

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, JANUARY 24, 2022 – 7:30 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Bell, Berger, Canton, Cavanagh, Galicki, Porter

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Alder, Engineer Haibach, Solicitor Matheney

VISITORS: Bruce Hendricks, Maple Springs Dr.; Mary and Michael Sparger, Parkland Dr.; Barbara Smith, Royal Oak Dr.; Keith and Barbara Sooy, Parkland Dr.; Katie Hanson, Royal Oak Dr.; Steve Chokshi, Annandale Dr.

The Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. Regarding the minutes of the January 10, 2022, Council meeting, Berger stated that there was some confusion in the way that a nomination was processed. To clarify the record, **Berger nominated Porter as the Council representative to the Planning Commission (PC), seconded by Canton.** Berger added that this action would fix the minutes. The Solicitor explained that it was clear from the meeting recording that the name was not stated in the nomination. She clarified that this would not be a clarification of the minutes. Regarding the motion, **Galicki nominated Canton. Hearing no second, a voice vote was taken for the Porter nomination – ayes, Berger, Canton, Cavanagh, Porter, and Bell. Nay, Galicki. Motion carried. Cavanaugh made a motion to approve the minutes of the January 10, 2022, Regular Council meeting, seconded by Porter. Voice vote – ayes, all. Motion carried.**

VISITORS: The Mayor explained that there would be a Power Point presentation to explain some of the Parkland Dam situation. The Engineer would explain the engineering role in determining the extent of the needed repairs. The Solicitor would describe the financial and legal procedures that must be followed. After this, visitors would be able to comment. He added that those individuals viewing the live stream of the meeting were not permitted per the rules of the State of Ohio to participate in the meeting remotely.

The Mayor reviewed that in November 2020, the Village received a petition from the eleven owners of the Parkland Dam asking for help in keeping their dam safe and functional. Since that time, the Village researched what the Village could and could not do to help private property owners. The Mayor provided this information in a letter he distributed to the residents. Subsequently, he also made inquiries with Citizens Bank. The Mayor stated this was a new process for the Village and he wanted to make sure that what was done was in the best interest of all residents since it involved public funds.

The Mayor displayed the power point presentation. He reviewed the water flow through the Village and discussed the Village's stream enhancement project. He thought this project helped but did not solve the water situation since stormwater still overtopped Chillicothe Rd. The presentation included pictures of the Parkland Lake and the dam as well as the homeowners' petition to the Village. The Mayor concluded by saying the issue was determining what the Village could and should do to assist with the Parkland Dam.

The Engineer explained that the next step would be for Council to decide whether to move forward with repair of the Parkland Dam as a municipal style project with a bond. Should Council choose to move

forward, the first step would be a geotechnical investigation of the dam structure, which would cost about \$20,000. It would be subcontracted to a geotechnical firm that specialized in this work. With that information, the scope of the repair necessary to stabilize and rebuild the dam could be determined. It would cost between \$10,000 and \$12,000 to create two to three proposals and alternatives for the project to present to the owners of the dam who would ultimately be paying for the project. After this, plan sheets and a spec book would be developed, and the project would be advertised for competitive bid. The Village would then choose the bid that was lowest and best for the work prescribed, and then would go forward with administering the project to completion.

Mike Sparger, 6007 Parkland Dr., clarified that the Engineer would provide the project management, and the Engineer concurred. Sparger noted that he had seen some other bids that had a separate cost associated with project management. The Engineer explained that as a municipal project, he would see it through the entire process. Sparger addressed planned stormwater mitigation on the east side of Chillicothe Rd. The Engineer explained that the Village would be constructing a three-acre retention basin on Village property that would be most impactful to everyone downstream, including the residents of Royal Oak Dr. and Parkland Dr. The goal of the project was to prevent water from overtopping Chillicothe Rd. With the ability to catch and slow the water, there would be a dramatic reduction in the volume and intensity of flow that comes into the Chagrin Lakes swim lake and ultimately to Parkland Lake. However, the Engineer explained his preference would be to engineer a solution for the Parkland Dam as if this project does not exist. He wanted the finished project to be as robust and resilient as possible to accommodate any big rain events in the future.

Bruce Hendricks relayed a text received from Jane Hellwig, who stated, “so we pay for but have no control over who is hired.” The Engineer said this was correct, which was in keeping with Ohio laws and the requirements of the Village as an incorporated municipality in publicly vetting the project. It would be no different than any other storm or road improvement project.

Cavanagh asked for clarification about the nature of a geotechnical study. The Engineer explained the geotechnical investigation would determine the condition of the dam and would include soil borings and core samples to determine if the hardened core of the dam were still intact or in need of repair.

The Mayor asked if the project should be done after the detention pond was built in July 2022. The Engineer said the two projects would be separate and could go on concurrently. Inquiries with geotechnical firms indicated that if the Village were to proceed, a geotechnical study could be completed in February with a preliminary design with options prepared by the end of March. It could be ready to bid by the end of June and award in July. Porter noted that this would be before the effect of the detention pond on the dam could be determined. The Engineer reiterated that he would not want to reduce the scope and efficacy of the dam based on this factor. The Engineer said that he could not guarantee that water would never flow over the emergency overflow of the dam even with the detention pond project, particularly with its undersized outlet structure. Galicki clarified that the detention pond would definitely mitigate, and the Engineer concurred.

Katie Hanson, 1135 Royal Oak Dr., asked why the dam was now failing, whether something had happened recently. The Engineer explained that factors included the intensity of storms which overwhelm the drainage structures as well as the installation of a new restrictive outlet structure that caused water to overwhelm and flow over the emergency spillway and erode the dam. Hendricks added that the Chagrin Lakes swim lake also installed a larger culvert that has caused water to rush into the lake more quickly. Regarding the replaced outlet structure, the pipe itself was the same as the original and the flow is the same. Part of this project would be to enlarge this substantially.

From viewing property lines on the Geauga County Auditor's GIS site, the Engineer observed that the dam is located on only two properties. Hendricks thought this was correct. The Engineer asked if the lake and dam was owned or governed by a Homeowners' Association (HOA). Hendricks said it was not. He explained that one of the two owners, Stan Rothchild, has granted access through his property for the project. The Engineer reiterated that he had been unclear about the internal governance relating to stakeholders of the lake and dam. Hendricks said it was just them. The Engineer indicated that the Power point presentation indicated there were eleven owners of the dam, when it appeared that there were really only two and the others owned slices of the lake. The Engineer inquired whether there was an official arrangement with the dam or an association that governed it. He concluded it appeared that it was just a shared responsibility of the maintenance of the lake and land, and Hendricks concurred.

Barb Sooy, 6009 Parkland Dr., said she now recognized that there were two issues, flow and erosion. She asked if they were to control the flow so that there was no overflow, would the dam still be considered in peril because of the erosion it had already sustained. The Engineer said he did not have that answer without a geotechnical investigation. Cavanagh said the dam must be inspected by the State, and the Engineer explained that it did not because it was not an Ohio Department of Natural Resources (ODNR) regulated structure.

The Mayor reviewed the expense of the preliminary steps and added that these would be done before hiring bond counsel. The Engineer said no because the cost of these steps were project costs. Porter concluded that the residents could pay up to \$35,000 to find that the recommendation was to take no action. The Engineer said this was a potential. Porter asked the residents if they were alright with this and said it would answer their questions about the dam. Hendricks said it would be money well spent.

The Solicitor was not completely sure that if the decision was ultimately not to move forward with the project that the engineering costs could be attributed to the petitioners. She thought a separate agreement would have to be reached, but that this was something bond counsel would be able to clarify.

The Mayor said he told the residents he would provide them with a Zoom meeting so they could have their own meeting.

The Solicitor stated that first, Council must declare that this project was conducive to the public health, convenience, or welfare. The eleven abutting landowners of the lake petitioned the Village and accepted the assessment to fix the dam. There was legislative authority for Council to do this, but first Council must declare that it was conducive to the public health, convenience, and welfare. Ultimately, public money could not be spent on a private project. An assessment could be different and done through the issuance of securities like a bond. She indicated that there was a chapter in the Ohio Revised Code (ORC) as to the procedure of how it goes forward and the costs that are included in it. There were resolutions and declarations that Council must make along the way. It was a process. Her recommendation to Council was to obtain an attorney familiar with the issuance of bonds. It was a narrow area of the law, and the Solicitor nor her firm could provide this expertise.

In the event Council chose to move forward with the project, the geotechnical and preliminary engineering costs would be included in the total cost of the project and would be part of the assessment. She did not know the duration of the assessment. This discussion was just preliminary without finding out more information. The Solicitor wanted to make sure everyone was on the same page and reiterated that Council would need to make a series of decisions, the first of which would be to obtain bond counsel. A meeting on January 31st might make sense but could not be with Council via Zoom.

Porter asked the Solicitor if Council needed to make the declaration before engaging bond counsel, and the Solicitor stated that Council should first obtain bond counsel and then determine whether the project was conducive to the public health, etc. Galicki added that the bond counsel would guide Council to determine whether there was public interest or not. The Solicitor concurred and said the declaration was very important. The Solicitor added that this was section 727.01 of the Ohio Revised Code, which was exactly what was cited in the petition provided by the residents.

The Mayor said Council would consider engaging bond counsel and then he would set up a Zoom meeting for the residents where he would just turn it on and go watch T.V. and they could have a private meeting. The Solicitor suggested that if the residents had their own Zoom account, this would be better. She did not think the Village's Zoom account should be used for this purpose.

There was a question about the president of the HOA for the Parkland Lake, and the response was that there was no HOA. Sparger clarified that there was not an HOA for the lake, but there was one for the Chagrin Lakes community. Galicki asked if any of the HOA board members were involved or was the HOA divorced from the project. Sparger said it was up to the lake owners.

Steve Chokshi, 28 Annandale Dr., said he received a letter regarding the proposed detention pond. Chokshi asked about the size of the pond and how much of the vegetation would be cleared for it because the vegetation blocks his view of Chillicothe Road. He also asked whether there should be concern for mosquitos and bugs with the potential for standing water. The Engineer thought the setback from the proposed construction site from Kensington Green was about 600 feet. Porter recalled it was 300 feet and added that the screening vegetation would be undisturbed. Porter added that he was a neighbor of Chokshi, and the pond would not be visible from Chokshi's deck or his own. It should not be a breeding ground for mosquitos because it is intended to be a dry pond. Porter advised that of the homeowners, Chokshi would have the most impacted property. He described that the pond would be about the size of a football field, three acres, and about four feet deep. It should stop the problem with water going to Parkland, although the Village was unsure about that. The Engineer said it would certainly help. Porter concluded that the effected neighbors on Annandale would not be looking at anything with the project that was not already there. The Mayor described a similar project in the area, and Porter added that the Village did not plan to keep the area wet and that in the future, the detention pond could be used as a soccer field. The Engineer reviewed how the detention pond would function.

MAYOR'S REPORT: The Mayor stated that on Wednesday, April 13th at 7:00 p.m., the Geauga County Township Association would hold its quarterly meeting. He noted that Grace Gallucci, a representative of the Northeast Ohio Area Coordinating Agency (NOACA), would be attending and it was beneficial to stay in her good graces for acquiring funding. Cavanagh described the distribution of NOACA funds.

The Mayor advised that he and the Fiscal Officer watched the webinar from the Ohio Grant Partnership which explained State and local fiscal recovery updates. From the webinar, he learned that funds could be spent for environmental remediation.

The Mayor described the successes of Chagrin Valley Dispatch and its personnel.

Northeast Ohio Public Energy Council (NOPEC) was building a solar farm in Circleville.

The Girl Scouts were looking for a project and could have up to 125 scouts. He would refer the matter to the Properties Committee and added that the trails needed work. Cavanagh asked for the point of contact for the Girl Scouts, and the Mayor said he would provide it to her at the Park Committee meeting.

The Mayor and Chief would meet with the Cub Scouts for a tour of the Village campus.

The Mayor reported that the case with 1233 Bell Rd. would be going to trial on February 10th. The Solicitor asked if the homeowner was represented by counsel, and the Mayor thought it was a public defender. The Mayor explained that the case involves cars parked at the house and trash in the back. Vehicles should be moved every 72 hours.

Ponyboys restaurant opened. The owners said they would not be getting a sign and have been packed since they opened. The Mayor discussed the activities of other South Russell businesses. The Sleepy Rooster won an award and would be approaching the Village about a liquor license.

The Hazmat meeting will be Wednesday, January 26th. The Mayor explained that the Village pays \$3,500 to be in a co-op with 20 municipalities. The Chief explained that Hazmat handles hazardous spills that might occur. Hazmat also has a regional group that can assess the structural integrity of a building to ensure safety for first responders.

FISCAL OFFICER: The Fiscal Officer distributed her report. She advised that the hourly rate of the bond counsel is \$400 per hour, which is a \$125 discount over their regular rates. The next step would be to set a meeting with Council and bond counsel to get direction. She would make this inquiry.

The Village's year end cash balances were filed with the county. The county Budget Commission will be meeting on February 7th. Once they certify the year end cash balances, Council can begin amending appropriation for 2022 for the projects as well as bond counsel, which was not budgeted.

The Fiscal Officer would be working on the State report due at the end of February. She spoke to the State Auditor's Office last week, and they are trying to wrap up the Village's audit. They still needed to contact members of Council who had reached out with questions.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the month and year ending December 31, 2021. The Fiscal Auditor stated that the fund balances reflected on the report were arrived at independently from the fund balances determined by the Fiscal Officer. The Fiscal Auditor reported that his fund balances matched the Fiscal Officer's across the board to the penny. The Village ended the year with just under \$3.6 million. He pointed out that a little over \$200,000 reflected were funds that were being held as deposits. For the month of December, cash balances decreased by almost \$400,000. For the year, the Village finished over \$300,000 in the black, which was much better than what had been budgeted, which was a deficit of \$500,000. This occurred because of timing differences with receipt of grants when expenses had not been made. It was also because the Village may have been too conservative budgeting certain income streams like Income Tax. He reviewed revenue sources, noting that the Village did well with ambulance fees, and Building Department fees. The Fiscal Auditor also noted that the Village did not meet its projected amount with gasoline tax. Interest income had not been good, and once they increase, the Village will look at some investment options depending on the spending plan Council determined for the next few years. The Fiscal Auditor referred to the Income Tax entry on his report and said the Village came in better than expected. He added that Income Taxes and Real Estate Taxes were the major sources of the Village's revenue. For the new Council members, the Fiscal Auditor explained the Village's various funds.

Bell asked what happens when a project is completed and there is still money in the fund. The Fiscal Officer explained that if there were no money left in the fund, the fund closes. She then explained the procedures surrounding funds, specifically that getting money out of the funds involved a process with the courts to get the funds ultimately back into the General Fund. Grants require a different process.

Porter asked if the Income Tax received by the Village was the highest it had every received. The Fiscal Auditor thought it was, and the Fiscal Officer added that it may increase because of people working from home. The implication and rules surrounding the trend of working from home were discussed. The Fiscal Officer advised that after January 2022, employers must deduct for where the employee physically worked, however this may be challenged at the state. She thought the Village would see an increase for people working from home and advised that the Village should increase the expectations for that budget line item. The Village had been conservative given the unknown circumstances with COVID. The Fiscal Officer cautioned, however, that there were people in the Village who pay a lot of income tax, and the Village has been in a position where it had to make refunds. If the wrong person moves out of the Village, that can have a significant impact on revenues.

Berger asked Canton as the Chair of Building Committee to investigate the over \$200,000 in deposits to determine if the number has gone up or is flat as well as the process of forfeiture of the deposits.

FINANCE COMMITTEE: Galicki reported that Finance Committee met on January 24, 2022, and the minutes will be provided in the next Council packet. **Galicki made a motion to approve the January 24, 2022, Credit Card and ACH payment report, seconded by Berger. Voice vote – ayes, all. Motion carried.**

Galicki made a motion to approve the fund balances, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

SOLICITOR: The Solicitor thanked the elected officials for providing her with the list, if any, of organizations or boards on which they serve. She distributed an Executive Session “cheat sheet.”

ENGINEER: The Engineer discussed the LIDAR study results. The study covered the area of Country Estates, Alderwood, the south end of the Modroo property, and half of South Russell Village Park. Galicki asked if there were any surprises presented by the study, identification of problems resting with one specific development. The Engineer could not say that. The area is very flat. The Engineer advised he has the original improvement plans from Country Estates that showed the water surface elevations for each of the four ponds. There was not a lot of difference between Pond 2 and Pond 3. There was a nice flow from Pond 1 into Pond 2. The elevation of Pond 1 is 1109.1. The water surface elevation of Pond 2 is 1104.3. The difference between Pond 2 and Pond 3 is 1104.3 and 1104.1. Bell asked if this was where the trenching was occurring, and the Engineer said no, that was between Ponds 3 and 4. He was concerned about the effectiveness of the drainage between Ponds 2 and 3 since they were so close in water surface elevation. In the original improvement plans, he recalled a much bigger difference between these two water surface elevations. This information was something that the HOA for Country Estates could use. Berger asked what could cause the change. The Engineer said it could have been the result of the lowering of the level of Pond 2, which was unlikely, or raising it with Pond 3, which was more likely.

The Mayor stated that it was a 10-foot drop from the south to the north. The Engineer said this was still the case, but it was not a long way given the distance over which the water flows.

The Engineer was impressed with the detail of the Lidar study and felt The Preserve and/or Country Estates should be interested to see it because of the detail of how the water flows. The Engineer stated that it was a topographically interesting area, somewhat like a horse's saddle that goes up on the ends and down on the sides. He added that it appears that historically, before Country Estates was built, the water flowed from north all the way south towards Bell Rd. Once Country Estates was developed, they captured the water and moved it contrary to where it was flowing before. This was possible because the area was flat and it did not take much to redirect the water.

Porter asked how the residents would be provided this information, and the Mayor said he told them it would be discussed at the February 14th Council meeting. The Fiscal Officer suggested posting the PDF's on the website. The CAD files could be made available on the Google Drive. The Mayor stated he would email the HOA Presidents of Country Estates and The Preserve and tell them it was all on the website and concluded it would not be necessary to bring them in to meet and explain it to them. The Engineer said that they should be given access to all the information and allowed to determine what it means to them. He added that the ditch clean out had begun between Ponds 3 and 4 and he thought this alone would make a dramatic difference in how effectively the water gets out of Pond 3. The residents to the east will notice a difference.

The Street Commissioner stated that in the process of the ditch clean-out, a HOA member requested assistance in raising their water level by a foot. This was discussed with the Engineer and the contractor, and the resident's pond was raised by 8".

The Engineer stated that the HOA has plans for Pond 4 but wanted the Village to complete its work first.

Regarding the detention pond, The Engineer spoke to Jeff Greenlief, whose property is the closest to the project. While he understood why the pond was needed, he did not like it because of the vegetation that would be cleared and the resulting view of Chillicothe Road. The Engineer relayed that the Village would leave as big of a transition area as possible, on which the Village could choose to plant evergreens for screening. Greenlief asked the Engineer to consider other options for shaping the pond so as to move it away from his house. The Engineer engaged the design group to determine practicality and cost of doing this. He would have the answer to this in the coming week. However, he did not think this should delay approval to get the project out to bid. If subtle changes were made, he would seek Council approval, but he felt Council should move forward. The Mayor said it was 13 feet from Greenlief's property line. The Mayor also spoke to Greenlief. The Mayor felt that people in Manor Brook would be watching this situation carefully since they would be facing a similar issue with the Whitetail project. He thought screening would be money well spent. The Engineer told Greenlief that what was being built will be far from ugly. Greenlief's main argument was that it would decrease his property value, and the Engineer explained that the resident could predicate the value of his property on what his neighbor did with their property. At the end of the day, it is the Village's property and the Village should make this improvement to it. He supported the Village installing screening after completion of the project to minimize the impact.

The Mayor suggested that adding a ditch or two to help with drainage on adjacent properties could help smooth things over. The Engineer said this would require an easement, and that Greenlief had discussed this with him. Although creating a swale to help the residents with water issues was a good idea, it was on private property and the work the Village was doing was on public property.

Bell said that both Greenlief and Chokshi expressed concerns about clearing of vegetation and exposure to Chillicothe Rd. Being good neighbors, Bell suggested planting immature conifers that over time would grow. The Engineer said he would encourage Council to do this. He reiterated that the project should first be constructed to determine where the screening would be most valuable.

Porter made a motion to authorize the Mayor, Fiscal Officer, and Engineer to go out to bid for the detention pond to be build south of Village Hall, seconded by Bell. The Mayor asked for a rough idea of the cost of the project, and the Engineer said about \$300,000. He had not delved into this project as much in preparation for the meeting. The Mayor suggested waiting, and Porter and the Engineer said no, that decisions could be made once the bids came back. **Voice vote – ayes, all. Motion carried.**

STREET COMMISSIONER: The Street Commissioner advised that April 27th and 28th were available for Senior Trash pickup in coordination with the Geauga County Department on Aging, and he proposed April 30th for Trash Day. **Bell made a motion that South Russell Village Trash Day is April 30, 2022, seconded by Cavanagh. Voice vote – ayes, all.**

Cavanagh complimented the Street Commissioner on the condition of the roads.

STREET COMMITTEE: Porter stated the next Street Committee meeting will be Friday, February 4, 2022, at 7:30 a.m. in the Street Commissioner's office. He commended the Street Department and the Mayor's Office for dealing with the snow event on Martin Luther King Jr. Day.

Porter verified R&B Trenching was doing the work between Country Estates Ponds 3 and 4 in the amount of \$4,700.

Bell concurred with Porter regarding the work of Street Department personnel.

The Mayor stated that before continuing with committee reports, he wanted to share his ideas. For Finance Committee, should employee salary and benefits move to the HR committee? For the Property Committee, should the committee get involved with buildings also and not just land? For Public Utilities, should this committee take over ownership of the stormwater? These questions would be discussed in March.

BUILDING COMMITTEE: The January Building Committee minutes were submitted. The Building Committee will meet on Thursday, February 3rd at 8:00 a.m. in the Building Department office.

Canton yielded to Bell. Bell had nothing to report.

SAFETY COMMITTEE: Galicki indicated that due to the efforts of the Police Chief, work had commenced three weeks early on the resurfacing of the Police Department garage floor. A special meeting of the Safety Committee will take place Thursday, January 27th at 8:00 a.m. in Village Hall.

HR COMMITTEE: Berger stated that the HR Committee will meet Tuesday, January 25th at 3:00 p.m. in Village Hall.

PROPERTY COMMITTEE: Canton stated that the 2022 agreement between the Village and the Geauga Fresh Farmers' Market was distributed to Council. The Solicitor advised that the agreement was between the Geauga Fresh Farmers' Market and the Village to use Village property. There had been discussion by Council last April regarding whether the Village had discretion or control over the vendors that participate in the market. It was asked when the agreement was needed, and the Mayor offered that there was an organizational meeting Wednesday. He thought that it needed to be approved

quickly. Cavanagh asked if the Village had a contract with the Farmers' Market, and the Solicitor explained that it was an agreement that concerned use of the Village property to include the times, hours, signage, set-up and take-down, etc. She reiterated that there had been discussion by Council last year about control over the vendors. Berger said the agreement did not address this. Porter said it would be the Farmers' Market rather than the Village. Berger disagreed and read the agreement. He noted there were no terms concerning who allows which vendors to participate. Porter agreed that it did not provide for the Village to have veto authority over vendors but did not know if that would be something the Village wanted. Berger asked if the Village should have this ability. The Solicitor recalled the previous discussion included the possibility of a vendor engaging in illegal sales, like of firearms, and whether this would nullify the contract. Canton asked if there had been a challenge or problems. The Solicitor stated that an artisan who wanted to participate and was denied had come to Council. The Solicitor thought this was a private issue. Berger said that the Village cannot ratify an agreement that allows for illegal activity, and the Village should have the right to step in and say that this activity violates the agreement as a matter of public policy. Berger stated that if it were a matter of preference about a vendor, the Village would not have a say. Galicki said the Farmers' Market should regulate this. The Village was just providing an area. If the Village got into picking and choosing what vendors may participate, the Village would be exceeding its authority. The Farmers' Market organization puts the vendors together and they are the regulatory people. The Solicitor said it raised a good question about what policies were in place for the vendors of the Farmers' Market. For example, if they allowed a vendor that discriminates to participate, this is illegal, and the Village would be providing a space for this vendor. The Solicitor thought it would be good for the Village to have this information. Berger suggested that it should be an attachment to the agreement.

Cavanagh asked if there was a point person for Geauga Fresh Farmers' Market, and the Mayor said he was. He would provide a copy of their constitution.

Canton thanked the Street Commissioner for repairing the thresholds in Village Hall. He thanked the Chief for the work that was being done on the Police Department garage floor. In the Service Department, the north door plus the bay doors and hardware are a work in progress. Maintenance will take place in spring or summer for the Bell Rd. Cemetery.

PUBLIC UTILITIES: Porter stated that the committee met January 21st and the minutes were distributed. One topic discussed was that stormwater does not fall neatly into one committee. He saw Public Utilities as an underutilized committee and the committee felt stormwater should be addressed by the Public Utilities Committee because it was a broad category. He proposed that stormwater mitigation be put under this committee providing there were no objections by Council. Galicki stated that when he was on the Public Utilities Committee, there was a question raised about what constituted a public utility. Trash collection was thrown in that basket, but according to the ORC, it is not really defined. Barring any restrictions in ORC, he thought it was a good idea. Porter relayed the history of the rationale behind putting a Council member on Parks Committee and on the Cemetery Committee. The Mayor did not see any problem with it.

With this change of responsibility, Porter stated that he and Berger planned to reach out to one of the Parkland Dam residents, Bruce Hendricks, to determine the residents' take on this evening's meeting and what might be done in the future.

The next Public Utilities Committee meeting tentatively will be set for February 18, 2022, at 8:00 a.m.

The Street Commissioner addressed leaning utility poles on Washington St. and Daisy Ln. First Energy owns the poles, and the wires are leased to Windstream. The electricity had been moved to the new poles, but the Windstream wires were too short. Windstream hopes to have them moved in the next few weeks. The old poles will be removed once the wires are relocated.

ORDINANCES/RESOLUTIONS:

Porter, as Public Utilities Chairman, introduced an ordinance approving the engagement of McDonald Hopkins, LLC to serve as bond counsel to the Village of South Russell, authorizing the Mayor to execute the engagement letter, and declaring an emergency. Porter made a motion to waive readings, seconded by Bell. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Berger. Roll call – ayes, all. Motion carried. **ORD 2022-09**

Cavanagh provided a second reading of an ordinance repealing Section 220.01(a) of the Codified Ordinances of the Village of South Russell, enacting new Section 220.01(a) of the Codified Ordinances of the Village of South Russell, and declaring an emergency. Porter suggested the meeting time of 7:00 p.m. as a compromise. The Solicitor indicated that the ordinance still stated 6:30 p.m., but changes would be made for the February 14th Council meeting.

Porter introduced an ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2022 Energized Community grant funds and declaring an emergency. 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 2022-10**

Porter introduced an ordinance authorizing the Mayor and Fiscal Officer to apply for and accept NOPEC grant funds for the 2022 Community Event Sponsorship Program on behalf of the Village of South Russell and declaring an emergency. Porter made a motion to waive readings, seconded by Cavanagh. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Berger. Roll call – ayes, all. Motion carried. **ORD 2022-11**

Galicki introduced an ordinance repealing Ordinance No. 2021-69 and adopting new ordinance establishing a blanket purchase order amount limit as required by the Ohio Revised Code 5705.41(D)(3) and declaring an emergency. Galicki made a motion to waive readings, seconded by Berger. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt, seconded by Berger. Roll call -ayes, all. Motion carried. **ORD 2022-12**

Canton introduced an ordinance to approve current replacement pages to the South Russell Codified Ordinances and declaring an emergency. Canton made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Canton made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2022-13**

The Mayor did not want the Resolutions of Appreciation for former Council members Nairn and Carroll introduced because he wanted to speak to the HR Committee about them. Galicki replied that there would be three readings for the resolutions, so that changes could be made over the course of that time.

Berger introduced a Resolution of Appreciation for Michael Carroll.

Berger introduce a Resolution of Appreciation for Cindy Nairn.

BILLS LIST

Galicki made a motion to ratify the bills list dated January 14, 2022, in the amount of \$55,237.69, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

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

Canton recognized Pam Malone, the head coach of the Chagrin Falls Lady Tigers soccer coach, who was named National Soccer Coach of the Year.

Cavanagh stated that the Village's 100th anniversary was coming up and she wanted to display significant residents on the website. The Chief had suggestions for accomplishing this, and the Fiscal Officer suggested soliciting historic pictures from residents through the newsletter.

The Engineer stated that he and the Street Commissioner observed some cracks in the concrete base of the salt dome. He wanted his structural engineer to look at it to determine the best repair solution. He would bill it to General Services.

At 9:41 p.m., Porter made a motion for Village Council to go into Executive Session with the Mayor, Solicitor, and Engineer pursuant to ORC section 121.22 (g)(2), seconded by Berger. Roll call – ayes, all. Motion carried.

Council exited Executive Session at 10:06.

ADJOURNMENT: Being that there was no further business before Council, **Galicki made a motion to adjourn at 10:07 p.m., seconded by Berger. Voice vote – ayes, all. Motion carried.**


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki