

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING
THURSDAY, JULY 18, 2019 - 7:30 A.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Solicitor Matheney

ABSENT: Nairn

At 7:30 a.m. the Mayor called the Special Council meeting to order. Fiscal Officer read the roll.

Porter made a motion for the permit for the large party that the Mayor recently approved be approved by Council, seconded by Schloss. The Solicitor stated that the Mayor conditionally denied the request which resulted in the Special Council meeting, but then he changed his mind. She suggested making the motion to approve the permit, perhaps based on the conditional denial. Carroll asked if it would make more sense to phrase it as a repeal and acknowledged that Council agreed with the Mayor with his change to an approval of the permit. Porter stated that Council would want to approve the permit application. The Solicitor added that it would be a motion to approve the request. Voice vote – ayes, all. Motion carried.

Galicki asked whether Council wanted to consider a discussion relative to keeping the South Russell Village Park open to the public or potentially closing it during the construction of the playground. The Mayor asked the Solicitor if the matter could be discussed during the current meeting and she replied it could. Porter questioned the ability to discuss it since it was not on the agenda. The Solicitor pointed out that pavilion permit request was on the Agenda. Porter stated that it was a request in the singular. The Solicitor asked if there was another request for a permit for August 18, 2019 for over 100 people, and the Fiscal Officer stated another was received the previous afternoon, which she included for consideration.

The Mayor responded to Galicki's question by stating the question of the pavilion permit process was a long-term issue and should be addressed by the Property Committee. The individual request was a short-term issue, and the Mayor questioned whether Council wanted to keep the matter "clean." Galicki pointed out that the request action was complete. The Mayor stated there was a new request.

Porter stated that the problem was that if the Mayor conditionally approved the current permit request and if two or more Council members disagreed, they could notify the Mayor within five days. Otherwise the Mayor's action stands. Galicki stated this was why he raised the question concerning the status of the park during construction. His point was that the policy should be consistent for all hands. Galicki indicated that Canton, the Chairman of the Parks Committee, agreed. Canton stated he reviewed the current state of the park and felt that in its current state no one would get hurt and the park should remain open, but once construction began, Council might

want to consider closing the park to activity. Carroll asked if it would not be prudent to discontinue acceptance of requests for pavilion rental during this specific time.

The Fiscal Officer asked for clarification about how to address the approved permits if the construction were to fall during the time for which the permits had been granted for the pavilion. Carroll offered that the applicants could be given conditional use of the pavilion notifying them that there could be a closure during the construction period. Canton asked if Carroll was suggesting that after this point permits should be denied. Carroll specified it would be just during the construction period. Porter stated that this was up to the Mayor, who would deny the permit during the construction week. If Council objects, they would notify the Mayor. Canton suggested putting a notice on the website and Galicki specified that a notice to the public would be beneficial that construction would be occurring. Should anyone want to rent the pavilion during that time for their own safety it would be closed. Carroll advised that Council should take action to specify that there would be no pavilion rentals during the construction period regardless of the Mayor's authority. Porter stated it could not be done in the context of the Special Council meeting. Carroll disagreed. The Solicitor clarified that the meeting was to address the pavilion permit request, which addressed the Mayor's previous conditional denial. What complicated the matter was the timing with the permits and the reduced number of Council meetings during the summer period. She recommended possibly tweaking the pavilion permit procedure. The current procedure is that there is a permit application that the Mayor considers and conditionally approves or denies, which then goes through a process with Council. She agreed that notifying the public that construction would be occurring would be beneficial but acknowledged there are no specific dates for this.

Canton cautioned that the wording used was important because closed means closed, and how, for example, would this effect dog walkers. Carroll suggested stating that the Village would not allow pavilion rental and focus on the pavilion area.

Schloss asked what the Police Chief thought about the issue. Schloss stated that from discussions with Chief Rizzo, he had no objections to having the park open. Schloss stated that from his experience, it was only necessary to put caution tape around the area in question. He did not view this as a problem. It would be a short-term issue and he said if the Police Department had no issue, he did not either.

Galicki stated that in addition to notifying the public, the website should include a notice to the public to exercise caution, that although the park would remain open, pavilion rentals may be affected, and to avoid the construction area. The Solicitor agreed that it would be beneficial to notify the public on the Village website.

The Mayor stated that if Kompan were to request that the area be shut down, the Village would shut it down. He added that in the future, the Parks Committee and Property Committee needed to look at the permit approval process. Porter stated that he and Canton would look at the process because it did not consider the issue of the single Council meeting per month during the summer months.

Regarding the Clemans Nelson contract issue, Carroll spoke with Drew Esposito who said there was no issue and the contract could be cancelled. Carroll made a motion to not renew the contract with Clemans Nelson effective immediately. Galicki seconded. Canton asked if Council would potentially need the advice of Clemans Nelson in the future. Carroll explained that if needed, Esposito conveyed that there would be no problem providing service. The Fiscal Officer added that Esposito said the Village could contact Clemanas Nelson without a contract if needed. Porter asked how the cancellation would be addressed with Clemans Nelson, and the Solicitor explained that after Council votes to cancel, the Village would notify Clemans Nelson by a letter. Voice vote – ayes, all. Motion carried.

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



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by: Leslie Galicki