

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, JUNE 13, 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, Police Chief Rizzo, Street Commissioner Alder, Engineer Haibach, Solicitor Matheney

VISITORS: Mark Vedder and John Catani, CVFD; Brian Doering, CVT; Ted Kruse, Bell Rd., Ralph Richards; Ray Schloss

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 minutes of the May 23, 2022, Regular Council meeting, seconded by Canton. Voice vote – ayes, Bell, Canton, Cavanagh, Galicki, and Porter. Berger abstained. Motion carried.**

VISITORS: The Engineer introduced Rich Washington, a landscape architect with CT Consultants. Washington has been engaged in developing the South Russell Village Park Master Plan. Washington explained that his report included existing conditions, site analysis, and the Master Plan. He referred to a map in the study and described the overall make-up of the park with its wooded and meadow areas. He then subdivided the site which is 99-acres with an upper area consisting of 3-acres of unrestricted activity area. Aside from the bottom piece of the site and the woods, the remainder is restricted by the conservation easement. Washington further described the site analysis map. He discussed meadow development and explained that this takes three years, involves site preparation, planting at the appropriate time of year, planting specific seeds for the desired habitat, etc., and continual maintenance to include addressing invasive species with herbicides and controlled burns. There would be no more haying. A study was required to identify plant materials, soil type, topography, etc. Cavanagh asked for clarification about mowing, and Washington explained that the meadows could be mowed every two years, but the material would not be taken away. The current meadow is filled with invasive species, and the hay currently cannot be consumed. Furthermore, the mowing interrupts bird habitat. Porter asked if the burn would be done annually, and Washington explained that the same locations would not be burned every year. It might be a three-year cycle.

Washington pointed out gravel trails on the map and stated that these were usable year-round and provided accessibility for service vehicles, strollers, and wheelchairs. He added that in the Conservation Report, the creation of groves of trees like chestnut trees was discussed.

Washington described possible restroom facilities and referenced the style of restroom used by the Geauga Park District. They would be year-round use and would not be plumbed. It would require pumping out, which would occur once or twice a year. It would have to be permitted through the Environmental Protection Agency (EPA). It would be an all-concrete structure, but various textures would be available in the way of siding and roofing. The restroom would be adjacent to the parking lot and within the activity area.

Regarding the parking lot, he advised that it could use regrading and proposed a bioretention area with a special soil mix and different plant materials on the end of it to catch silt from the parking lot and filter

the water. He did not view it as practical to expand the parking area adding it would be at the cost of the activity area.

North of the playground, the Chagrin River Watershed Partners (CRWP) would build a rain garden for the site. Council's approval would be required for this, and it would be done later in the summer of 2022. It would be 600 square feet. Washington suggested that at this time, the wet area that runs from the parking lot to the playground could become a vegetated swale and incorporated into the rain garden and bioretention area.

The gravel and mowed trails would continue on the south side of the park. A meadow and wooded area could be generated on the portion that is in the conservation easement. The balance of the south area could be mowed as an open activity area, but Washington suggested keeping it natural. Parking could be expanded, and another picnic shelter could be created as well as a smaller restroom and bioretention area.

Cavanagh asked about the potential for water intrusion with the restroom since Washington described it as a wet area. The Engineer stated that grading would be incorporated to avoid this issue, to include creation of the swale. Washington added that solar panels could be used to power lights and fans in the restroom.

Bell asked if there were restrictions for trails in the forested area. Washington stated not for dirt trails.

The Mayor stated that the Village had purchased 10 or 11 acres and asked if the Village should swap it with the Western Reserve Land Conservancy (WRLC) so the Village would have control of this land. Washington said it was worth having a discussion with WRLC. The Engineer suggested asking to swap it for more usable land to the North because where the pavilion, restroom, and playground are, the area is maxed out. The Mayor said there had been discussion about moving the property lines in the past but after determining the cost, the Village backed away. However, things had changed.

The Mayor referenced past inquiries about creating athletic fields, and said that he had not seen practices occur there. With the expense, he did not see this happening. Washington noted the grade of this section of the park and said it would be a huge operation to create the fields in addition to annual maintenance.

Ted Kruse, Park Committee, said that at one time, the Village had approval from WRLC to change the 10 acres to be not so vertical from north to south, but going from east to west.

Signage was discussed. The Mayor suggested the installation of signage like with Geauga Parks, and Washington added that they could identify the difficulty of the trail and lengths. Mark Vedder, Chagrin Valley Fire Department (CVFD), recommended signage for emergency locations so that when someone has an emergency, they can be located by emergency personnel.

A participant asked if there were a price tag for the different park elements discussed. Washington said that this was still being addressed. It would be broken out by phase. Canton thought the restrooms would cost between \$45,000 to \$50,000. Washington stated it would be from \$50,000 to \$80,000. The Mayor stated that the Village set aside \$80,000 for the development of the Master Plan. The Engineer stated that \$12,000 - \$15,000 of this had been spent, and the balance would go into the first level of improvements.

Ralph Richards discussed the popularity of Pickle Ball and asked for Council to consider pickle ball courts as part of the Master Plan for the park. Specifically, he asked for four courts and said the investment would be \$80,000. The courts would be 72 feet wide and 124 feet long inside a fenced area. It is a multiage sport, and Richards thought there was enough interest to support building the courts. In neighboring communities, maintenance of the courts yearly has been about \$3,000. The courts would be outdoor asphalt courts.

The Mayor advised that between the cost of the Park Master Plan and the park restrooms, most of the \$80,000 Council had approved would be used. He suggested Richards keep abreast of the park discussions and offered that the Village was always looking for somebody else to pay the bill. Richards stated that the American Rescue Plan Act (ARPA) was offering grants for recreational activities like pickle ball courts. AARP and Land and Water Conservation Fund offer grants for recreational facilities.

The Mayor concluded the Master Park Plan presentation and requested that Galicki provide the readings of the CVFD contract and funding ordinances. Galicki understood that there may have been revisions to the CVFD contract and asked Vedder for clarification. Vedder said that the contract with the Solicitor's changes was acceptable.

MAYOR'S REPORT: The Mayor stated that he wished to appoint Dan D'Agostino as the part-time Building and Zoning Inspector for \$40 per hour, \$7,000 maximum for this year.

In response to the winter newsletter, the Village had two interested volunteers for the Board of Zoning Appeals (BZA). He would be asking for approval of the appointment of Lindsey Self to the position of the BZA alternate. The Mayor stated that once the permission to conduct meetings via Zoom ceases, it would be good to have five individuals present for the BZA meetings.

The Mayor received recommendations for seven strategic planners and the price range was between a few hundred dollars to \$25,000 to \$100,000. A South Russell resident who does strategic planning offered a free morning to meet with Council to discuss a strategic plan for the Village and consider use of his services. The Mayor proposed this occur after July 4th.

The Geauga County Auditor held an Erosion Special Improvement District meeting and Chagrin River Watershed Partners (CRWP) and Geauga Soil and Water were there.

The Mayor referenced a Manor Brook meeting and shared that everyone was back on the same page as far as what it will take between CT Consultants, CRWP, Mr. Excavator, and the Ohio Environmental Protection Agency (OEPA). He also advised that according to Van Curen, only one tree of value was hauled out from one of the two construction sites.

CRWP will hold a luncheon and run a tour of the wetlands on Tuesday, June 14th to show how successful they have been.

Gauga Recycling had its grand opening on Friday, June 10th. They will handle electronics and liquids and will be open Thursdays and Fridays. They also will coordinate removal of freon from appliances. Cavanagh asked if they would accept regular recycling, and the Mayor said he did not see that there.

The Mayor asked the Property Committee to discuss the Citizens Bank property, although he did not think the Village would purchase the property; rejuvenation of the Rarick Cemetery for the 100th anniversary; and Chamber of Commerce concerts. The Chamber wants to do three concerts, July 12th, July 26th, and August 9th.

FISCAL OFFICER: The Fiscal Officer offered kudos to the Solicitor and the Administrative Assistant for keeping track of the many updates to various pieces of legislation before Council this evening.

Regarding the Chamber of Commerce concerts in the park, the Fiscal Officer explained that currently, the Chamber applies for a pavilion permit, so that it is a separate function. She offered that if the Chamber partnered with the Village, it could provide chairs, police help, etc. because it would be a Village sanctioned event. She thought perhaps Council might want to consider this option.

The Fiscal Officer stated that the County Auditor said that it would take about \$20,000 to \$25,000 to get the ESID for the county set up. The Auditor is anxious to get it established, and she asked Council whether it wanted to commit \$3,000 to assist in setting up the ESID. The Mayor referred the matter to the Public Utilities committee for its next meeting. Porter said he had some reservations about the ESID that he wanted to discuss with the committee.

The Fiscal Officer reported that with all the projects becoming active at the same time, she went through the amendments for the appropriations and the transfers that afternoon. This would be addressed by the Finance Committee.

The Village received the final payout for the 2021 Road Program in the amount of \$106,855.36. Additionally, to close out the Lake Louise Bridge project, it would be \$25,265.62. She verified the Engineer reviewed these numbers. The Engineer explained that with the 2021 Road Program, there were certain eligible paving items for which the Village received Ohio Public Works Commission (OPWC) money. CT Construction would forward a package which identifies the Village share and the OPWC share, and CT would help with the close-out. The Engineer had the final docs for both the 2021 Road Program and the Lake Louise Bridge, and he verified that the Village was all set to close. **Porter made a motion to approve the final payout to Specialized Construction in the amount of \$106,855.36 and to finalize the Lake Louise Bridge Project by paying the final bill in the amount of \$25,265.62, seconded by Bell. Voice vote – ayes, all. Motion carried.**

Porter verified that Bell Road west had been paid off. The Fiscal Officer had verification that the check was received.

The Mayor asked how much of the Northeast Ohio Public Energy Council (NOPEC) money was remaining, and the Fiscal Officer said there was about \$10,000 in escrow from last year. She did not have the exact amount but stated there was money available for energy saving programs. The Village received the reimbursement for the Police Department attic insulation and the Street Commissioner is working on the door for the Service Department. If anyone had other suggestions, she asked that they provide them so she can determine if they qualify.

FISCAL AUDITOR: The Fiscal Auditor distributed his monthly report. The fund balances for the period ending May 31, 2022, totaled \$3.766 million. He pointed out that these fund balances which were arrived at independently matched the fund balances of the Fiscal Officer across the board to the penny. The interest rate is currently .79% and is climbing steadily. For the month of May, balances decreased \$123,600 and the Village is still up for the year. The Village received its second installment of Ambulance Fees, which is on target. Cable Franchise fees were received and were below \$8,000, which had not occurred in many years. Cemetery lot sales were above budget. There had also been donations made, the NOPEC grant money received, as well as a refund from Ohio Police Pension Fund. The Fiscal Auditor reported that the Village had reached 64% of its goal for Income Tax, which was

high. A noteworthy expense was from the Special Road Fund in the amount of \$146,033 for the payoff of the Bell Rd. west loan.

Cavanagh asked the Fiscal Auditor to explain Ambulance Fees. The Fiscal Auditor explained the process involved in LifeForce collecting the fees and said that the fees less a commission were deducted from the Village's bill. He added that the Fiscal Officer's report showed the gross Ambulance Fees and gross Income Tax whereas on his reports, Central Collection Agency (CCA) fees and refunds, are deducted from what he reports. However, in total they match.

Porter asked about interest income trends.

The Mayor referenced the Treasury Investment Board meeting earlier in the evening, and asked about moving money from the Star Ohio account. The Fiscal Auditor explained that there had been a meeting with Meeder Investments about a year ago and options were provided. With interest rates and returns being higher, the Treasury Investment Board will be providing their thoughts to the Finance Committee relative to moving some of the funds in Star Ohio into other investments to get a higher yield. Porter noted that the Ohio Revised Code is specific as to how a municipality may invest money. The Fiscal Officer added that Meeder Investments specializes in Government investing.

FINANCE COMMITTEE: Galicki reported that the Finance Committee met on June 13th to discuss the recommendations to Council for the establishment of Reserve Funds.

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

Galicki made a motion to approve donations to the Park Fund in the memory of Greg Pike in the amount of \$300, seconded by Berger. Voice vote – ayes, all. Motion carried.

Galicki referred to the Geauga County Auditor's meeting about the ESID, and the requirement for approval of contributions towards the formation of the ESID. Galicki noted that Porter had questions, and Porter stated that the Village would be paying the money into some fund to establish an ESID for Bainbridge, South Russell, and Russell as an erosion control kind of thing. Ultimately, the taxpayers of each municipality would be paying for whatever projects would be done. It was not clear to him whether the costs of projects in the individual municipalities would be split between all three municipalities. The Fiscal Officer explained, for example, if the Village were to do a bond for Parkland Dam, it would cost the Village for bond counsel to get the paperwork together, for which the Village had budgeted \$15,000. The Fiscal Officer explained that due to the nature of the ESID, it would cost a little more to establish, but once the Village was in, it was in. Furthermore, there would be no issue if the Village had no projects, and the Village would bear no financial responsibility for projects of other municipalities. For projects within South Russell, the expense would be the responsibility of the resident(s) doing the project. A benefit she sees is that even if it is a single resident with a problem, the resident can be assisted, and the expense put on their tax assessment. Galicki added that if it were a group of residents with a project, these residents would share the burden of the expense. The Fiscal Officer explained that if a municipality identified a number of projects, there was the potential to obtain a larger loan for a smaller interest rate, but each individual project and those affected by it would pay the cost for what was affecting them.

Porter stated that there was a five-member board for the ESID. The Fiscal Officer stated she believed there would be representation from each entity involved to sit on the board. Porter suggested that a

municipality could propose a project and the board could turn them down. The Fiscal Officer explained that the project would go to the county, and it would be between the county and the resident, and the Village would be out of it. For example, if the ESID were in place and Parkland Dam came to the Village with their issue, the Village could direct them to the county who would ultimately manage the project. The county would walk the residents through the process and would do all the paperwork helping the residents to get the loans and then ultimately put it on their tax assessments. The Village would be out of it but involved with representation on the board. It is an unbiased opinion from the county besides the person on the board to decide if it is a project that should go forward. It would take the administrative burden off the Village. She questioned if a single resident with water issues came to the Village for a bond, would the Village go out and get a bond for one person. However, the county may do it for some single residents because if it is a big enough problem, or the funding is lumped in with other projects in the ESID, they could get the loan for it.

Bell noted that a lot of stormwater issues could be considered erosion mitigation, and the Fiscal Officer agreed and added that even the ponds and Parkland Dam could qualify due to erosion.

The Mayor stated that the Public Utilities Committee wanted to think about the matter, and Porter questioned whether the Village was ready to move forward. Berger stated that he had an informal meeting with a Trustee from Bainbridge specifically about ESID. Their opinion of the program was essentially that it was a no-brainer and Bainbridge was in and approved the monies to the county. It was an easy decision. Berger questioned why then only Bainbridge, South Russell, and Russell were on board, and the Trustee speculated that there were communities in the county that do not think they have stormwater or erosion problems or do not want to come up with the money to buy into the program. The Fiscal Officer added that with Parkland Dam, the Village budgeted \$15,000 to get it set up. What happens in a few years once someone else has a project and the Village goes for a bond? The Village will be incurring costs again. Paying the money to help get the ESID set up would remove this burden and the cost would be significantly less.

The Mayor observed that Bellwood Lake has significant issues that would cost \$80,000 and there is no homeowners' association (HOA). Porter said it was a question of local control and saw this as a drawback. The Fiscal Officer reminded Porter that there would be representation on the board, and Porter said that person could be out voted. The Engineer added that there could be local Village projects that effect the Village's infrastructure which are not sent through the ESID and are done in-house. He saw this as an option. Porter viewed the ESID as addressing bigger ticket projects. The Engineer added that it would address issues on private property in which the Village did not have a vested interest. The Fiscal Officer explained that it would go on the person's tax assessment which ultimately went with the property.

Bell asked whether the Village would be reimbursed for some of the start-up funds if other communities ultimately joined the ESID. The Fiscal Officer stated that new communities would have to pay to have the paperwork changed to include them. It was her understanding that they would not be admitted for free; they would incur costs.

Galicki verified the buy-in was \$3,000 and the Fiscal Officer concurred and said that the County Auditor's Office would come up with the rest. **Galicki made a motion that the Village enter into an agreement with the neighboring Geauga County communities to form an ESID for storm water control issues and that the Village incur the cost associated with joining that ESID which at present is estimated to be \$3,000, seconded by Porter.** The Solicitor advised that she was unsure

whether the county would require a resolution or ordinance for this. **Voice vote – ayes, all. Motion carried.**

Galicki addressed the establishment of two Reserve Funds and the amount of money to place in those Funds. The committee recommended a Reserve Fund be established for the purchase of large equipment and that \$100,000 per year be set aside for this purpose. An exhibit list provided by Porter is attached to the legislation, and those funds would come from the Income Tax Fund. The second proposal by the committee is that the Village establish a Reserve Fund for the Bell Road east project. The estimated cost is \$1.5 million, and the committee proposes establishing the Reserve Fund in the amount of \$500,000 for two years, and that those funds be from the Income Tax Fund.

Porter explained that the equipment fund was based on estimates provided by the Street Commissioner. They were big ticket items like plow trucks, etc. He felt it made sense to do this, adding that it had been done in the past. Galicki said that the Finance Committee appreciated the Streets Committee's exhibits which articulated the exact expenditures.

Berger explained that the committee identified \$500,000 for the Bell Rd. east Reserve Fund because the Village does not know what grant monies might be received. It is easier to add money rather than over reserve if it is not spent.

Porter inquired about the use of Permissive Tax funds and other potential grant funding, and the Engineer said it would be strongly pursued. Porter speculated the Village's share might be below \$1 million. Berger stated that the Village would start with \$500,000 and see what grant money is obtained.

The Mayor asked if the Village should wait to do Bell Rd. east until 2025 when the county is scheduled to pave it from Newbury to Munn Rd. The Engineer said no and added that prices are not getting any lower.

SOLICITOR: The Solicitor had nothing to report.

ENGINEER: The Engineer expressed appreciation to the Solicitor in working in conjunction with the CT Consultants contracting staff relative to the Central Retention Basin project and the Manor Brook project.

The Engineer inquired with Specialized Construction about identifying a start date for the Road Program. He anticipated having a date from them next week. The Engineer is pushing for earlier rather than later.

Chief Rizzo asked the Engineer if there were a traffic light project update, and the Engineer said there was not, but thought one was due. He would get back to the Chief on it.

Porter asked about the status of East Washington St. paving. The Engineer said that the county adjusted the Engineer's estimate and went out to bid again and were over and unable to award bids. They are considering pushing the project back until next year. The Village's portion of Washington St. would likely be expensive because it is not a significant enough project on its own. Instead, the County Engineer plans to amend the scope to include the Village's portion of the work so it would be one contiguous project. They will ask the Village for its share of the project cost, and the Engineer advised this number would be forthcoming. Porter verified that there was no reason for the Village to bid it out separately, and the Engineer advised he recommended against it.

STREET COMMISSIONER: The Street Commissioner submitted his monthly report for May. He reported that the Lake Louise Homeowners' Association (HOA) had reduced the lake's water level by three feet in anticipation of dredging the silt pond.

The Mayor reported that a resident on Sheerbrook Dr. emailed regarding the handling of a wire that blew down in a storm. The Mayor offered kudos to the Street Commissioner and Officer Kimball for handling this on a Saturday night in a storm.

STREET COMMITTEE: Porter stated the Street Committee met June 3rd and the minutes were distributed. The next meeting will occur July 8, 2022, at 7:30 a.m. in the Street Commissioner's office.

Porter asked the Street Commissioner if the reseeded had occurred between Ponds 3 and 4, and the Street Commissioner advised this would be done in-house using rental equipment.

BUILDING COMMITTEE: Canton stated that the Building Committee met on June 2nd and the minutes were distributed to Council. Building Inspector Dave Hocesvar submitted his Inspection Solutions service agreement for the upcoming year. Canton yielded to the Solicitor to reflect upon said contract. The Solicitor offered that this was a revision to the previous contract, not an annual contract. The current contract renews automatically. The Mayor agreed. The Solicitor pointed out a number of inconsistencies. In the retainer fee section, there is now an exclusion for consulting. She asked if Hocesvar would no longer be providing consulting services or was this a typo? The current agreement provides general advice and consulting, managing Village projects, and answering questions. The amended contract takes out consulting. The Solicitor's next question also concerned the retainer fee section. The current contract is up to 20 hours per calendar month to answer questions, etc. The proposed amendment states that after that any additional hours will be billed at \$75 per hour. However, there is an actual section called "outside the retainer fee," which has drastically changed. That provides any residential, zoning, and/or commercial inspections will be billed by Inspection Solutions at \$75 per inspection, which is different. With the current retainer fee structure, the Solicitor asked if the up to 20 hours included any residential, zoning, or commercial inspections. Porter said it used to. She noted there was an inconsistency and wondered if it was intended. The Solicitor thought it was inadvertent and questioned why there would be an inside retainer fee and an outside retainer fee if in fact the residential inspections, zoning inspections, and commercial inspections would no longer be included in the 20 hours. The Mayor said he would not speak for Hocesvar, but he thought on the first item, 'consulting' was skipped. The Solicitor asked if Hocesvar prepared the amendment and could not imagine that he was taking away consulting services. The Mayor did not think he would either. The Solicitor was asking why 'outside the retainer fee' was separated out this time. The Mayor said that in their discussion, Hocesvar said he was going to treat the Village like the other five communities for which he works, which is \$75 per inspection. The Solicitor clarified that this was outside the retainer. She explained that currently, for example, if Hocesvar does 19 hours of residential inspections, this is the \$2,000 the Village pays because it is inside the retainer. The Mayor agreed. She asked if the Mayor were now suggesting that any residential, zoning, and commercial inspections would now just be billed separately at \$75 per hour and not be included in the \$2,000 retainer fee. The amendment specifically states this. Porter asked why the Village would pay a retainer. The Solicitor agreed and asked what changed from the inside the retainer fee of 20 hours to now having the inspections completely separate. Bell suggested addressing this with Hocesvar. The Solicitor noted that the amended contract is dated effective June 15th, and the current Council meeting will be the last one held before that time. The Mayor did not think there was an issue and agreed they should talk to Hocesvar.

Lastly, the Solicitor stated there was a billing limitation exhibit attached to the current agreement, which she did not have. The Fiscal Officer added that she was unable to locate this exhibit on any of the past agreements. The Solicitor reviewed her confusion with the amended agreement and asked what the impetus was to amend the contract. The Mayor stated that the only thing he thought he heard at the meeting was that Hocesvar was going to treat the Village like everybody else. Canton concurred. The Mayor proposed meeting with the Building Committee this week. The Solicitor asked if there were a sense of urgency, and the Mayor said no.

POLICE CHIEF: The Chief submitted his month end report. He had nothing more to report other than that the department might be running short with the gasoline line item by the end of the year.

Canton thanked the Chief and his team for an outstanding Cops and Kids Fishing event. The Chief advised the event had a good turn out with about 130 people.

The Mayor mentioned a letter from the principal of Gurney Elementary School that acknowledged the support of the Police Department after the Uvalde shooting.

SAFETY COMMITTEE: Galicki stated the committee met on June 2nd and the minutes were distributed. He noted that the CVFD contract had been executed as well as the financing for the improvements to the facility.

HR COMMITTEE: Berger stated the committee had not met but will meet in the next couple of weeks.

With regret, Berger made a motion to accept the resignation of the Fiscal Auditor effective August 25, 2022, seconded by Cavanagh. Roll call – ayes, all. Motion carried.

PROPERTY COMMITTEE: Canton stated that a Special Parks Committee meeting will be held on Monday, June 20th at 7:00 p.m. at the park pavilion. They will discuss trees, benches, and Fall Festival.

PUBLIC UTILITIES: Porter said that the committee met, and the minutes were distributed. The committee would meet July 8, at 9:00 a.m. in Village Hall.

ORDINANCES/RESOLUTIONS:

Galicki introduced an ordinance approving the Fire Protection and Emergency Medical Service agreement between the Village of South Russell and the Chagrin Falls Suburban Volunteer Fireman's Association, which includes a one-time expense of \$69,769 to be paid by July 1, 2022 for capital improvement of the fire station and for a period of three years for fire protection and medical services beginning January 1, 2023 for the sum of \$488,586.40 with a four percent (4%) increase in 2024 (\$508,129.85) and a four percent (4%) increase in 2025 (\$528,455.05), authorizing the Mayor and Fiscal Officer to execute the agreement on behalf of the Village, 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 2022-46**

Galicki introduced an ordinance amending Ordinance 2022-40, approving the Community Funding and Escrow Agreement for the modernization of the Chagrin Valley Fire Department fire station, authorizing the Mayor to execute the Community Funding and Escrow Agreement, 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 2022-47**

Berger advised that the ordinance repealing ordinance 2022-17 and adopting pay schedules in a tiered system for South Russell Village employees and declaring an emergency would remain tabled.

Berger provided a third reading of an ordinance amending Ordinance 2022-29 by amending the pay range for Part Time Patrol Officer of the Village of South Russell and declaring an emergency. Berger made a motion to adopt, seconded by Cavanagh. Roll call – ayes, all. Motion carried. **ORD 2022-48**

Berger introduced an ordinance amending pay range for Part-time Building and Zoning Inspector of the Village of South Russell and declaring an emergency. Berger made a motion to waive readings, seconded by Cavanagh. Galicki asked why these two positions must be bundled. The Village had openings for a Zoning Inspector and in Porter's words, the only requirement for a Zoning Inspector was that he/she be 18 years of age and fog a mirror. Additionally, he understood that the Village may want a back-up for Hocesvar and questioned why the Village would not just employ and pay somebody for those occasions. Instead, the pay range had been doubled for a Zoning Inspector, and Galicki contended that the majority of the candidate's new activities would be zoning. Why would the Village want to double the pay for a Zoning Inspector who may occasionally do backup work to Hocesvar?

Berger stated that the maximum rate for a part-time Zoning Inspector is \$29.55, so this was not being doubled. \$10 per hour is being added. It would be \$50 per week to have a backup to the Building Inspector. From his perspective, this was cheap insurance. Porter recalled his time on the HR Committee when the Village tried to find a Zoning Inspector and had no qualified candidates. Galicki asked if all the candidates who submitted applications for the Zoning Inspector position were interviewed. Porter said no because several of them were out of the country and intended to remain so. Galicki said he understood the Village was still receiving phone calls from potential candidates who submitted applications.

Cavanagh explained that some applicants had very little background in zoning. She said she was totally behind what they were talking about and wanted the electrical certification. Galicki interjected that electrical is Building, not Zoning. Porter thought it was the obvious choice to hire someone who exceeded the minimum qualifications and could do so with the suggested pay range. Galicki suggested hiring this individual as the assistant Building Inspector, which was posted, and not include Zoning. The Village could save taxpayer money by hiring a less expensive Zoning Inspector with the current pay range. Porter stated that the Village would pay much more for an Assistant Building Commissioner with Hocesvar's qualifications. The last time the Village attempted to do this, the candidates were looking for more than the Village was willing to pay.

Galicki questioned why the current candidate for the part-time Building and Zoning Inspector had become the principal candidate for the position when he was not considered qualified during past postings of the position. He referenced Canton's words, 'we have the votes,' and added that it was probably a moot point. He did not think Council was serving the taxpayers of South Russell well by abrogating the pay ranges that had been established in a competitive fashion, and again throwing a dart at the dartboard to say 'let's pay this guy \$40 per hour' because he was a buddy of someone. Cavanagh said this was not what they looked at. The candidate was highly qualified, and they were not abrogating anything. The candidate had obtained the certification since his last time as an applicant. She was fully for this and said there will be issues and times when Hocesvar is not at the Village or available since he is no longer the Department Head. The Committee wanted someone who could do electrical. Galicki noted that Hocesvar had not been the Department Head for many years, but somehow things got accomplished. He wondered how many occasions there were where Hocesvar needed backup and

whether it was a real need of the Village? Porter called the question. Roll call – ayes, Porter, Bell, Berger, Canton, Cavanagh. Nay, Galicki. Berger made a motion to adopt, seconded by Porter. Roll call – ayes, Porter, Bell, Berger, Canton. Nay, Galicki. Motion carried. **ORD 2022-49**

The Mayor said he would gladly go through all the applications. Galicki stated it was a done deal, there was no need. The Mayor stated he saved the Village money.

Galicki introduced an ordinance requesting the establishment of a Capital Project Fund pursuant to and as allowed by Section 5705.13(C) of the Ohio Revised Code for the construction and improvement of Bell Road East 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 2022-50**

Galicki introduced an ordinance requesting the establishment of a Capital Project Fund pursuant to and as allowed by Section 5705.13(C) of the Ohio Revised Code for the acquisition of large equipment and declaring an emergency. Galicki made a motion to waive readings, seconded by Berger. Roll call – ayes, all. Galicki made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2022-51.**

Porter provided a third reading of an ordinance awarding the bid for the Manor Brook Headwater Stream Restoration Project to Mr. Excavator, Inc. subject to an acceptable contract among Mr. Excavator, Inc., the Ohio Environmental Protection Agency, and the Village of South Russell and declaring an emergency. Porter made a motion to adopt, seconded by Cavanagh. Roll call – ayes, Galicki, Porter, Bell, Cavanagh. Berger and Canton abstained. Motion carried. **ORD 2022-52**

Porter introduced an ordinance approving the agreement between the Village of South Russell and Mr. Excavator, Inc. for the Manor Brook Stream Headwater Restoration project, authorizing the Mayor to execute the agreement on behalf of the Village of South Russell, and declaring an emergency. The Solicitor clarified for Porter the nature of recent correspondence with the EPA. She also advised that the two additional readings of the ordinance could be done at Special meetings.

Porter introduced an ordinance approving the agreement with Mr. Excavator, Inc. for the construction of the Village of South Russell's Central Retention Basin project, authorizing the Mayor to execute the agreement 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 Cavanagh. Roll call – ayes, all. Motion carried. **ORD 2022-53**

Galicki introduced an ordinance amending Section 660.17 of the Codified Ordinances of the Village of South Russell and declaring an emergency. Galicki made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2022-54**

Galicki introduced an ordinance to amend the Annual Appropriations increasing the Manor Brook project expenses \$216,207, Lake Louise expenses \$20,000, Trust and Agency Fund expenses by \$100,000, and Income Tax transfers of \$20,000, declaring an emergency.

Galicki introduced an ordinance transferring from the Income Tax Fund to the Street Maintenance Fund \$394,835, Safety Fund \$500,000, and Lake Louise Fund \$20,000 and declaring an emergency. Galicki made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Galicki made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2022-55**

BILLS LIST: Galicki made a motion to ratify the bills of May 30, 2022, in the amount of \$197,865.30, seconded by Berger. Voice vote – ayes, all. Motion carried.

NEW/OTHER: Porter had no new business.

Galicki referenced discussion at the May 23, 2022, Council meeting regarding the representative of the Village to the CVFD Advisory Board. He noted that there is a reference in ordinance 1995-53, which pertains to entering into the agreement for fire services with CVFD, but also states that the Mayor shall appoint a representative from the Village of South Russell to serve on the Advisory Committee to consult with the Chagrin Falls Suburban Volunteer Fireman's Association on matters related to provisions of fire and emergency medical services. Galicki asked the Mayor to consider appointing someone to that role and added that this had not been done during Galicki's five years on Council. The Solicitor added that on the last page of the contract just approved by Council, there is a section to fill out for the appointee. The Mayor said he would like to appoint the head of the Safety Committee to serve as the representative to the CVFD Advisory Committee. **Porter made a motion to confirm the Mayor's appointment to the South Russell representative to the CVFD, seconded by Bell.** Berger clarified that when the committee chair changes the representative would also change. The Mayor said it should be the head of the Safety Committee. The Solicitor pointed out that the representative is identified by name on the contract, so by doing the appointment in this way would mean an administrative change to the contract yearly for the three-year contract. Porter asked if there was benefit to continuity. The Mayor said the information could be passed down. **Voice vote – ayes, all. Motion carried.**

Galicki addressed Ordinance 2016-36 pertaining to the designation of the flag display. He read the ordinance which directs Council by the second Council meeting of April of each calendar year to determine the flags flown from the utility poles on the four corners of Bell Rd. and Chillicothe Rd., the utility poles closest to the Rarick Cemetery, the South Russell Village Cemetery, and the Armory driveway on East Washington St. Galicki acknowledged Council was late in addressing this but added that the Ohio and American Flags were not displayed at the major intersection. There are currently four service flags being flown. So as not to offend anyone this year, **Porter made a motion that the four corners display the four service flags currently there as for any other flags that were put up as the Street Commissioner did a month or so ago, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**

Canton made a motion to approve the appointment of Lindsey Self to the position of alternate to the BZA, seconded by Porter. Voice vote – ayes, all.

Canton made a motion to approve the appointment of Daniel D'Agostino to the position of part-time Building and Zoning Inspector at \$40 per hour for a maximum of \$7,000 in 2022 contingent on a successful drug test, seconded by Bell. Voice vote – Ayes, Porter, Bell, Berger, Canton, Cavanagh. Nay, Galicki. Motion carried.

Cavanagh thanked the administrative staff for their assistance with her first 100-year anniversary article. She added that she had been contacted by a couple of individuals and there seemed to be interest. The Mayor asked for suggestions at the Mayors Convention on how to celebrate the Village's 100th Anniversary. They suggested forming a committee. The Fiscal Officer advised that it would be necessary to form it by Council as an ad hoc committee.

The Mayor asked about the public hearings. The Fiscal Officer stated there will be a public hearing on July 11 at 6:45 pertaining to the fee schedule part of the non-refundable deposits. The Solicitor

explained that PC has initiated an amendment and recommended for approval that the Village change some of the amounts of the fees. There is a 30-day notice for the public hearing, so it is not possible to combine it with the July 11th public hearing. The Solicitor and Council discussed coordination of the meetings in relation to notice requirements. The Mayor thought this was possible since nothing would take effect until 2023. The Solicitor did not think this was accurate and explained it was just a 30-day referendum period. The Mayor thought they would hold off since there were a lot of changes and it would be easier to do it next year, but agreed to trying to combine the meetings. The Fiscal Officer explained the notice requirements and suggested that the matter could be tabled at the July 11th meeting and then both items discussed at the August 8th meeting. The Solicitor agreed, unless Council were to recommend a change about the effective date. **Porter made a motion that the public hearing be held August 8, 2022, to consider Zoning Code amendments, seconded by Berger. Voice vote – ayes, all. Motion carried.** The Solicitor offered 6:30 p.m. as a meeting time.

At 9:35 p.m. Canton made a motion to go into executive session for conference with the Solicitor regarding imminent court action, section 121.22(g) of the Ohio Revised Code and inviting the Solicitor, Fiscal Officer, Mayor, and the Chief, seconded by Berger. Roll call – ayes, all. Motion carried.

At 10:01 p.m., Berger made a motion to exit Executive Session, seconded by Porter. Voice vote – ayes, all. Motion carried.

ADJOURNMENT: Being that there was no further business before Council, Berger made a motion to adjourn at 10:01p.m., seconded by Cavanagh. **Voice vote – ayes, all. Motion carried.**


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki