

**RECORD OF PROCEEDINGS
TAX BUDGET HEARING AND REGULAR COUNCIL MEETING
MONDAY, JULY 11, 2022 – 7:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

MEMBERS ABSENT: Bell

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

VISITORS: Kate Jacob, Geauga County Auditor's Office; Family of Kailey Gavanditti; Mike Wise and Kevin Butler, McDonald Hopkins; John Buda, Leaview Ln., Paul McAvinchey, Solon Rd.

The Mayor called the meeting to order and the Fiscal Officer read the roll. Bell was absent. Finance Committee Chairman Galicki stated that the Fiscal Officer prepared and distributed the 2023 Tax Budget. The proposed 2023 Tax Budget includes estimated revenues for the General Fund of \$1,352,699 with estimated expenses of \$1,415,251; Safety Fund revenues of \$1,557,262 and expenses of \$1,694,263; Operating Fund revenues of \$256,967 and expenses of \$433,943; Road and Bridge Fund revenues of \$238,253 and expenses of \$250,000; Special Revenue Fund revenue of \$2,885,922 and expenses of \$2,761,604; Debt Service Fund revenues of \$7; Capital Project Fund revenues of \$723,455 and expenses of \$185,000; and Fiduciary Fund revenues of \$233,488 and expenses of \$150,000.

Berger made a motion to adjourn, seconded by Canton. Roll call – ayes, all. Motion carried.

The Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. Cavanagh requested that the word “drastically” be removed from page 8 of the minutes pertaining to changes in the Inspection Solutions contract. She preferred that it read, “which has changed.” **Porter made a motion to approve the minutes of the June 13, 2022, Regular Council meeting as amended, seconded by Berger. Voice vote – ayes, all. Motion carried. Cavanagh made a motion to approve the minutes of the June 17, 2022, 8:00 a.m. Special Council Meeting, seconded by Porter. Voice vote – ayes, all. Motion carried. Cavanagh made a motion to approve the minutes of the June 17, 2022, 8:05 a.m. Special Council meeting, seconded by Berger. Voice vote – ayes, all. Motion carried.**

VISITORS: The Mayor introduced Kailey Gavanditti. The Chief advised that Gavanitti recently completed her Police Academy training and had been interviewed by the Safety and HR Committees as well as the Mayor. **Safety Chair Galicki made a motion that the Mayor appoint Gavanditti to the position of part-time Patrol Officer, seconded by HR Chair Berger. Voice vote – ayes, all. Motion carried.** The Mayor administered the oath to Gavanditti.

The Mayor introduced Mike Wise and Kevin Butler of McDonald Hopkins to discuss the Geauga County Erosion Special Improvement District (ESID). Wise explained the history of the ESID and the Geauga County Auditor's efforts to develop the ESID for the county. South Russell, Russell, and Bainbridge were the first communities to express interest in potentially doing an ESID. Butler explained that the ESID extends to property owners who have streams or rivers running through their properties inland. They do not have to live next to each other to be able to form a SID for the purpose of creatively

financing their often-expensive erosion control projects. The financing is by way of special assessment, which Council must authorize. The assessment is then sent to the County Auditor for placement on the tax duplicate. The property owners involved in the SID are obligated to pay via their tax payments the costs of their particular project, to include the construction and engineering. What is unique about an ESID is that property owners can sell their properties during the period of repayment. They are able to transfer the property with the assessment in place and the new owner would pick up the payment obligation. The amortization period has typically been between 15 and 20 years, which is established in negotiations with the private bank that would purchase the bonds. The bank funds the projects up front with an interest rate that is ultimately placed on the tax duplicate for repayment. The cost for each participating subdivision within the county includes providing appointees to the board of the SID, passing of legislation to authorize the creation of the district itself which comes with a nonprofit corporation (the board that runs the SID), and approving the final assessment petitions when property owners have projects underway. This would be at the point where engineering and contractors are lined up and they know the costs of their projects. The property owners would then present a petition asking for Council to send the special assessment to the Auditor for placement on the tax duplicate. From a councilmanic standpoint, there would be a couple of pieces of legislation that must be passed and collaborating with Bond Counsel to ensure everything is in order. Bond Counsel would also be involved in educating residents if needed of the benefits of the SID.

Galicki explained his understanding of a project that would be done through a bond and the requirement of the project to adhere to Village standards versus a project done through the ESID which could be addressed by the residents with private contractors. Butler said that this was correct. Galicki observed that this would potentially be a cost savings to the residents. Butler explained that the ESID places the burden and opportunity in the hands of the property owner and not on the municipal government. Neither Engineering nor Finance is involved, other than for the retainer fee. This means the property owners engage the contractors and engineers, and potentially work with Ohio Department of Natural Resources (ODNR) and local watersheds. The municipal government largely stays out of it. Berger asked what ensures that work which is done meets local and state regulations. Butler stated that State and local permitting is important, which is the extent of the regulatory aspect of what the Village may do. Wise explained that projects may involve permitting by the Army Corps of Engineers as well as local municipalities. Additionally, there is the ESID board itself.

The Fiscal Officer clarified that if the Village were to utilize a bond for a project instead of the ESID, it would become the Village's and prevailing wage, etc. would be necessary. Butler said that if the projects were let by the Village, it would be a different story. The Fiscal Officer concluded that potentially the cost for the project would be less expensive because the property owners would not have all the mandates the Village does. The Engineer added that with Village projects, there are also bidding costs which could amount to \$5,000.

Butler compared a business SID with the ESID and explained that with the former, residents can be assessed whether or not they supported the project. With the ESID, everyone involved is there voluntarily and has asked permission to be specially assessed.

Galicki was interested in having Wise and Butler clarify the cost savings of the ESID to the residents. He thought there were a lot of advantages to the ESID. Berger questioned why there were only three municipalities involved thus far. Wise explained that it might be an issue of complexity and municipalities gaining an understanding of it quickly enough to commit to it. Wise referred to his time as a Trustee and recalled many residents who approached the Township with issues, and he wished he had had a tool like this county wide effort to provide a pathway for them. He saw it as a great tool.

The Fiscal Officer addressed the initial engineering of a given project and asked what would happen if the property owner(s) changed their minds after the engineering study was conducted. How would this be paid? Butler said it would be paid by the property owner(s). The property owner(s) must sign two petitions in order for the ESID to be formed. The first is non-binding and is asking for the ESID to be formed. The second petition acknowledges the cost of the project and is the commitment to go forward with it. This petition causes the assessment to be levied against the property. The Fiscal Officer asked again for clarification about who pays the engineer. Wise said that the resident(s) with the issue collaborate to have an engineer assess the situation, and many will do so without a contract. At the point that a contract is signed for engineering, the property owner(s) should be 90% certain that they will be doing the project and have the cost parameters. Butler explained that upfront costs like engineering can be wrapped into the financing if it is significant.

The Mayor asked the Engineer to expound on the Army Corps of Engineers. The Engineer explained that the Army Corps is involved in a certain subset of the Village's projects, but many do not require their involvement. They are a general permitting agency which seeks to determine if certain projects will adversely affect the quality or performance of stream channel.

The Mayor asked Kate Jacob, Geauga County Auditor's Officer, to comment. Jacob relayed that the County Auditor's Office is a resource to help streamline the process. She added that there are other communities interested in joining the ESID and concurred that it may be a matter of complexity that has preliminary limited municipality participation. She believed this would change. Wise reiterated that the Auditor is trying to provide some uniformity for the community. McDonald Hopkins will be sending a form of petition to the Auditor and Prosecutor so that communities can have some comfort that it is not just McDonald Hopkins. He reiterated that the template that will be provided will be individualized for each community and will serve as a template with which the community can be comfortable.

The Mayor said this had moved rather quickly for the Village, considering it was a year ago that the Village had begun to talk about what to do about the Parkland Dam. The Mayor said the Village would be looking at a \$3,000 cost to employ McDonald Hopkins and the Village has an agreement. The Mayor asked what involvement Geauga Soil and Water Conservation District (GSWCD) and the Chagrin River Watershed Partners (CRWP) would have with the ESID. Butler explained that there had been discussion of offering board seats to allow those entities a seat at the table with respect to decision making.

The Mayor stated that he originally thought that it would be better to have everybody think about this for a month and then make a decision on August 8th. He asked the Public Utilities Committee if they wanted to move on it tonight or take a month to think about it. Porter stated the committee discussed whether the Village would continue with the ESID if the Parkland Dam residents backed out. One of the issues for the Parkland Dam residents is the \$3,000 each resident must provide for Engineering to determine the actual cost for repairing their earthen dam. They are concerned that they will not get their money back if it becomes an ESID project. However, from the McDonald Hopkins explanation, the engineering expense could be rolled into the cost of the bonds issued. With that in mind, Porter thought Council should proceed with the ESID because it looked like the best way to tackle the Parkland Dam issue and some of the other issues the Village knows will be coming. A \$3,000 retainer is hardly overwhelming, and he thought it would be an excellent investment for the Village.

Galicki extended his thanks to the Auditor's Officer for their actions with investigating the ESID program and offering it to the Geauga County townships and municipalities; Jacob said she would pass

this along. Galicki added that the residents who are faced with a bond or ESID path now have the potential for a cost savings.

The Mayor introduced Paul McAvinchey, who wanted to hold an event on Saturday, August 20th, in the South Russell Village Park. Over 50 people are anticipated to attend, and Police/Service Department assistance might be required. It will involve bands/concerts and alcohol consumption. McAvinchey explained he is an entrepreneur with a conference and tradeshow company. His idea for a musical experience which he is calling Chagrin Jams, was created based on conversations with friends and family about getting together to share music they enjoy and play. It would be a community powered mini music festival. The event would begin around 4:00 p.m. and go until dusk. Within that time, there would be up to four to five musical acts, which would consist of three microphones and a couple of speakers. He would be encouraging those who attend to bring coolers, kids, and alcohol and food if they wish. He will not be charging because they have a sponsor to cover costs of some of the technical elements. McAvinchey said it is hard to imagine how many people might turn out for this given the venue. His best estimate is that there will be 30 to 40 families and his goal would be to have under 50 cars and 100 or more people.

The Mayor referenced the Chamber of Commerce concerts and did not think parking would be an issue. There would be clean up the following day for the Service Department and two police would be required. Galicki clarified that the food and alcohol would be brought by the participants and no food vendors would be engaged. McAvinchey agreed, however, but would consider the opportunity to have an ice cream van. The Mayor said that happens quite often. Galicki questioned whether the event might end up attracting more participants, and McAvinchey said he viewed this as a good problem but acknowledged that the Village might not. He is advertising the event on Facebook and is requiring an RSVP. He agreed it would not be possible to predict, but said it was his understanding relative to parking that 50 to 100 more people could be accommodated if that should happen. Canton suggested communicating with the adjacent neighborhood about this event. McAvinchey thought this had the potential of further promoting the event. He viewed it currently as more of a private event that is growing slowly. Canton explained that his concern was for the six households across the street. The Chief clarified that McAvinchey was creating a Facebook page for the event and would be able to gauge the response. McAvinchey agreed and said he has 40 responses to date. Porter addressed the available space after mowing occurs in early August. Galicki asked where the performers will be, and McAvinchey explained it would be in the Pavilion. Canton asked what genre would be played, and McAvinchey said they would be all over the place from Folk music to Electronic. No one is booked yet, but the purpose is to have a varied experience.

The Mayor thought McAvinchey's biggest expense from the Village's perspective will be for the Police Officers and Service Department. He suggested arranging a date for payment and approval of the event and asked if he wanted to wait until the August Council meeting for a decision. At that time, the Village would require payment of the fees which would run \$400. McAvinchey said that waiting until August 8th would put the whole idea off. He was willing to make payment immediately. The Chief said it would be an off-duty detail and payment was not needed in advance. He thought it would only require one officer. Regarding support from the Service Department, the Mayor thought four hours would be necessary. The Street Commissioner said he would be present. Porter suggested giving conditional approval for the event pending payment of the appropriate amount of money for the support of Village employees. Canton asked about the postponement policy, and Porter said the money would be refunded. The Fiscal Officer explained that arrangement of the off-duty officers is between the officers and

McAvinchey and the Village is not involved. Canton asked who would determine if the event would be postponed. McAvinchey said in the event of severe weather, there would be no harm in having to cancel. **Berger made a motion to conditionally accept the reservation based upon payments being made, with the acceptance that it is McAvinchey's determination whether the event goes forward or not, seconded by Galicki. Voice vote – ayes, all. Motion carried.** The Mayor asked that McAvinchey provide something in writing about the event. Porter asked if the Solicitor should draw up a contract. The Solicitor verified that there was an application and agreement and asked if a separate agreement was being requested. The Mayor said no, but was thinking the Village had not had a situation where compensation was needed for employees like the police officer. The Chief explained again that the police officer was irrelevant and was handled directly. The Mayor said he would be more comfortable for McAvinchey to state what he expects.

MAYOR'S REPORT: The Mayor distributed his report. He also provided Council with strategic planning materials from 1999. There will be a two-hour free strategic planning session put on by Dr. Scott Allen from the Boler School of Business at John Carroll University.

The Mayor discussed signs posted in the park over the past several years, although there had been no complaints.

The Mayor reported that for \$10,000, the Lake Louise neighborhood reconstructed their silt pond by piling the dirt and installing a fountain that cleans the water. He added that the Village did some work with a culvert in Lake Louise, and it had worked out well for the residents.

FISCAL OFFICER: The Fiscal Officer distributed her monthly report. She reported that the Cemetery had been busy this year and she offered kudos to the Administrative Assistant for keeping up with it.

The Fiscal Officer received notification that the Village will be receiving the second tranche of the American Rescue Plan Act (ARPA) money this week, which will be approximately \$197,000. This will go towards the Central Retention Basin project.

Porter discussed the Income Tax Collection history, noting collections were higher. The Fiscal Officer agreed and said she asked the county to reflect it on the Village's certificate of estimated resources. She reiterated that the increase was based on people working from home.

Berger asked the Fiscal Officer to explain the reason she included the bank reconciliation in her report. The Fiscal Officer said that each month, she posts her financial statements with the online Council packets. Her financials are more detailed than the Fiscal Auditor's, but they reflect that they match on every fund. Given the fact that the Fiscal Auditor will be leaving, she was trying to show the Finance Committee how she does her bank reconciliation, and ultimately show all of Council that everything balances.

FISCAL AUDITOR: The Fiscal Auditor distributed his report for the month ending June 30, 2022. He thanked the Fiscal Officer for getting him all the information he needed by July 1st. The fund balances are reflected on the report and match with the Fiscal Officer's to the penny. These funds total \$3.5 million. The interest rate has climbed to 1.15% in Star Ohio. The balances went down \$257,000 and for the year the Village is down \$88,000. Real Estate taxes will be coming as well as grant money, so this will change dramatically over the next two months. Regarding revenues, he noted that the Cemetery has been very busy and above budget. Other significant revenue sources included interest

income and miscellaneous income consisting of reimbursement for salt from Chagrin Falls Schools, a refund from Bureau of Workers Compensation, and GovDeals sales. The Fiscal Auditor noted that the Village is doing well with revenues and expenses are at 51%

The Mayor asked if the Fiscal Auditor situation were to fall apart, would residency be a requirement for the position? The Fiscal Auditor said it was not, but there are responsibilities like check signing that would require someone to be on site. There would be challenges to this. Controls were discussed to include having two people reviewing statements and balancing. He addressed the dual signatures required for the checks and said it had always been the possibility of the Chair of Finance to sign checks as well. He concluded that there are already controls the Village has in place.

FINANCE COMMITTEE: Galicki reported that the Finance Committee met on July 6th. The minutes were distributed to Council. There was also a Special Finance Committee meeting on July 11th to discuss the Village investment strategy. Additionally, there was a Tax Budget hearing prior to the Council meeting.

Galicki made a motion to approve the 2023 Tax Budget as presented in the Tax Budget Hearing prior to the Council meeting, seconded by Berger. Voice vote – ayes, all. Motion carried.

Galicki made a motion to take ownership of the sum of \$286.00 from the Police Department evidence locker, seconded by Berger. Voice vote – ayes, all. Motion carried.

Galicki made a motion to acknowledge receipt and review by Council of the July 11, 2022, Credit Card Report, seconded by Berger. Voice vote – ayes, all. Motion carried.

Galicki made a motion to approve the June 2022 cash balances, seconded by Berger. Voice vote – ayes, all. Motion carried.

Galicki made a motion that the Fiscal Officer and Mayor enter into an agreement with the Meeder organization to execute the investment strategy as delineated by the Fiscal Auditor in the June 11th Special Finance Committee meeting, seconded by Berger. The Fiscal Auditor explained that Meeder Investments manages Star Ohio, with which the Village currently has \$1.6 million invested. Meeder put together a proposal for the Village at the Village's request about a year ago, but the Village did not act on it due to concern about anticipated expenses. The thought was to wait until the Village had a five-year plan. Now a year later, interest rates have increased, and the Village would not want to miss out on an opportunity to lock in some higher rates. The committee asked Meeder to update their proposal, and they recommended a strategy with a mix of maturities in which to invest. 40% of the investments would be less than a year which would allow for flexibility if there were a plan to spend money. The committee decided to recommend to Council to invest \$1 million of the \$1.6 million currently in Star Ohio with Meeder. At that level of investment, the expectation would be to more than double the current yield after paying the fees, which would be a minimum of \$5,000. The committee chose \$1 million because it was money that could be safely invested and could be adjusted pending a 5-year plan and based on historic balances, which has averaged just over \$3 million. Porter asked what the investments would be, and the Fiscal Auditor explained it was primarily a mix of Government securities with small commercial instruments that are non-government with short maturities like 90-day or less. Porter verified the proposed investments were in accordance with the Ohio Revised Code (ORC), and the Fiscal Auditor explained that the benefit with going with Meeder is that they are familiar with the governmental investment rules. As far as the Village is concerned, there is a requirement to have

someone who holds the certification of Certified Municipal Finance Manager or someone who attains 16 credit hours per year towards investments and the Fiscal Officer satisfies this requirement.

Berger stated that this is just a first step and will be adjusted according to the five-year plan. He stressed that this was a very conservative effort to have something more than an interest-bearing checking account. Porter said he understood, but relayed incidents of problematic investments by other communities in the past, and said it all started with wanting more return on the investment. He thought what Berger was describing was okay but stated that if something goes off the rails it will be Council answering to the voters about what happened to the money. He thought it was a good idea. **Voice vote – ayes, all. Motion carried.**

SOLICITOR: The Solicitor had nothing to report. She reported there was just a Public Hearing for Zoning Code amendments and there were no comments. Usually at the actual Council meeting following the Public Hearing, there would be a recommendation by Council to either go with the approval of Planning Commission, disapprove, or table it. Her recommendation was to table it because just before the next Council meeting, there will be a Public Hearing on the same fee schedule but concerning the actual amount of the fees. The July 11th Public Hearing pertained to making the deposits into fees and no refundability. It would be a more efficient process if Council were to table a decision to accept the recommendation of Planning Commission until the next Council meeting on August 8th after the Public Hearing on the Zoning Amendment pertaining to the actual amount of fees that are to be changed. Thus, a motion would be required to table any action regarding the Planning Commission's recommendation. **Porter made a motion to table the amendment with Council's consideration the amendments of the Zoning Code as recommended by the Solicitor, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**

ENGINEER: The Engineer stated that the 2022 Road Program is underway. The asphalt roadway recycling process has been completed on Ridgecrest Dr., Garden Park Dr., Louise Dr., and Fairview Rd.. The Road Program budget is running at an approximate \$74,000 surplus. Base repairs are to be determined, and proof rolls will be done on all the recycled roads after two weeks to assess the need for additional base repairs. The Village parking lot was included as an alternate of the Road Program contract for base repairs and chip seal. He will keep the committee apprised of the start date for this.

Regarding the Manor Brook Stream Restoration and the Central Retention Basin projects, there was a preconstruction meeting with representatives of Mr. Excavator. The Engineer reported he is still in the process of getting submittals from the contractor for approved materials. The Engineer and the Fiscal Officer completed one of the two Environmental Protection Agency (EPA) Notice of Intent filings for Manor Brook, and the other would be completed the following day for the Central Retention Basin. This should take care of all the preconstruction permitting requirements. He expected to have shovels in the ground by August.

STREET COMMISSIONER: The Street Commissioner submitted his monthly report. The Salt Dome structural issue worsened. He has been in touch with the contractor who would brace up the falling wall.

STREET COMMITTEE: Porter said the minutes of the Street Committee meeting were distributed. Porter stated that the Street Commissioner suggested the American flags remain up until after September 11th. Since the current flags are more durable, there should not be significant wear and tear. **Porter made a motion that the Street Commissioner continue displaying the American and Service flags**

that are currently up until September 12, 2022, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

Regarding the Salt Dome, the contractor indicated that it would be about \$500 to shore up the collapsing wall and the funds were available under properties. Galicki questioned that a collapsing wall could be repaired for \$500, and the Street Commissioner explained this would just be a temporary fix and then he would get recommendations for a repair. Galicki asked if this would be done through competitive bid, and the Street Commissioner said probably. The Engineer thought the bidding threshold would likely be exceeded with the project and it would be more than \$50,000. The Engineer advised three options were being evaluated to determine the most feasible. Porter said this would be discussed in the Street Committee meeting the first Friday of the month at 7:30 a.m. in the Street Commissioner's Office.

BUILDING COMMITTEE: Canton reported that the committee met on July 7th and the minutes were distributed to Council. He wished to add a suggestion by Bell to the minutes. Under "Terms" in the proposed Inspection Solutions contract, it states that the agreement shall be in effect July 15th, 2022, on a monthly basis. Bell had proposed it be changed to "one year." Bell also had suggested the termination of the agreement should be a 30-day notice instead of the 15-days stated in the contract. Canton stated that Hocevar agreed to these changes. Porter clarified that it would be going from 15-days' notice to 30-days, and the Mayor concurred. The Solicitor noted that it was also going from month to month to a year-to-year contract, which made it very different. The Solicitor stated this would be more than an amendment to the contract, and the previous contract should be terminated and the new one adopted. The Solicitor asked the Mayor if he had discussed this with Hocevar. The Mayor reported that Hocevar provided an email statement whereby he asked that his existing contract be cancelled and a new one be created. The Solicitor added that hopefully this was effective 15 days from today, and the Mayor said he told Hocevar to say "effective July 26th," but Hocevar indicated July 25th. The Solicitor suggested going to August 1st to make it easier. That way, the termination would be done and August 1st, pending approval by Council, the new contract would take effect. Canton asked if he could proceed with the proposed contract, and the Solicitor said yes, but pointed out a typo that required fixing. The Solicitor said, however, that in reviewing the proposed contract, she saw confusion as to what is included inside the retainer versus outside the retainer. Canton said that Hocevar made this clear in an email. The Solicitor suggested including the following verbiage in the agreement, "as outside the retainer fee." Currently, all inspections are included inside the retainer unless over the 20 hours. She clarified that where it states, "any and all residential inspections, zoning inspections, and/or commercial inspections will be [treated as outside the retainer fee and will be] billed by Inspection Solutions to the Village at \$75 per inspection." She explained she would add this because she is not completely sure if managing Village projects would be considered doing inspections. Previously, inspections were included in the 20 hours in the retainer until after the 20 hours. She wanted it to be clear that all inspections will be outside the retainer fee. She wondered if Hocevar had seen the proposed change, and the Mayor said yes, but not with the 'outside the retainer,' but he had seen everything else. Canton asked if they should wait. The Solicitor said Council could approve the contract, and then see if Hocevar would agree to it. She added that it is just explaining what Hocevar's email answered of today's questions. It should be made clear in the contract.

Galicki asked about the retainer. Previously, the Village had reviewed examples of Hocevar's agreement with other communities. The Village appears to be one of the few communities that pays for inspection fees plus a retainer in this proposed contract. Galicki tried to find the source of the retainer fee, and it appeared that when Hocevar retired as Building Commissioner and took on the role of a

contractor for the Village, the retainer fee might have been proposed so that he would cover the vacations of the fully employed Building Inspector. For a number of years, this role has not existed. He wondered if there had been discussion as to why the retainer fee is paid and not just per inspection fee of \$75. The Solicitor did not know. The current agreement was executed in August 2020. She did not believe there was another amendment in 2021. The current contract still has the retainer, but the previous Building Inspector had already been gone by that time. It was two contracts ago. The Mayor said the retainer is 20 hours which is basically an hour a day for when he comes into the office to look at blueprints or answer questions. That is where he gets the \$2,000 for running the department with his expertise. He is the hired gun with the other communities.

Porter asked if the language in paragraph 3 of the Retainer Fee section, "Inspection Solutions primary commitment to the Village," is a deviation from prior contracts. The Solicitor stated no that it was in the previous contract. Porter said this would mean the Village is number one for Inspection Solutions rather than being one of six.

There was discussion about approving the contract by motion or ordinance.

Canton stated that while the Building Inspector was on vacation, the part-time Zoning Inspector performed a number of building inspections.

POLICE CHIEF: The Chief submitted his monthly report. He noted that over the 4th of July weekend, there were no complaints about fireworks. However, the Chief had a discussion with the Fire Inspector who believed that the Village needs to make it illegal for fireworks to be discharged in South Russell. He clarified that neighborhoods could do it because this is based on a permit which is approved by the Fire Inspector and Police Chief. Canton understood the dangers of fireworks but said it would be like eating soup with a fork to enforce this. The Chief reiterated that there are not many complaints. However, the Fire Inspector felt strongly about this relative to the liability and potential for fire with dry conditions. The Mayor suggested having the Fire Inspector attend the next Safety Committee meeting.

Canton asked about the house fire that occurred in the Village, and the Chief reported that the Arson Investigation Unit was out, and they may not be able to accurately give a cause. There was discussion of staining that was being done and the potential for spontaneous combustion.

SAFETY COMMITTEE: Galicki reported that the Safety Committee met on July 7th and the minutes were distributed to Council.

HR COMMITTEE: Berger reported that the committee met July 6th, and the part-time Patrol Officer's pay range was discussed. The committee is recommending adjustment of the pay range to reflect a rate of \$26.38 per hour for probationary officers with less than 6 months with the Village, to be increased to \$30.00 per hour on completion. There was clarification that this motion would not change the pay range ordinance, which was amended at the previous meeting. Berger clarified that this motion would change what the Village will actually pay employees. The Chief explained the pay range amendment was passed at the last meeting, but not the rate. **Berger made a motion for probationary part-time patrol persons effective July 12, 2022, that the rate will be \$26.38 per hour, seconded by Cavanagh.** Porter asked if this rate was for someone just out of the Police Academy, and whether individuals with more experience were paid differently. The Chief stated that this was the probationary period rate, which is currently \$26.38 per hour. After the six-month probationary period, it would increase to \$30.00 per hour. **Voice vote – ayes, all. Motion carried. Berger made a motion that those part-time patrol persons who have completed their probationary period of six months then would receive an**

hourly rate of \$30.00 per hour effective July 16th, 2022, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

Berger made a motion to acknowledge Kailey Gavanditti as being hired by the Village effective July 12, 2022, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

Berger addressed the Fiscal Auditor position. The committee considered recommending against hiring a Fiscal Auditor, but to include some of the duties with the duties of a part-time administrative assistant candidate who will be interviewed on Friday, July 15, 2022. There is no requirement to have a Fiscal Auditor. The Solicitor stated there is a requirement for the Village to have one by its own ordinances. Berger acknowledged this and added Council can amend this rule and amend job duties. HR will make a recommendation in August.

The Solicitor addressed the expiration of the Inspection Solutions contract in 15 days and indicated a special meeting would be required before the next scheduled Council meeting. Dates were discussed.

PROPERTY COMMITTEE: The Parks Committee met on June 20th, and the minutes were submitted to Council. A rough draft of the policy for purchasing trees and benches was also distributed. The Fiscal Officer, Street Commissioner, Cavanagh, and Canton will meet to iron out a finished product.

PUBLIC UTILITIES: Porter reported that the Public Utilities Committee met and discussed the various stormwater items along with the benefits of the ESID compared to bonds. The Engineer and Solicitor were also in attendance. Digging will begin for both projects in early August or earlier. Once the Notice of Intent to Proceed for the Central Retention Basin is received, Mr. Excavator can get started. He did not know which project would be done first. The committee would be looking for feedback from the residents along Manor Brook about the progress of the project.

Porter advised there would be a Public Utilities Committee meeting on August 5th at 9:00 a.m.

The Mayor and Engineer addressed the intent of the Geauga County Engineer's Office to undertake a paving project of Washington St. this year. The Village owns whole sections of it, and in some places just a lane. The Engineer reviewed the sequence of events with this project whereby the county approached the Village about paving its sections in conjunction with the project and utilizing its Permissive Tax funds. The county was unsuccessful in getting a bidder, and in re-advertising for bids, the Ohio Department of Transportation (ODOT) noted that the Village was not included in the project scope. In order to avoid having to abandon and/or rescope the project, the Village would have to do its own sections independently. The Engineer explored the possibility of utilizing the county's contractor and still using Permissive Tax funds. In the second round of bidding for the county, however, the county was again unsuccessful in getting a bid. The project is now pushed to next year. The county's plan and the Engineer's recommendation is to have the county write the Village's portion of Washington St. into the scope and proceed with the original plan. This way, the Village would not have to bid, administer, or inspect it.

Porter made a motion that the Village authorize the Mayor, Fiscal Officer, and Engineer to enter into an agreement with Geauga County for the purposes of paving the Village's section of East Washington St. where such cost would be borne by the Village, but the project would be administered by Geauga County with the Engineer to maintain watch of the performance of the paving contractors, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.

The Mayor addressed the culverts. The Engineer clarified there would be four culverts, two of which will be funded through OPWC. This should occur before the paving of Chillicothe Rd.

ORDINANCES/RESOLUTIONS:

Porter introduced an ordinance approving the engagement of McDonald Hopkins LLC to provide legal services regarding the establishment of an Erosion Special Improvement District to the Village of South Russell, authorizing the Mayor to execute the engagement letter, authorizing the Fiscal Officer to remit payment of the \$3,000 retainer to McDonald Hopkins LLC for such legal services, 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 2022-58

Canton made a motion to consider an ordinance approving the Service Agreement with Inspections Solutions, LLC for the professional building inspection services authorizing the Mayor to execute the South Russell agreement on behalf of the Village of South Russell and declaring an emergency. Porter suggested adding, “as amended by the Solicitor’s red lining.” Berger suggested including, “and to be effective August 1, 2022.” Canton made a motion to waive further readings, seconded by Berger. Roll call. Ayes, Porter, Berger, Canton, and Cavanagh. Nay – Galicki. **Motion failed.**

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

Galicki introduced an ordinance decreasing Permissive Tax expenses \$138,000; decreasing ARPA Fund expenses \$128,000; increasing Income Tax Transfers \$354,000 and increasing Village Hall Headwater expenses \$115,411.31, 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 Berger. Roll call – ayes, all. Motion carried. **ORD 2022-59**

Galicki introduced an ordinance transferring \$500,000 from Income Tax Fund to the Bell Road East Fund, and \$100,000 to the Large Equipment Fund; and de-certifying to be transferred \$100,000 to the General Fund, \$18,000 to the Permissive Tax fund, and \$128,000 to the ARPA Fund, 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 2022-60**

Galicki introduced an ordinance advancing funds from the Income Tax Fund to the Manor Brook Fund of \$160,000 and declaring an emergency.

BILLS LIST

Galicki made a motion to ratify the bills of June 14, 2022, in the amount of \$249,251.24 and June 29, 2022, in the amount of \$60,702.17, seconded by Berger. The Fiscal Officer explained these were corrected to take Manor Brook out. These charges will be submitted for approval at the August meeting.

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

Porter asked the HR Committee if the Village had qualified applicants for the Fiscal Auditor position. The Fiscal Officer explained to date there had not been any, but submission of the ad had been held in abeyance of discussion of alternatives for the position.

Canton stated that the Building Committee will meet on Thursday, August 4, 2022, at 8:00 a.m. in the building department office.

Cavanagh stated she is busy looking at the Cemetery and speaking to Linda Mattern. She asked when the next newsletter would be published, and the Fiscal Officer said at the end of August or beginning of September, but it could be earlier if needed.

Porter made a motion to enter Executive Session at 9:12 p.m. for purposes of potential litigation pursuant to section 121.22 (G)(3) of the Ohio Revised Code and inviting the Mayor, Fiscal Officer, and the Solicitor, seconded by Berger. Roll call – ayes, all. Motion carried.

Council reconvened at 9:47 p.m.

ADJOURNMENT: Being that there was no further business before Council, Cavanagh made a motion to adjourn at 9:47 p.m., seconded by Porter. **Voice vote – ayes, all. Motion carried.**


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki