

**RECORD OF PROCEEDINGS  
SPECIAL COUNCIL MEETING  
TUESDAY, APRIL 18, 2023 – 7:00 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

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

**OFFICIALS PRESENT:** Street Commissioner Alder, Solicitor Matheney, Administrative Assistant Galicki

**VISITORS:** Liz Manchester, Manor Brook Dr.; Claire Roush, Paw Paw Lake Dr.; Kevin Keesler, Cascades Dr.; Nancy Moran, Manor Brook Dr.; Casey Forbes, Snyder Rd.; Richard Haber, Paw Paw Lake Dr.; Kent Kristensen, Paw Paw Lake Dr.; Robert O'Brien, Paw Paw Lake Dr.; Joe Piannecki, Paw Paw Lake Dr.; Terry Mitchell, Paw Paw Lake Dr.; Heidi Baumgart, Paw Paw Lake Dr.; Chris Smith, Fox Ln.; Laila Stephenson, Teaberry Circle

The Mayor called the Special Council meeting to order and the Administrative Assistant read the roll.

**Bell made a motion to approve up to 1,000 tons committed by the Village to ODOT and to authorize the Street Commissioner to submit electronically to ODOT for that tonnage for the salt program, seconded by Porter.** Galicki questioned the amount of salt being ordered given that the Village experienced a mild winter and wondered if it would exceed the capacity for storage. Porter said it would not. Galicki noted that the current salt dome is nearly full, and yet more had been ordered. The Street Commissioner explained that the order will be for next year and will not be used until after 2024. Galicki did not anticipate that the Village would be using any salt between now and next year. Bell replied that the salt currently in the dome might be used in October through December, and then the Village will begin to get salt delivery in January. The Street Commissioner added if need be. Bell acknowledged that Galicki raised a good point that the committee could consider if the trends are towards mild winters. Porter noted that the Village used to order 1,500 to 1,700 tons. The Street Commissioner explained that it was 1,700 tons, which was reduced to 1,500 and then to 1,000. **Voice vote – ayes, all. Motion carried.**

**ORDINANCES/RESOLUTIONS:**

Galicki provided a second reading of an ordinance amending the Annual Appropriations increasing Manor Brook Fund expenses \$19,000.

**STORM WATER PRESENTATION/DISCUSSION**

The Mayor explained the meeting was a follow-up to the storm water meeting in January. The agenda included discussion of the Manor Brook floodplain project, the proposed Phase II Manor Brook project, Hydro-Flo device that was installed, Central Retention Basin, status of the three Erosion Special Improvement District (ESID) projects, the recommendations to control water in the Village park, silt removal discussion with Congressman Joyce, the quality of septic systems

per the Geauga County Health Department; timeline of installation of the four culverts through Chillicothe Rd., and water testing.

Utilizing a slide presentation, the Mayor described water flow through the Village. He indicated that Chillicothe Rd. acts as a big dam causing the water to collect on the east side while enroute to the west side.

The Mayor addressed the Manor Brook project. The Village spent about \$300,000 last year hauling dirt out of the project location. The Mayor showed pictures of the project, to include rocks in a stream designed to slow the water. Essentially, the Village took a straight stream and wiggled it about 1,100 feet and restored the flood plain that was there years ago. It is designed to hold the water and when the water rises it goes sideways instead of rushing downhill. The Mayor discussed installation of a culvert that will catch water on the east side of Chillicothe Rd. and send it into the floodplain. This is designed to stop the flooding of homes on the east side. He described the path the water would take with the new design.

The next issue the Mayor addressed was near Fox Run. He referred to a photo of a bridge and said it was not safe and that erosion had taken away the land underneath it. It is all on private property and the Village is having discussions with the HOA about it. Porter explained that the Engineer's plan is for a retention basin on less than an acre on the western side of the parcel. It would serve to collect water coming from Fox Run before it gets to Sugar Bush. If the HOA is agreeable, the Village would obtain an easement and then construct and maintain the detention pond at the Village's expense. The project would not benefit the Fox Run residents but would help Sugar Bush and areas downstream. Manor Brook Phase II would help Fox Run. Porter further explained that this is a situation where the water goes east to west and north and people who are to the eastern side are benefitting from larger culverts being installed under Chillicothe Rd. The people in Sugar Bush would benefit from a detention pond at Fox Run. If the Village can do Manor Brook Phase II, that will help Fox Run residents and will complete most of the work recommended by the engineers in the 2004 and updated stormwater studies. The Village is spending a lot of money to control flood water and so far, the Central Retention Basin south of Village Hall has prevented a significant amount of flooding on the western side of Chillicothe Rd. south of Bell. The Village has gone east to west with its stormwater efforts and will try to knock them out one by one. The Whitetail Master Association was very cooperative with Manor Brook Phase I and the Village hopes that Manor Brook Gardens will be cooperative with Phase II once they have some assurance that Manor Brook Phase I worked as designed. The Village will also see if the Fox Run HOA is interested in helping out. It is entirely up to them because it is private property. Nothing would be forced, but it is a way to help the neighbors downstream and overall help control flooding throughout the Village.

The Mayor continued to describe land ownership in the Manor Brook area.

The Mayor addressed the use of a Hydro-Flo device which is located on the culvert near Gurney School and measures waterflow.

Heidi Baumgart asked what was done with the Manor Brook Phase I project. The Mayor explained that the Village obtained a 319 grant. The total project was about \$300,000 and he

thought the Village paid 40%, which was about \$180,000. Baumgart clarified that the Village paid for it, and the Mayor concurred and said it was tax money. Porter explained that the remainder was an Ohio Environmental Protection Agency (OEPA) grant.

The Mayor continued with his presentation showing pictures of a culvert at Sugar Bush, and describing the water flow. This area has a tremendous amount of flooding even with the 48" culvert. This is where the Village has slowed the water. According to the Mayor, the Village spent a ton of money and did two big projects and needs to take a year to see if what was done was correct and then correct mistakes. There have not been enough hard storms to know if there is a problem.

The Mayor continued his presentation by stating that water from the Kensington Green spillway flows into the Central Retention Basin, which was all Village money and was almost \$300,000. It was designed to catch the water before it gets to Chillicothe Rd. and slow it as it goes to Chagrin Lakes. Early indications are that the project is working.

The Mayor discussed the concept of the ESID and said it was created by the State of Ohio and allows neighbors or private owners to get together to correct problems on their properties. As an example, the Mayor relayed that the 11 residents of Parkland Dam agreed to have their taxes raised to pay to fix the dam. The cost stays with the property. There are currently three ESIDS in the Village with Parkland, Country Estates, and Manor Brook. Nancy Moran stated that Manor Brook had gone through the bidding process for its project, but only received one response and it came in at double the estimate. She suspected the HOA would have to regroup. She explained that when Manor Brook was first constructed, the drainage program site was a series of swales that led the runoff water to two ponds, one on the north side of the property and one on the south. Over 40 years, the swales have filled resulting in a lot of standing water and erosion and foundation issues. The HOA wants to reinvigorate the original design with some enhancements.

Liz Manchester explained that prior to the Manor Brook Headwater stream project, the HOA was working on its own drainage because they have had a problem for a while.

The Mayor continued with his presentation and stated that the Family Life Center (FLC) is in Bainbridge and has a retention pond that has never worked properly. The Village made an adjustment to it about six years ago and recently made another adjustment. Basically, the water would come in and keep going. The Village has worked on it to slow the water, letting it rise up. After a few years, it filled with muck and dirt. Baumgart asked if the Village had an investment in this, and the Mayor said yes, and thought it was \$7,400 and the Village paid half.

Just north of the FLC problem is the driveway to the Lantern where the water flows and shuts down Chillicothe Rd. This is where one of the culverts will be replaced.

Regarding the Village park, the area between the parking lot to the playground is wet. The Village will do something to reduce this issue.

The Mayor addressed Paw Paw Lake and said it was the biggest silt issue in the Village. He displayed a slide and described the dirt that had been removed from the silt pond. It was last removed seven years ago. Richard Haber stated it was done in 2015. The Mayor advised he was going to work his way up through Congressman Joyce's office to see if there was anything the Village could do because there were about 20 ponds and most were full of silt. He would inquire as to whether there was any way or anything Joyce's office could do to help the Village. The next step is to find someone else's money to help with the ponds. There is a lot of money going out by residents for these issues.

Haber encouraged everyone to come look beyond the Paw Paw Lake silt pond at the southern portion of the lake during the dredging process. The entire southern portion has been filled with silt and it will be necessary to have someone dredge a third of the lake.

Ken Kristensen advised that the deposits that contributed to the silt pond and lake are not just arising from South Russell but also from Bainbridge, Auburn, and Newbury which should be addressed with Congressman Joyce. It is not just a local issue but a regional one. He added that it should also be conveyed that Silver Creek runs through it, which feeds the Chagrin River, a national waterway.

Chris Smith, Fox Way, asked if Paw Paw Lake was a manmade or natural lake. Haber said it was dammed to create a lake and the community has its own dam that it maintains. Smith observed that the silt pond had been installed but not properly maintained, which is why there would be silt in the main lake. Haber said it was a combination of issues. Paw Paw Lake HOA dredged in 2000 and again in 2015. Since 2015, they have accumulated substantially more silt for a variety of reasons. They bid the project out two years ago and it has been underway for eight months, so it is not a question of it not being maintained. The issue is that it is filling up faster than it has historically and because it has gotten worse while the dredging has occurred over a period of time because the contractor comes when he is able to do so. As a result, they have gotten more silt in the mouth of the lake than they might otherwise have had. Baumgart added that there was also the Dominion gas line that happened in the middle of the two time periods. Cavanagh stated that the Lake Louise Bridge project was why Paw Paw Lake HOA did not dredge two years ago because they knew there would be more silt as a result of the bridge replacement.

Berger asked whether the same contractor would dredge Paw Paw Lake, and Haber explained that this dredging would be in excess of \$200,000 - \$300,000 to do it the correct way. It is prohibitive for the community. By getting the silt pond back to the correct level, they hope it will slow down the degradation of the lake while they try to incrementally manage it to make it affordable. It is expensive which is why they are looking to the Village for help.

The Mayor continued by addressing the quality of the Village septic systems per the County Health Department. According to the Mayor, there are no known issues for septic systems. They are required to be cleaned every three years. Geauga Health Department is overwhelmed currently but they have not had any issues. The Mayor still wanted to make sure. Kevin Keesler advised that it is required that septic tanks are pumped every three years, but questioned the existence of a mandate to make sure the systems were actually working to include chlorination,



pumps, aerators, etc. He questioned whether this was being watched by Geauga County any longer and noted that point-of-sale inspections were no longer being required. Furthermore, the contractors who pump the tanks are not qualified to inspect the systems. Keesler asked if Paw Paw Lake had been tested after a rainstorm. Haber explained that the HOA tests the water. Regarding the point-of-sale inspections, Terry Mitchell, Paw Paw Lake Dr., said she is a realtor and verified there is no longer a point-of-sale for Geauga County. Furthermore, system inspections are not consistently required by lenders depending on the nature of the sale of the homes. She offered that service agreements are available from the septic system installers where the system is consistently checked. Geauga County is in flux and trying to catch up. Mitchell described that with homes where the septic systems were not checked or properly maintained, problems could go on for years and perhaps only be identified through the point-of-sale inspection. Sometimes a lender may require the inspection, but currently, only pumping is mandated. The Mayor proposed that at the next Building Committee meeting on May 4<sup>th</sup>, this matter of determining whether septic systems were really working would be discussed. The Solicitor added that the County Health Department investigates complaints of suspected issues with septic systems.

Regarding upcoming culvert replacements, the Mayor warned that in June, traffic would be down to one lane at times. Four culverts would be replaced, and he described the locations and water patterns associated with each. The first culvert is near the Lantern and will change from a 12" to a 15". The second is just south of Village Hall and catches the water from the Central Retention Basin and sends it to the Chagrin Lakes swim pond. The third is at the intersection of Bell Rd. and Chillicothe Rd. at DRY Insurance and will be a 12" culvert that crosses Bell Rd. at the south end and ties into a storm drain where it will flow to the west. The fourth culvert will be at Manor Brook Dr. and Chillicothe Rd. and is designed to catch the water on the east side of Chillicothe and get it to the west side.

Smith asked about the Manor Brook culvert and the Mayor explained that it will be at 5141 Chillicothe Rd. and will be a 30" culvert which will replace a 12"-15" culvert. Smith asked if anyone had calculated whether the areas downstream can handle the water that will flow through it. His concern was that the measurements were taken when the first Manor Brook project was designed and had not been adjusted to the current design. The water would be dumped into Fox Run and then downhill from there. The Mayor said the consultants were confident the design would work. Canton stated that several years ago, he made a point to bring up in Council that he would not support an issue that would solve a problem on the east side of Chillicothe but cause a problem for the southwest side of the Village. The Engineer assured Council that the southwestern part of the Village will be able to handle the water with the way it is now. Smith was skeptical that in putting in the larger culvert that half of the originally proposed project would handle the water. Porter said that this was what the Engineer indicated. The floodplain increases the surface area where the water can go. The Engineers calculations indicated that the increase in volume of water will not have any more of a detrimental effect with only Phase I done than if nothing had been done. Porter further stated that the calculations were redone for the Phase I portion. Smith said he never saw any of the data for the project and wanted to make sure consideration had been given to the areas downstream from the project.

Smith referenced the bridge in the wooded area on Fox Run and asked who had deemed the bridge unsafe. The Mayor said he did not know. He had heard for a couple of years that one leg is no longer supported. Smith had never heard that it was deemed unsafe. The Mayor said he heard over the years that the water had eroded one of the four legs. Smith said it is still usable, and again asked who deemed it unsafe. The Mayor said that “unsafe” was probably not the correct term.

Regarding the proposed easement on Fox Run, Smith said that the proposed area is a common area used for recreation and asked if the Village considered using the wooded property between the school and river that is unused. The Mayor did not know.

Mitchell referenced the Mayor’s plan to speak to Congressman Joyce. Paw Paw Lake HOA is working furiously to dredge, and she encouraged everyone to go look. The residents cannot use the lake because of the dredging project. It is affecting the wildlife, beaches, and looks awful. From a real estate standpoint, it has an impact on property values throughout the Village because it is an indicator of a larger problem. She asked about the timetable in terms of approaching Joyce’s office and what they might expect from that. The Mayor said he has talked to one of Joyce’s people and will talk with them in May. The Village works with different groups like the Chagrin River Watershed Partners (CRWP) and they know where money is. He wants to see if there is something that can be done as a Village cooperatively. Spending money on private property cannot be done unless there is a huge reason. Mitchell replied that the communities that surround Paw Paw Lake were recipients. Even though Paw Paw Lake is private, they are not creating a lot of problems. It is coming from the public area, and they are receiving it. They are struggling and it is unrealistic to have to dredge every few years.

Robert O’Brien, Paw Paw Lake Dr., asked if the \$180,000 for Manor Brook, \$300,000 for the Central Retention Basin, and the \$7,400 split with the FLC were not all private property examples. The Mayor said the FLC is private property, but that the Village had asked them to fix their retention basin and they asked the Village if it would pay half and it did. The Solicitor explained that it was a nuisance complaint, and they were cited for a nuisance. Haber said that the defense from South Russell that it cannot spend money for private communities is false. It spends money all the time to help communities that demonstrate that they needed it. Every dollar spent is helping some member of this community. Some of that is Paw Paw Lake’s money. The difference is that the Village does not spend any money to help Paw Paw Lake because with respect to every issue it brings to the Village’s attention the response is that they are private so the Village cannot spend the money. The silt issue is not created by Paw Paw Lake. It comes from downstream. The public statement with respect to the Manor Brook project was that the project was going to specifically help reduce sediment and nutrient pollution to the Chagrin River or Lake Erie. What Paw Paw Lake needs is for the Village to help figure out how to slow the flow of sediment and nutrient pollution into their lake that comes from the streams that feed into their lake because they are bearing 100% of the expense of that and have community members who simply cannot do it. If the community is not going to help Paw Paw Lake, they will be back there every month clamoring for the Village to do it because it has

shown a willingness and ability to spend money on private property for the benefit sequentially of every community but theirs.

The Mayor clarified that Paw Paw Lake HOA would want the Village to do something with catching the water and silt coming out of Lake Louise and Silver Creek before it gets to Paw Paw Lake's silt pond. Haber understood the purpose of the silt pond and that silt travelled downstream, but explained that it has accelerated, and it is unreasonable to dredge the silt pond every five years. The solution is not putting a strainer at the edge of their silt pond because that would only fill up under the bridge and then the Village could dig it out every year. This is not a realistic solution. The Manor Brook project solved some of the sediment issue, and the same type of solution could work for them, but someone needs to look at it and be willing to solve the problem for people who are paying taxes and get almost no services from the Village.

O'Brien asked if Manor Brook and Kensington Green were incurring personal expenses with their water issues. Porter said Kensington put in a bubbler system in Bullfrog Pond at its own expense. Galicki added that it also cleared out a neglected retention basin, also at its own expense. A participant suggested that this was to preclude bacterial build up in the pond, and Bell advised no, that it involved sediment too. Galicki explained it was also an attempt to mitigate some of the water flowing downhill. Haber indicated that bubblers would be ineffective due to the current silt levels in Paw Paw Lake. Smith suggested accessing Geauga Soil and Water to help Paw Paw Lake. Haber thought there must be other governmental authorities that would have some interest in the quality of the water and in maintaining the lakes and streams in a functional way while also aiding in water management for the community. He observed that the Village had done a lot for Chillicothe Rd. and west while all of the water from Chillicothe Rd. and east ran into their lake. Haber continued to discuss the topography of Paw Paw Lake and the resulting wet conditions. Because of all the water and sediment flowing into their community from development over the years, their swales have filled. It is a community problem, and the Village cannot just ignore Paw Paw Lake.

Joe Pianeck said Paw Paw Lake just celebrated 100 years. At its inception, the lake was beautiful and required dredging every 20-30 years. Now it is every five years at their expense. The Village benefited financially from developments through property taxes. Three to four years ago, Paw Paw Lake had to pay \$200,000 for a road out of pocket because of the erosion. He stated that Paw Paw Lake is absorbing the expense of the problems and it has to stop. If a solution is not found, there will be no Paw Paw Lake because no one will move there, and it will be abandoned because 42 homeowners cannot afford to maintain it. Somewhere there is money, and they won't tolerate being told that the Village cannot deal with it because it is private property.

The Mayor offered that he would meet with Congressman Joyce, CRWP, Geauga Soil and Water, and EPA. He was not sure what could be done but suggested that perhaps there was some way to get money to help everyone's water issues.

Baumgart asked if the Engineer had actually looked at the Paw Paw Lake issues. O'Brien said the community has been offered the most expensive unaffordable solutions in an effort to kick

the bucket and not address the real issues. He reiterated that they receive very little in the way of services from the Village and the Village is netting more in taxes and they are getting zero help.

The Mayor responded that the Village would get back to them on September 19<sup>th</sup> at 7:00 p.m. Ken Kristensen said he has heard this before and at some point, there needs to be concrete action. The Mayor said to let him know legally what the Village can do, and he will gladly get it done. Pianecky replied that it is the Village who should be figuring it out since it is collecting their tax money. Council was elected to deal with the issue and finding the legal solution. He demanded a concrete plan and action. The Mayor reiterated that there were four groups that would be explored and he did not know what else to tell them. O'Brien said that it was disconcerting that the Village is finding almost a half million dollars for other instances and cannot make any financial commitments to Paw Paw Lake. The Mayor said he did not know where the legal compromise was, but he would try to find it.

The Mayor distributed a map of the Village with 26 proposed locations for taking water quality samples. A request was sent in the previous newsletter for voluntary water testing and 13 responses were received. The Village will be hiring a gentleman for \$50 to go to the different locations to collect water samples to send to Bio Solutions. This will be to see if septic systems are working and to determine if there are water problems in the Village. The locations were just proposed, and the Public Utilities Committee will look at it. Haber noted that it said Paw Paw Lake spillway for testing and advised that this is exiting Paw Paw Lake. Would the Village be testing water entering? The Mayor explained that tests would be conducted at Lake Louise and Silver Creek where they come into Paw Paw. Galicki asked the Mayor to explain what the Village is testing. Is it for the quality of potable, drinkable well water or the quality of pond water? The Mayor replied that it is to look for what is in the water. He did not know exactly what would be tested but it would be 26 random locations that he thought would be good to test. Haber indicated it would be for E.coli and fecal matter, which is done for their lake. Galicki verified they have done this testing for years, and Haber said they do it to let residents know it is safe to swim. Galicki asked if the letter inferred that the Village would be testing well water. The Mayor said nothing was inferred and it was about water quality. Galicki asked what the 13 people signed up for, because it appeared the Mayor's list was stormwater related. The Mayor said he did not put any of the 13 homes on the list because he did not know whether the Village would do all of them. He thought they volunteered because it was a free test and better than what they could do with Kinetico.

**ADJOURNMENT:** Being that there was no further business before Council, **Porter made a motion to adjourn at 8:05 p.m. seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki

Storm water update  
Tuesday, April 18<sup>th</sup> 7:00 p.m.  
2023



# Agenda

- Status of the Manor Brook floodplain project
- Manor Brook phase two proposed
- Hydro Flo device information
- Status of the Central Retention Basin project
- Status of the three Erosion Special Improvement Districts, Manor Brook HOA, Parkland Dam in Chagrin Lakes, and Country Estates
- Installation of the recommended bio-swale area in the northeast corner of the park
- Silt removal and Congressman Joyce
- The quality of our present septic systems per Geauga County Health Department
- Timeline of the installation of four culverts across Chillicothe Road, June 2023
- Water testing at twenty-five locations across the village, 13/1400 homes



[REDACTED]

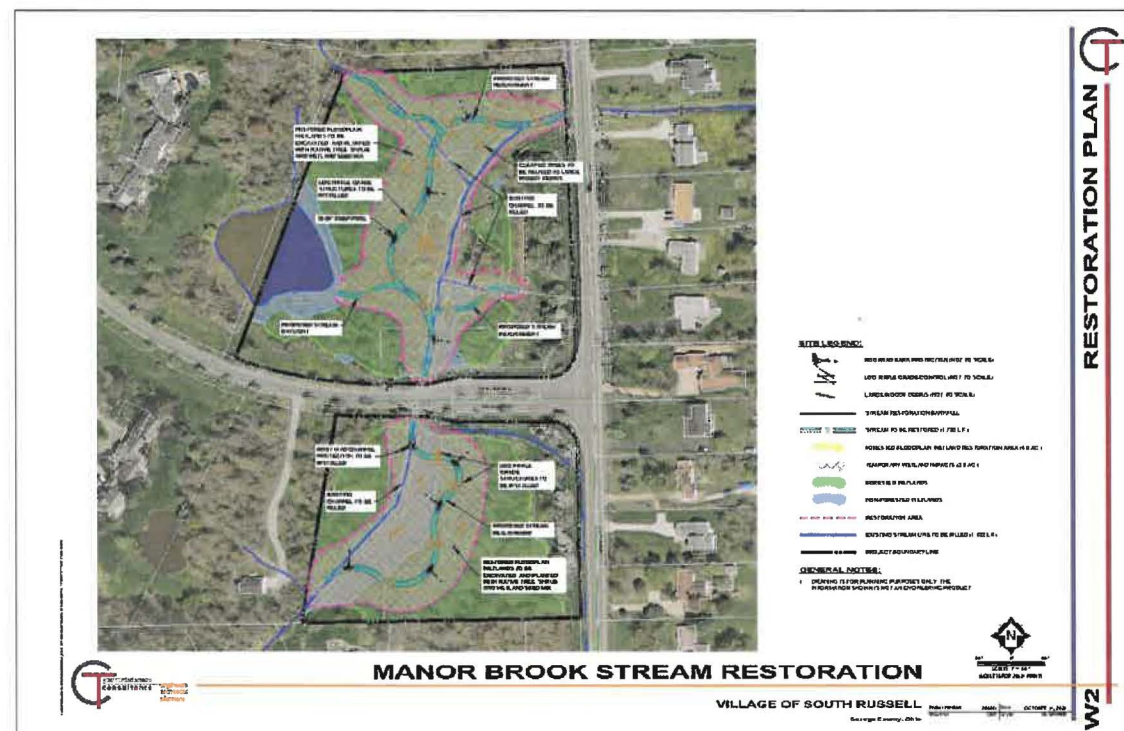








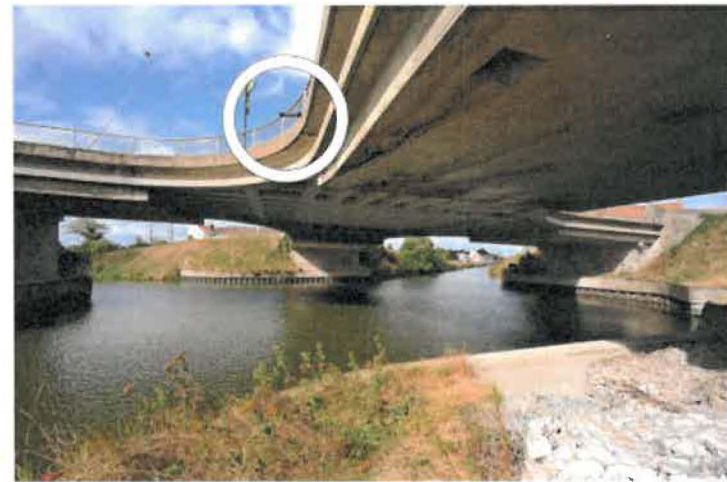
# Area of stream enhancement/flood plan



# Fox Run



This sensor, the culvert under Bell near Gurney, records storm water flow.

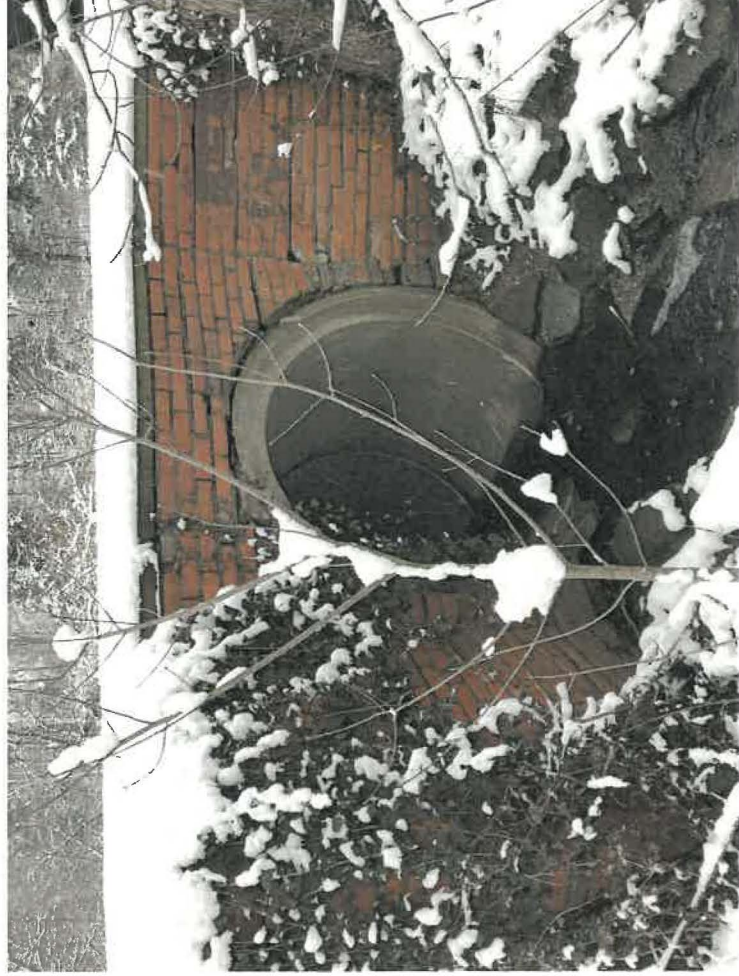


Dimensions, approx. (LxWxH)  
17" x 2.5" x 3.5"  
17" x 2.5" x 7.75" (with bracket)





## Sugar Bush culvert 2021



## Kensington Green's spillway



# Central Retention Basin





# Chagrin Lakes dam between Royal Oak, Maple Springs and Parkland



# Chagrin Lakes Dam



# Family Life Center Retention Pond





# Lantern/Sheerbrook Drive 2019



# Paw Paw Lake 4-18-2023



Paw Paw Lake ditch looking north from Bell





[REDACTED]



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Village of South Russell Zoning Legend

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- A color calibration bar featuring 30 color patches arranged in two rows of 15. The top row includes a grayscale ramp from black to white, followed by primary and secondary colors. The bottom row includes a variety of skin tones, natural colors, and a second grayscale ramp. Numerical values for colorimetric data (L\*, a\*, b\*) are printed below each patch.

May 2014