

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING (VIA ZOOM)
MONDAY, SEPTEMBER 14, 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, Police Chief Rizzo, Street Commissioner Alder, Solicitor Matheney, Engineer Haibach

VISITORS: Bill Willtrack, Kaselers, Charles Hart, Kelly Kimball, Anne Peterson, Jim Iphone, Greg Heilman, Jessica K. Collin, Steven Waugh, A1291253, Anonymous, Eric Johnson, Bob R, Joan Hollis, Laila

The Mayor called the Regular Council meeting conducted via the teleconference service Zoom to order. The Fiscal Officer read the roll. Carroll made a motion to approve the minutes of the August 10, 2020 Regular Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried. Nairn made a motion to approve the minutes of the August 15, 2020 Special Council meeting, seconded by Porter. Voice vote – ayes, all. Motion carried. Porter made a motion to approve the minutes of the August 26, 2020 Special Council meeting, seconded by Nairn. Voice vote – ayes, all. Motion carried.

The Mayor introduced Charles Hart of the United States Geological Survey (USGS) Office, Columbus, OH. Hart provided a Power Point presentation. He had been part of the long-term monitoring of ground water levels in Geauga County which began in the 1970's and ended in 2018 and in the Village of South Russell since 1999. He provided historic geologic background information about the area aquifers. Currently, USGS monitors seven wells in the Village and three other wells in the county. Hart explained the state of the well network for this year, advising that some wells are tested hourly and some are measured quarterly. Between 2010 and the present, the scope of the network decreased with members implementing cost saving measures. USGS now monitors six wells in the Village. Hart collects information on water levels and enters it into a national database. There is a website, Groundwater Watch, which has an Ohio page that reflects both Geauga County statistical data on water levels as well as data on individual wells. Hart explained that in examining water levels and annual rainfall accumulation in Northeast Ohio, there was a correlation between rainfall and water availability in both shallow and deep wells. He concluded that water availability had been rather good this year with above normal precipitation for the past several years. Hart cautioned, however, of the potential to see changes in domestic water consumption with COVID-19 which has been necessitating people to work from home and children to attend school virtually. He plotted hourly water level values from the deep Berea Sandstone well on Fawn Ct. Over the four occasions he visited the site, he noted that between December and March, there was an increase in water levels, which was not unusual. In mid-March with the COVID lockdown, water levels decreased. Typically, during winter and into spring, water levels increase and then decrease through the summer.

Hart had completed his data collection and would forward the information to Council along with a budget for conducting the water level survey for 2021, which would include four collection trips.

Porter asked Hart why Geauga County municipalities dropped the well monitoring program. Hart stated that they did not want to participate any longer. He advised that it is a collaborative process and he has been able to obtain corporate matching funds to contribute and the cooperators, like the Village, bring their own money to the table. This is how the project is run. Geauga County withdrew all funds, which ended the project. Galicki added that a couple of the County Commissioners were adamantly opposed to the program for some reason. As a result, support was withdrawn.

The Mayor pointed out that some of the wells were 8 feet deep and others were 180 feet deep and there is variation in South Russell.

A participant asked if there was anything to be gleaned from the presentation, such as future problems with consumption. Hart stated consumption would be something he would want to watch. He said he would be more selective and monitor during the months where there is the most data.

MAYOR'S REPORT: The Mayor stated the appreciation luncheon normally would have been held on the Friday before the Memorial Day weekend. The employee of the year would be honored along with residents who served the Village. He noted that Ray Schloss was such an individual who served a year on Council, to include being Chair of the Engineering Search Committee and providing advice on the Road Program based on his many years in the paving business. The Mayor indicated that former elected officials receive a painting of the Village. He thanked Schloss for the time he spent serving the Village. The Mayor stated that the Employee of the Year program needed to be revamped and he would be in contact with Heidi Baumgart who provided a presentation for the Chamber of Commerce about employee recognition and appreciation. The Mayor would be contacting Baumgart.

Last week was First Responder's Week. The Mayor expressed appreciation to Chief Rizzo and his officers.

The Mayor stated that Fire Marshall interviews were conducted and asked that the Building Committee make a motion to allow the Mayor and the Fiscal Officer to hire Chagrin Falls Village to provide Fire Marshall service for South Russell. He was making the appointment based on meetings and conversations with the Fire Chiefs and officials from Bainbridge, Chagrin Falls, Northfield, Pepper Pike, Russell, Richfield, Bedford, Macedonia, Chagrin Falls, and Moreland Hills. These people stated South Russell would receive the best Fire Marshall service from their local fire department. Diligence, insurance coverage, coordination, pride, and synergy were descriptive terms used along with comradery. The Mayor understood that there was a considerable brotherhood in the firefighting communities. Chagrin Falls Village would charge South Russell \$150 for inspection of businesses, and with two inspections per year and 182 businesses, it would cost the Village approximately \$28,000. Over the past 10 years, South Russell had tried to have an adequate Fire Marshall service from independent contractors paid at an hourly rate. Of the six communities that employ the Chagrin Falls Fire Department, all but South Russell use the Chagrin Falls Village for fire inspection services. The Mayor stated he felt the residents deserve the same high-quality service as its colleagues in the Chagrin Valley. The Mayor explained that the Village has \$3 million and four excellent departments in Building, Finance, Police, and Streets and never would consider lowering the snow removal standards, reducing police coverage, lowering building or zoning standards, or allowing financial affairs to be outsourced. He asked why fire inspection should be outsourced to an independent contractor. This was one time the Mayor felt the Village should maintain its high standards and pay for quality. South Russell has 3,800 residents, 1,400 residences, and 180 businesses. The Village has almost a half billion dollars in homes and businesses. He hoped the Building Committee would make

and vote for a motion to allow the Mayor and Fiscal Officer to enter into an agreement with Chagrin Falls for fire services.

The Mayor stated there would be a septic smart workshop coming up on September 17th at 6:00 p.m.

He noted that there are three new homes being built to include 114 Paw Paw Lake, 605 Bell Rd., and one in the 1200 area of Bell Rd.

The Mayor stated that COVID 19 continues to cause changes in lives and advised that there would be an Ohio Municipal League (OML) webinar on September 25th at 1:00 p.m. addressing COVID. University Hospitals held a COVID webinar with Geauga Growth Partnerships. More virtual, telehealth, care at home, and fewer visits to the facilities were predicted.

There will be a Chagrin Valley Dispatch meeting on September 15th and more COVID information will be received.

The Mayor placed the 2005 Land Use Master Plan in the Council packets so that Council could learn about what was originally proposed for the Village properties 15 years ago. The Mayor stated he would put the CT Consultants Stormwater Master Plan from the early 2000's in the September 28th Council Meeting packets. He asked Council to look over both plans and consider hiring a consultant to provide updates to the master plans during the budget work session on October 1st. The Mayor addressed hiring a strategic planner to guide the Village through the next few years.

The Mayor confirmed that the Eagle Scout bat house project would be happening.

According to the Mayor, the Park wetlands construction was effective with the Labor Day storm by holding back water that normally would have flooded Country Estates.

The Mayor stated that the first playground inspection resulted in minor repairs and a recommendation to add a sign designating the appropriate age for use.

An annual walk of the Park with a representative from the Western Reserve Land Conservancy (WRLC) occurred this year with a member of the Park Committee and the Street Commissioner. The Mayor reported that everything was fine. Suggestions were provided on how to manage the hay fields. The Mayor stated that a possible location for the Bainbridge Library Tea House was discussed as well as possible improvements for the wetlands. The work of the intern who spent the summer documenting the activities of the blue bird houses was also discussed as well as a brick walkway from the parking lot to the pavilion.

The Mayor stated that MC Art Studio at the corner of Bell Rd. and Chillicothe Rd. wanted to hold a craft fair on Saturday, October 17th, at the Park. The Mayor has asked the owner to present the proposal to Council at the September 28th Council meeting.

The Mayor stated that another tree was sold and that a total of two trees would be planted in the fall.

The Mayor said that MC Art Studio held two art shows during the Farmers' Market and things went well for both groups. Some of the property used for the art show belonged to the Village. The Mayor

met with the owner and suggested an agreement be created similar to the agreement with the Farmers' Market to resolve the issue of insurance and liability.

He expected Chagrin Yoga would request use of the East Washington St. side of the Park next year.

The Mayor stated that former Mayor Brett had been assigned to the Geauga County Plan Steering Committee. A survey was recently sent to county residents, and of 1,500 responses received, 32 came from South Russell. The Mayor would make the report available.

Northeast Ohio Area Coordinating Agency (NOACA) held a meeting Friday, September 11, 2020. NOACA could potentially provide funds to the Village for repaving of Bell Road.

The Mayor praised the Engineer and Street Commissioner for their work with addressing traffic concerns with the Lake Louise Bridge project.

Regarding stormwater, there were storms March 28th and 29th, May 15th, August 28th, and September 7th which resulted in issues in the Village to include flooding in homes. A request was included in the newsletter to notify the Mayor of stormwater issues so that the Village would have the most current information.

The Mayor recognized personnel of the Geauga County Department of Water Resources (GCDWR) who came out on Labor Day to determine the cause of sewage backups in residents' homes. The Mayor acknowledged the poise with which these residents expressed frustration with the flooding. The Mayor provided statistical data about rainfall. GCDWR conducted smoke testing on September 14, 2020 to determine what is wrong with the sewer system.

Issues with water flowing between Alderwood and Country Estates were addressed by the Mayor, and he stated letters would be sent to specific residents requesting they manage their water.

Meetings had been conducted with 11 residents surrounding Chagrin Lakes Pond whose homes are bordered by Royal Oak, Maple Springs, and Parkland. The Mayor stated that their dam needs repair, with an estimated cost of over \$400,000. The residents plan to attend the September 28, 2020 Council meeting to discuss how the Village might serve as a financial conduit like what the Village provided for the Bellwood neighborhood when the sewers were installed.

The Mayor stated that three Manor Brook residents spent \$20,000 to control water that flowed from Whitetail into their backyards.

Signing of the contracts for the Manor Brook 319 project would continue on September 24th. The Mayor stated that Manor Brook now has ownership of the parcels formerly owned by Thomas and Thomas. Construction should begin in 2021. The Mayor suggested that while the Village worked on the Stream Enhancement project, it should pursue funds to build a walkway from Whitetail east to Chillicothe Rd. He explained it would be to get walkers off Manor Brook Dr. and onto a paved path on the north side of Manor Brook.

The Mayor stated that he met with Paw Paw Lake residents about how to handle the water that flows from Silver Springs onto Paw Paw Lake.

The Mayor stated he had had meetings with residents of Sheerbrook Dr. about the loss of the swale between Chagrin Lakes and the Woods of Wembley. The Mayor explained that over the years there had been changes to the swale and water that used to flow in the swale now flows across residents' properties. There will be a meeting September 23rd with these residents.

The Mayor reported that a Southwyck resident recently installed 60 tons of concrete to control the water coming from Southwyck Lake.

Lastly, the Mayor stated that a wi-fi water sensor was installed on the 60-inch culvert that runs under Bell Rd. near the Fox Run bridge on Saturday, September 12th. Installation of 50 additional sensors would continue in other locations in Northeast Ohio as part of a Northeast Ohio Regional Sewer District and the Chagrin River Watershed Partners (CRWP) project. The Mayor explained that this is part of an effort to monitor stormwater and determine what can be done to solve the problem.

Carroll asked what was budgeted for the Fire Inspection Service for the last several years. The Fiscal Officer replied that the Village usually budgeted around \$5,000. Carroll explained that he was speaking from 30 years of experience in the fire service and his knowledge of the Village fire inspection workload and requirements. He stated that the Village did not want to outsource the Building Department so much so, that it has contracted with a private contractor, Dave Hoyer, to do the building inspections. He did not know what the measurable value would be to go from a budget of \$5,000 to \$28,000. Carroll noted that the interim Fire Inspector was one of 60 Fire Inspector Instructors in the State of Ohio, giving him an intimate knowledge of the Fire Code and requirements for the inspections. Carroll stated that the interim Fire Inspector had done an outstanding job. Carroll did not think the Village had exceeded the budget of \$5,000. He cited Council's fiscal responsibility with the Village's funds regardless of a reserve. Carroll could not see going from \$5,000 to \$28,000 with no measurable value. He noted that the Mayor had spoken about stormwater issues the Village is facing, and over five years, the Mayor's proposed fire inspection service would cost over \$100,000. He concluded that in his experience, the fire inspections could be done within the budget, and he encouraged the Building Committee to take this into consideration when it made its recommendation.

The Mayor asked Carroll if his department hired an in-house inspector. Carroll explained that this was part of what the department provides as a city. Carroll asked the Mayor why the Village did not get this service as part of the contract with the Chagrin Falls Suburban Volunteer Fire Department (CFSVFD) which provides fire and EMS service. He explained that in the interview of CFSVFD, it was explained that this was not something they wanted to provide as part of the contract. Every community with which the Mayor spoke did it as part of the contract or as part of the service. Carroll stated that the current interim Fire Inspector and past inspectors worked with the Fire Department. The Fire Department has the ability to do walk-throughs in all the commercial buildings. The Inspector would work directly with the Building Official and Building Department, and it would be a good thing to have this in-house. Furthermore, the communities in the valley, to include Hunting Valley and Bentleyville, have very little inspections. Moreland Hills does not have many inspections compared to the Village of South Russell and therefore, their costs are small. Carroll reiterated that going from a \$5,000 budget to a budget of \$28,000 with no measurable value added did not make sense. He added that it was made clear to all the individuals interviewed that the expectation would be for them to work with the Fire Department and the Building Department. There was no issue with this. Carroll thought that having it in-house added value to the Village because the only one who has the right of entry in any commercial building as long as it has taken occupancy is the Fire Marshall, not the Building Inspector unless there would be permits pulled for work being done. As a tool for the

Building Department to use to ensure that things are being done appropriately in the Village, it is a more intimate relationship day to day with the Building Department than it is with the Fire Department. Carroll stated that all four candidates interviewed were more than qualified and understood the requirements of the job. He noted that historically, the Fire Inspectors had started off hot and then things would get pushed back. The current interim Inspector had shown good decision making, as well as the ability to work with and be creative with businesses and residents. His recommendation for the Building Committee was to reconsider and look at one of the other three candidates.

Porter asked if the Mayor interviewed the three candidates recommended by the committee. The Mayor stated yes. Porter clarified that the Mayor was advocating for Chagrin Falls to do fire inspections for the Village; the Mayor stated "yes." Porter further clarified that this was at five times the price, and the Mayor stated he thought it would be, but did not know all the numbers. He thought it would be quite expensive.

The Mayor stated that he attended the Tax Budget Hearing, which was in front of the County Auditor, County Prosecutor, and the County Treasurer. In the hearing, the County Treasurer said the Village has the finest Fiscal Officer in the county.

Eric Johnson, one of the board members of the Preserve of Chagrin, noted that there were 8 to 10 residents of this neighborhood in attendance. He stated that they had experienced flooding on Labor Day and that the neighborhood was in desperate need of help. There had been numerous basements flooded with sewage resulting in thousands of dollars in damage. Johnson recognized the county had come out but stated that it was out of control and needed to be addressed. The Mayor stated he agreed and said the sewage was the responsibility of the county. However, some residents were just getting regular rainwater, which the Village was trying to address. The Mayor stated that they need the stormwater management system updated. Johnson noted that the Engineer had been out, and the community appreciated having the support of professional help.

Galicki asked Johnson what year most of the building had been done in the subdivision. Johnson stated it was around 1996-1998. Galicki offered that from his personal experience, he had a continual flooding problem in his home and during the course of investigating the source of the flooding, a contractor found that the house was never connected to the storm sewer system. He has encouraged others in his neighborhood to have an independent contractor do a scope of work to find out if the individual houses are connected. He did not know whether it was a systemic problem at the time of construction in 1986-87, but he was aware of other residents in Kensington Green who had experienced the same problem. He suggested the residents consider having a contractor explore this possibility.

Jen Lyndall, 145 Woodrush Circle, asked the Mayor if he would be sending a letter to Country Estates, and wondered when this would happen. She also asked the Mayor to address how the stormwater plan with the analysis of the culverts on Manor Brook had been implemented. The Mayor responded that the letters to residents in Country Estates would be addressed to specific property owners who need to make changes based on the advice of the Engineer. The Mayor stated that he would provide her with the CT report from 2002 to see the recommendations. Carroll asked what the CT report was that had just been done in the Village a few years ago that looked at Manor Brook and Chillicothe Rd. The Engineer stated the more recent report concerned the north central area of the Village. Specifically, there was an analysis of the water coming from Bel Meadow, flowing west, pooling around the red

ranch, and making its way under Chillicothe Rd. and to the southwest. It did not include Manor Brook. This report was an update to the original 2003 drainage report.

Joe Kasseler stated that the Mayor viewed his basement during the flooding on Labor Day. There was significant damage due to sewage backup and he wanted to know what was being done to prevent it from happening again. He added that his neighbors had been flooded three times over the summer. The Mayor said the matter would have to be addressed with the county, but there were some things the Village could do to determine the cause of the problem. If it was stormwater the Village can investigate it. He said he could not give advice as to what he should do but agreed with Galicki's suggestion to hire someone to examine the property. Kasseler asked Galicki for details. Galicki advised that if Kasseler were to get someone to scope the storm sewer and sanitary sewer lines, there are times where problems like Kasseler's can occur if those two sewers are comingled illegally when they were originally installed. The scoping can determine if the storm sewer system is connected or dead ends under the street or whether the lines were possibly cross connected. He understood there would be an expense involved, but the scoping was relatively inexpensive and did not require a lot of excavation. Galicki added that it may not solve the problem immediately but would provide an idea of where the problem might lie.

The Engineer thought Galicki's recommendation was a solid one to ensure everything was flowing as it should be. He stated that regarding the Labor Day flooding event, he observed sanitary manhole covers hovering above the frame on a column of water, which indicated that not only was the sanitary sewer full to capacity but it was pressurized and spewing out manholes. In this type of circumstance, not only would the water come out of the manholes but also out of every other point that is connected and lower than a manhole to include basements. The Engineer advised this was more of a systemic issue that needed to be resolved by Geauga County wastewater. There was obviously a large quantity of stormwater flowing into the sanitary sewers and completely overwhelming it. Two ways stormwater gets into the sanitary sewer pipes is infiltration through small cracks, separations, and leakage spots and through inflow. This means that there are big holes in some sections or residents' downspouts are illegally connected into the sanitary sewer and it is introducing a lot of water quickly. Based on the circumstances he observed, he thought Geauga County should be looking more at inflow than infiltration. As a customer to Geauga County stormwater, South Russell could apply some pressure and guidance, but it would be up to them to find and fix the problem.

The Mayor asked the Engineer what he thought of doing dye testing. The Engineer said this was effective in determining inflow. He explained that dye tests look at what point source is connected to what pipe. Gutters are a big issue where they are either accidentally or purposely connected to the sanitary sewer. Dye testing and smoke testing are effective in determining if there are cross connected utilities where there are large volumes of stormwater dumping into the sanitary sewer at a point. The Mayor explained how dye testing is conducted. The Engineer stated that Geauga County is actively involved in conducting diagnostic tests and that residents should give them the opportunity to complete testing before residents incur the expense.

Kasseler described water bubbling up from floor drains, and the Engineer confirmed floor drains should be connected to the sanitary sewer. Kasseler asked if the dye testing being conducted was in relation to the Labor Day flooding. The Engineer said it was, and that this type of testing typically is not done unless a problem needs to be diagnosed. The Mayor stated smoke testing had been conducted earlier in the day.

Jessica Collin, 111 Alderwood, stated her home was also affected by sewage and understood Geauga County had been conducting a sound wave test and would be conducting smoke testing. She verified that residents should hold off having problems diagnosed until the county had concluded testing. Collin asked about who would have been responsible for signing off on the drain tie-ins when the houses were constructed. The Engineer stated it would have been the County. The instances involving tying downspouts into the sewer system, however, typically happens after the fact when homeowners decide to run downspouts underground. The sanitary sewer line is often the most convenient and readily available line to tie into. Collin thanked the Mayor and Engineer for helping to address the problem.

The Mayor asked the Engineer when the change occurred in combining sanitary and sewer, and the Engineer advised that in some areas it is still a normal practice. However, any home built in Lake and Geauga County after 1970 was when there was an emphasis on separating the two.

A resident stated she just moved to the area and noted that her backyard had an issue with flooding. She stated that there is a lake behind her property belonging to Country Estates which overflows, and she wanted to know if there had been a resolution with this problem. The Mayor explained that water enters Country Estates through a 36-inch pipe and that someone had installed a 12-inch pipe at the north end which dams the water. If residents are impeding the flow of water, they will be notified to make the corrections. The resident stated nothing had been done and there was an ongoing battle between the developments. She asked how the problem could be rectified. The Mayor stated that if the homeowner would not make the change, the Village could make the change and bill the homeowner. He hoped a letter to the homeowner would get the problem corrected. The Mayor hoped to have more information in two weeks.

FISCAL OFFICER'S REPORT: The Fiscal Officer distributed her monthly report to Mayor and Council. She stated that the Finance Committee would discuss the COVID-19 money received by the Village and ways to spend it. She added that there was also legislation to approve the tax budget numbers received from the County Budget Commission.

Porter asked about the Tax Collection history and the Fiscal Officer reiterated that the Central Collection Agency is still in the process of reconciling with the municipalities and is currently reconciled through May. Porter asked what the likelihood was that the advances would be positive rather than negative. The Fiscal Officer stated the advances were slightly below what would have been received, so more should be received.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the month ending August 31, 2020. The total of all funds at the end of August was \$3.7 million dollars. The fund balances on his report matched the independently determined fund balances of the Fiscal Officer to the penny. The interest rate had dropped and is 0.25%. \$3.7 million was \$230,000 higher than the end of July and the Village was up \$667,000 for the year. Notable revenue for August included the quarterly ambulance fee and cable franchise installments, and cemetery plots. The Fiscal Auditor noted the Village had exceeded expectations for sales of cemetery plots and cemetery fees this year. Areas where the Village was lower was gas tax and income tax. Homestead and Real Estate Tax had also been received. Except for Income Tax, he expected the balances to start decreasing because both installments of Real Estate taxes had been received and no other large influxes of income were expected.

FINANCE COMMITTEE: Carroll advised that the Finance Committee met and discussed the copy machine, which the Fiscal Officer was still assessing, and COVID funds. Carroll asked the Fiscal Officer for the total of the COVID funds received, and she replied that it was about \$76,000 in total and the Village had spent \$10,000 so far. Carroll explained that the funds may be spent on personnel costs directly related to COVID, to include training and hours spent disinfecting (playground). The Committee also discussed the possible use of updating the audio-visual equipment in Village Hall so video conferencing and training could be done. Pricing would be obtained and would be a permissible expense. Another allowable expense would be setting up the agency to allow employees to work from home, which would include costs involved with VPN or additional computers. Prices are also being obtained for this. Carroll explained that CFSVFD does not receive COVID funds directly because they are a private not for profit organization. The Village could obtain a fit test machine, which is used to ensure the air purifying respirators (APR) and N95 masks are sized properly. Carroll stated this would be around \$17,500. If the Village purchased the machine, it could allow Chagrin Falls to use it. This would benefit the Village in that CFSVFD responds to South Russell. Carroll advised that there was a list of suggested uses for the funds included in the Council packets. He added that if the funds were not used, they would be lost. Carroll asked if the deadline had been extended, and the Fiscal Officer stated by October 15th, the money must be encumbered. What is not encumbered must be returned to the county. What is not spent by the end of December must be returned to the Federal Government. Carroll stated at the next Finance Committee meeting, use and potential purchases would be prioritized. He added that there might also be additional funds being made available. Carroll would give Council a spending plan before the September 28th Council meeting, and thought legislative action was required to indicate the priorities and that the Village wished to expend the funds. The Fiscal Officer stated that she and the Chief met with a contractor to quote installation of screens and microphones in Council Chambers, which had been discussed for years, and would help during COVID for tele conferencing. She had another contractor with whom to meet and hoped that she, the Finance Committee, and the Chief could collaborate before the next meeting. She hoped that by the September 28th meeting, Council could identify how to spend the money so she can get it encumbered. Carroll agreed.

Carroll made a motion to approve the fund balances as presented by the Fiscal Auditor matching the Fiscal Officer's amounts, seconded by Berger. Roll call – ayes, all. Motion carried.

SOLICITOR: The Solicitor stated she had nothing to report.

Canton stated he viewed with great interest the September 10th Planning Commission meeting, during which there were criticisms directed towards the Building Department Administrative Assistant/Board Clerk. Canton asked the Solicitor if the criticism was valid. The Solicitor stated she attended the meeting and did not think the actual criticism was directly to the Administrative Assistant, but rather that there was a process that might not have been followed. She reviewed the pertinent section of the Zoning Code, and unless there is an exception that applied, it would seem that that section of the code would require Planning Commission approval for any business or industrial use or structure with respect to Zoning permits. However, she had not yet seen the applications that were being discussed at the Planning Commission meeting that had received Zoning permission without Planning Commission approval. She also still needed to speak to Dave Hovevar. A strict reading of the code would suggest that the exception to that rule of going before Planning Commission did not apply.

Canton asked the Solicitor to make a report on this. The Solicitor stated she would provide her opinion.

Carroll asked whether the response was an appropriate response. Porter asked what response was being referenced, and Carroll clarified it was the employee's response. Carroll said it sounded like the employee was granted permission to do it, and perhaps it was out of frustration. Having seen the video, it was a little troublesome to him that this would be an appropriate response. Carroll did not think it was and wondered what the Solicitor's opinion was. The Solicitor stated she would not opine on whether it was an appropriate response and felt that was something the Building or HR Committees could investigate. She reiterated that the criticism was not necessarily directed towards anyone in particular but rather to a process that was not being followed. The Zoning code is a Codified Ordinance and it is necessary to follow the process. Carroll clarified that it still needed to be determined why the process was not followed other than the Building Department Administrative Assistant/Board Clerk was told by Dave Hocevar. The Solicitor reiterated that she had not yet seen the applications and did not know the determination that was made, and perhaps there was a good reason it was not going before Planning Commission. She added that she could be interpreting the section wrongly, or perhaps there was just a mistake made.

STREET COMMISSIONER: The Street Commissioner stated that on September 4th he met with Pete McDonald of the WRLC. A walkway from the parking lot to the pavilion was discussed because of difficulties persons with walkers and wheelchairs were having with it. McDonald would not permit cement or asphalt but agreed to brick. The Street Commissioner added that he submitted his monthly report.

Nairn questioned if the ProKure V sanitization of the playground was going well, and the Street Commissioner verified it was. She further verified that the Police Department was conducting the sanitization on the weekends, and Chief Rizzo verified this.

STREET COMMITTEE: Porter advised that the committee met on August 28th, the minutes of which had been submitted. The committee discussed the Road Program.

ENGINEER: The Engineer stated the Road Program was going well. Many pavement repairs had been marked on Daisy Lane and were being made. He advised that there were many more pavement repairs needed in the Village. Scheduling had been difficult. Sheerbrook would be paved this week and Kensington Circle, Maple Hill Dr., and Daisy Ln. tentatively would be paved the following week. Some of the miscellaneous full depth repairs throughout the Village needed to be made and could be addressed concurrently with the paving. The project was well within budget and the Engineer stated he was looking forward to wrapping it up quickly and successfully.

The Engineer stated Ohio Public Works Commission (OPWC) funding applications are due, which the Engineer had been working on for the past week. He wanted to submit two applications for consideration. One was for paving Bel Meadow, which, with a 50/50 match, would cost the Village \$98,000. This would include base repair, chip seal, adjusting the driveways, two-inch overlay, and engineering. Porter asked if it included both East and West Bel Meadow, and the Engineer said he wanted to treat it as one street. The second application pertained to the traffic signal at Bell Rd. and Chillicothe Rd. The Engineer stated the Village had been dumping money year after year into maintaining the traffic signal, which was installed in the early 1990's. There are issues with the pole

boxes, the underground connections, and loop detectors. The Engineer was considering the cost of replacing the entire signal with current technology to include new poles, new mast arms, and getting rid of the string wire altogether and have a safer, more robust signal. He estimated it would cost \$292,000 and felt he had a good shot at getting 50% funding for it. Porter stated it still left the Village's share at \$145,000. The Engineer stated he could ask for the money, but that the Village did not have to accept it. He just wanted to get it on the OPWC radar that this was something the Village would be needing.

The Chief advised a new problem occurred with the Labor Day Storm. During the heavy rains, the traffic light preemption system malfunctioned, and the light was locking up for east and west Bell Rd. This was a new problem in addition to the loop detectors that the Village was still waiting to repair. With the amount of money spent on the light, the Engineer felt there was justification for exploring replacement of the light through the OPWC request.

BUILDING COMMITTEE: Canton reported that the Building Department met on September 3rd and the minutes were submitted. Canton provided corrections to these minutes as follows: regarding point 2, "Permit C Schedule," the information had been received, the committee was studying it, and the information should be available soon; point 4 should read that "the third reading" should have been "the second reading."

Carroll referred to inspection of a home daycare that was discussed in one of the Building Committee meetings. Carroll stated that if it is licensed home daycare, it is required to be inspected annually by the Fire Marshall.

Canton stated that the next Building Committee meeting will be at 8:00 a.m. October 1, 2020.

The Mayor made a request of the Building Committee. He stated it was his pleasure to ask the committee to appoint Sean Davis as the Village's permanent Fire Marshall effective immediately. The Mayor stated that Sean knows and teaches the Fire Code at Auburn Career Center. The Mayor followed Davis on four inspections and stated he conducted himself well. The Mayor added that Davis is a former student of his. Canton made a motion to hire Sean Davis to the position of Village Fire Marshall at the rate of \$23.00 per hour, seconded by Carroll. Porter asked if this position was part-time and Canton verified it was.

Galicki stated he thought the Mayor had recommended another individual for the position earlier in the meeting and asked if the Mayor was changing his mind. The Mayor stated he was going to ask for an appointment of the Chagrin Falls Fire Department but knew he did not have the votes. However, he wanted to make his point that he thought Chagrin Falls was the logical choice for the Village. Roll call – ayes, all. Motion carried.

The Mayor stated that the first Monday of every month, the Fire Marshall should submit a report for the past month. The second Monday of every month the Fire Marshall will meet with the Mayor at 9:00 a.m. to discuss what had been accomplished.

POLICE CHIEF: The Chief stated that in addition to the traffic light issues reported earlier, he submitted a month end report. Currently, the department has three part-time officers who are potentially in the process of preparing to be sworn in next month. He is currently waiting on psychological evaluations, Voice Stress Analyzer results (VSA), and medical exams. The Chief added

that there are three good candidates and the Safety Committee and Mayor recommended moving forward with them.

SAFETY COMMITTEE: Canton stated the next meeting will be October 1, 2020 at 7:00 a.m. Canton addressed Lieutenant Fabian's retirement. Canton thanked him for his service and noted that Fabian was his student in American Government and Economics, and he is proud of the man Fabian had become. Canton wished him the best.

Porter stated Corporal Cardaman had served the Village for a long time as a full-time and then part-time officer. Porter added that Cardaman was the only officer to hold the Corporal rank. Porter hoped that his example and service go on in the civilian world. Porter asked the Chief to extend the Village's thanks. Nairn added that Cardaman's cheesecake will be missed.

Porter made a motion to accept the resignations of Lieutenant Michael Fabian and Corporal Michael Cardaman with regret, seconded by Canton. Roll call – ayes, all. Motion carried.

The Chief noted that four or five officers would be retiring this year, which was bittersweet. He wished them all well.

The Mayor congratulated the Chief on the nice things the officers put in their retirement letters about him.

HR COMMITTEE: Porter stated the HR Committee met with the Building and Finance Committees for Fire Marshall interviews, and met with the Safety Committee regarding replacements in the Police Department. The minutes from both meetings were submitted. Porter stated the vacation carry-over policy was discussed, and an ordinance was drafted amending the vacation subsection to allow eligible employees to carry over an additional 40 hours of vacation into next year. Porter questioned if this would be an expense for the COVID funds, and the Fiscal Officer advised it could not. He explained there had been a number of employees who were unable to take their full vacation due to COVID, and as a one time action, the committee was recommending that the employees could carry over two weeks' vacation instead of one.

PROPERTIES COMMITTEE: Nairn stated that the Properties Committee met on Wednesday, August 12th in Village Hall. An idea was resurrected and discussed to create a botanical sound buffer for the front of the Cemetery. With Council's approval, she wished to obtain cost estimates on installing conifers that are salt hardy and resistant to deer. She explained that the noise level due to Chillicothe Rd. is very loud and noted that during his time on Council, former Councilman Dishong addressed the need to install trees across the front of the Cemetery to mitigate the traffic noise. Furthermore, Nairn attended a military funeral in the Cemetery and it was difficult to hear the bugle playing because of the traffic noise. Nairn made preliminary inquiries with a local nursery to ascertain costs. The Mayor indicated Nairn did not need approval by Council and recommended she obtain the estimates and present them to Council. He added it was five years overdue.

Nairn asked the Street Commissioner to inform Council about the LED light project in the Service Department. She added that with the remaining \$1,200 in funds, it would be possible to get LED lighting in the salt dome. The Street Commissioner stated that the shipping date for the lighting is September 30th. The delay was due to redesign of the 8-foot fixtures. He met with a representative to

look at the shed and the salt dome. An estimate should be provided by the end of the week. Porter asked if these were the Titan bulbs, and the Street Commissioner confirmed they were.

Nairn addressed the tea house that was donated to the Village from the Bainbridge Library. Nairn was unable to attend the meeting with Pete McDonald of the WRCLC due to her son's wedding. She understood that McDonald said the tea house could not be located on the top of the hill. However, it could be located on the 10 acres belonging to the Village on the Washington Street side of the Park. Nairn stated she was surprised to find that the tea house had already been moved into South Russell. No one contacted her the morning it was moved, but she heard the move went well. Nairn advised that Council still needed to decide a location for the tea house.

The Mayor stated that the meeting with McDonald went well. There was discussion about alternatives to haying the field. McDonald spoke about burning off a part of it and the idea of sectioning it off. There were possibilities the Mayor thought should be considered and added that there is a natural spring up the hill with which the Village could work. The Mayor stated that McDonald would provide a letter which would document the discussion.

The Street Commissioner stated that there was a wet area at the top of the hill. There was discussion with McDonald about excavating it and making it more of a wetland instead of having the tractors go through it leaving ruts.

The Mayor thought if the Village looked at the Land Use program that was 15 years old, there were things that could be done to be better stewards of the property.

Carroll added that at the Acacia Reservation, the Cleveland Metroparks conducts a burn, which is very controlled. The value in this practice is to get rid of invasive species and allow the proper vegetation to grow. He stated it was something to consider and was not all bad. The Mayor acknowledged Carroll's point and added that the County does this in Frohring Meadows every year.

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

PARK COMMITTEE: Nairn stated the playground had been busy. She stated that the minutes from the August 20th and August 24th Park Committee meetings were distributed to Council. The next committee meeting will be Tuesday, September 22nd at 6:30 p.m. at the Pavilion weather permitting. The rain location would be Village Hall.

ORDINANCES/RESOLUTIONS:

Canton provided a third reading on an ordinance amending section 1024.09 of the Codified Ordinances of the Village of South Russell for inspection and cleaning of septic systems taking effect January 1, 2021. Canton made a motion to adopt, seconded by Berger. Roll call – ayes, all. **ORD 2020-40**

Carroll provided a third reading on an ordinance amending ordinances 2015-41, 2016-33, 2017-08, 2018-07, 2018-44, and 2020-07 by amending pay ranges for South Russell Village employees by adding a Building Department Administrative Assistant/Board Clerk/Assistant Zoning Inspector for the range from \$22.00 per hour to \$30.00 per hour and full-time status. Carroll made a motion to adopt, seconded by Porter. Galicki verified that there was no position description for the Assistant Zoning Inspector job. Carroll stated this was correct. Carroll asked if Building and HR Committees ironed out the new job description for the position that is being established. Porter stated as far as he

was concerned, they did. Galicki asked if it had been distributed. Porter stated yes. Galicki asked if anyone had it in their Council packets, and Porter stated this was where he got it. Galicki, Berger, Nairn and Carroll did not have it. Carroll stated that there was a reference to “see Assistant Zoning Inspector,” but it was still necessary to formally create these documents and he was unsure of the progress of this. Berger said there was a draft circulated. Carroll advised that this must be adopted by ordinance as well. He was aware it was going to be amended but noted Council had not yet seen it. Galicki asked if it were presumptuous to approve a pay scale for a position for which there was no description. Carroll stated this was a valid point. Porter stated the pay scale could be adopted in advance of the description because the job exists whether the description exists or not. For example, Porter asked if there were a job description for the position of Mayor. Porter said he did not recall, but he did not think so. Galicki stated it was actually in the Codified Ordinances of the State of Ohio. Porter stated he understood this, but it was not part of the job descriptions in the HR handbook. Galicki advised that the Mayor is not an employee but an elected official. Porter stated there is a pay range for the Mayor position by ordinance, but there is no job description for Mayor. Galicki asked if Porter was suggesting they forget about the job description, and Porter stated no, he would provide a second reading, circulate the amended draft, and then it would be done at the September 28th Council meeting if Council were willing.

Carroll explained that the committees discussed the position and that they had an idea of where they wanted the range. He did not see an issue with passing it at the current meeting. Roll call – ayes, Porter, Berger, Canton, Carroll, Galicki. Nay, Nairn. Motion carried. **ORD 2020-41**

Porter provided a second reading of an ordinance amending Appendix D – Job Descriptions of the Village’s Employee Handbook creating the job description of the Administrative Assistant/Board Clerk/Assistant Zoning Inspector to reflect that such position will be full-time and include Assistant Zoning Inspector.

Carroll introduced a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Carroll made a motion to waive readings, seconded by Berger. Roll call – ayes, all. Motion carried. Carroll made a motion to adopt, seconded by Berger. Roll call – ayes, all. Motion carried. **RES 2020-42**

Porter introduced an ordinance amending the vacations subsection of the benefits section in the Village’s Employee Handbook to address the effects of the COVID-19 health pandemic and declaring an emergency. Porter made a motion to waive readings, seconded by Carroll. Roll call – ayes, all. Porter made a motion to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **ORD 2020-43**

BILLS LIST: Carroll made a motion to ratify the 8/14/2020 Bills List in the amount of \$63,827.95 and the 8/30/20 Bills List in the amount of \$20,198.81 seconded by Berger. Roll call -ayes, all. Motion carried.

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

The Mayor stated that Betsy Gregoire was supposed to attend the meeting as the Booster Club President requesting to put a banner across Bell Road similar to the banner used for the Fall Festival.

It would fly in Chagrin Falls for one week and then be brought to South Russell for a week encouraging people to join the Boosters. The Mayor asked if Council wanted to vote on it or wait until she could be present at the meeting. Porter asked if this banner was similar to the 2020 Graduates banner, and the Mayor stated yes. Porter asked if it were the same group, and the Mayor stated no, that this was the Booster Club. Nairn asked if it were presumptuous to vote on it without Gregoire's presentation. Galicki verified that the Village has ordinances that limit banners that are displayed, and the Mayor stated yes. Galicki asked if by allowing it for the Boosters, did it open the door to having to do it for other organizations like Rotary or VFW and if a special exception were being made. The Mayor stated an exception for the class of 2020 was made because of COVID, and this could fall in line with that situation. The Mayor stated the Village had never allowed banners other than this. Porter stated that the Turkey Trot organizers were allowed a banner, and Nairn added that the Village flies the Fall Festival banner. The Mayor asked the Street Commissioner about the banner for the Turkey Trot, and the Street Commissioner stated the Village did not put one up. Carroll stated on one hand, it did not bother him, but on the other hand, this could be a potential Pandora's Box. Porter suggested waiting to hear from Gregoire.

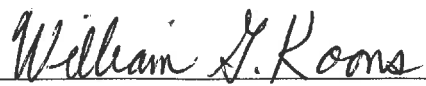
The Mayor verified with the Fiscal Officer that she had received calls about Halloween. The Fiscal Officer advised that residents were asking if the Village will be allowing Trick or Treating. She saw on the news that other communities were discussing the matter, but she had not heard the resolution. The Mayor suggested making a decision at the September 28th meeting. Carroll suggested that the Governor might come out with a ruling or recommendation.


Porter stated that the next Street Committee meeting would take place September 25th at 7:00 a.m. in the Street Commissioner's Office.

Council discussed logistic issues and possibilities for potential upcoming Executive Session at the September 28th Council meeting. The Mayor stated from his experience with attending the Village Board meetings, sound became an issue with multiple persons utilizing Zoom at the same time in Village Hall.

The Mayor reminded Council that Chagrin Falls Schools Superintendent would attend the September 28th Council meeting to talk about the proposed tax levy. He added that residents of Chagrin Lakes and the owner of MC Art Studio might also be present.

ADJOURNMENT: Being that there was no further business before Council, Carroll made a motion to adjourn at 9:55 p.m., seconded by Nairn. Voice vote – ayes, all. Motion carried.


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer