

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, SEPTEMBER 9, 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:** Charlie and Keith Kukla, Woodside Rd.; Nicole and Evan Kormos, Daisy Ln.; Chris Berger, Whitetail Dr.; Fred Sanford, Reserve Tr.; Jeff Furgeson, W. Bel Meadow

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 August 12, 2019 Regular Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried. Carroll made a motion to approve the minutes of the August 19, 2019 Special Council meeting, seconded by Nairn. Voice vote – ayes, all. Motion carried. Carroll made a motion to approve the meeting minutes of the August 21, 2019 Special Council Meeting, seconded by Porter. Voice vote – ayes, all. Motion carried.

Nairn urged Council to express sincere and heartfelt gratitude to first responders, who run into the danger and not away from it to assist, rescue, and save strangers.

Evan Kormos, Daisy Ln., addressed elected officials requesting Council introduce a lighting ordinance. He said it was unfortunate that the situation had come to this and could not be worked out between neighbors. He felt such laws were necessary to protect citizens in extreme circumstances. He thanked Council for recently passing legislation to limit construction hours. He explained that his request to address the lighting issue was being made as a result of a neighbor's construction project. Turning off and/or dimming the lights on the residence had provided little relief for Kormos. A light on the side of the neighbor's home illuminates the entire side of Kormos' house and yard and penetrates the interior of his home. He acknowledged the resident's desire for security but added that there are other affordable technological products that could be utilized. He felt that as a community the issue required coalescence and urged Council to address the issue for those affected by light pollution. Kormos shared pictures for Council to view.

The Mayor stated this issue would be addressed by the Building Committee the next time it met, the results of which would be communicated to Kormos. He suggested that the committee would contact neighboring communities to determine how they address lighting issues.

Schloss asked what Kormos wanted Council to do and added that he had seen the situation at night and acknowledged that it was very illuminated. Kormos suggested that researching how

other communities address such issues would be a start. He also suggested that light sensing meters could be employed. Kormos reiterated that this would be for citizens in extreme situations and added that he did not want to see the creation of confusing or inappropriate restricted use of acceptable or traditional lighting.

Schloss asked how Kormos' neighbor felt about the issue. Kormos said he and the neighbor had not had much dialogue about the issue because of other disagreements. His understanding from others in his neighborhood was that the lighting was for security purposes.

Charlie Kukla, Woodside Dr., presented his idea for an Eagle Scout project, and provided Council with a handout about it. His idea involved honoring Veterans with an engraved stone at the base of the American Flag as part of the Village's Veterans Memorial. The stone would be a natural stone representing the six arms of the military, to include the Merchant Marine. He explained that it could be difficult to see the military branches on the flags themselves, and the stone would serve as a visual reminder. Kukla understood the Veterans Memorial Committee would be submitting the completed plans for Council approval on October 28<sup>th</sup>, and with approval, Kukla wanted to begin the design process. His goal was to have the project completed by the end of November. Kukla added that he wanted to organize a volunteer day on Sunday, November 10<sup>th</sup> in recognition of Veterans Day. He recommended the Veterans Memorial be placed in South Russell Village Park because it was well attended.

The Mayor stated that the committee was still considering the location. He added that if the Memorial Park Committee failed to accomplish anything, Kukla would still have an option of using one of the other flagpoles located at Village Hall, the Cemetery, at the corner of Bell Rd. and Chillicothe Rd., and one at the park.

Porter asked Kukla about the cost of the project, and Kukla said it would be \$650 to engrave the stone. The stone would be approximately \$400, depending on the type of stone. He estimated the total project cost would be under \$2,000, and he had plans for fund raising and donations through two Veterans groups.

Carroll stated he liked the project idea but expressed some concern of the timeline. Kukla believed it could be accomplished by his deadline. The Mayor suggested that Council consider the project and after the next Council meeting on September 23<sup>rd</sup>, the Mayor would be back in touch with Kukla.

Fred Sanford, Reserve Trail, said he thought it was great when Scouts could do projects for the community. He asked Kukla whether he would be providing all the labor and funding, and Kukla responded that he would.

Jeff Furgeson asked where the Village stood with the Building Department. He stated he utilized the Building Department for projects and saw in the recent Village newsletter that the Village was looking for a part-time Zoning Inspector. He added that the rumor mill was that the Village would be doing away with the Building Department and referring it to the county. He viewed the Building Department as one of the three big services provided to the community and appreciated the local control and fees it generated. He wanted to know how much the Building

Department brought in with permits and whether that money ended up in the General Fund. He added it was a great service and the Village had a great Streets Department and an outstanding Police Department. He added the Building Department had always been solid. He said he had been to a handful of Council meetings and every time he had come, there was some zoning issue being addressed, and the Village was very responsive. He asked what a transition to the county would look like and whether there were prior notes and discussions on the record that he could read.

The Mayor stated he could get numbers and information from last year and this year for him to review. Carroll stated that Council had considered this issue. He explained that when Dave Hocevar retired as Building Inspector, Laura Heilman became the Inspector. She chose to go to another city where she would be paid more, and at that point, Council began to consider the best options for the Village. The Village had Hocevar on retainer and hired an independent consultant to look at the department to determine workload. Furgeson asked if this was the company doing all the job descriptions for the Village. Carroll said it was, and Clemans Nelson looked at the department. Meanwhile, the Village tried a part-time Building Department while it did an analysis of the incoming fees to determine if they could cover a part-time department. There was an application period open for a part-time Building Official, but there were difficulties filling the position. Furgeson said this was the “whammy right there” to find someone who wanted part-time work. Carroll explained that the trades were all busy, and when it was slow, there was a better chance of finding inspectors looking for part-time work. Carroll further explained that the Building Department was still on the table and Council was trying to make a determination. Furgeson asked if the Building Department business were sent to the county, would there be someone manning the office at the Village that the residents could use, or would they have to drive to Lake County. Carroll advised that it would be in Chardon in Geauga County. Carroll explained that the Village was trying to hire a part-time Administrative Assistant/Board Secretary who would be in the office for 25 hours a week. Additionally, Carroll stated the Village must have zoning. These were all items being discussed by Council in the coming weeks. Furgeson asked whether this was a done deal, and Carroll said it was not, but frankly, the county was an option the Village must consider. Furgeson asked if the Village paid for that anyhow, and Carroll said yes. He stated the main reason the Village kept Hocevar on was because Heilman did not have her commercial electrical certification. Furgeson said he remembered that. Carroll further explained that if a resident called the county by 9:00 or 9:30 a.m., they could get an inspection that day. To Furgeson’s point, the travel to Chardon was something Council had to figure out and surmised that the Administrative Assistant in the Building Department could help with the permits and paperwork. Furgeson asked if it would then be possible to file permits with the Village, and Carroll explained that this was something Council did not yet know. Carroll explained that Council genuinely tried but could not find anyone to fill the part-time Building Inspector position, and the full-time work was just not there. Schloss asked Furgeson if he was a builder, and Furgeson said he was not.

The Mayor told Furgeson he would get him all the numbers he had from last year. Carroll also suggested going online to read some minutes and explained that the issue had been heavily discussed for the past year. Furgeson asked how he could find out when it would be discussed in the future. Porter said it would be discussed at the present meeting and probably every Council

meeting until Council determined the direction it would take. Carroll added that the Building and HR Committees have meetings, the times of which are listed on the Village calendar.

**MAYOR'S REPORT:** The Mayor stated he provided his report to Council.

**FISCAL OFFICER'S REPORT:** The Fiscal Officer distributed a monthly report in the Council packets. There were no questions.

**FISCAL AUDITOR'S REPORT:** Fiscal Auditor distributed his report for the month ending July 31, 2019. The Fund Balances were \$3.7 million. He stated that interest rates have been going down a bit and that the Village is currently getting 2.42%. He pointed out that the fund balances matched the fund balances arrived at independently by the Fiscal Officer to the penny. He indicated that balances increased in July by \$533,000 and for the year the Village was up over \$1,000,000. He said this was not uncommon for this point of the year because the Village had received both of the real estate installments. He thought the Village would also be receiving homestead and roll back money. The Village had also received 80% of the Income Tax for the year. From this point forward, the balances would decrease month by month. Revenue for July included Police and NOPEC grants, which have expenses tied to them. Village donations were significant because of the Charity Car Show.

**FINANCE COMMITTEE:** Nairn made a motion to approve the month end balances of the Fiscal Officer and Fiscal Auditor for July 2019, seconded by Porter. Voice vote – ayes, all. Motion carried. Nairn stated the Finance Committee would be meeting September 20, 2019 at 8:00 a.m. She added that the Fiscal Officer was very busy preparing the 2020 budget worksheets for the October 7<sup>th</sup> Budget Work session at 5:30. Nairn further stated that there was legislation before Council during the meeting to support the Ohio Municipal League and their challenge regarding the State collecting net profit tax. Porter asked Nairn to reschedule the Finance Committee meeting to September 18, 2019, 8:00 a.m.

**SOLICITOR'S REPORT:** No report.

**ENGINEER'S REPORT:** Regarding the 2019 Road Program, the Engineer stated the awarded contract amount was \$345,249. With the additional overlay at the Police Department, base repairs on Bel Meadow, and the creation of a full drive apron for the South Russell Village Park, the cost was \$342,396. There was a bid opening at Village Hall Friday, August 16<sup>th</sup> for the Headwater, Stream, and Wetland Restoration Project put on by the Chagrin River Watershed Partners (CRWP), which pertained to the Village Hall and a small portion of the park. The construction budget delineated in the grant was \$166,000. Three bidders were received, Manic and Smith, Davey Resource Group, and Applied Ecological. The Engineer and CRWP agreed that the Davey Resource Group was the best and encouraged Council to award the bid to Davey Resource Group. Carroll asked if this was the group that mentioned the bunny hill. The Engineer said it was and they would have to make some changes because they would not be able to put the dirt at the park if the Village did not have permission to do so. The Engineer said the walking path was another item they had that was not eligible for funding under the grant. He said that while a raised area could be created for a future walking path for the Village to consider, the path itself would not be funded through the grant. Carroll clarified that these two

items would be removed, and the Engineer said it would be revised. The Mayor asked the Solicitor if Council simply needed to make a motion, and the Solicitor said that this was correct. After Council chose the contractor, the contract would be drafted possibly for the next Council meeting. Porter made a motion to authorize the Mayor and Fiscal Officer through the Engineer to enter into a contract with Davey Resource Group for the purposes of completing the 319 project. The Solicitor stated it was just a motion to award. Porter made a motion to award, and the Engineer said the award amount was \$166,618. Carroll seconded. Galicki asked if it was necessary to revise the bids to eliminate the provisions that were not in the scope of the grant before Council took action. The Engineer said because they were such minor changes, the contract amount would remain the same. The funds would just be used for more of the eligible funded items instead, like a little more stone. When the contracts were drafted, the revisions would be included. Voice vote – ayes, all. Motion carried.

**STREET COMMISSIONER:** The Street Commissioner submitted a month end report. The Street Department had accomplished some of the items on the Village's growing list. The focus was on the Fall Festival and clean-up around the playground. Carroll thanked the Street Commissioner and his staff for cleaning up around Village Hall.

The Street Commissioner contacted contractors for bids for cleaning the ditch on Chillicothe Rd. and identified Rickleman as the best contractor. The Street Commissioner concentrated on finding a smaller contractor that could get into the area with smaller equipment because of the fence line and private property issue. The contractor estimated \$1,500 per day. The contractor saw a challenge in bringing out the material, putting it in a truck, and hauling it away as the ditch was cleaned out. He estimated it would take two days, and increased the overall cost in case there were issues. The contractor included a price for clearing the grass, which the Street Commissioner thought was extremely high and thought it could be done in house. His main purpose would be to clean out the 12 to 14 inches of silt back as far as the wood line.

Porter asked if there was money budgeted for the project. The Fiscal Officer said she would have to amend the budget.

Carroll asked the Engineer his opinion on the work that was to be done. The Engineer said he was happy the ditch was being cleared and was pleased with how the Street Department staff had cleared it thus far. Once the ditch was cleared to the wood line, the Engineer would be able to get an instrument in to determine how far back would be necessary. Carroll clarified that the Village would not be compounding storm water issues with clearing it, and the Engineer said it should not. He said historically, it had been maintained, except for the last seven years. The Mayor asked if it was necessary to meet with the residents of Fox Run, and the Engineer said it should not compound anything because it had been previously cleared.

**STREET COMMITTEE:** Galicki reported that a Special Council meeting was held on September 5, 2019. Council voted to accept the resignation for purposes of retirement of the Street Commissioner.

Galicki made a motion to accept the recommendation of the Street Commissioner with respect to entering into a \$4,500 contract and amending the budget to support the contract services for

widening the ditch, seconded by Porter. Porter said he thought this had to be done by ordinance and the Fiscal Officer said it did but because there was enough money in the fund the project could get started. She would have everything prepared for the next meeting. Voice vote – ayes, all. Motion carried.

The Mayor took the opportunity to comment on the Street Commissioner's retirement. He said the Street Commissioner gave the Village residents 25 years of quality service and added that the Village's roads were some of the best in the area. His annual Road Program brought quality work at reasonable prices and contractors were happy to work in South Russell. During snowstorms, residents knew if they make it to South Russell, they would make it home safely. The Police Station, Village Hall, Pavilion, park, and the playground looked terrific. The Village Hall had landscaping, roof, siding, driveway done and all were top quality and well maintained. The three-member Service Department took pride in ownership of Village property. When equipment was not available, the Service Department staff used their own personal property to get the job done as efficiently as possible. The Street Commissioner had such a good name with his colleagues, he was able to borrow equipment and personnel from other communities for jobs the Village could not manage, to include a piece of equipment that will be used to help with storm water issues. Trash day had been a successful event. His relationship was so good with Russell Township that the Village was able to borrow workers and equipment to help with this event. Over the past three summers, he and his crew took a raw high school summer helper and turned him into a co-worker all were proud to know and appreciate. Residents with questions or concerns often turned to the Street Commissioner for the answer, and his reputation for personal service was widely known and respected. His loyalty to the Village often caused him to put the Village before his family. For example, the Friday before Labor Day weekend, the Street Commissioner could be found patiently waiting in the Cemetery where a family was laying their loved one to rest. The Street Commissioner had been a personal friend of the Mayor for 40 years, even though being a friend of the Mayor could be perceived as not a good thing. They had disagreements and the Mayor said the Street Commissioner could be brutally blunt when something needed to be said. At times the Mayor did not like what he had to say but often needed to be said. He got the job done with dignity, pride, and an eye on what was best for the residents. As he sat through his last Council meeting, the Mayor hoped the Street Commissioner remembered the good things he had done to make South Russell Village better. The Mayor wished him good health and good luck.

**BUILDING COMMITTEE:** Schloss stated that the Building Committee had a couple of meetings and said that the current dilemma was finding an Administrative Assistant/Board Secretary because the primary candidate turned down the offer given to her by the Mayor. Schloss requested discussion to determine the direction that should be taken.

Porter addressed the proposal to add alternates by ordinance to the Planning Commission (PC) and Zoning Board of Appeals (ZBA) for purposes of ensuring there would always be a quorum of three. Regarding the last meeting, the Mayor stated that of five members of ZBA, one was on vacation, one had left, and one could not attend. For twenty minutes, the Board waited for a third member to show up, but he did not. There were a couple of citizens sitting in the audience, according to the Mayor, and he swore one of them in as a member of ZBA, which allowed the meeting to continue. He suggested it would be nice to have a couple of people in line who have

attended one or two meetings and have been prepared to step in. The Mayor addressed the situation where one issue might carry to the next meeting which would necessitate one of the permanent ZBA members sit in the audience until the item was completed. He said these would be volunteers who live in the Village. There would be another opening on ZBA very soon. For this reason, he thought there should be two alternate people for each board, PC and ZBA.

Carroll stated that at the last Council meeting there was an opening on ZBA that the Mayor was trying to fill and wanted to know if it had been filled. The Mayor said the member, Bill Stone, was sworn in and he had a chance at the end of the meeting to resign but said he kind of liked it, so he was now on the ZBA. However, the Mayor said there would be another ZBA opening very soon. Carroll said the last time the topic of alternates came up, it was discussed heavily, and Council tried to get regularly scheduled meetings for PC and ZBA to help the situation. It seemed like it helped a little bit, but Carroll said it sounded like the boards were still short. According to the minutes, Carroll said the Mayor referenced in the Building Committee meeting that he thought, "there was too much power coming to the Mayor and frankly he thought if someone else were to propose it..." Carroll said he could speak for himself and other members of Council that if a compromise were to have been proposed, it would have happened last time. Given the current challenges, alternates for ZBA would not be a bad option. Carroll asked if it was correct that for ZBA, the Mayor was able to appoint without Council approval. The Solicitor said this was correct. He continued to explain that with Planning Commission, the Mayor could propose the member, and then Council would vote on the member. The Solicitor stated this was correct. The Solicitor said with the proposed ordinance, it was kept the same way. The Mayor would appoint the alternates for ZBA, not subject to Council approval and Planning Commission alternates would be appointed subject to Council approval. Carroll suggested casting a wide net for members since the commitment presented a challenge. The Mayor said it was put in the newsletter and he received two responses. The Fiscal Officer Informed Council of the wording of the ads and said that there were two responses and one individual who planned to attend the next ZBA meeting to determine interest. This was in addition to Bill Stone, who had just been sworn in.

Regarding the Administrative Assistant/Board Secretary, the Mayor stated he contacted a temp agency, and suggested having a temp person for a couple of weeks until the Village could find someone. The Mayor also said he went to the Chamber of Commerce to find someone local. The Mayor said he had one person who expressed interest three or four previous board secretaries ago. This would be the Village's sixth Board Secretary in four years. The Mayor said her kids had gotten older and she was ready now, but she had yet to apply.

Schloss asked if a temp were brought in, who would be supervising the individual. He said she would have no direction and it would be difficult. The Mayor said it would be really tough. The Mayor said he was discussing the matter with Hocesvar, to include where the calls would be directed. Schloss said the Fiscal Officer had received four or five more applicants for the position. The Fiscal Officer said when she posted the job for Administrative Assistant/Board Clerk, she received 100 applications. Schloss said it was down to four or five good applications and he believed interviews should be conducted immediately. Carroll added that the applicants

had good administrative experience but may be lacking some of the direct Building/Zoning experience. He agreed Council needed to address it immediately.

The Mayor asked if Council wanted a temp. Porter stated a temp was needed, starting the following day. His concern was that there would be someone in the office while Council searched for a permanent replacement. Schloss added that the Fiscal Officer had spent time doing turnover with the Building Secretary, and the Fiscal Officer explained that because of current demands of her own job, she was not able to spend as much time as she would have liked. She planned to spend the following morning with the Building Secretary to obtain passwords, etc. Schloss asked what a temp would be able to do, and Porter replied that a temp would fill the void for a while. Porter further suggested that the temp provided could be that person. Regarding the temp, Nairn asked if the Village was going through an actual agency where the temporary employees were screened for experience with zoning or construction. She was not sure how the agencies operated. The Mayor obtained the name of a temp agency from Moreland Hills who had recently used a temp in their Building/Zoning Department. The Mayor said the person had already contacted him and was interested. He did not think the Village would get someone with building and zoning experience.

Canton asked if the Village could inquire with neighboring communities to see if there was an employee who could be borrowed. Carroll pointed out that the current Building Department Secretary was gone for two weeks this past summer and the Building Department only had Hocevar coming in and out. Carroll said there was merit to having someone there. Porter said the Village needed someone there and a temp was a good idea to fill the gap for a while and they could see what happened. Even with moving quickly, it could still be several weeks, and he was concerned about the phone ringing with no one to answer it. Porter made a motion to authorize the Mayor and Fiscal Officer to hire a temp through a temp agency for the purposes of the Building Department Administrative Secretary/Board Clerk position, seconded by Canton.

Galicki said that Council had offered the Administrative Assistant/Board Clerk candidate \$20.00 per hour, and the Mayor asked at the last Council meeting what should be done if this was not enough money. Galicki said he responded at the time that Council could cross that bridge when it came to it. He said it was time to cross the bridge. At the last Council meeting, there was discussion that Council would entertain an increase in pay. Galicki asked if this was off the table or did Council want to reach out to the candidate and offer an increase from \$20.00. Nairn asked if she would still have an interest. Canton said he thought this would be a great thing to do. Galicki proposed Council should open discussion about increasing the compensation. He pointed out that the candidate had been told that the Village would max out at \$22 and change per hour for the position and her response was that she would like to be near the top to be near what she made at her last position. Galicki asked if the Village was in a position to offer something higher, and what that should be. In general terms, \$22.00 was discussed, and offered that for an experienced candidate would Council want to sweeten the pot a little? He felt it was possible that the candidate might have little to no need for turn-over or a need for a temp.

Schloss stated that the Mayor spoke to the candidate last, and he asked the Mayor's opinion. The Mayor said the candidate told the Building and HR Committees that she would have to be near



the top of what she was making or something to that effect. Canton said she was making \$26.00. Carroll said she was making \$26.00 at Broadview Heights and the Village's top pay was \$22. Porter said he did not mind offering more money, but Council would have to amend the ordinance for the pay range by emergency. Porter then suggested that if Council did this and then the Mayor called the candidate with an offer of \$25.00, the candidate could still turn it down. Galicki said this was always a possibility. He said he was not present for the candidate's interview and asked if those Council members who were involved explained to the candidate that \$22.00 was the highest the Village could go. Porter and Carroll said she knew. Porter said she was making \$14.00 per hour at her current temporary job. Galicki added this was why they originally thought \$20 was a good compromise and gave the Village wiggle room for raises. He asked if Council should consider going back to her and asking her if she would consider the job for \$22.00 per hour.

Porter said he would get the temp in place going forward, and still do what Galicki was suggesting. If a temp were in place, there would be someone in the office while Council pursued other candidates. Galicki suggested that Council also did not know how much a temp would cost. He added the office had been closed for two weeks at a time with minimal effect and wondered why there was a need to have the temp tomorrow. He offered phones could be forwarded to another office in the Village. Hocevar would still be working as he did when the current Building Secretary went on vacation. Galicki was wondering about the urgency and added that the temp would not have any turnover with the incumbent. Porter stated this was true. Galicki thought there was some flexibility and thought it was a viable option to at least offer the candidate the top range of pay and let her know that Council would like to have her on board the team and ask her to consider it. If she said no, at least they tried. He reiterated that the candidate had experience, and it would appear little turnover would be required. He thought it was worth offering more money. Nairn added that although it was cliché, 'you get what you pay for.' The candidate was experienced. Carroll added that Council did not know the cost of the temp and if the Village were to pay a temp \$20.00 per hour, he would rather get the candidate for \$22.00. Porter suggested doing both so that the Village would not be caught short. Galicki did not see the value added to having a temp with no experience. Porter said the temp the Mayor mentioned had experience of some kind and perhaps the Building Department would get one too. Galicki said that Council did not know this. Porter said if the position was left vacant for three weeks, the Village might as well end it. Galicki said he was not saying to leave it vacant for three weeks. There were many candidates who had applied for the job, and the interview process could be opened tomorrow or in the remainder of the week. He felt the first order of business would be to offer the primary candidate more money. If Council were to interview one of the other administrative candidates by the end of the week, the Village might have someone and not have to go through the temp issue. Porter amended the motion to include a pay of a maximum of \$20.00 per hour. Canton asked how quickly a temp agency could send someone to the Village? The Mayor did not know. Porter said it would be quickly because they don't get paid unless they provide somebody. Roll call – Ayes, Porter, Canton. Nay – Galicki, Nairn, Schloss, Carroll. Motion failed.

The Fiscal Officer clarified that the pay range was \$15.75 to \$22.84. Carroll made a motion that the Mayor contact the previous candidate and make an offer of \$22.84 for the part-time position of Administrative Assistant/Board Clerk, seconded by Nairn. Voice vote – ayes, all. Motion carried. Carroll suggested that Building and HR committees review the applicants and determine a date for interviews in anticipation of the candidate turning the offer down. Schloss asked if interviews could be conducted by Friday, and the Fiscal Officer said they could and explained that because of the situation, an emergency special meeting could be called so 24-hour notice would not be necessary. Carroll asked whether there would be a need for a Special Council meeting if the candidate accepted to appoint her? The Mayor stated she had to be hired and there would have to be a meeting anyway. Porter stated that it would be necessary to have a meeting where the Mayor would appoint, and Council would confirm. The Solicitor agreed. Carroll stated that Council would want to know right away, so that the position could be filled as soon as possible. The Fiscal Officer asked if Council could make a motion that if she accepted the offer, then Council would accept the Mayor's appointment. Galicki asked that it be communicated to the candidate that this was the maximum pay allowed for the position. Schloss asked if this was six month probation. The Fiscal Officer indicated it was for all employees. Carroll stated that Council would be going through budget hearings so potentially the Pay Range Ordinance could be increased. The Fiscal Officer added that at year-end when there were raises across the board, the candidate would receive this too. Porter stated that the ordinance would be adjusted because of this. Carroll made a motion that the Mayor appoints Nancy Grattino as soon as she accepted the position for the proposed rate of \$22.84 to the position of the part-time Administrative Assistant/Board Clerk, seconded by Nairn. Voice vote – ayes, all. Motion carried.

**POLICE CHIEF'S REPORT:** The Police Chief advised that the oldest cruiser in the fleet developed a transmission issue and he wanted to know if Council would consider going out for bid for the new vehicle. The Police Department had planned to purchase a new car next year. He explained with the bid process and the time involved after the vehicle was ordered, it could be 90 to 120 days before the Department would receive it, which might not be until mid-January 2020. He did not think it would impact this year's budget. The Mayor asked what would happen with the current vehicle, and the Police Chief did not recommend replacing any of the existing cars in the administrative fleet with this vehicle. Chief stated that there were 112,000 miles on the car and the repair estimate was between \$3,500 and \$5,000 for the transmission. The Chief explained that the new version of the Ford Interceptor SUV was a hybrid, which would mean future fuel costs would be significantly reduced, potentially \$3,500 savings in fuel costs per year. The cost of the vehicle has increased, but the hybrid engine was standard. He added that the vehicle had outperformed all cars in the fleet except for its twin sister, the EcoBoost Turbo Charge vehicle. Galicki made a motion to begin the process of investigating a replacement vehicle for the Police Department fleet vehicle that was currently experiencing transmission problems, seconded by Nairn. Voice vote – ayes, all. Motion carried.

The Chief also addressed the helipad for the Fall Festival because he felt it was dangerously close to the playground. He said a permanent solution was required to relocate it because it was a designated helipad for Life Flight. He addressed an area 100 feet behind the Pavilion, but said for the Fall Festival purposes it would be too close to the activities. The Mayor said this issue

had been raised by a Life Flight pilot who attended a birthday party over the weekend at the pavilion. The Street Commissioner said he was considering the area to which the Police Chief referred but a little to the west, getting it away from the Fall Festival activities and the Pavilion area. The Chief said he looked at this area as well, and a concern was easy access for the ambulance. Another area the Police Chief looked at was the furthest area west near the paved driveway apron to the west of the Village Park. He added that for the Fall Festival it was important to move it away from its current position. The Mayor referred to the area and said it would be mowed. The Police Chief clarified that for a temporary landing pad, there was the area just west of the bird houses. The Street Commissioner offered that the area by the west driveway could be mowed once for it. The Mayor asked how close they wanted to get to the Maistro's property. The Chief said it could be a couple of hundred feet east of the property line. He said there was a yellow property marker there. This would be a good line of sight that could be used as a gauge and a couple hundred feet from the Maistro's property line, back another hundred feet. The Mayor suggested the Street Commissioner, the Chief, and Tim Alder collaborate on this determination. The Mayor added that if it were moved, then the horses would have to be moved.

The Chief addressed a tripping hazard on the front walkway of the Police Department and said he had begun looking for quotes. Green Concrete Leveling provided a proposal of \$750 to level the concrete. Nairn offered that she had used Green Concrete Leveling and they had done a great job.

**SAFETY COMMITTEE:** Galicki stated that the Safety Committee met on September 3, 2019 and discussed the 2020 budget proposals. The minutes were contained in the Chief's report.

**HUMAN RESOURCE COMMITTEE REPORT:** Galicki reported that there were joint HR and Building Committee meetings held on August 19 and 28<sup>th</sup> to discuss the Building Department personnel position posting for the Administrative Assistant/Board Clerk. It continued at the HR meeting held prior to the Council meeting. The other minutes were distributed to Council. The latest proposal was to offer the maximum to the candidate, and should that be declined, interviews would ensue. Galicki suggested discussion by Council of the reporting structure for the Building Department Administrative Assistant. He stated there was currently a Building Official who was a contractor but not an official of the Village. Galicki added that some of the confusion had possibly resulted because the Administrative Assistant/Board Clerk did not report to a Department Head. A counter proposal was that the individual report directly to the Mayor, but the HR Committee thought this was not the best solution. Instead, the committee suggested that the individual work for an existing Department Head, whether it was the Street Department, etc. He offered it could be a future discussion. Galicki made a motion to place an ad for the upcoming vacancy for the Street Commissioner position in the Chagrin Valley Times and the Geauga Maple Leaf, seconded by Carroll. Carroll said that this motion was no reflection on the current employees, and he encouraged all to apply. He explained that the committee wanted to cast a wide net to see what other opportunities existed. He encouraged the Street Commissioner to tell his staff that Council would like them to apply. Regarding the requirement to have a Zoning Inspector, Carroll stated that some

community models involved a combined Street Commissioner and Zoning Inspector, others a Police Chief/Zoning Inspector. The HR committee discussed these possibilities and suggested having a joint Building Committee/HR Committee meeting to discuss it further. He added that zoning was an important issue in the community, but questioned whether an inspector would be needed five days a week or less. Carroll felt these were things that needed to be discussed. If there were a decision to combine the two positions, it could be presented to the Street Commissioner and Zoning Inspector candidates to determine interest. Carroll added that other communities have combined the positions effectively and thought that a combined position at the Street Commissioner or Police Chief level should be considered to see if it fits the needs of the residents. Voice vote – ayes, all. Motion carried.

Carroll suggested Street, Building, and HR committees meet to discuss the reporting structure of the part-time Building Department Administrative Assistant. Galicki asked that Council think about it and perhaps address it in a following Council meeting about what would be the best reporting relationship.

**PROPERTY COMMITTEE:** Porter stated the Property Committee met August 30, 2019 and discussed the rental house. The minutes were provided to the Fiscal Officer. The issues surrounding the rental house, according to Porter, concerned whether the Village should keep the property as is and rent it out again, turn it into something else, or sell it as is to the highest bidder. Currently, it was packed with stuff, which the Chief suggested putting on Gov Deals. The tenants were notified, but did not claim their property. He added there were things of value such as a hospital bed. Porter surmised the Village would be lucky to make \$200 out of it, possibly more.

The Committee would also be proposing changes to the Pavilion rental, regarding alcohol and the necessity to have an off-duty police officer for a minimum of two hours when alcohol was being used. The Officer would be paid \$35.00 per hour directly by the renter.

Regarding the Playground, the inspection will cost \$200.

Porter said a “bunny hill” was proposed.

He stated that there would be a maintenance fee which would be included in the Service Department, which the committee would propose for the upcoming budget session.

Canton stated the Fall Festival would be September 15<sup>th</sup> from 1:00 p.m. until 5:00 p.m. Canton addressed maintenance issues Bainbridge was having with its playgrounds. He contacted Eric Jones with Kompan Playground Company to determine how much money the Village should set aside for future maintenance of the playground. Jones told Canton that no maintenance would be required for three to five years, other than replenishing the woodchips. He recommended \$500 per year for maintenance. Canton spoke to the Mayor and they decided that \$500 was not really that much, perhaps \$1,000 should be earmarked per year for maintenance. They had a planned meeting with the Tripps, who agreed to gift the Village \$1,000 per year for future maintenance. Nairn asked if the \$1,000 would only be for the playground apparatus and not for landscaping surrounding the playground, i.e. the trees or benches. The Tripps brought this subject up and

were concerned that \$1,000 yearly amount would be placed in the General Fund. He believed it would be possible to earmark that money for a separate line item. Porter added it would be a line item in the Street Department Budget that was specifically for the maintenance of the playground. Nairn clarified it would include trees and benches. Porter said or the equipment itself, so there would be enough money to maintain the site as it currently is. Nairn said that although it was not a playground apparatus, landscaping was part of the beauty of the playground that should be maintained, and Canton agreed. Porter agreed it was part of the playground. Canton felt the financial commitment by the Tripps was very good news.

Canton said on August 7<sup>th</sup>, an anonymous letter was received. Canton read an excerpt, “the new playground in South Russell on Bell Road does not comply with Americans with Disabilities Act (ADA) standards, especially relating to the two slides, which are cruelly inaccessible to children with disabilities. I suggest you think about revising the accessibility of the play components on that playground or shut it down. It does a disservice to South Russell to have a facility that is so blatantly inaccessible to children of varying abilities. Below please find relevant ADA standards.” Canton said when looking at the ADA standards that were provided by the individual, in addition to contacting the playground company which assured him it was ADA compliant, the question he had was how many activities were there for children to play that may have challenges. He said at ground level there were six, so this meant the Village complied. Canton added that the playground also had entrance and exit ramps. Nairn asked who would be inspecting the playground. The Mayor said it was a young man named Tad Gordon who worked for the Bainbridge Township parks and was a licensed playground inspector. He was charging \$200 for the inspection.

According to Canton, a sign was being developed for the playground which would be installed on Friday, September 13<sup>th</sup>. Canton said the sign would say, “Welcome to the South Russell Village Playground. The South Russell Village is proud to recognize Ike and Ann Tripp for their generous donation to make the playground possible. Additional contributors include Ohio Department of Natural Resources, Chagrin Valley Dad’s Club, and the Chagrin Valley Jaycees.” The sign includes the quote from Albert Einstein, “Play is the highest form of research.”

Galicki asked about the verbiage of the park sign, specifically that it said, “The South Russell Village is proud to recognize...” and asked if it should not just be “South Russell Village.” The Mayor and Street Commissioner said that it was changed to say, “The Village of South Russell is...”

The Fiscal Officer asked where the sign was coming from out of the budget because there was one fund set up for the grant and donation, and all of that money went towards the playground, benches, and trees. The Parks budget was very tight, and she did not have enough in the Parks budget to pay for the sign. Carroll asked the Mayor if he had money left in his discretionary fund that could be used to pay for the sign and then Council could figure it out later. Galicki asked how much the sign was and the Mayor said \$1,485, but would be cut down by \$100 because the Service Department employees would help install it. He said to take it out of the Mayor’s discretionary fund.

**PUBLIC UTILITIES REPORT:** Carroll advised there was no report.

The Mayor asked if anyone was going to the Water Quality Management 208 Plan next week. He would be going.

**ORDINANCES/RESOLUTIONS:** Nairn introduced a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levy and certifying them to the County Auditor and declaring an emergency. She made a motion to waive further readings. Porter said if it was a resolution, it was unnecessary to waive anything. The Fiscal Officer said it was necessary. Porter seconded the motion. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt. Roll call – ayes, all. Motion carried. **RES 2019-47**

Canton introduced a resolution authorizing the sale of personal property not needed by the Village. Canton made a motion to waive further readings and declaring an emergency, seconded by Carroll. Roll call – ayes, all. Motion carried. Canton made a motion to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **RES 2019-48**

Canton introduced a resolution expressing the intent to sell personal property not needed for the public use by internet auction. Canton made a motion to waive further readings and declaring an emergency, seconded by Porter. Roll call – ayes, all. Motion carried. Canton made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **RES 2019-49**

Nairn introduced a resolution supporting the Ohio Municipal League (OML) position on HB 49 and HB 5 (Centralized Tax Collection) and asking the OML to include the Village of South Russell as a municipality supporting the OML amicus brief before the Ohio Supreme Court and declaring an emergency. Nairn made a motion to waive readings, seconded by Porter. Porter asked if they wanted any money from the Village, and the Solicitor said no, it was just a supporting position. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **RES 2019-50**

Carroll introduced an ordinance amending Appendix D – Job Descriptions of the Village's Employee Handbook and declaring an emergency. Carroll made a motion to waive further readings, seconded by Galicki. The Fiscal Officer clarified that this was for adding the part-time Zoning Inspector. Roll call – ayes, all. Motion carried. Carroll made a motion to adopt, seconded by Nairn. Roll call – ayes, all. Motion carried. **ORD 2019-51**

Porter introduced an ordinance amending 2018-36 to include the fee for the presence of a police officer during an event at the Village Park in which alcohol is consumed. Based on previous discussions, Carroll raised the issue that with Geauga Park District, such as Frohring Meadows, there was no law enforcement required there. Also, for individuals who used the pavilion without a permit who brought alcohol, and there was no alcohol rule. The Chief said there was no alcohol allowed at the park and if someone had it, an open container citation could be issued. Porter said the discussion surrounded the question of having law enforcement present if there were a party with alcohol. He thought back then, Council was not sure what the response would be to the Pavilion, and if there were going to be large parties. It was not done because Council was unsure whether it was going to be necessary, and how many people would constitute a large enough party to have this requirement. Over the years there had been increased use in the

pavilion. It seemed like an appropriate time when there was a large party with alcohol to require the presence of a police officer to prevent anything untoward happening. Canton added that the Chief felt there should be an officer present, adding that he trusted the Chief's judgement. Carroll clarified that it would be necessary to have a permit if alcohol were present, and without a permit, no alcohol use was permissible. The Chief concurred. The Chief said that in Geauga County Sherriff's jurisdiction, anytime there was an outdoor event where there was alcohol served, the Sherriff's Department mandated an officer be present. Carroll clarified that Geauga Park District did not, and the Chief agreed. Carroll asked if the Village had problems previously, and the Chief said it had not.

Galicki asked if he as a private citizen went to the Pavilion with a six pack without a permit, would this be authorized or not. The Chief said it would not be authorized because it would be an open container violation.

Schloss introduced an ordinance amending section 260.02 of the Codified Ordinances of the Village of South Russell by providing for the appointment of two alternate members of the Planning Commission and declaring an emergency.

Schloss introduced an ordinance amending section 262.01(a) of the Codified Ordinances of the Village of South Russell by providing for the appointment of two alternate members of the Zoning Board of Appeals and declaring an emergency.

The Chief asked the Solicitor if the auctions for the property for sale could be activated the following day. She said yes. For the items that did not sell, the Chief asked if it would be necessary to return to Council and put a zero value on the items. He then asked what the next step would be. She said it would be necessary, and that Council would have to say it had no value and therefore could be disposed of however they wanted.

The Mayor addressed the tabled ordinance amending section 1480.02 (e) of the Codified Ordinances of the Village of South Russell. Schloss said the committee would continue to table the ordinance until the next meeting.

**BILLS LIST:** Nairn made a motion to ratify the August 13, 2019 Bills List in the amount of \$127,136.61, the August 15, 2019 Bills List \$38,164.80, and the August 30, 2019 Bills List in the amount of \$23,421.43, seconded by Porter. Voice vote – ayes, all. Motion carried.

**ENGINEERING SEARCH COMMITTEE:** In reviewing both firms, Carroll stated his position was that the Engineer and CT Consultants had done a fine job. He had only minor concerns. He liked GPD but was concerned about the fee structure being costly. With the lack of stability in the Building and Service Departments, there might be merit in continuing the contract with CT Consultants for the remainder of this year and through next year to provide stability in the two departments. He acknowledged that GPD was highly recommended, and while they had been dropped by a few communities, so had CT Consultants. Carroll characterized it as an ebb and flow with the contracts with communities. By retaining CT Consultants, the Engineer could help the new Street Commissioner as well as Building/Zoning staff.

Canton concurred with Carroll and added that CT Consultants had been working without a contract and doing an admirable job. They had been with the Village for 20 years. Canton described the Engineer as being passionate and proud of his work, and that CT had earned the right to be the Village's Engineering firm for another year.

Schloss said his vote would be for GPD. He had worked with many engineering firms throughout Northeast Ohio for a long time. CT and the Engineer had done a wonderful job in the Village but did not believe he had the knowledge that GPD did regarding streets and road programs. Regarding CT Consultants, Schloss added that he did not like some of the things that had happened with storm water issues. He asked Council to consider GPD.

Carroll said that GPD was very attractive for a lot of reasons, but for the remainder of this year and next year, he recommended remaining with CT Consultants. However, after next year, Council could reevaluate the work with the road program and storm water, and he concurred with Schloss about the storm water approaches. Carroll added that storm water had been discussed since he first joined Council, and the Village was just starting to knock out some projects now, which had been frustrating. He acknowledged it was partially Council's fault, but some of it had to do with the direction Council was getting.

Galicki said Council was faced with two great choices and it had been a great process. If the Village were to stay with CT, the process was great to keep them honest. The Village also had a view of other firms that provided services.

Porter made a motion that the Fiscal Officer and Mayor employ CT Consultants as the Village Engineer for the remainder of 2019 and into 2020 on a year and three-month contract declaring an emergency. He made a motion to waive further readings, seconded by Carroll. Roll call – Ayes, Galicki, Nairn, Porter, Canton, Carroll. Nay, Schloss. Motion carried. Porter made a motion to adopt, seconded by Carroll. Roll call – Ayes, Galicki, Nairn, Porter, Canton, Carroll. Nay, Schloss. Motion carried. **ORD 2019-52**

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

Nairn asked why the flag had not been flown in the cemetery all summer. Galicki said it was because there was no illumination. Nairn said this had been going on for a half of a year and asked if Council could please get the American Flag into the Village Cemetery. Porter said it was a job for the Property Committee. He added that if you need to fly a flag, it should be in your heart.

Carroll had a comment to make about the Eagle Scout presentation. He said he liked Kukla's idea of the stone at the base of the flags, and if the memorial project were to fall through, something like this at the cemetery would be nice and added that there is room there. Carroll understood what Kukla was saying about the park, but Carroll did not love the location of the park and thought one of the other locations would be better. Carroll pointed out that the project was good but that Kukla was on a tight timeline, and Council should stay on top of it. Nairn said she had concerns because at the committee meeting there were ten people with ten different



opinions. She did not think it was fair to Kukla, and she thought he needed to develop another plan. Carroll asked if the Village could just have Kukla's project as the Memorial at the Cemetery. Porter pointed out that once he gave the Village the stone, it could be moved. Galicki agreed. For point of clarification, he noted that Kukla said 'inclusive of the Merchant Marine' flag, but the Merchant Marine was not considered an Armed Force of the United States. The World War II Merchant Mariners were granted Veteran status, but that was an exception rather than the rule. Porter added that this took 50 years.

The Mayor agreed with Nairn and said there was chaos at the meeting that morning. Although he did not want to speak for the VFW, the Mayor thought Kukla could use the flagpole that was dedicated by the VFW if the whole Memorial Park project fell apart, he could put the stone there. The Mayor said they spoke to the Western Reserve Land Conservancy and asked if they could give the Village more land west of the pavilion. He added that everything that was mowed belonged to the Village, but where the hay was belonged to them. The Mayor said they would look into it, and they thought they could get by calling it "signage". The conversation happened that morning and he said it would not be a big deal with them. Like anybody else, the Mayor explained, once you change your standard just a little bit, then the next person says, 'they let South Russell do this, then let us do this.' The Mayor said the Land Conservancy was going to look into that. The Mayor said they did go down and put six flags up on snow sticks so that they could be seen. They were located west of the pavilion. He thought it was the best place in the park because it was high and dry as it could be in the field and it was visible but not intrusive. The thought was to leave them up through the weekend to see what people said at the Fall Festival. The Mayor said that Nairn was right and that there was emotion on both sides, and in Kukla's case, he thought Council could tell him to put the stone here and then the Village could move it if it had to.

Regarding the request for land from the Land Conservancy, Carroll said he did not want to be short sighted where they would offer it for this project, but there might be another project the Parks Committee would want to do. He would prefer to be strategic about this. Carroll was concerned that the Land Conservancy might not grant such a request again, and there were a variety of locations for the Memorial Park. Porter offered that the Village had approached the Land Conservancy a number of times, and they always would say that they would look into it, but the answer was no eventually.

The Fiscal Officer stated that regarding the type of stone used in the project, during the building of the Cemetery, Sheffield Monuments cautioned about the type of rock used because of the potential for breakage when moved. It would have to be a hard stone to prevent breakage.

Canton asked if parking, visibility, and pedestrian traffic were criteria considered with the Memorial Park. Nairn said parking and visibility were discussed that morning. Canton said at the Chagrin Falls Intermediate School, there was a surface with holes in the surface where the road was not visible. It looked like lawn.

The Mayor said by the next Council meeting on September 23<sup>rd</sup>, Council should be prepared to approve Kukla's project. He added that Kukla had conducted extensive research. The Mayor added that relating to the Memorial Park, there was something on Fairmount Rd. in Russell

Township that was supposed to be fabulous and was the best thing Kukla saw.

Carroll addressed the rental house and said Council needed to begin considering what would be done. His opinion was either to sell it or raze the house and keep the property for future Village use, but he would not support the rental option. Porter said the house first needed to be cleaned out. He surmised that there would not be a buyer willing to pay top dollar for it as is with all the stuff in it. The Committee's plan was to clean the house and determine the issues. Porter favored selling the whole property, building and two acres. He did not think it would be needed for Cemetery expansion. Galicki stated it was great for physical plant expansion of the Village looking 50 or 60 years down the pike. Porter said the Village also had the six acres behind Village Hall, and the Krappe property. Galicki said in the future, there could be a municipal center there. Carroll said a decision would be required and at the very least the house would need to be winterized.

Carroll made a motion to go into Executive Session for possible property purchase and, at the Solicitor's request, a motion to consider the investigation of a complaint against a public official, seconded by Nairn. Galicki asked if the matters could be separated, and the Solicitor said they could. Carroll clarified that the first motion was to go into Executive Session for possible property purchase, seconded by Nairn. Roll call – ayes, all. Motion carried. Carroll made a motion to go into Executive Session for the investigation of a complaint against a public official, seconded by Nairn. Roll call, ayes, Nairn, Porter, Schloss, Canton, Carroll. Galicki recused himself.

The Solicitor advised that Council was back on the record. Carroll made a motion that Todd Hicks from Thrasher, Dinsmore, and Dolan conduct the investigation of a public official complaint by an employee, seconded by Nairn. Roll call – ayes, Canton, Nairn, Carroll. Nays, Schloss and Porter. Motion carried.

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



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki