

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, MARCH 28, 2022 – 7:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Fiscal Auditor Lechman,
Solicitor Matheney

VISITORS: Anastasia Nicholas, CVT

The Mayor called the meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. **Cavanagh made a motion to approve the March 14, 2022, Regular Council meeting minutes, seconded by Canton. Voice vote – ayes, Bell, Berger, Canton, Cavanagh, and Galicki. Porter abstained. Motion carried.**

VISITORS: Anastasia Nicholas, Chagrin Valley Times, introduced herself to Council and said she would be the reporter to cover South Russell.

MAYOR’S REPORT: The Mayor reported that he and three Council members attended the Ohio Municipal League (OML) Elected Officials training on March 28th.

The Mayor reported that the State is conducting hearings on a five-year plan to phase in 26.5% for Police and Fire Retirements. The Village currently pays 19.5% for the police and 24% for fire.

The Mayor received the Chagrin Valley Fire Department (CVFD) Building Fund donation agreement and information, which he would provide to Finance Committee for review. The Village is being asked to donate \$70,000 for the CVFD Building Fund.

The Mayor will be discussing two proposals for concerts with the Chagrin Falls Chamber of Commerce. They will feature an Elton John performer and the Chagrin Falls Studio Orchestra on July 10th and August 9th respectively. Wine tasting may occur at the August 9th concert. He would address this with the Parks Committee.

Western Reserve Land Conservancy will hold a Zoom meeting concerning outdoor lighting on Tuesday, April 5th at 6:30 p.m.

The Mayor would also be sending the Northeast Ohio Area Coordinating Agency (NOACA) Climate Action Pledge to the Properties Committee.

The Mayor addressed a request by a resident to hold a burial at the South Russell Village Cemetery on Sunday 4/3/22 at 3:00 p.m. Council’s approval would be necessary since the request is contrary to Cemetery Rules and Regulations. The Solicitor explained that the Cemetery Rules and Regulations contain exceptions for hardships or circumstances, and a motion would be required as this request involves such an issue. Porter asked whether the individual was willing to pay the cost of overtime for Street Department personnel and added that the requestor offered that the Village could pencil him in for Saturday as well. The Fiscal Officer said that the overtime costs for the two workers would be \$395. Porter verified the availability of Street Department personnel. The Mayor asked the Fiscal Officer to explain the charges for a Saturday burial, and she explained it would be \$450. The \$395 would just be

for labor on a Sunday and not for supplies, etc. Cavanagh said that Sunday was when the bulk of the family could attend and hoped Council would accommodate him. Galicki noted the offer to have it on Saturday. **Porter made a motion to permit this exception for Daniel Reynolds to conduct a funeral and burial service for his wife April 3, 2022, provided he pays the cost of \$845 to the Village for labor and services on that Sunday as well as the purchase of the burial plot in advance of the ceremony by close of business Friday, April 1, 2022, seconded by Canton. Berger requested to amend the motion to include that any necessary documentation also be submitted. Voice vote – ayes, all. Motion carried.**

Berger relayed a recent experience with a family burial in Hudson, Ohio. The burial could start no later than 1:00 p.m. because the workers only stayed until 3:30, and they would not accommodate beyond 3:30 p.m. The Fiscal Officer explained that the Village adds a charge if services go beyond the set times. Berger was concerned the Village was covering costs. The Mayor suggested the Property Committee look at the issue. Canton asked if the issue had come up previously, and the Fiscal Officer said that there had been no Sunday burial request since its opening in 2015. Galicki said that there was an issue with phrasing that may have contributed to the issue, and the Fiscal Officer explained that this was on the Price List, which has since been corrected. Canton verified there was flexibility with the Rules and Regulations. The Solicitor concurred. However, a problem she found in them was the reference to a Cemetery Committee, which the Village no longer has. This should be addressed. Canton offered that a Cemetery Committee should be created, and the Mayor said that he did not know that Council would want to do so. The Mayor's concern was that the Cemetery Committee would dictate down. The Fiscal Officer explained the difference between and purpose of a Cemetery Board and Cemetery Committee. Once the South Russell Village Cemetery opened, the Cemetery Committee was disbanded, and responsibilities were transferred to the Property Committee. The Solicitor concluded if the Cemetery Rules and Regulations are revised, Council should consider changing the reference.

Cavanagh clarified that the concerts of which the Mayor spoke were proposed for the Village park, and that there had been previous concerts there. The Mayor concurred. Cavanagh asked if parking were an issue, and the Mayor said no.

FISCAL OFFICER: The Fiscal Officer distributed her report. She added that the Village had been contacted by Matt Valencic who wanted to put a replacement bench in the park. The current cost of a bench donation is \$750. The Fiscal Officer reminded Council that the prices for the benches had increased and she had requested the creation of a policy. She needed to know how to proceed. Canton asked if Valencic specified where he would like to place the bench in the park, and the Fiscal Officer said no, and clarified that it was her belief that it was to replace a bench that was already at the park. Canton questioned that when people wanted to purchase benches for the playground, they called Village Hall. The Fiscal Officer explained that Council settled on \$750 per bench and there were to be five or seven benches. However, eight foundations were installed. There seemed to be a lack of communication. Canton asked about the \$750 donation and was that to cover the bench and plaque cost. The Fiscal Officer stated that with plaque, foundation, and delivery, it did not. Canton asked if Valencic also wanted the plaque, and the Fiscal Officer said yes because it was in memory of someone. She said this begged the question of what would become of the plaque on the bench that was to be replaced. What was the process? The Mayor stated that the three benches which were ordered were \$575 each with the addition of \$370 for freight. Cavanagh indicated that benches were obtained by Judy Harvey and Cindy Nairn for the Butterfly Garden for less money. The Mayor said the benches in the playground were heartier and designed to take a beating. The Mayor suggested inviting Valencic to the Park Committee meeting on Monday, April 4th and he offered to call Valencic. Galicki suggested the

Park Committee discuss how many benches should be installed in the park and their locations. He said Council had discussed the need for strategic planning and asked if there would come a point where there were 100 benches indiscriminately placed in the park. This should be considered in terms of a bench policy in addition to the charge for each bench. The Fiscal Officer added that the matter of bench replacement should be addressed in terms of the Village's obligation to replace deteriorating benches. Canton asked if the three benches had arrived, and the Mayor said no. He verified that they were the same style as the ones on the playground and asked if payment had been made for them. The Mayor said no. Canton clarified that there were three people who wanted to purchase these benches. The Mayor said no, that one was paid for by the family of Sally Butz Voss, and the Village ordered two extra. Canton suggested offering one of the two to Valencic. To Galicki's point, the Mayor questioned whether the Village wanted to put \$800 benches around the park. Canton suggested working with CT Consultants with the strategic plan they developed. The Mayor and Galicki did not think they would deal with benches, and Galicki added that there was a benefit to purchasing a more substantial bench for longevity. He offered that one of the Park Committee members previously offered to provide information on these benches and was in favor of the synthetic bench. The Mayor provided a history of the benches in the park.

The Fiscal Officer advised Chagrin Lakes Homeowners' Association (HOA) requested the use of Village Hall on Sunday, April 3rd at 4:30 p.m. The last two HOA requests were approved by Council and the \$25 fee was waived. The Fiscal Officer added that typically, the building was opened by the Police. The Mayor said he and the Chief attend the meetings and handle opening and closing of the building. **Canton made a motion to waive the \$25 fee for Chagrin Lakes HOA and approve the meeting in Village Hall on April 3, 2022, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**

The Police Department received a donation for \$100 for Cops and Kids Fishing. Galicki made a motion to accept the donation to the Police Department, seconded by Canton. Voice vote – ayes, all. Motion carried.

The Fiscal Officer explained that on February 28th, Council approved the Memorandum of Understanding (MOU) with the county for the Washington St. paving. She was contacted by the county Engineer on March 28th at 3:00 p.m. to say that the lawyers would not accept the language of the MOU and made changes. They asked that the Village revise its ordinance. The Fiscal Officer gathered the information, forwarded it to the Solicitor, who revised the ordinance for Council to consider. She offered kudos to the Solicitor for her efforts in getting this done so quickly in time for the meeting. It would be necessary to repeal the first ordinance and adopt the new one. The Solicitor explained that the change pertained to additional mileage for the part of Washington St. that was annexed by the Village which is actually in Bainbridge Township. Additionally, the estimate of the cost is an additional \$10,000. She confirmed all of this with the Engineer. The estimate includes the chance for contingencies. It was \$110,000 and now it is \$120,000. The Village was asked to revise the ordinance approving the MOU. The Fiscal Officer explained that this could not wait because of the timing with getting it onto the agenda for the County Commissioners' meeting on April 12th. Porter examined the ordinance and MOU and he and the Solicitor discussed waiving readings. The Solicitor recommended waiving readings and declaring an emergency.

The Mayor thanked the Fiscal Officer and Solicitor for their hard work with this matter.

The proposed date for the Appreciation Luncheon is Friday, May 20th. The Fiscal Officer would let Council know when the date was solidified. Prices and quotes were being obtained from Village restaurants for the event.

The Fiscal Officer would have the Tax Budget worksheets to the Department Heads in the next several days. To ensure the Village is better prepared for the Budget Commission, the Finance Committee is asking that the committees work with the Department Heads to identify any anticipated large purchases or significant changes. She explained that at this time of year, she has to do the revenues whereby she must estimate all the transfers for next year. This limits the Village in doing the Annual Appropriations. She appealed to the committees to meet with Department Heads to identify larger items like a larger road program, new cruisers, trucks, etc. and anything out of the ordinary.

The Farmers' Market agreement was distributed to Council with attached map and insurance.

FISCAL AUDITOR: The Fiscal Auditor had nothing to report.

FINANCE COMMITTEE: Galicki reported that the Finance Committee met March 16th and the minutes were distributed to Council. In addition to regular business, the Committee responded to a series of questions proposed by the Mayor. He encouraged Council to refer to the meeting minutes.

Galicki addressed the new agreement between the Chagrin Valley Fire Department (CVFD) and the Village. Galicki reached out to CVFD to determine when the Village could anticipate receiving the proposed contract for the Village to review. Mark Vedder indicated that typically CVFD provided the contract for review in the October/November timeframe. He said that last year, the contract was provided in September. Galicki asked if Vedder expected additional costs, and Vedder alluded to inflation, fuel costs, etc. Galicki expected there would be increases. The substantive provisions of the contract would largely remain the same. Vedder would try to get the proposal to the Village possibly by late July or early August.

Regarding the Mayor's earlier reference to the CVFD donation proposal, Galicki urged Council to take a good look at the contract proposal. It contains interesting language and does not address the non-binding agreement to which Council previously agreed. Galicki questioned whether the building improvements could instead be addressed by a Special Improvement District (SID) or a bond. The contract indicates that the contributions by the municipalities and townships would be expended first before private contributions to the project. Galicki explained that the CVFD does not own the building but rents it from Chagrin Falls for \$1 per year, but the contract states that upon completion of the improvements, CVFD shall transfer ownership of the fire station to the Village of Chagrin Falls. The Village of Chagrin Falls, upon acceptance of the Fire Station, shall maintain the Fire Station as its sole expense for the life of the building including all maintenance and operation costs. He added that the contract specifies that any remaining funds will be provided to Chagrin Falls for maintenance of the building. He again invited all of Council to examine the document. In his mind, it raised more questions than it answered.

Galicki noted that the contract indicated approximately \$800,000 had been raised through voluntary contributions, but he did not know whether this included the assessments to the various municipalities.

The Solicitor asked how many pages were included in the escrow agreement, and Galicki said three were provided in addition to the agreement. The Mayor said that to save paper, he took out the last three

pages which were signature pages. The Solicitor speculated that more of the escrow agreement was missing, and the Mayor said he would provide the complete agreement.

Galicki stated that the committee discussed the matter of Nairn's request for a refund of her bench donation. To reiterate, she had partnered with Judy Harvey for the Butterfly Garden benches. She requested \$750, and Council decided to reimburse all but the expense of the plaque. A question was raised in the committee meeting about whether Mrs. Harvey should pay for her plaque. Galicki recommended that the Village should waive the charges as it seemed petty to ask for payment for a plaque when she donated the garden. **Galicki made a motion that Council waive any costs associated with the memorial plaque for the bench in the Butterfly Garden purchased by Mrs. Harvey, seconded by Berger.** Porter asked if Nairn was getting her plaque, the Fiscal Officer indicated that the Village had the plaque, and it would be installed on the bench. **Voice vote – ayes, all. Motion carried.**

Among the items directed to the committee by the Mayor was a statement that Council never knows what is in the budget and he proposed starting the budget process early, Galicki thought the budget work session could not be done earlier than late September or October due to the availability of required information. He asked members of Council to review their calendars for early October. He also addressed the possibility of having a strategic planning meeting before the Budget Work Session. This would be discussed at the next meeting.

Berger explained that the Mayor also raised the question of additional roads being added to the Road Program, and Berger thought this was not an appropriate issue for Finance to consider. It was a Streets Committee issue. After Streets Committee made a recommendation, Finance could consider it.

Bell noted that the Finance Committee minutes stated there had been a strategic planning meeting the previous year, and Galicki explained that it was an advance look, but not a five-year plan. Bell verified there was no written plan, and Galicki said no. The Fiscal Officer offered that strategic planning is what the Village needs. She said the Budget Work Session usually occurs in the first week of October. She reiterated that with committees working with the Department Heads preparing for the Tax Budget, by the time of the Budget Work Session, it would be possible to have quotes and firm numbers for requested items. A strategic planning meeting would need to occur in late September.

Galicki acknowledged that the Mayor seemed frustrated in not knowing what the budget is, but said the opinion of the Finance Committee was that most of the frustration stemmed from late breaking add-ons and lack of foresight when adding items to the proposed budget. An example would be the \$70,000 donation to CVFD, or additional streets in the Road Program, a vehicle, piece of equipment, a new building or bay to a building, etc. Accurate cost estimates are necessary going forward in planning the budget. This would reduce the frustration over budget numbers.

Galicki made a motion to acknowledge receipt and review of the March 28, 2022, Credit Card Report, seconded by Berger. Voice vote – ayes, all. Motion carried.

The Fiscal Officer addressed the SID information she forwarded to Council. She explained that the Geauga County Auditor was willing to take the steps necessary to create a county wide program for the SID if there was enough interest. This would mean the county would help to standardize the process so that each tax district may benefit if and when there is need. Essentially, this program is a way to help taxpayers with issues that arise mostly but not exclusively from water without having to pay out of pocket, tap into their own credit, or worry about losing their investment should they decide to move. The auditor requested an answer to the proposal. Galicki's interpretation of the proposal was that all

municipalities and townships in Geauga County would come together to form a collective SID. The Solicitor did not think all had to be part of the SID. She asked if Public Utilities had discussed the ESIDs. Porter said SIDs had been discussed, but not county wide SIDs. With a county wide SID, Porter asked who would decide where the money would go. The Fiscal Officer explained that each SID forms its own board, and the representatives decide this. Berger viewed the presentation and thought it was clear that it had to have some connection to water, erosion, or natural water issue. The SID is limited in what can be addressed. The Solicitor explained that there are other SIDs that have nothing to do with water. The ESID is specific to water. Berger clarified that there would have to be a separate SID for each type of interest, and each would have its own independent board. He did not know that the Village would want to jump into the county wide ESID without knowing more about it. The Mayor suggested forging ahead and learning. Berger replied that if the Village commits to being a part of it, when expenses begin to accrue, like legal fees, the Village could be presented with its share of the bill. Part of the idea of the SID is to share all the expenses. The Fiscal Officer asked Berger to contact the County Auditor to clarify the information. The Solicitor asked if any municipalities had committed to it, and Berger was aware Bainbridge had been vocal about wanting it, but did not know if they had committed to it. Berger thought it would make sense for the Village if there were identified projects that fit the ESID parameters, but otherwise it would put the Village at risk for costs for projects in other municipalities. Porter suggested Public Utilities explore the matter.

Galicki called Council's attention to the section of the Fiscal Officer's report that addresses regulations pertaining to open meetings.

The Mayor asked if Council would be having the first Budget Meeting on Monday, October 3rd. Galicki explained that Council members had been asked to consult their schedules. There was also a question about strategic planning, which should occur before the Budget Work Session.

SOLICITOR: The Solicitor addressed the forfeiture process. She reviewed the process used by the Village and said it is legitimate and complies with state law. There was a question at a previous Council meeting about whether the current policy could be adjusted since the exact forfeiture process was not necessarily in the Ohio Revised Code. She explained that there must be a notice to correct the deficiencies first, and then a second notice of the forfeiture with the appeal rights that must be made. The Solicitor thought the one-year allowance was a good and fair amount of time. Once the deposit is forfeited, it can revert right to the General Fund. If the ordinance were to be revised, she thought the notice of the 30 days and then the notice of the 10 days after the period had run is fair and did not think anything less would be due process. Cavanagh questioned the point at which the clock would start on the one-year time limit. The Solicitor said the ordinance specifies it is one year after there has been no significant activity of construction on the property. She was not sure about what "significant activity" meant. She clarified that the one-year period had passed before the first notice is sent and said this raises the question of how these are being tracked in general and suggested there be some follow-up by the Building Department. Berger asked Canton if there were deposits that had been held in excess of five years. The Fiscal Officer advised that the City Force software representative was trying to find a report that would generate that information, and perhaps the Building Department Administrative Assistant could provide the status on this.

STREET COMMITTEE: Porter stated the committee met March 11th and the minutes were distributed. The Road Program went out for bid Friday of the previous week. By the end of April, the Village should have enough information to allow an award and to determine if the alternate is

economically feasible. If the Village were to do all the roads that were put out for bid, it would be a \$750,000 Road Program.

The committee discussed the cemetery mats and he recalled that they were \$5,400. The Fiscal Officer stated they were \$5,800 but thought there was a sale and that they were \$2,400. She cut a purchase order for \$2,400. If it is \$5,800, it will be necessary to amend the budget. Porter suggested doing this because there was a significant cost savings with shipping if they were ordered at the same time. Plywood had been used and was not working well. The mats would protect the grass. The committee recommended amending the budget for the \$5,800 to purchase all the mats.

The next Street Committee meeting will be April 1, 2022, at 7:30 a.m. in the Street Commissioner's Office.

Cavanagh asked about the reference in the minutes to the illicit discharge pipe, and Porter said the county identified the source and was trying to correct it.

BUILDING COMMITTEE: Canton said the Building Committee will be meeting on Thursday, April 7th at 8:00 a.m. and invited the Solicitor to attend.

SAFETY COMMITTEE: Galicki advised that the resignation of Sgt. Viezer had been distributed to Council. He will be retiring. Cavanagh said Viezer did not want an exit interview and asked how to address this. The Fiscal Officer explained that the Employee Handbook allows for an incentive to submit to an exit interview in the way of vacation payout, but he took time off instead. The Mayor thought it was necessary and that perhaps Viezer could be charmed into agreeing to it.

Galicki said the next meeting of the Safety Committee is Thursday, April 7, at 9:00 a.m. at the Police Department.

The Mayor noted that to cover sickness and vacations, Chief Rizzo had been working very hard. Cavanagh added that he had worked 19 days straight.

HR COMMITTEE: Berger made a motion to accept the resignation of Sgt. David Viezer effective May 7, 2022, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

Regarding exit interviews, Berger suggested amending the Employee Handbook to state that it is a requirement of the position that a Village employee submit to an exit interview. The Mayor asked what the leverage would be, and Berger explained that it would be a policy statement. It would provide the opportunity to gain knowledge of the employee's experience with the Village and what the Village could do better going forward. Porter asked if this would apply to employees terminated for cause, and Berger said yes. Porter questioned how productive this would be. Berger offered that the decision to conduct an exit interview should be at the discretion of the Mayor. Galicki questioned the point of having a policy if the policy would be left to the discretion of one individual. Exceptions were discussed, to include termination for cause, disability, or death. Berger concluded that HR Committee would write the policy statement and submit it to Council for adoption. The Solicitor addressed liability involved with having the policy and deciding not to do it. Bell agreed the interviews are helpful but did not understand the consequences for someone who did not do it. Council discussed that by making the effort to conduct the exit interview, it could protect the Village down the line. The Mayor stated that the policy should require that the Mayor and pro tem hold the exit interview. Galicki did not recommend using that phraseology. The Solicitor asked if the policy was discretionary, and Berger said it was. He concluded that HR would work to establish the policy.

The next HR Committee meeting is scheduled for April 14th at 8:00 a.m. but may change.

PROPERTY COMMITTEE: Property and Parks Committees will meet Monday, April 4th at 7:00 p.m. in Village Hall. At the February 28th meeting, Kaleigh Kruse proposed a senior project to the committee to plant 12 to 24 Buckeye and Oak trees in the park on top of the hill between Bell Rd. and East Washington St. in the beginning of April. It would be supervised by her father and grandfather. The project is supported by the committee. **Canton made a motion to approve this project, seconded by Cavanagh.** Porter questioned where the trees were to be planted, and Canton could not definitively say. Porter suggested that the information be provided by the next Council meeting in April. Bell asked if there were restrictions relative to the Western Reserve Land Conservancy (WRLC), and Canton thought this was a good question. Porter said that according to the terms of the original agreement, the reforestation area had to be planted. He thought this was the best location. **Canton made a motion to table the motion, seconded by Porter. Voice vote – ayes, all. Motion carried.**

Regarding the Geauga Fresh Farmers' Market (GFFM) agreement, the Solicitor said it was the same agreement previously used with different dates. The diagram and the certificate of insurance were missing which are a reference to the agreement. Canton addressed concerns expressed by Council of products sold by the GFFM. Canton and Cavanagh reviewed the agreement and felt it was detailed enough to alleviate Council's concerns. Canton added that there is a GFFM manager present at each market event. Porter verified that in the 20 years the market had taken place on Village campus that there had never been an issue with products sold. **Canton made a motion that Council vote and approve the operating agreement between Geauga Fresh Farmers' Market and the South Russell Village for the year 2022 and that the Mayor be authorized to execute that agreement, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**

PUBLIC UTILITIES: Porter reported that the committee met March 18th and the minutes were distributed to Council. The project between Ponds 3 and 4 in Country Estates/Alderwood area is complete except for spring planting.

The committee also discussed the Parkland Dam petition and asked the Solicitor to include language that the money paid by the homeowner is going to be non-refundable. The Solicitor explained that it is bond counsel that drafts this language into the petition, so bond counsel should be notified. The Solicitor would contact bond counsel.

Paw Paw Lake silt pond was discussed in terms of a SID solely within the bounds of South Russell. It would be useful in assisting property owners and HOAs within the Village with dredging concerns since it impacts water quality. The Engineer told the committee that there are grants to help with water quality. The committee will explore prioritizing the ponds and lakes in the Village in terms of retention/detention and what the Village might do to defray the cost in part for such a project. Most are on private property but impact property owners Village wide. A SID might be the way to tackle it. The Engineer was asked to create a formula to determine what the Village might do for a particular pond given its dimensions.

The next Public Utilities meeting will be held April 22nd at 8:00 a.m. in Village Hall.

Based on the SID presentation, Galicki relayed that a SID could be formed for individual neighborhoods and the residents of that neighborhood assumed the costs of the project for the SID. There are nuances that should be investigated with this process.

Porter reported that the tree clearing for the 319 project and retention basin should be complete by Thursday, March 31st. The cutting is complete and the brush clearing needs to be done. Project construction should begin in April or May. The retention basin should be complete by the end of July or early August.

Regarding the clean-out of the Family Life Center retention pond, there had been a quote for \$7,400 discussed at the last Council meeting. It is on private property located in Bainbridge and is something the Family Life Center should do. Porter asked what should be done if the Family Life Center failed to address it since it affects Chagrin Lakes. It was suggested that Bainbridge be contacted. Porter replied that it is private property and affects no one in Bainbridge. Berger asked if the Family Life Center had been contacted, and Bell said that the Street Commissioner called two weeks ago but had not received a response. The Mayor said he called Larry Trace who told the Mayor when it had last been done and how much it cost. He also said the person who did it would love to have the job again. The Mayor and the Street Commissioner will visit the Family Life Center people and ask them to clean it out. Berger concluded that the Village could not proceed until this conversation took place.

Porter speculated about potential responses to the request to include splitting the cost or refusing to do it, and asked what would happen then. Regarding a proposal to split the cost, Galicki did not think this would be a valid expenditure of public funds. The Solicitor asked if Bainbridge had an easement on the property. She also verified that the actual owner is Federated Church in Chagrin Falls. The Mayor concurred and said he would be meeting with a CIC member and he will ask her who owns it. The Solicitor advised that she would not be able to do an agreement with South Russell Village and the Community Life Collaborative (CLC). Regarding the possibility of Bainbridge having an easement, there is case law pertaining to Bainbridge coordinating with the cleaning of the ditch. There is also a nuisance ordinance, but it would be costly to prove. This would be a civil or criminal matter. Porter advised that in his experience, litigating such cases takes time and is expensive. In this case, the legal expenses would exceed the \$7,400. The Solicitor questioned whether the Village should consider obtaining an easement.

Bell asked for the history of this situation and wondered if the water was affecting Chillicothe Rd. and Sheerbrook. Porter concurred. Residents demanded to know what the Village would do about the muddy water that was flooding the Chagrin Lakes and making them not swimmable. Bell verified they are privately owned lakes. Bell reported he has a subordinate in his professional life who owns one of the lakes and Bell recused himself from the conversation moving forward.

Porter thought cooperation was the preferred method and not litigation. He suggested waiting until the Mayor spoke to the Family Life Center.

Bell referred to the material distributed to Council pertaining to Paw Paw Lake. The Mayor said he had requested information from Paw Paw Lake and this was what was sent relative to the 2016 Dominion gas line project. Porter added that the Engineer previously concluded that it was not the fault of Dominion or the Village that Paw Paw Lake's silt pond silted up. However, Paw Paw Lake has a different view. He thought there was a way to work it out where everyone benefited. Cavanagh explained that the pond was dredged in 2015 and it filled within a year. Regarding the SIDs, the Mayor said that most of the silt was coming from Bainbridge through Silver Creek and into Paw Paw Lake silt pond.

ORDINANCES/RESOLUTIONS:

Porter introduced an ordinance repealing ordinance 2022-21 which dealt with the Memorandum of Understanding between the Village of South Russell and the Geauga County Engineer regarding resurfacing of Washington St., declaring an emergency. Porter made a motion to waive further readings, seconded by Bell. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Bell. Roll call – ayes, all. Motion carried. **ORD 2022-27**

Porter introduced an ordinance approving the Memorandum of Understanding between the Village of South Russell and the Geauga County Engineer and/or Board of Commissioners for the resurfacing of Washington St. declaring an emergency. Porter made a motion to waive further readings, seconded by Bell. Roll call – ayes, all. Motion carried. Porter made a motion to adopt, seconded by Bell. Roll call – ayes, all. Motion carried. **ORD 2022-28**

Berger provided a second reading of an ordinance adding #25 for a full-time Administrative Assistant to the Pay Range Ordinance, declaring an emergency. Berger made a motion to waive readings, seconded by Porter. Roll call – ayes, Porter, Bell, Berger, Canton, Cavanagh. Galicki recused himself. Motion carried. Berger made a motion to adopt, seconded by Porter. Roll call – ayes, Porter, Bell, Berger, Canton, Cavanagh. Galicki recused himself. Motion carried. **ORD 2022-29**

Galicki introduced an ordinance amending the 2022 Annual Appropriations budget increasing General Fund Salary and Benefits \$16,700, Street Maintenance Fund \$13,000, ARPA Fund \$392,188, Cemetery Fund \$5,800, and declaring an emergency, 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 2022-30**

BILLS LIST

Galicki made a motion to ratify the bills list of March 13, 2022, in the amount of \$81,258.93, seconded by Cavanagh. Roll call – ayes, Porter, Bell, Cavanagh, Galicki. Berger and Canton abstained. Motion carried.

NEW/OTHER: Porter and Canton had no new business.

Bell requested that the minutes of the Planning Commission (PC), Board of Zoning Appeals (BZA), and Architectural Review Board (ARB) be provided in Council packets going forward.

Berger explained that the most recent Finance Committee minutes were provided with color coded action items for members of the committee. He felt that a separate action item list based on the Council meeting minutes would be helpful to direct each of the committees. The Mayor asked Berger to bring samples to the next meeting.

Cavanagh attended a Health Department Advisory Committee meeting.

Galicki asked for Council's position on scheduling a strategic planning meeting before the Budget Work Session. Bell verified the last strategic plan was produced in 2015. Galicki explained that Council had discussed it for the last few years, but strategic planning meetings had only looked forward to the coming year. He was not necessarily proposing a five-year plan, but baby steps to doing long term planning. Galicki asked Council to consider what it wanted to tackle in terms of the strategic planning in determining the desired end-state for the Village. Once this was determined, Council could then plan

backwards from there. The Fiscal Officer explained that in the past, the Village brought in outside resources to facilitate this, and if this was what Council wanted, costs could be obtained.


The Mayor proposed the Fiscal Officer pursue contacts through the Cleveland State program in which she is currently enrolled. Galicki said that given the Mayor's end of program project, he questioned the value of this program to define the Village's strategic planning process. Other resources should be considered.

Different dates were suggested and the Mayor deferred it to the next Council meeting. Porter said he would circulate a possible date for the strategic planning. Galicki concluded that strategic planning might be a good thing to attempt.

ADJOURNMENT: Being that there was no further business before Council, **Berger made a motion to adjourn at 9:04 p.m., seconded by Canton. Voice vote – ayes, all. Motion carried.**



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki