicles around to avoid compliance with the rule, the new ordinance would allow the Village to enforce it. Carroll used his own home as an example with five licensed drivers and a city car parked in the driveway. The Solicitor explained that his situation already fell under the zoning rules unless he was on a corner lot, which he is not. She said nothing was changed relative to the regulation which states outdoor storage of vehicles for more than 72 hours shall be prohibited at each single-family residence unless there is an exception. In other words, under the current regulations, vehicles cannot be stored outside for more than three days. Carroll asked then if two of his children go to college and the vehicles are parked in the driveway for more than 72 hours, this would mean he was in violation. The Solicitor agreed and explained that this regulation had not changed.

Nairn suggested just introducing the change, and Porter agreed that the public's input was desired on the topic since it would affect many people.

The ordinance may have to be changed, according to the Solicitor because it references "Building/Zoning Inspector" as one position.

The Mayor suggested making the changes and introducing it at the August meeting. The Solicitor advised it could be presented as amended at the second reading. Porter stated the third reading would be in September. The Mayor expressed concern for the 41 residents he thought were in violation and said they should be sent a letter inviting them to a meeting to discuss the issue. Galicki explained that they were all grandfathered. The Solicitor stated that they could possibly be. The Mayor stated that the Village could then have a different standard. The Solicitor disagreed and said they were non-conforming uses. She explained that there were already regulations on the books except that it is currently limited to front yards.

Schloss introduced an ordinance amending section 1480.02 of the Codified Ordinances of the Village of South Russell and declaring an emergency.

BILLS LIST: Nairn made a motion to ratify the June 16, 2019 Bills List in the amount of \$23,030.85 and the June 28, 2019 Bills List \$7,668.46, seconded by Carroll. Voice vote – ayes, all. Motion carried.

ENGINEERING SEARCH COMMITTEE REPORT: Schloss stated the Engineering Search Committee met July 2nd and included Canton, Nairn, Carroll, and him. The search was narrowed to two firms, GPD and CT Consultants. Schloss requested a Special Council Meeting August 19, 2019 at 7:30 p.m. for Council to meet with the firms to provide 30-minute presentations each. A decision would be made at the September 9th meeting. The Mayor asked why Chagrin Valley Engineering was eliminated. Schloss stated that the Committee felt the fees were too high.

Canton made a motion to approve the Village Hall Headwater Project Request for Proposals (RFP). The RFP would include the amended \$1,000 liquidated damages fee and the two-year planting warranty. Porter seconded. Voice vote – ayes, all. Motion carried.

The Mayor surmised that the Village could have proposals by the August 12th Council meeting.

Porter made a motion to allow the Mayor to sign the Lake Louise Bridge Replacement Grant agreement, seconded by Nairn. Voice vote – ayes, all. Motion carried.

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

Canton attended the Geauga Trumbull Solid Waste Management open house in Warren, Ohio. He relayed that the facility is beautiful and great information was provided to include the opening of a satellite facility in Geauga County.

Carroll apologized to the Engineering Search Committee for being unable to attend the recent meeting due to unforeseen work issues.

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



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki