

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 22, 2021 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

MEMBERS ABSENT: Nairn

OFFICIALS PRESENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman, Police Chief Rizzo, Solicitor Matheney

VISITORS: Stacey Blair, Morningside Dr.; Ruth Cavanagh, Paw Paw Lake Dr., Chris Bell, Annandale Dr.

The Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. Nairn was absent. **Porter made a motion to approve the minutes of the November 8, 2021, Regular Council meeting, seconded by Carroll. Voice vote – ayes, all. Motion carried.**

VISITORS: Stacey Blair, Morningside Dr., expressed concern about the Lake Louise Bridge repairs. There had been poor communication and the residents had experienced significant delays of 30 minutes to an hour in getting out of the development. The Mayor agreed and said the communication had not been good. The Village tried distributing flyers. A Lake Louise resident agreed to be the liaison with the contractor and to provide timely email information to the community.

MAYOR'S REPORT:

The Mayor showed Council a video twice of the dredging of a lake on North Spring Valley Dr. in Bainbridge. He sent the video to 54 people in the Village to give them an idea of what was involved with silt removal. Carroll asked how much the project cost, and the Mayor did not know. Berger indicated that 70% of the cost was in disposing of the silt.

FISCAL OFFICER'S REPORT: The Fiscal Officer reminded Council of the public records request for any minutes, emails, text messages, and letters regarding the Village 319 grants from 2017 to the present. She had only received information from one Council member. She would re-send the request to Council members again the following day so they could forward the records in their possession to her so she could reply to the request.

The Fiscal Officer indicated that the 2022 Annual Appropriations had been distributed to Council and she requested Council adopt the Appropriations with the knowledge that there will have to be amendments in 2022. It must be adopted by the end of the year.

The Fiscal Officer advised that there were two Manor Brook project items on the bills list that would have to be approved at the following meeting when there were sufficient Council

members to vote. The current bills list would have to be approved without the two invoices, which would bring the total to \$98,647.85.

The Fiscal Officer stated that the new website should be up and running within the next week or two. The Chief provided a preview of the website. The Fiscal Officer advised that much of the photography was done by Lt. Todd Pocek. The website expenses were slightly over budget due to security requirements by the Police Department. However, she had money in the budget and no amendments would be required.

Lt. Todd Pocek would be taking pictures of Council members at the first meeting of 2022.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the month ending October 31, 2021. The fund balances totaled \$4,151,228.00. Through the month of October, the fund balances decreased by \$28,000. For the year, the Village was up \$885,000. A deficit of \$523,000 had been projected for the year. Revenue sources include \$13,300 from the sale of a 1998 Salt Truck and a copier. Revenues also include a Northeast Ohio Public Energy Council (NOPEC) grant and cemetery plot sales. More revenue was received than expected. Revenues could be expected to decrease for the remainder of the year.

Porter noted that \$250,000 had been received in grants and there would have been an impact on the Village's surplus had the grants not been received. The Fiscal Auditor explained that this would be if the Village did not spend this same amount in the same year. Generally, grants come with expenditure. The Fiscal Auditor indicated that the Village had exceeded the expected amount of income tax for the year and with real estate taxes, these are the two largest revenue streams representing 80% of what the Village brings in. The next largest area where the Village might not reach the expected amount would be gas tax. With all other areas, the Village was on target or over the budget.

The Fiscal Officer added that a lot of the Village's projects for which the Village received grant money would not end December 31st. Grant funds have been received, but some of the projects were in progress and/or were not completed. Additionally, the Village just paid the last payment on the 2020 Road Program. The 2021 Road Program was in progress, and it was not certain that the invoice would be received in 2021. The Fiscal Auditor added that given this information, next year might look worse than it really is because the Village received the revenue this year and the expenses will hit next year.

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

Berger stated that the next Finance Committee meeting was scheduled for December 7, 2021, at 8:00 a.m.

SOLICITOR: The Solicitor reported that there was another opioid settlement from Johnson and Johnson. The Village could potentially receive between \$9,400 to \$14,000. The Solicitor volunteered to attend the meeting pertaining to the settlement and the Mayor concurred.

The Solicitor addressed the agreement between MC Art Studio and the Village, specifically about the parking situation, drop-off and pick-up, and the fence. With the drop-off and pick-up process, the plan had not been followed and she wanted to determine what the Village wanted to do about it. The Mayor said he would sit down with Carlene Holtz, the Chief, and the Building Department Administrative Assistant. The Solicitor asked about the fence, which Councilman Carroll previously indicated did not appear to be removable. She asked if the Building Inspector had been asked to determine whether it complied with the variance. Porter stated that it looked permanent. Carroll wanted to be sure it complied. The Solicitor explained that there was an agreement for a reason. The Mayor said he would be ready on December 13th to give Council information.

STREET COMMITTEE: Carroll stated that the Street Committee meeting for Friday, November 26th would be cancelled and rescheduled.

A joint HR/Streets Committee meeting had been scheduled for November 22, but one member's illness precluded it from happening. The Streets, Finance, and HR Committees would try to meet in December to discuss the tiered salary system.

The Mayor stated that Specialized Construction did a good job with the repaving of Chelsea Ct., Fernwood Dr., and the Bel Meadows.

BUILDING COMMITTEE: Berger stated that the next Building Committee meeting would be December 2, 2021, at 8:00 a.m.

SAFETY COMMITTEE: Porter stated the Safety Committee would be meeting December 2, 2021, at 7:00 a.m. at the Police Department.

HR COMMITTEE: Porter referred to the ordinances that would receive first and second readings regarding the Village's Employee Handbook and employee pay.

PROPERTY COMMITTEE: Galicki had nothing to report.

PUBLIC UTILITIES: In the absence of the Chairman, Galicki said there was nothing to report. The Mayor addressed the proposed contract with the United States Geological Survey (USGS), but said Council would hold off on it until Nairn was back.

PARK COMMITTEE: Galicki said that in anticipation of the 2022 Fall Festival, the committee would like to reserve the pavilion for every Sunday in September and the first two weeks in October. There was reticence on the part of members of the Park Committee to pick a date now without knowing the Brown's schedule for next year.

The Mayor asked how much the Fall Festival cost the Village, and Galicki deferred to the Fiscal Officer but said he thought it was only the cost of the food. The Fiscal Officer explained that the Village had gotten its money back from the band and pony ride vendor. Greg Pike was trying to negotiate with the face painters and bubble entertainer, but they had not been responsive. He would consider different vendors for next year. The Fiscal Officer said she would provide the Mayor and committee with the costs.

The Mayor suggested the Village should have a provision included in the contracts for reimbursement in the event of cancellation. The Solicitor concurred but said whether the vendors agreed to such a provision was another matter.

Galicki made a motion to block off the four Sundays in the month of September and the first two Sundays in the month of October in anticipation of scheduling the Fall festival for 2022, seconded by Carroll. Voice vote – ayes, all. Motion carries.

ORDINANCES/RESOLUTIONS:

Carroll indicated that the ordinance terminating the grant agreement between the Ohio Environmental Protection Agency and the Village of South Russell for the project titled Manor Brook Headwater Stream Restoration Project bearing Project Number 19(h)EPA-19 / SORUSS-FD31919 and authorizing the Solicitor to send written notice of termination to Ohio Environmental Protection Agency remained tabled.

Porter provided a second reading of an ordinance amending the overtime section of the Village's Employee Handbook and declaring an emergency.

Porter provided a second reading of an ordinance amending the pay increases section of the Village's Employee Handbook to include Service Bonus Program.

Porter introduced an ordinance amending the medical insurance section of the Village's Employee Handbook and declaring an emergency. Porter made a motion to waive readings, seconded by Carroll. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Berger. Roll call – ayes, all. Motion carried. **ORD 2021-72**

Porter introduced an ordinance amending the Village's Employee Handbook and declaring an emergency with regard to the definitions of "full-time employee" and "part-time employee". Porter made a motion to waive readings, seconded by Berger. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Berger. Roll call -ayes, all. Motion carried. **ORD 2021-73**

Galicki introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into a joint funding agreement for water resource investigations with the U.S. Geological Survey United States Department of the Interior and declaring an emergency. The Solicitor indicated that this needed to be passed before November 29 to allow USGS representatives to come to the Village in December. The Mayor said he saw that USGS could not do any work until the contract was signed. Porter indicated that the USGS price was about the same as it had been for the last couple of years. He saw it as an insurance policy with regard to water levels in the Village. The Fiscal Officer pointed out that it was a five-year contract instead of a one-year. Galicki made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt, seconded by Carroll. Roll call – ayes, all. Motion carried. **ORD 2021-74**

Berger introduced the 2022 Annual Appropriations ordinance. Carroll questioned whether it contained anything pertaining to the Manor Brook project. The Fiscal Officer indicated it did

and she and the Solicitor advised that a special meeting would be necessary because there were not enough votes to waive readings. Berger withdrew his introduction.

Carroll introduced an ordinance of the 2022 Annual Appropriations as follows: General Fund: Salary Benefits, \$273,630; other \$281,102; Service Fund, \$108,006; Building Department Salary and Benefits, \$104,264; other \$73,225; Ambulance/Fire fund, \$523,991; Deferred Benefits, \$10,000. Special Revenue Funds: Street Maintenance Fund, \$639,134; State Highway Fund, \$13,000; Cemetery Fund, \$9,000; Parks & Recreation Fund, \$21,800; Safety Fund Salaries and Benefits, \$1,386,475; other, \$365,312; Operating Fund Salaries and Benefits, \$377,688; Other, \$71,837; Road Bridge Fund, \$256,000; Income Tax Fund, \$1,800,000, Special Road Fund, \$9,200; Special Building/Land Fund, \$15,000; Manor Brook Project Fund, \$103,700; Trust and Agency Funds Building Construction Deposits, \$88,850; Total Appropriations, \$6,531,214.

The Fiscal Officer explained that two more meetings would be required to approve because readings could not be waived. She proposed having two meetings on December 13th. Only four of the Council members were able to adopt it.

The Mayor stated that there would be a one item Special Council meeting on December 13th at 7:15 p.m.

BILLS LIST

Berger made a motion to ratify the bills list dated 11/15/2021 as amended in the amount of \$98,647.85, seconded by Carroll. Voice vote -ayes, all. Motion carried.

NEW/OTHER: Galicki had no new business.

Porter stated that there were two components to the Whitetail agreements, the Whitetail/South Russell Village agreement and the easement between Whitetail and South Russell. The attorney for Whitetail reviewed the submission approved by Council and came back with some changes, none of which were substantive other than adding project work hours of 8:00 a.m. to 6:00 p.m. These changes were provided to the Solicitor who agreed with them and made some additional grammatical corrections. It was then sent to Ohio Environmental Protection Agency (OEPA) for approval. OEPA provided minor additions. Porter sent the final agreement to Coral Company, the management company for Whitetail. He also sent it to Peter Dougherty, the President of the Whitetail Homeowners' Association (HOA). Porter hoped the documents would be returned expeditiously so that by the December 13th meeting, Council could address the project. Porter added that it would have to go to the Geauga County Auditor and then be recorded with the Geauga County Recorder's Office. This would constitute half of the project, and Porter said it would be called Phase I, which was north of Manor Brook. Phase II would be south of Manor Brook. The purpose of the project was to address flooding upstream and downstream of the culvert pipe on Chillicothe Road which had been causing so much trouble. Porter would convey any further developments to eligible members of Council.


Berger stated that the Village had a contract with Inspection Solutions in 2021 that contained a limit. It appeared the Village will need to exceed the limit. **Berger made a motion to increase the 2021 budget for Inspection Solutions by \$3,000, seconded by Canton.** Porter asked why

it exceeded the amount, and Berger said it was due to the number of inspections and activity in the Village, which were up 40% from last year primarily in residential inspections. **Voice vote – ayes, all. Motion carried.**

Canton congratulated the State of Ohio 2021 Ladies' Chagrin Falls Tigers Soccer team and coaching staff for winning the State Championship.

Carroll wished everyone a happy Thanksgiving.

ADJOURNMENT: Being that there was no further business before Council, **Carroll made a motion to adjourn at 8:13 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.**



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki