



Village of South Russell

5205 Chillicothe Road
South Russell, Ohio 44022
440-338-6700

PLANNING COMMISSION MEETING Record of Proceedings December 10, 2020 at 7:30PM

Members Present: Steve Latkovic, Chairman, James Flaiz, Dennis Galicki, Mayor William Koons, Ph.D.,
Elisa Budoff

Other Officials: Bridey Matheney – Solicitor, Ruth Griswold, Board Secretary

Visitors: None

Meeting called to order by the Mr. Latkovic at 7:32p.m.

Ruth Griswold conducted roll call.

Mr. Latkovic motioned to approve the minutes from October 8, 2020 and November 12, 2020. Mr. Galicki seconded. On roll call vote, motion carried unanimously.

AGENDA ITEM 1: CASE# 20-PC-10: 1188 BELL ROAD-SUITE 104-THE KNOT WHISPERER LLC-WENDY MCINTYRE, APPLICANT-PROPOSED NEW TENANT

Mr. Latkovic welcomed the first applicant, Wendy McIntyre, and asked her to speak about her business. Ms. McIntyre said she is massage therapist, and she sought a place where she could massage for Medicare recipients. She likes to accommodate her client's different schedules. She went on to say that she not only takes Medicare clients, and that everyone is welcome, offering her services to anyone at the meeting. She said her place is cozy and she really likes it there. Mr. Latkovic asked her if she was there now; she said yes, she has been there since September. She had some difficulties getting the electricity going, and Dave Hocevar was very helpful with that. She said she has been up and running since September. Mr. Latkovic asked if there were other employees, to which Ms. McIntyre responded no, it is just her.

Mr. Galicki asked Mr. Latkovic if he was missing something and questioned why the business has been in operation and that she is just now appearing before Planning Commission. Mr. Latkovic said he was looking at the application and thinking the same thing. Mr. Latkovic asked how we got to this point. Ms. McIntyre said she turned in her paperwork in a timely manner. Ms. Budoff pointed out that the application is dated 9-15-2020. Mr. Latkovic asked Mayor Koons or Dave Hocevar if this was one of the things that fell through during the recent transition period in the building department.

Mr. Hocevar said the landlord never informed the tenant about the formalities required, Planning Commission being one of them. Ms. McIntyre lost her power, and there may have been a change of a Planning Commission

meeting date. Mr. Hocevar said he tried to get her going on this, as it is a permitted use, and he did not want to shut the business down. She complied with everything she had to do, and she is here tonight appearing before the Planning Commission. He went on to say that a chain of events took place, beginning with the landlord neglecting to advise his new tenants that they must apply for an Occupancy Permit and appear before the Planning Commission. Mr. Latkovic asked who the landlord is; Mr. Hocevar said he thinks the name is Peters, and that there has been a change of ownership of that building. He said he did speak to him during the situation of the power loss of two weeks; First Energy then kind of dropped the ball on it, and we were having trouble getting the power situation straightened out for her. Mr. Hocevar said Ms. McIntyre complied completely with everything she had to do regarding appearing before Planning Commission. He added that he did not want to shut her business down and that she was already in there due to the landlord never explaining the formalities of going through the proper channels in South Russell. Mr. Hocevar said he has had a discussion with the landlord, and he doesn't think this will happen again.

Mr. Latkovic stated that it has been four months since the application. He asked for clarity as to why it took so long for the applicant to appear before the Planning Commission. Mr. Hocevar responded that she was in business and that the building department knew nothing about it at the time, until the loss of power. He then told her she would have to appear before Planning Commission. Mr. Latkovic said he noticed the other business on the agenda, at the same location, isn't open yet, so that Ms. McIntyre's situation is a little unique. Mr. Hocevar agreed. Mr. Latkovic asked Mr. Hocevar if he knew when the change of possession of the building took place. Mr. Hocevar said he believes the current landlord has owned the building for about three years, and that this current owner is somewhat lax on providing his tenants with information. Mr. Hocevar said the Village has just hired Sean Davis as our Fire Inspector, and he is beginning to perform inspections on all the commercial buildings in South Russell. Mr. Hocevar said a program is being put together, but that this particular situation fell through the cracks.

Mr. Latkovic directed the discussion back to Wendy's business, and said they would come back to discuss procedures. Mr. Latkovic asked Ms. McIntyre when and how she found out she had to appear before Planning Commission. Ms. McIntyre said she believes she was contacted by Ruth about two weeks ago, advising her she had to appear at this meeting. She was able to arrange her schedule to be here tonight. She said before that Ken, the landlord, had given her a piece of paper to turn in to the Village, which she did, along with a \$250.00 fee. Ms. Budoff referred to the Planning Commission application that was submitted by Wendy and noted it is dated September 15, 2020, and the date that she signed it is the same. Ms. McIntyre said after she turned in the forms, she just waited to hear from someone. She went on to say that this is the first she knew about appearing before the Planning Commission, and talked about other forms she completed and turned in.

Mr. Latkovic asked Ms. McIntyre how her business was doing. Ms. McIntyre said she has been very busy with her Medicare clients, her business is 90% Medicare, and they all found out they have free massages, since they are permitted 24 throughout the year. Ms. Budoff asked how things were going with the Covid restrictions, and does she feel she is able to run her practice safely. Ms. McIntyre said she keeps the room closed and locked while doing a massage in a private area and welcomed all to come to her facility in person. She said it is usually just her and a client in the suite, except for the one time a married couple came in together. She went on to say that she allows a half hour between clients for complete sanitization and disinfecting. Her goal is to make everything clean and comfortable for everybody and has masks and hand sanitizing stations available.

Mr. Latkovic said he has no further questions about the business itself, and that it sounds like a nice business, somewhat of a medical type use, and no parking issue with one client a time. He asked how Ms. McIntyre finds clients, and she responded that the clients go their insurance provider for a list of professionals who are authorized to give medical massages, and she is on that list. Mr. Latkovic asked what her hours are, and if it is by appointment only. Ms. McIntyre said it is by appointment only, which is necessary since she also works at Hand & Stone in Beachwood.

Mr. Galicki asked Ms. McIntyre if she backdated the Planning Commission application, and she responded that she did not. He confirmed that she initially filled out the application in September. She said yes, and she handed it in with the \$250.00 fee and another form. Ms. Budoff asked if she wrote a business check for the fee, to which Ms. McIntyre responded yes. Ms. Budoff said the cancelled check would also verify the dates. Mr. Galicki said he is trying to understand why the business was allowed occupancy and allowed to perform as a business without appearing before the commission, and if everything was submitted back in September, where has it been for a couple of months. Mr. Latkovic suggested that the issue be taken up when the commission talks with Bridey about the implementation procedures, including how potential tenants in the Village are notified of the necessary processes involved.

Mr. Latkovic made a motion to approve Wendy McIntyre's business, The Knot Whisperer, at 1188 Bell Road, Suite 104, as it is open today. Ms. Budoff seconded.

On roll call vote, motion carried unanimously.

Mr. Flaiz, who apologized for being a little late, said he is totally in favor of the business. He asked, in the interest of fact-finding, if Ms. McIntyre could tell him who she spoke with when she visited the Village with her paperwork. Ms. McIntyre said she believed the woman she spoke with was a temporary employee, and that it was around the time when the one secretary had left. Mr. Flaiz then asked if anyone had ever contacted her after that. Ms. McIntyre said she was in contact with Dave a lot during that time because of the power issue. Mr. Flaiz asked if her check had cleared. Ms. McIntyre said she would have to check with her bank. Mr. Flaiz thanked her for coming to the meeting tonight and apologized for any confusion on having to come before the Planning Commission after she was already open. Ms. McIntyre said that was not problem, although she was surprised to hear about it. Mr. Latkovic thanked her for her flexibility.

AGENDA ITEM 2: CASE# 20-PC-11: 1188 BELL ROAD-SUITE 203-JENNIFER MORGAN, LISW, APPLICANT-PROPOSED NEW TENANT

Mr. Latkovic introduced the next applicant, Jennifer Morgan, and asked her to speak about the business she is going to be opening up. Ms. Morgan said she is not open yet, and that she plans to open in early January. She said she is a psychotherapist, a licensed independent social worker, and that she works with veterans, first responders and law enforcement. She said she is restarting her practice here after moving from Washington D.C. about a year ago. Mr. Latkovic asked her to speak about how the business functions.

Ms. Morgan said this would be a single office location, and she would see one client at a time. There will be a minimum of one hour between clients, due to Covid concerns and also for privacy reasons. She would schedule by appointment only, and she will have all CDC recommended sanitary practices in place. Mr. Latkovic asked what issues her typical client would be dealing with. Ms. Morgan said all her clients are very different; she recognized that PTSD is in the news a lot, and some of her clients do have PTSD. She went on to say that in her experience her clients are dealing with many things; some traumatic brain injury, some PTSD, some just have reintegration problems. She said there is another layer that she works on now that is called moral injury. Those conditions can all overlap, and moral injury can mimic PTSD, so there are a lot of layers now that are worked on, but every veteran is very individual.

Ms. Budoff asked if she has been doing her sessions in person or having a lot of video meetings. Ms. Morgan said she plans to see the client in person due to the level of trauma that most of her clients have, it is best to establish a baseline in person, due to a lot of non-verbal communication. Once she has a baseline established, she would offer her client tele-health sessions, and if it's appropriate for the client and is preferred by them, she would certainly do that. She said that some therapies are much safer and more effective to do in person, and she would work with her client as to their care plan.

Mr. Latkovic asked for any other questions or comments. There were none.

Mr. Latkovic asked Ms. Morgan what attracted her about this particular location. Ms. Morgan said she likes that it is a little off the beaten path, and it is a quiet place. She cares deeply about her client's privacy, and she wanted a nice quiet place that they would feel comfortable going to, and she felt that this building would meet those requirements. Mr. Latkovic said he is glad that South Russell can accommodate her needs, and that it is great work that she is doing. Ms. Morgan said she is hoping to serve the community well.

Mayor Koons motioned to approve Jennifer Morgan as a licensed social worker, to open her business at 1188 Bell Road, Suite 203, effective in January 2021. Mr. Latkovic seconded. On roll call vote, motion carried unanimously.

Mr. Latkovic then referred to **Agenda Item 3, Case #20-PC-12** and asked Bridey Matheney to present her findings of the building department's zoning permit procedures. Ms. Matheney clarified that technically the Planning Commission asked her firm to conduct an audit and she just wanted to make sure everyone is on the same page, because the parameters were somewhat narrow. Specifically, Planning Commission requested that her firm conduct an audit of the following records of the building department from January 1, 2019 through November 12, 2020, which was the last Planning Commission meeting date. This was for all zoning applications and permits for all commercial, business and industrial districts, as well as all conditional use permits. Ms. Matheney went on to say that she and her associate, who had just passed the bar, conducted this audit as requested by the Planning Commission. Ms. Matheney said that Council approved 14 (fourteen) hours for this preliminary review. She is happy to say that she does not think there will have to be a secondary for another part of this. Ms. Matheney said she and her associate were both at the building department on Thursday December 3, and again on Friday, December 4th. She herself went back on Monday December 7th. She said on December 3rd, they each spent about three hours looking through the files. She said there are a lot of physical files in the building department, and she found that there is an interesting procedure that she was not aware of. She mentioned the Planning Commission members being taken aback that there were a lot of paper applications. The zoning permit itself is a hand-written three-part copy. When someone submits a zoning application, unless a zoning permit is actually issued, that application does not get put into the computer database; only if the zoning permit is issued. She found it interesting because we have this building department software and perhaps it is being under-utilized in that regard. She went on to say that then there is no back-up, therefore, one would not necessarily know by looking in the computer, what is actually in the physical file. For instance, you could have a zoning application, and for some reason it was withdrawn, or it went to Planning and it was not approved, or the applicant withdrew it at Planning. In other words, while there may be an actual physical application, you would not necessarily be able to see that in the computer. She said the physical zoning files are maintained completely separately from the building files, in alphabetical order by street name.

Mr. Latkovic asked if you wanted to find an application, would you have to actually know the street of the related zoning permit. Ms. Matheney said maybe, but if there was a zoning permit issued, you could also do a search in the database. She said she worked with Ruth and that she knows the software very well. You could do a search within a time frame for all zoning permits. She said the issue is that some people will have submitted an application, it may have even gone to Planning, but if there was no zoning permit actually issued, that does not get put into the computer. She said that may be an area where there is room for improvement, and that Ruth mentioned she would like to start entering applications when received.

Mr. Flaiz said the problem is that a permit isn't supposed to be issued, in most circumstances, until it goes through Planning Commission, but it is not entered into the software until a permit is issued. Ms. Matheney said that is correct, to her understanding. Mr. Flaiz said that is a big part of the problem, and Ms. Matheney agreed. She went on to say that many of the files had a lot of information in them, and that they actually only found

approximately 18 or 19 zoning applications and/or permits that met what Planning Commission's audit was about: the commercial, business, industrial districts and/or conditional use permits. She said she has them, has scanned them and will send the files out to the members. She apologized for not sending them prior to the meeting, but due to time constraints, she did not feel the Planning Commissioner members would have enough time to review them. She said she will send them out for review. Ms. Matheney said her audit focused on the commercial areas of the Village, but since conditional use permits could be in any district, they did have to go through some residential zoning files. She mentioned that there are red folders in the zoning files, characterizing a Planning Commission submittal. She felt the color coding of the folders for specific boards was a good organizational tool.

Mr. Latkovic asked Ruth Griswold if the software was capable of managing all the different permits and applications that are submitted, and she responded, yes, it does have those capabilities. Ms. Matheney outlined the areas of the software, such as the note fields, that are valuable tools and should be utilized. She said at one point they did look at some of the building files and discovered some zoning files in there, perhaps because the project consisted of both building and zoning permits. Overall, she felt the files were well organized. This scenario did not occur often but could be an issue. She said the building file cabinets are small, 8 ½ x 11, and the zoning files are much larger. And while she is not very familiar with the software, she felt it didn't seem very intuitive and heard that South Russell was the very first site for this actual software to be used and did not know if it has ever been updated. Ms. Matheney said that in addition to the three-part form currently used for the issuance of a zoning permit, there is also a computer-generated zoning permit that is issued from Franklin BDS. The scanned files of the public records request will have a zoning permit application, a handwritten zoning permit, as well as a computer-generated zoning permit. She said she didn't necessarily feel that both were needed, but that is not really the issue. Ms. Matheney said there are a lot of files, and there were things that she did not find zoning applications for. As an example, Ms. Matheney said she did not see a zoning permit application for the first applicant on tonight's agenda. Therefore, she is unsure if the steps are being followed as far as first obtaining a zoning application, then having the applicant referred to Planning, then obtaining a Planning Commission application, and so on.

Mr. Flaiz said that his understanding of the zoning, and what Dave has always said, is if you alter a conditional use, it must come before Planning Commission. Ms. Matheney said that is correct. Mr. Flaiz said from his understanding, there are only two conditional uses in the Village: the gas station and Gurney Elementary. He wanted clarification that anything relating to Gurney or the gas station would have to come before Planning Commission; Ms. Matheney confirmed that to be correct, and that it is actually a separate section of the code. Ms. Matheney said also anything relating to The Lantern, Elderly Assisted Living, is technically also supposed to come before Planning. She said that the computer software can perform many functions and that since she does not work with it, she doesn't know all of it, but that someone who works with it would be able to pull certain things.

Mr. Latkovic asked Ms. Matheney if she felt she was able to find the full population of the request, but that it was just a little challenging, not the best organization, and certainly not all reflected in the software. Ms. Matheney said it was going by address, so if for some reason, there was not an address in there, then she didn't know where that file would have been. Mr. Latkovic asked her why she felt the public records request fell short initially. Ms. Matheney said she thinks the list that was pulled did not generate the universe of documents that it should have and that maybe a different or additional search was in order, perhaps by zoning district, not just the Detail Fee Report. Mr. Latkovic noted that since the report was fee-based, did that mean that not everything had a fee associated with it; Ms. Matheney said that was a good question, or maybe a fee was not obtained. Mr. Latkovic said his understanding is that anything submitted has some fee associated with it, even if it's \$25. Ms. Matheney talked about when the Cipriani sign came before Planning Commission, the fee was waived. That also did not have a zoning application because it came to Planning after it went to BZA, so it was just a Planning application, and the note on the top indicated that the fee had been waived. Mr. Flaiz confirmed with Ms. Matheney that the Cipriani submittal should have had a zoning permit application, and she agreed. Mr.

Flaiz said beyond the terrible record keeping, the root cause of a lot of the problems are, for example, the fact that the giant expansion of Sal's building that did not come before Planning. The Village zoning code says that any enlargement of a commercial structure must go before Planning Commission. Mr. Flaiz gave the example of the drive-thru ATM at Citizen's Bank appearing before Planning Commission, and that they made some suggestions and approved the submittal. However, South Russell did not require Sal's Plaza to get a zoning permit, therefore not triggering a Planning Commission review for doubling the size of that building from a volume standpoint. Mr. Hocevar said there has been no expansion of that building at all, they didn't increase one inch, they changed the front façade, but the structure never increased in size. Mr. Latkovic clarified with Mr. Hocevar that the square footage did not increase, but that the top of the building was completely redone. Mr. Hocevar said that is correct, but no increase in height or anything else. Mr. Latkovic asked Mr. Hocevar if a zoning permit was required for that improvement; Mr. Hocevar said he's not saying it wasn't and whatever happened with the transition of employees with the last year, it might have just fell through the cracks. Mr. Hocevar said he would not have sent it to Planning Commission. He said he had a discussion with Bridey this week, and that from now on, anything that happens on a commercial building will be required to go to Planning Commission. He went on to say that there are some rules in the zoning book that say, if it's a similar use, they don't have to appear before Planning Commission, but he told Bridey, from now on, they're all going to Planning Commission, that way Planning Commission can get a grip on what's going on. He then referenced the statement earlier that every zoning permit has a fee and said there are situations where no fee is required.

Mr. Flaiz said, that while not disputing Mr. Hocevar's knowledge, the code says that any enlargement, not increase of a footprint, not increase in square footage, any enlargement of a commercial building, must go before the Planning Commission. The Planning Commission reviewed Citizen's Bank ATM, they have reviewed a dumpster surround on Washington Street, they even reviewed the expansion of the parking lot in front of Cultivate. He said those instances were required to come before Planning Commission, which were reviewed and approved. Some of those submittals had nothing to do with the building, some of those were not even structures. He said then you have no zoning permit required for Sal's plaza, which was such a radical alteration of a commercial building at our main intersection. He gave an example of a conditional use situation, when BP changed the service bays to an indoor cooler space, they didn't increase their square footage at all, but they came before Planning Commission, and that was not a change in the footprint or the square footage. Mr. Flaiz said his issue is he would like to be consistent, and he asked if they really needed to approve a dumpster surround, and then not have the Planning Commission review a major alteration of a key commercial building.

Mr. Flaiz then asked Ms. Matheney if she came across any instances where zoning permits should have been issued and were not. He said his understanding of the procedure is that if it is not a building permit, if it's a change of occupancy, enlargement of a commercial structure, change of use or an alteration to a conditional use, that you apply for a zoning permit. And when you apply for a zoning permit, it's reviewed by the zoning inspector, who then decides whether to refer it to the BZA, Planning Commission, and Architectural Review Board. It may be referred to all three boards. Ms. Matheney read from Section 3.01 "No structure or sign shall be erected, enlarged or moved, in whole or in part, and no use shall be established or changed prior to the issuance of a zoning permit." Ms. Budoff asked if the façade changing would fall under being changed, the sign came to Planning because the sign was being changed. Ms. Matheney said a sign is considered a structure, and brought up an issue regarding temporary signs, She said the code permits a temporary sign for 30 days, they have a separate definition, although it is still a sign, and a sign is still a structure, so there is a real question whether these temporary signs should be coming before Planning. She said the code should be amended so temporary signs do not come before Planning. Mr. Flaiz said that his understanding of the zoning code is that the definition of a structure is that it is permanently affixed to the ground, and that temporary signs are not considered permanently affixed. Ms. Matheney said she found some instances where temporary signs did come before Planning, but maybe it was because they were there for longer than thirty days. Mr. Flaiz said his only recollection of a temporary sign coming before Planning was for the gas station and that was because it was a conditional use.

Mr. Hocevar said there are certain things about the zoning code that need to be corrected and updated, and the building committee would be reviewing that. Mr. Latkovic said common sense does have to come into play, if the code isn't clear, if there is room for argument about garbage cans being a structure, then it should be fixed. He said the bigger issue is the process by which decisions are made, how the Village staff is being trained to understand these things, and how that is being communicated. Mr. Latkovic said the fact that Sal's did not come before Planning Commission is a pretty big issue, because it clearly should have. A lot of this has to do with continuity of personnel. Mr. Latkovic asked Mayor Koons if, as executive of the Village, what is the process going to be, is there going to be a handbook, or a checklist of the process. Mr. Flaiz told Mr. Hocevar that he thinks any changes to the zoning code should be initiated and approved by the Planning Commission. Mr. Flaiz then discussed his dissatisfaction with the members of the building committee.

Mr. Latkovic redirected the conversation back to Ms. Matheney and asked what her work product is expected to look like. Ms. Matheney said she would be providing the Planning Commission with copies of all the records requested per the public records request. Mr. Latkovic asked that she provide a description of what was found during the audit, the potential issues and to spend time putting some narrative about the experience her and her firm had. That should be taken and have some clear process put in place around it, including how things come before the Planning Commission. Mr. Latkovic asked if that would be something she would have before the next Planning Commission meeting. Discussion followed regarding the need to appear before the next council meeting for additional funds, in order to have the request fulfilled accurately and completely. Mr. Flaiz asked Ms. Matheney if her report would also take the records point by point. Mr. Latkovic said he would ask for council to approve an additional allocation for an expanded narrative added to the audit. Mr. Flaiz said he would like to see this addressed at a February meeting to give Ms. Matheney time to compile her report.

Mr. Galicki referred back to a comment made by Ms. Matheney when she was asked to explain the error in the original public records request from Jim, where there were a number of zoning applications that weren't pulled as part of the public record, and that she may have alluded that it stemmed from the report that was generated, which was a fees list. It was then suggested that there should be a fee for every permit, then Dave said that that is not the case, and there are permits that have no fees. Mr. Galicki asked Ms. Matheney if, as part of her investigation, she could delve into that, he said he was surprised that we are issuing permits with no fees. He wants to know if it's a matter of inconsistency, or you're my buddy so there's no fee, or is it actually codified that certain permits require a fee and certain ones don't. He asked Ms. Matheney to entail those aspects in her report, as it would provide real help to council, and perhaps others, in terms of clarification on how we charge fees, who gets charged and whether it's consistent. He went on to say that if there are certain conditions where no fee is required, is that in writing somewhere. Mr. Hocevar said it is in writing, as part of the zoning book, there is a section that describes all the fees for zoning, and when no fees are charged. Mr. Galicki said although it may be elucidated in the text, his question is if it is still being applied on a consistent basis. He said his concern is that everything is being applied consistently. Mr. Hocevar asked Mr. Latkovic if he could send anything related to a commercial use to Planning Commission, and although the code is somewhat gray in that area, he would overstep that and send everything to Planning Commission. Mr. Latkovic said he appreciates his knowledge, and that the best service he could give this Village would be to put those things in a place where it could be applied consistently and with clarity and be surrounded by transparency. Mr. Latkovic is also concerned about the flip side of the knee jerk reaction, that since we missed a couple things, we're just going to throw everything to Planning. He said he is cognizant of the zoning code and procedures and when a fee is appropriate, it should be charged, and if there is no fee, we shouldn't charge a fee. As for the gray areas, he agrees, push it to Planning Commission to have oversight and review. He went on to say he would like to come to the building department and sit with Ruth to gain understanding of the procedures. He said he does a lot of systems in many of the businesses that he runs. He would like to work with Dave and participate in the process in what it would look like to put something together as to why a particular decision was made and getting things documented. He said the biggest thing is that clearly some things that should have come before Planning

Commission did not, and some things have fallen through the cracks, and those need to be fixed. He recognized the audit as a good first step in the process, but he wants the collective goal for 2021 to be addressing these deficiencies, and to have a good process in place to achieve continuity.

Mayor Koons asked Ms. Matheney about the different number of zoning permits on the detail fee report vs her report; nineteen and twenty-two, respectively. He asked if the two lists coincided at all; Ms. Matheney responded that yes, some of it did. Mayor Koons then asked about the missing six from the public records response and asked what the properties were. Mr. Flaiz said he received an email from the Mayor of the missing six, but that the point was not them, those that he knows were missing, but rather the ones he does not know he's missing. Mr. Hocevar mentioned that some of them were withdrawn before Planning Commission. Mr. Latkovic said the appearance before council to allocate more funds on December 21, 2020, will allow Ms. Matheney to prepare a more robust report for the Planning Commission.

Discussion followed about the next Planning Commission meeting on January 14, 2021, and Ms. Matheney said she should be able to have the report by then. All members confirmed they would be available for that meeting.

Mr. Flaiz asked Mr. Hocevar about the Village ordinance requiring landlords to inform the building department of new occupancies and if that program was being followed and monitored. Mr. Hocevar stated that there has a transition of employees in the building department, as well as the Fire Inspector position. He said the Fire Inspector used to be diligent about checking businesses, and that the Village newsletter also advised business owners of our requirements. He said he has discussed measures that could be taken to get the program on more solid ground. He went on to say that the new Fire Inspector is presently visiting every business in South Russell, and advising him of any new occupancies that did not comply with Village ordinances. Mr. Flaiz said he wrote that ordinance 15 years ago, and he has issues with elected officials and employees not following the laws that were passed. He said the ordinance should trigger the landlords to report these occupancy changes for us, not only for Planning Commission purposes, but to ensure that the Village is getting all the tax revenue from income tax withholding that are entitled to. He expressed frustration regarding the apparent mismanagement and lack of oversight from council. He went on to say that he hopes the program is reinstated with stronger enforcement measures, because the Village is probably missing out on a lot of revenue, which was the point of the ordinance, in addition to alerting the Planning Commission and other boards, that people need to be obtaining zoning permits.

Mr. Hocevar mentioned the ordinance relating to home occupations, and that every one of them should be registered with the Village, but it has not been enforced in awhile. Mr. Latkovic indicated that home occupation was probably rampant, especially due to the pandemic, and exceedingly difficult to track. Mr. Hocevar agreed.

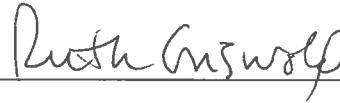
Mayor Koons asked Mr. Latkovic if he wanted to talk about the Knot Whisperer, and how her appearance before Planning Commission was after she had already taken occupancy. Mr. Latkovic asked Ms. Matheney if that would be included in her report, to which she replied that it would not due to the receipt of only the Planning Commission application on September 15, not a zoning application. Ms. Budoff asked Ms. Griswold if the Knot Whisperer came to the meeting because the paperwork was discovered. Ms. Griswold responded that when she started work with the Village on November 2, the Mayor and the temporary worker had taken in a lot of paperwork and checks within an approximate 4-6-week period, which was a lot to go through. The Knot Whisperer was in that stack. Ms. Budoff asked if there are others that should have appeared before Planning Commission, and Ms. Griswold said she did not believe that to be the case. Mr. Latkovic said it was good to know that it was caught and asked Ms. Griswold if she feels that things are becoming more organized and that a lot of loose items are beginning to shake out and be addressed. Ms. Griswold responded that the majority have been addressed, but while learning the processes of South Russell with no administrative assistant to actively train in those procedures, she has had to look at what had been done in the past in order to know the procedures. Mr. Latkovic expressed concern about the past procedures being helpful.

There being no further business, Mr. Latkovic adjourned the meeting at 8:54p.m.

There being no further business, Mr. Flaiz motioned to adjourn the meeting. Mr. Latkovic adjourned at 8:24pm.



Steve Latkovic, Chairman



Ruth Griswold, Board Secretary

3/12/2021

Date

3-12-2021

Date