

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, MARCH 16, 2020 - 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

MEMBERS ABSENT: Carroll

OFFICIALS PRESENT: Administrative Assistant L. Galicki, Police Chief Rizzo, Street Commissioner Alder, Solicitor Matheney, Engineer Haibach

OFFICIALS ABSENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman

The Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. Administrative Assistant read the roll and noted Carroll was absent. Nairn made a motion to approve the Council meeting minutes of February 24, 2020, seconded by Galicki. Voice vote – ayes, Berger, Canton, Galicki, Nairn. Porter abstained. Motion carried.

MAYOR’S REPORT: The Mayor stated there would be no Mayor’s report. He stated that the Fiscal Officer asked Council whether it would follow tradition in cancelling the May 25, 2020 (Memorial Day) Regular Council meeting. Nairn made a motion to cancel the May 25, 2020 meeting, seconded by Galicki. Voice vote – ayes, all. Motion carried.

The Mayor stated he asked the Fiscal Auditor not to attend the March 16th Council meeting.

FINANCE COMMITTEE: Berger made a motion to accept the Credit Card Report dated 3-16-20, seconded by Porter. Voice vote – ayes, all. Motion carried.

The Mayor asked about approval of the fund balances, and Administrative Assistant advised that the Fiscal Auditor indicated in his absence to eliminate it from the agenda.

SOLICITOR’S REPORT: The Solicitor reported that there was information distributed from the Ohio Attorney General regarding Sunshine Law requirement modifications during the Coronavirus crisis. The guidance said that it was acceptable to do video conferencing and teleconferencing, however, this was not legal advice nor was it a legal opinion. She further explained that if the municipality were to be sued, the Attorney General would file an amicus brief in support of his guidance. The Solicitor did not feel this was enough and thought the Legislature would act and possibly suspend the Sunshine Law requirements going forward, however they were not currently in session. The Solicitor stated everything stood as far as the Sunshine Law was concerned with respect to purposes of a quorum and voting which dictate that the member must be physically present.

ENGINEER: The Engineer stated that he, Porter, and the Street Commissioner had a Street Committee meeting on March 13, 2020 at 8:00 a.m. The committee discussed the 2020 Road Program and identified Kensington Circle, Sheerbrook Drive, and Daisy Lane. Kensington

Circle has an estimated gross cost of \$275,000, and there is a \$94,000 Ohio Public Works Commission (OPWC) grant that would be applied to this, bringing the net estimate to \$181,000. Sheerbrook Drive is estimated at \$309,000 and without additional funding, the Village would be completely responsible for the cost. Daisy Lane is estimated at \$210,000, but there is \$150,000 built up in the County's Permissive Use Tax Money which could be used towards this project. This would bring the net cost to do Daisy to \$60,000 if the Village chose to use the tax money towards this project. These funds could only be used on certain connector streets, including Daisy Lane, Bell Road and Snyder Road.

After the meeting, the Street Commissioner showed the Engineer troubled areas of roadways in the Village. Quantifying these areas, the Engineer stated that he identified approximately \$40,000 in miscellaneous spot repairs that are needed, including spots on Bell Road and Bel Meadow. He added that the repairs to Bel Meadow would be in anticipation of paving it within the next two years. The Engineer stated there is an area of Hazelwood Drive that needs repair. The Engineer advised that Maple Hill was also discussed as an alternate, at \$175,000. Over the weekend, the Engineer stated that the Mayor weighed in and said in looking at the budget, his preference would be to do Kensington Circle, Sheerbrook Drive, Daisy Lane, and the spot repairs as the 2020 Road Program.

In sum, the Engineer stated that net costs for Kensington, Daisy, Sheerbrook, and the spot repairs would be approximately \$590,000.

STREET COMMITTEE: Porter stated the Committee viewed this as the opportunity to have a substantial Road Program with Kensington Circle and Sheerbrook Drive, neither of which has been done in a long time, and Daisy Lane, which is heavily travelled. He saw this as a fulfillment of the promise made to a lot of the residents who approved the Road Levy that substantial work would be done with the proceeds. With the grants, it would not be costing the Village as much. Porter stated the decision of the Committee was based on the Pavement Condition Index (PCI) created by the Engineer, which placed Kensington Circle and then Sheerbrook at the top of the list. Daisy Lane was last done in 2005. The Committee also considered how many residents lived on each of the streets and how many would be serviced by the Road Program. The committee used these three criteria to identify the three roads. Regarding Maple Hill, Porter stated that the committee discussed the fact that oil prices had decreased and perhaps it would be worth considering a triple Road Program if this decrease translated to asphalt prices. He suggested including Maple Hill depending how the bids came back. Porter stated the committee considered having Maple Hill as an alternate to find out the cost if it were to be done this year, and also to determine the cost if it were to be done next year. Porter added it costs the Village nothing to include it as a bid alternate. If the bids came in with reasonable figures, Porter suggested adding Maple Hill which has 48 houses. The Engineer stated he felt confident budget-wise and estimate-wise based on past history and trends. He admitted he did not know what asphalt prices would be. He reiterated that based on the bid results, Maple Hill could be put in as an alternate, which meant the Village could take it or leave it.

The Mayor asked the Street Commissioner for input, and the Street Commissioner said that Porter had done a good job explaining the issue. Porter added that he asked the Street Commissioner and the Engineer about the ability to oversee a Road Program of this magnitude, and the Engineer stated with a Road Program beyond \$300,000, he might require an on-site inspector. Nairn clarified that the Engineer would be using a CT Consultants' employee as the on-site inspector, and the Engineer stated that his assistant City Engineer for Madison would be the ideal candidate for this position. If the contractors addressed the projects one at a time, the Engineer stated he would not need assistance. To this point, Galicki asked the Engineer if the contractors would have two streets going at the same time, and the Engineer said he could not say. He explained that with such a big Road Program, he might need some help.

Nairn asked when Kensington Circle was last done, and Porter replied 2001. He added that Sheerbrook was done in 1999, and said that Sheerbrook had a better grade than Kensington Circle. The Mayor asked the Engineer if this was the difference between having curbs and not having them, and the Engineer replied no. He explained the reason that Sheerbrook held up a little better was the fact that it was on a hill and had great drainage. Porter added that Daisy Ln. was last done in 2005 but is heavily traveled because it is a cut through street.

Porter made a motion for the Mayor, Fiscal Officer, Engineer, and Street Commissioner to be authorized to put out to bid the 2020 Road Program to include the resurfacing of Kensington Circle, Sheerbrook Drive, and Daisy Lane, with an alternate of Maple Hill as a potential bid, and \$40,000 in spot repairs for Bel Meadow, seconded by Galicki. The Engineer added that the work in Bel Meadow would be in preparation for paving in the future and added that any money spent on Bel Meadow was not money wasted. No grinding would occur, so any material put in would stay there. Voice vote – ayes, all. Motion carried.

Porter stated that at the Street Committee meeting, ordinances that dealt with driveway culverts were discussed. The culverts in question are the ones that run under driveways and fail periodically; they are the responsibility of the homeowner. In the past, the Village would have the resident purchase the pipe to put under the driveway and the Street Department would provide the labor to install it. The issue identified by the Street Commissioner and Engineer was that sometimes the pipe installed was less than 12", typically an 8" pipe. The current ordinance specifies that the minimum pipe is 12". This presents a problem when the pipe is too large for the culvert. Porter added that there were three ordinances that dealt with this, one of which allowed the Engineer to deviate from the standard if necessary. He stated the ordinances should be uniform. The Street Commissioner and Engineer recommended that the ordinances be changed to reflect the conditions on the ground. The pertinent Codified Ordinance of the Village of South Russell was 1010.08. He suggested the ordinance be modified so that the third sentence read: "Every culvert pipe hereinafter installed in such a street shall be at least 20' in length and at least 8" in diameter." He added that this would provide flexibility for the Engineer and Street Commissioner. The Engineer stated there were times where a larger pipe was required.

Porter introduced an ordinance amending section 1010.08 paragraph (a), Driveway Culverts and Grading, of the Codified Ordinances of the Village of South Russell to change the third line, deleting the word, "twelve," and insert in its place "at least eight;" at the end of paragraph (a),

adding the following language, “the culvert pipe shall extend a minimum of 12” beyond the adjacent driveway pavement edge. The minimum standard for culvert pipe size installation may be adjusted by the Street Commissioner and/or Village Engineer as warranted by site conditions.

The Street Commissioner stated this would give the Village the flexibility and would preclude going against the ordinance.

The Street Commissioner reported that earlier in the day, it was discovered that the furnace in Village Hall required replacement and the well pump required repair. He added that the toilet in the men’s room also would need to be replaced the following day.

BUILDING COMMITTEE: Canton cancelled the Building Committee meeting scheduled for March 17, 2020 at 4:00 p.m. because of the COVID-19. Canton added that interviews for the Fire Marshall would be held Thursday, March 19, 2020, at 6:00 p.m. in Village Hall.

SAFETY COMMITTEE: Canton stated the Safety Committee met with the Police Chief and Lieutenant Fabian March 5, 2020 at 7:00 a.m. The minutes had been submitted.

HUMAN RESOURCE COMMITTEE REPORT: Porter stated the HR Committee members would be attending the Building Committee interviews on March 19, 2020. He asked that it be posted as a joint meeting for Sunshine Law purposes, and it was verified that this was already done.

PROPERTY COMMITTEE: Nairn stated the Park Committee would be meeting Monday, April 20, 2020 at 6:30 p.m. She added that some of the committee members would not be in attendance since they were in Florida until later in spring. The meeting would be held in Village Hall unless the weather allowed the committee to meet at the park pavilion.

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

ORDINANCES/RESOLUTIONS:

Nairn made a motion to waive readings of the Resolutions of Appreciation for Joan Demirjian, Darrell Johnson, and Ray Schloss declaring an emergency, seconded by Canton. Roll call – ayes, all. Motion carried. Nairn made a motion to adopt, seconded by Canton. Roll call – ayes, all. Motion carried. **RES 2020-11, 2020-12, and 2020-13.**

Porter introduced a resolution authorizing the Mayor, Fiscal Officer, and Street Commissioner to participate in the Ohio Department of Transportation (ODOT) winter contract 018-21 for road salt. Porter made a motion to waive further readings and declaring an emergency, seconded by Nairn. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Canton. Roll call – ayes, all. Motion carried. **RES 2020-14.**

Porter made a motion to untable the ordinance establishing the Manor Brook Headwater Stream Restoration Project Fund, seconded by Nairn. Roll call – ayes, Nairn, Porter, Galicki. Berger and Canton abstained. Motion carried.

Porter made a motion to adopt the ordinance establishing a Capital Project Fund to be known as the Manor Brook Headwater Stream Restoration Project and declaring an emergency, seconded by Nairn. Roll call – ayes, Nairn, Porter, Galicki. Berger and Canton abstained. **ORD 2020-15.**

Porter introduced an ordinance increasing Income Tax Transfers \$50,000, and Manor Brook Fund expenses \$50,000.

Porter introduced an ordinance transferring \$50,000 from the Income Tax Fund to the Manor Brook Fund.

BILLS LIST: Berger made a motion to ratify the February 28, 2020 Bills List in the amount of \$61,692.34, and the March 16, 2020 Bills List in the amount of \$57,630.06, seconded by Canton. Voice vote – ayes, all. Motion carried.

Berger made a motion to ratify the ACH payments for February 10, 2020 in the amount of \$1,459.74 and the March 9, 2020 ACH payments in the amount of \$1,289.62 to WEX Bank for gasoline purchases, seconded by Galicki. Voice vote – ayes, all. Motion carried.

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

Berger stated that he had been told by the attorney for the Whitetail Run Community Association that they had an agreement with Thomas and Thomas to transfer the ownership of the properties. This documentation was being compiled and should be signed in the next couple of weeks. He explained that Whitetail would then have the authority to provide the easement so that the Village could proceed with the work.

Canton asked if the date of the next Council meeting would be discussed. The Mayor asked the Solicitor if it would be possible to schedule a meeting on March 30, 2020 or wait until things settled down. The Solicitor said Council could have a meeting. Canton made a motion that the next Council meeting be held on Monday, March 30, 2020 at 7:30 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.

POLICE CHIEF: The Chief advised that infrastructure issues with the traffic light were discussed with the Safety Committee. Much of the underground wiring vaults were underwater. One such issue was addressed by the Street Department the previous year, but currently the loop detectors were beginning to deteriorate and need repair. Perram Lampion, the new traffic light contractor, was contacted and provided a number of quotes. To fix the existing problems, two loop detectors controlling the southbound turn lane and the westbound through lane, require replacement, which would involve cutting into the asphalt and cost \$1,250 each. There is also a defective loop detector module inside the cabinet. These modules are old and are beginning to fail. The total estimate is about \$3,000 to get the traffic light operating. The Chief asked Council if the Village wanted to make the repairs or consider replacing the system with a new pole mounted radar system called a Radar Detection System. This would mean removal of the current system but would serve as a complete upgrade and would cost approximately \$30,000. He summarized that the traffic signal required immediate repair, but Council might want to consider upgrading the systems in the future. The Chief explained that around the county, Ohio

Department of Transportation (ODOT) handles most of the traffic lights for the townships, but municipalities like Villages and Cities own their own traffic lights. ODOT has been upgrading lights in the county to the Radar Detection System which requires less maintenance.

The Chief added that since the problem began, he had been monitoring the intersection during rush hours and noted that traffic would begin to back up leading people to take risks to make the left turn. With the loop detector not functioning, drivers would not get the arrow with the southbound turn lane. Nairn asked if the Village was throwing good money after bad in repairing the old system over and over again. In the long run, it might behoove the Village to have new properly operating equipment. The Chief replied that the system was installed around 1990. In speaking with the engineers, the Village would be unable to put a newer style steel mast system because of space issues. The Chief advised that the spanner wire system would be kept, (the poles with the cable-suspended traffic lights), with new heads and everything. It would cost approximately \$90,000 to \$100,000 to upgrade the entire intersection. That would not include the masts. This would include a new cabinet, new controllers, new loop detector modules, which would be the radar system. The Chief reiterated that Council could consider \$30,000 to remove the detection system from the ground and put it up on the poles. For a complete upgrade of the traffic light, it would be \$90,000 - \$100,000. Nairn asked if grants would be available since it is a State Route. The Chief did not know but added there should be funding for State Route 306, but not in the amount of \$100,000. He added that there had been a traffic light scenario in the five-year plan but did not think anything was solidified. Berger asked if the Village were to go with the \$30,000 plan, would the Radar Detection System potentially transfer to the upgraded \$100,000 option. The Chief said some of the components could be utilized. Berger added that if the Village did the \$30,000 upgrade, it would be an investment towards the \$100,000.

The Mayor suggested the Village prepare to consider the potential for accessing stimulus package funds for construction projects which might be offered in the future to get the economy going. The Chief stated that the Village got a new controller a few years ago when a lightning strike caused a lot of damage. The preemption system is about five years old, and if the Village chose to upgrade the entire system, the preemption system should also be replaced. The Mayor asked the Street Committee to just keep thinking about it. Porter stated he would be inclined to do the \$3,000 repair now to fix the problems and then budget the \$30,000 to do the whole job next year. The Chief agreed and said the problem needed to be repaired immediately. The \$3,000 would allow for a safer intersection.

Porter made a motion that the Mayor, Fiscal Officer, and the Chief of Police be authorized to enter into a contract not to exceed \$4,000 for the purposes of repairing the lighting system for the Route 306 and Bell Road intersection, seconded by Canton. Voice vote – ayes, all. Motion carried.

The Chief advised that the new cruiser was in and graphics would be installed the following day. The upfitting was scheduled for April 1st.

The senior citizen presentation at the Lantern is cancelled due to the Coronavirus. The 3rd grade

seatbelt program at Gurney Elementary will likely be cancelled as well.

Canton congratulated the Chief for the fine police work exhibited in quickly solving the pedestrian injury accident over the weekend. The Chief gave credit to the surrounding businesses for their assistance. Porter added that the response time of the police officer was also commendable.

ADJOURNMENT: Being that there was no further business before Council, Nairn 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