

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, JANUARY 27, 2020 - 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman, Solicitor Matheney

VISITORS: Rose and Keith Roberts, Sugar Bush Ln.; Giovanna Cantor, Sugar Bush Ln.; Elke Neumeyer, Sugar Bush Ln.; Chris Tropf, Sugar Bush Ln.; Connie and Tim Schaaf, Bell Rd.

Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. Fiscal Officer read the roll. Nairn made a motion to approve the Council meeting minutes of January 13, 2020, seconded by Canton. Voice vote – ayes, all. Carroll abstained. Motion carried.

Keith Roberts, Sugar Bush Homeowners Association (HOA), explained that he and members of the HOA were present to discuss the neighborhood's worsening dilemma, which had been communicated to the Village in the past. He asked for the Village's participation in finding solutions. He stated that Sugar Bush is a private street. Roberts presented a map of the terrain and said it was very similar to what CT Consultants had previously produced. However, he said that CT did not include the watershed for which the Sugar Bush lake is now acting as a retention pond. The area had increased substantially since the inception of the neighborhood in 1957. Subsequent to the construction of Sugar Bush, other developments which include Whitetail, Fox Run, and others had been built which have impacted the Sugar Bush neighborhood. Roberts provided a presentation and indicated on the projected map the location of Hidden Lake (also known as Sugar Bush Lake), and said it is a spring fed inline lake. The spring is the source of the issues and explained that its source is in West Bel Meadow. Over the years, instead of becoming a spring, it had become a storm water runoff vessel. Robert pointed out geographical features of the watershed on the map, indicating sources that drain into the lake. Roberts offered to provide the presentation to members of Council.

In its beginning in 1957, residents enjoyed a pristine spring fed lake. He added that it has been maintained by the HOA and not the Village. Between the 1960's and 1980's, there was a silt build up, and the HOA had the upper lake dredged. At the same time, a baffle was installed at a silt pond to prevent the migration of silt into the main lake, and this did its job for a while. The silt pond was dredged again in 1998 and 2008 as maintenance by the HOA. After the 2008 dredging, the HOA observed the silt increasing at a faster rate. This issue was communicated to the Village. Roberts attributed the silt issue with residential and commercial construction, to include Gurney Elementary School, that occurred after the development of the Sugar Bush neighborhood. The increase of paved surfaces had a negative impact on Hidden Lake.

Improvements had been made to the storm drains within the Village, many of which impacted the stream negatively. The most recent example was at the mouth of Sugar Bush Ln. between Fox Run, Gurney, and the runoff of Bell. It all filters straight into the brand-new culvert that then goes through the existing culvert into the lake. He noted there was no filtration for the storm water containing the salt, oil, etc. from Chillicothe Rd. and from Manor Brook to the stream. Islands were forming in the main lake of silt that had bypassed the silt pond. If it continued unchecked, the lake would go away, and the problem would further push the problem downstream. He referenced the Chelsea Court situation, which would be exacerbated by not having Hidden Lake as the Village's retention pond.

Roberts referred to images which illustrated the problems relative to the culverts. He emphasized the problems experienced by the HOA had been exacerbated by the improvements in drainage on Chillicothe Rd., Bell Rd., and impervious surfaces due to the development of Fox Run and Whitetail without retention. It was flooding properties and backing up, and he stated the new culvert was struggling to handle the volume of water coming upstream.

Galicki asked for clarification of the source of the water shown in one of the pictures presented, and Chris Tropf, Sugar Bush Ln., explained that it was coming from a drain because the drain was unable to empty into the stream due to the volume of water that was flowing through. Galicki asked if the flooding that had occurred was during a heavy deluge of rain, or long steady average rain. Tropf advised that the flooding had primarily occurred with the deluge but had also occurred with the longer periods of rain.

Carroll asked Roberts about the size of the culvert, and Roberts thought it was 48 inches.

Roberts stated this was not the first communication the HOA had with the Village. They had also met with the former Street Commissioner and with the Chagrin River Watershed Partners (CRWP). They were advised to grade the bank of the silt pond and do certain plantings to maintain the grade. The HOA implemented the plan, but it did not stop the deluge of silt. Volume increased. The resurfacing of Bell Rd. exacerbated the situation in that it created a lot of loose clay that ended up in the lake. Giovanna Cantor explained that the silt pond had required more and more frequent dredging. Nairn asked for the history of the dredging, and Canter explained that the older residents reported it would occur between 10 to 15 years.

Roberts stated that the creation of impervious surfaces required management and the Village's method of management was to make the stream wider and add to its capacity so it could flow more water faster, but it ended up in their lake. He estimated that 25% of the eastern side of the Village with impervious surface flowed into the stream and their lake, which made Hidden Lake the retention pond for much of South Russell. The HOA is responsible for maintaining the lake.

Roberts stated the community was asking for help and understood the HOA had responsibility in maintaining the silt pond. However, the HOA was not responsible for the increase in the volume of water and the type of water the lake was receiving. His concern was that the neighborhood would become a Chelsea Ct. and Southwyck situation. Roberts stated the HOA was looking for help with the dredging of the silt pond and upper lake. He acknowledged the Village's efforts

with the Manor Brook Stream Restoration Project, whether the HOA agrees with the methodology or not, he knew it was engineered and there was confidence that it would work. He added that if it worked for Sugar Bush, then it was great, and they would be happy to go back to their normal dredging maintenance and to be able to enjoy the lake. In the meantime, they were asking the Village for help with the silt problem.

Carroll asked Roberts about the cost of dredging the silt pond. Roberts said the last dredging cost \$8,000 just for the silt pond. Carroll asked how deep the lake had been, and Roberts said it was 8-12 feet at one end and 3 feet in the shallow area.

Porter asked if Hidden Lake had been dredged, and Cantor stated it was dredged three feet in 1988. Carroll asked if there was the ability to drain the lake, and Roberts and Cantor thought this had been possible, but not recently.

Elke Neumeyer, Sugar Bush Ln., stated that the culvert under Bell is a 60-inch culvert, which provides a larger volume of faster water in the recent years since the Bell Rd. improvements. Roberts indicated that there is a 24-inch culvert right next to the 60-inch culvert coming from Bell.

Porter asked about the cost involved in dredging Hidden Lake in 1988, and although Roberts did not know, he said a quote from two years ago was \$25,000 for the silt pond and upper lake.

Rose Roberts relayed her recollection of events surrounding the Bell Road resurfacing. The HOA complained to the Village that it was getting more volume of water. The HOA was repeatedly told it was not. The residents were told by an engineer, possibly from Akron, that it would slow the waterflow. She disagreed. Roberts recalled that someone came out, possibly the Engineers from Akron, who took samples of the water from various points to determine silt levels. After this, the Village and the Engineer agreed that someone would be sent out to remove the silt. A small backhoe was used, and one truck load was taken. When the neighborhood conducted dredging, industrial equipment was used. She felt what the Village provided was inadequate.

Tim Schaff, Bell Rd., illustrated the problem by describing a 60-inch culvert that runs under Bell Rd. and then feeds around Sugar Bush and comes through a 48-inch culvert. He said this would reduce the pressure but increase the volume, not decrease the flow as the residents had been told. He equated the situation with putting one's thumb over the end of a hose and stated the water now coming through the culvert is washing everything away in addition to what it is bringing with it.

Rose Roberts also reported that there was talk at one meeting that the Village was going to do a 60-inch culvert under the Sugar Bush road but was dismissed because it was on private property. In the meantime, because of the collapse of their culvert, disruption was caused on the private road, which the residents had to pay to repair and resurface. She did not know why the 60-inch culvert was taken off their road. When it was discussed, they were very alarmed because of the

increase the residents had already seen of 48 to 60-inch. With another 60-inch culvert, she wondered what would happen to them.

The Mayor stated a follow-up meeting had been scheduled for Monday, February 10, 2020 at 6:00 p.m. and the Engineer and Street Commissioner would be present. He further stated that the Street Commissioner had already examined the slope on Bell Rd. on the property of the Sugar Bush HOA and would have suggestions of what could be done with raising the catch basin. The Mayor stated the Street Commissioner would be in touch with the HOA once the weather breaks in the spring.

The Mayor referred to blueprints of Fox Run. He stated that there had been comments that there was a retention pond for Fox Run. He said they were not on the blueprints and that the Village would go back and take another look, specifically to see whether in 1994 there was a retention pond put into the Fox Run development. Carroll asked whether the Mayor thought there was a retention pond that had been put in the development. Roberts advised that he saw the document in question at the Building Department and there was a site plan that had the retention pond drawn in with a big "X" on it. Roberts photographed this. He checked the Geauga County website and saw that it was not on the final plat that was approved. He thought there were 28 houses there now. He did not know whether the ordinance requiring a retention pond for a certain amount of impervious surface of a specified quantity of houses or dwellings would apply. Nairn asked if the developer placed the "X" on the plans, and Roberts said he did not know. Galicki asked Roberts from what he remembered of the location of the planned retention pond, if it was eventually developed, or if it was still green space. Roberts said it was developed and said it was on the northeast side, whereas the northwest portion of Fox Run had some green space. Galicki clarified that in other words, someone got a couple extra home sites.

Roberts expressed his appreciation to Council for allowing the Sugar Bush community to make the presentation.

MAYOR'S REPORT: The Mayor stated he had a copy of a letter from Dave Hocevar that stated the following: "Dear Mayor Koons and Council Members, I am requesting for the construction deposit of \$500 to be released to the homeowner, Eli Jones, for the above referenced project, see attached notices that were sent to Biltmore Exteriors with no response from them regarding the deposit and forfeiture." The Mayor stated he met with Mr. and Mrs. Jones and said the situation began on May 31, 2018 and had been going on since. They filed a claim with the Better Business Bureau, and they basically want the \$500.00 back, and this was what Hocevar recommended. Galicki stated at the last Council meeting when this subject was discussed, there was a question of whose money it was. He asked if it had been determined that it was the contractor's money or the Jones' money. The Solicitor stated Biltmore made the deposit. Galicki clarified that it was not the contractor asking for return for the deposit. The Solicitor stated that the notices were sent to the Jones' and Biltmore, and Biltmore had the opportunity to appeal. Galicki added that Jones would have had this opportunity as well within the 30-day period. Galicki asked what the exceptional circumstances were that supported returning the deposit when the Jones' did not appeal during the 30-day period? The Solicitor did not know, and added that the Building Department Administrative Assistant mentioned that

Hocevar stated that he inspected the roof, the siding, and the windows while he was out for another inspection, and that the work was not done according to homeowners' standards, but was acceptable for the inspection. Porter reiterated that Biltmore put the deposit down, and was notified that they could request their deposit, and now it was up to Council to give the deposit to the Jones' or not. The Solicitor added that even a portion could be returned. She thought Council's question of return of the deposit involved expenses incurred by the Village. She stated Hocevar conducted an inspection, but she did not know the expense. Carroll asked what the Jones did not like about the work. The Mayor stated he had a couple of pages on it. Carroll asked if this information had been forwarded to Council, and the Mayor stated he had not because he had just met with them on January 24. He described that he had a two-page litany of what they went through, to include starting May 31 multiple calls, second notice, forfeiture sent, and they were just not happy with the work and filed a complaint with the Better Business Bureau. Galicki stated it appeared that Hocevar said the work was satisfactory and it passed the standard. The Solicitor stated that through an email she received on January 27th, the work was not done according to the homeowners' standards, but was ok as to what Hocevar inspected, the roof, the siding, and the windows. Galicki added that this was the value added provided to the citizens by the Building Department, which allegedly protects the citizens, and Hocevar said the work was ok. The Solicitor stated this was her understanding. Canton asked if the construction company paid the \$500 and then charged the Jones. The Solicitor said she did not know, and this was a question Council had the last time and she wanted to find out more information. The only information she had was that Biltmore gave the deposit, and although she thought they probably charged the homeowner, she did not know. Porter verified that Biltmore did not act in the 30-days it had to respond. He added that his recollection of the ordinance was that if the person or entity that put the deposit down did not act in the 30-days, then the money could be sent to the homeowners if they did not put the money down. The Solicitor said she would have to look and did not know. Galicki stated that the Jones were informed at the same time. Porter stated that they did not put the money down, so it was not their money and they did not have a job done correctly, which was what the money was for to protect. The Solicitor stated the notification was sent to both parties. She thought anyone had the chance to respond to the notification within the 30 days. Canton asked if Biltmore was still in business. The Solicitor did not know. Carroll stated he was interested to know what the Jones did not like about the job. He added that Hocevar seemed to be supporting the forfeiture, but he also said that everything was built to code. Carroll was a little perplexed but was not necessarily against giving them the money, but he needed more information and details about specifically what was wrong. The Mayor proposed that he would invite the Jones to the February 10 Council meeting to address Council. Galicki stated that although the Jones would tell Council what they did not like about the work, he was still confused by the issue that the work met the Village's building standards, and the Building Inspector said that although the customer did not like it, it met code and everything the Village expects of a builder. Galicki was confused by the proposal to give the money back, but it was ok that they don't like the quality of the work. Porter stated that the builder may have met the Village's code, which is the minimum standard, but the contract between builder and the homeowner may have called for more. From his perspective, if the Jones tell Council the work was not done per the contract with Biltmore, it might shed some light on what Council should do. Galicki asked if this should be a small claims court issue between the contractor and the owner. Porter said they could do this, but the Village would then be involved since it is holding

the money. It is up to Council to return all, part, or none of the money to the homeowners. The Mayor asked if there was a motion and second to return the money to the Jones. Hearing none, he said he would invite the Jones to come on February 10th.

The Mayor stated that Joan Demirjian had left the Chagrin Valley Times and said there would be a resolution commenting on her career. He stated there would be an activity with Auburn Township Trustees and the Bainbridge Township Trustees. The resolution would be coming on February 10th.

The Eagle Scout project was lit up and was working. The next Eagle Scout would be attending the February 10th Council meeting and was interested in doing bat houses.

The Mayor stated that Geauga County Department of Health Advisory Committee was looking for an alternate.

The Mayor was still talking about the Strategic Plan, retreat, and team building. He thought something should be held after the April 4th Council training, which he and Berger would attend. After this, the Mayor said Council should be prepared to look at long term strategic planning retreat and some sort of team building activity. The Mayor stated his Strategic Plan would be presented to Cleveland State on March 4th. He would provide details of the event.

Regarding the Village Hall retention pond, work would start the following week in February.

The Mayor attended the Northeast Ohio Areawide Coordinating Agency (NOACA) Bike and Road Program meeting at the Mountain Road Bike Shop. The big meeting would take place January 28th at 10:00 at the Crawford Auto Museum, and the Mayor planned to attend. He added that the advantage the Village had was that a Geauga County Commissioner is head of NOACA.

The Stormwater Annual Report meeting would take place January 30th. At that time, the Village would create a plan and answer the State as to what the Village was doing to control stormwater. The report would be submitted April 1.

The next Manor Brook/Thomas and Thomas meeting would be on Monday, February 10th at 8:00 a.m. He added that construction may start with Village Hall, and planning would begin for the Manor Brook Downstream Restoration Project.

FISCAL OFFICER'S REPORT: The Fiscal Officer stated she had nothing to report.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the year ending December 31, 2019. The Fund Balances at the end of 2019 were \$3,039,000. The Fiscal Auditor pointed out that these fund balances were arrived at separately from the fund balances of the Fiscal Officer and match to the penny. The balances declined in the month of December by \$112,000. However, for the year, the Village was \$361,000 higher than the beginning of the year, in contrast to the expected deficit. The Cable Franchise fee installment and a playground

maintenance donation were received. Regarding budgeted revenues, the Village met the amount in basically every category.

Carroll noted that Star Plus declined, and the Fiscal Auditor acknowledged it had, but advised the Village was collecting interest on the checking account, which offset the drop.

The Mayor asked the Fiscal Auditor if the \$1,600 for Grade Plan Reviews would go to CT Consultants. The Fiscal Officer confirmed that it did. Porter asked if the Rental Property line item could be removed. The Fiscal Auditor said it could be removed. He added that since Pavilion Rental was not large, it could be moved to the Miscellaneous category.

The Mayor asked if it would be considered bad budgeting or over inflated budgeting to expect to lose \$457,000 and end the year with \$361,000. The Fiscal Auditor said it was difficult to project with accuracy the income tax receipts. This was a surprise considering that the Village expected to end up with a net of \$1.45 million and to come in over \$300,000 higher than this. The Fiscal Officer added that the Village did not do the major projects that had been budgeted, like Lake Louise and the Village Hall Stormwater. The Fiscal Auditor said that in budgeting revenue, some were easy to predict, like real estate taxes and Cable Fees. The Village Income Tax was a nice surprise on the revenue side, and there were expenses that the Village anticipated that did not come through as mentioned by the Fiscal Officer. He thought it was good to be conservative and not have bad surprises.

FINANCE COMMITTEE: Carroll made a motion to approve the Fund Balances as presented by the Fiscal Auditor, seconded by Berger. Voice vote – ayes, all. Motion carried.

Carroll stated there would be a joint Finance Committee HR Committee meeting Thursday, January 30, 2020 at 8:00 a.m.

The Mayor advised there was a Chagrin Falls After Prom request that would be addressed at the next meeting.

The Village received grant information from NOPEC, which the Mayor would distribute to Council for consideration at the next Council meeting.

SOLICITOR'S REPORT: The Solicitor had nothing to report.

The Mayor thanked the Solicitor for the document she provided concerning Council Rules. Referring to the document, Nairn asked about page 3, section e. She asked for a definition of “resolutions announce the position of the Council on a particular issue and generally do not have enduring effect.” The Solicitor explained the difference between a resolution and an ordinance. A resolution was something that would not amend a Codified Ordinance or enact a Codified Ordinance. What Nairn was questioning was the phrase, “it does not have enduring effect.” The Solicitor stated that an ordinance could also be repealed and not have ‘enduring effect’ as a result. The Solicitor admitted it was a confusing issue.

Porter congratulated the Solicitor for her elevation to partnership status at Thrasher, Dinsmore, and Dolan.

STREET COMMITTEE: Porter stated the committee did not meet the previous week and tentatively scheduled a Street Committee meeting for 7:00 a.m. January 31, 2020.

BUILDING COMMITTEE: Canton stated that the committee met on January 21st, 2020. He apologized for the bullet point minutes and stated there had been an issue with the recorder. At the meeting, it was brought to Canton's attention that the copier in the Building Department was not working. He asked if there was a maintenance agreement, and the Fiscal Officer stated there was, and the company had been called. The purchase of a new copier would necessitate amending the budget. Porter speculated that the copier was 10 years old. Berger spoke to the Building Department Administrative Assistant/Board Clerk who advised that a copier that is able to make 11x17 copies would suffice, and that the ability to do "C" or "D" size would not be necessary. Berger also addressed that the copier was shared with the Street Department, and that connectivity could be established for the two departments with a new machine. Canton stated the next Building Committee meeting would take place February 21, 2020 at 8:00 a.m.

The Mayor addressed the Fire Inspector situation with the resignation of Jim Davis. He stated that the Chagrin Valley Early Learning Center required an inspection by February 6. An inspection of the Burntwood Restaurant fire system had been scheduled the previous week but was cancelled because there was no Fire Inspector. On January 27, 2020, Muvel requested an inspection. The Mayor stated he took the liberty of sending the Chagrin Falls Fire Inspector there to inspect the situation. He stated he also took the liberty and scheduled two interviews on Thursday, January 30, at 3:00 p.m. with Sean Davis, who is an instructor at Auburn Career Center and son of the previous Fire Inspector, Jim Davis, and Chagrin Falls Village fire employees who would come to talk at 4:00 p.m. The Mayor stated Council needed to do something very quickly. He wanted to invite the Building Committee and Councilman Carroll to come for the interviews. The Mayor stated he spoke to people at Cleveland State in their Emergency Management Program about getting the position advertised. The Mayor stated that things needed to be done quickly.

Carroll asked the Mayor if he could do the inspection as a Council member because he was a Fire Inspector. He would be willing to do this to help out if there was an urgent need. The Solicitor stated she thought it would be a conflict.

Galicki stated that in Jim Davis' resignation letter, he said that until a new Fire Inspector was identified, he would cover any inspections. Galicki asked why inspections were being cancelled if the Village had this coverage. The Mayor said that with the inspection at Burntwood, he was told that they called and asked if there was an inspection because Davis had scheduled. The Mayor did not know if Davis did not show up or the inspection was cancelled. The other inspections were pending. Galicki asked if Davis was called to ask if he could do the inspections. The Mayor stated that he could not get a hold of Davis. He was not sure that Davis

was in the country, and Davis had said he would be travelling heavily. Galicki asked how many times the Mayor attempted to contact Davis. The Mayor said that the Building Department made many efforts from what he was told. They tried and said they could not find him for the Burntwood inspection. The Mayor did not know what else went on with this.

Carroll stated that if the Village would be posting the position, it could easily be posted to Northeast Ohio Fire Chiefs and Northeast Ohio Fire Prevention Association. Carroll offered to assist in the effort to find a new inspector. Carroll referred to the minutes of the previous meeting where the Chagrin Falls Fire Inspector was discussed, and he thought paying \$150.00 was too excessive. The challenge would be that it is a small Village and might only entail a week's work. Inspections might not need to be done for months at a time because there is no reinspection to do. He encouraged the Village to hire an Inspector, Sean Davis or a retired individual, and not contract with Chagrin Falls for \$20,000 per year. Nairn expressed concern with the expense.

The Mayor said out of curiosity Council should hear from Chagrin on January 30 at 4:00 p.m. to have them justify their charges. He added that the Chagrin Falls Fire Inspectors are separate from the Chagrin Falls Suburban Volunteer Fire Department. Carroll stated he understood from a Fire Department standpoint, having the Fire Department personnel doing the inspections is valuable for gaining familiarity with the buildings. However, for \$20,000 and \$150 per inspection, he thought this was ludicrous. Porter asked Carroll what the going rate for a Fire Inspector was, and Carroll stated it was time and materials, and would say between \$20 – 30 per hour for part-time. He struggled with spending the amount of money being asked by Chagrin Falls outside the Fire and EMS contract. For 120 inspections, \$20,000 was crazy. The Mayor stated this was based on over 120 businesses at \$150 an inspection. Carroll stated that the most complicated inspections are Gurney Elementary School and the restaurants. The others are quick given the sizes of the buildings. Knowing the job, Carroll stated he could never justify the \$20,000. Berger asked Carroll if he could post the job, and Carroll said he could. The Solicitor asked if it was the Fire Marshall job description. Carroll stated that when a municipality does not have a Fire Department, it is required to have a Fire Marshall or contract, and said this person is the Fire Authority in the Village.

Galicki mentioned that Jim Aluni was mentioned in a Cleveland.com article dated August 14, 2019 about South Russell Village proceeding with plans for a Veterans Memorial. He was identified as being the Village's Fire Marshall as a member of the committee. Carroll said he is a Fire Marshall, but not the Village's Fire Marshall.

Carroll said he could post the job, although the Mayor already had interviews set up. He encouraged Council to cast the net wider to bring in a few other candidates.

The Mayor stated he wanted to hear from Chagrin Falls since they are the Village's Fire Department. Berger stated he would be there. Carroll asked about the interview times, and the Mayor stated that Sean Davis would be interviewed at 3:00 p.m. and Chagrin Falls at 4:00 p.m. The Mayor stated he spoke to Patrick Mahone, Cleveland State, who gave him the name and

contact for both groups. The Mayor sent them emails expressing interest in hiring a Fire Inspector. He stated he did not hear from either one. Carroll confirmed he saw the email to the Northeast Ohio Fire Chiefs.

Berger made a motion to post the ad for a part-time Fire Marshall for the Village, seconded by Nairn. Voice vote – ayes, all. Motion carried.

The Mayor distributed an update on the Building Department. He noted that it applied to the years 2013 – 2020. He noted that the revenue for 2019 should be corrected to read \$61,782.

SAFETY COMMITTEE: Canton stated the committee would be meeting Friday, January 17th at 7:00 a.m. at the Police Department. A report was distributed to Council. The Chief asked that Council consider the hiring of two part-time police officers. Canton stated that there were a couple of Officers who had resigned, and the Chief felt there was a need to replace them. The Solicitor advised that a motion was required to advertise the positions. Canton made a motion that the Chief of the South Russell Village Police Department advertise for two part-time Police Officers. Porter seconded. Voice vote – ayes, all. Motion carried.

HUMAN RESOURCE COMMITTEE REPORT: Nairn reminded Council of the Thursday, January 30, 2020 joint Human Resource and Finance Committee meeting.

PROPERTY COMMITTEE: Nairn stated there was no report.

PUBLIC UTILITIES REPORT: Galicki stated there was nothing to report.

PARK COMMITTEE: The Mayor asked whether the Park Committee should stay on the agenda. The Solicitor stated she did not know but advised the membership of the Park Committee included the Chair of the Property Committee with four citizens. Generally, the Chair of the Property Committee would make this report. She thought it would require amending the Codified Ordinances if the Committee were to be taken off the Agenda.

The Mayor asked the Solicitor to look into the ordinance pertaining to the Chair of the Property Committee serving as the Chair of the Park Committee. The Mayor said this was not going to work and it would give Council some flexibility to get rid of the ordinance. He asked that she present this at the next meeting.

Porter stated from a historical perspective, the reason the Chair of Property was Council's representative to the Park Committee was because it was thought that it would give the committee the visibility it needed. Porter thought this was still the case, and thought whether it was the Chair of the Property Committee or a member of the committee, it was important to be a part of the Parks Committee because this was the most visible thing the Village has in terms of mass participation. The current ordinance states that the Chair of the Property Committee is on the Parks Committee, and he suggested it be amended to read, 'the Chair of Properties or a member of the Property Committee be the Council representative on the Parks Committee.' Galicki stated that the case that was being illustrated was that Nairn was concerned about being out of the country in September. He felt Nairn could conduct all the duties for the remainder of

the year, and in the month of September someone else could stand in. He did not think anything needed to be modified. Nairn stated she was fine with being the Chair of the Property Committee and going to the Park Committee meetings when they were held. Nairn asked Canton for assistance/guidance in getting started with the Park Committee, to which he agreed. He further advised that the Park Committee did all the work with the Fall Festival.

ORDINANCES/RESOLUTIONS:

Carroll introduced an ordinance establishing a capital project fund to be known as the “Manor Brook Headwater Restoration Project” and declaring an emergency. Carroll made a motion to waive further readings, seconded by Porter. Roll call, ayes Canton, Carroll, Galicki, Nairn, Porter. Berger asked if he could vote since it related to the Homeowners Association (HOA). The Solicitor asked Canton if he was still on the Board, and Canton stated he was. The Solicitor stated that both Canton and Berger could not vote on the matter. The Solicitor said that Nairn could vote because she was not a member of the board and it related to property that was common to all of the homeowners. The Fiscal Officer clarified that readings could not be waived. Carroll provided a first reading of an ordinance establishing a capital project fund to be known as the “Manor Brook Headwater Restoration Project” and declaring an emergency.

BILLS LIST: Carroll made a motion to ratify the January 16, 2020 Bills List in the amount of \$72,979.92, seconded by Berger. Voice vote – ayes, all. Motion carried.

NEW/OTHER:

Canton, Carroll, Galicki, Nairn, Porter, and Berger had no new business.


Carroll made a motion to go into Executive Session at 8:55 to discuss the employment of a public employee. The Mayor asked if it was necessary to make a motion to invite the Fiscal Officer to attend, and the Solicitor said it was only necessary to invite her. Carroll added that the Fiscal Officer and Solicitor should be invited. Roll call – ayes, all. Motion carried.

Council was out of Executive Session at 10:02. Porter introduced an ordinance repealing ORD 2019-72, which took away the oversight of the Building Department Administrative Assistant/Board Clerk from the Fiscal officer and gave it to Mayor and Council. This would return it to the Fiscal Officer who would be the supervisor for the Building Department Administrative Assistant/Board Clerk. Porter made a motion to waive readings and declaring an emergency, seconded by Nairn. Roll call, ayes, all. Motion carried. Porter made a motion to adopt, seconded by Carroll. Roll call, ayes, all. Motion carried. **ORD 2020-05**

Porter introduced a motion to withdraw the offer of part-time Zoning Inspector at a specified pay range and hours that was formerly given to Nancy Grattino, seconded by Carroll. Voice vote – ayes, all. Motion carried.

Porter made a motion to authorize the Mayor and Fiscal Officer to advertise for a part-time Village Zoning Inspector, seconded by Carroll. 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