

**RECORD OF PROCEEDINGS  
SPECIAL COUNCIL MEETING  
TUESDAY, SEPTEMBER 19, 2023 – 7:00 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

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

**MEMBERS ABSENT:** Cavanagh

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

**VISITORS:** Richard Hannan, Manor Brook Dr.; Jeff and Paula Suzelis, Fairview Rd.; Claire Roush, Paw Paw Lake Dr.; Liz Manchester, Manor Brook Dr.; Robert O'Brien Jr., Paw Paw Lake Dr.

The Mayor called the Special Council meeting to order, and the Administrative Assistant read the roll. Cavanagh was absent.

The Mayor stated that five months ago, the first storm water meeting of the year was held. A slide presentation was displayed.

Porter provided a brief overview of the Manor Brook project. The State granted the Village some money to do the Manor Brook Phase I project, which is north of Manor Brook Dr. It was designed to reduce the flooding downstream of Manor Brook and take water from the eastern side of the Village and spread it out rather than channel it all in one direction. So far, it appears to be working as designed. There are a couple of things that still need to be done to include the planting of three trees in the “notch,” in the northwest area of the project. The Village will also be planting trees in the spring on the mound to help with screening. He asked the Street Commissioner how many trees would be planted, but the Street Commissioner was uncertain. The project appears to be operating successfully. The Mayor added that there was one heavy rain that tested it, and it worked as expected. Liz Manchester, Manor Brook Dr., verified the Village thought the project had worked and that trees will be planted to screen for the residents in the condominiums. The Mayor added that the trees would be planted on top of the opening for the culvert the Village installed. Richard Hannan, 229 Manor Brook, stated that he had lived there two years, but noted there was a lot of rain that has to be managed and moved somewhere. Although he does not have a long history, he advised that there was a lot of water in the back of his property. Berger clarified that 229 Manor Brook was part of the Whitetail Condos and the Mayor added that Hannan’s property backs up to the Gurney School playground. The Mayor asked if it was standing water, and Hannan explained it was flowing water. Galicki asked about the source of the water, and Hannan thought it was from the woods behind the school. The Mayor was unaware of this problem and said the Village will have to look at it. He stated that

the water from Gurney had been a problem for Waverly Dr. residents. He asked for Hannan's permission to walk his property after the next significant storm. Hannan agreed.

Manchester advised that the Erosion Special Improvement District (ESID) drainage project will begin October 1<sup>st</sup> for the condominiums in Manor Brook. The Mayor said this is a \$200,000 project and 29 residents are pitching in to do it. He explained that an ESID is a program where residents can get together to make improvements on their properties, putting it on the tax duplicate. They work together to cut costs.

Berger discussed the Central Retention Basin project. He explained it is located to the south of Village Hall. The purpose was to reduce and/or eliminate water flow over Chillicothe Rd. to prevent road closure, reduce or eliminate flooding in the stream to the south of the dental office after water crosses Chillicothe Rd., and reduce flooding into Chagrin Lakes which would go to the swim lake and then to Parkland Dam and beyond that. The concept was to take the water coming off of Kensington Green and Bullfrog Pond and to catch and hold on to it to prevent flooding downstream. The July 25<sup>th</sup> storm was described as a 100-year storm to a 500-year storm where the Village had a significant amount of water received in a short period of time. It served as a test example for the projects in that all of the issues were successfully addressed. There were no issues on the road or downstream. Parkland Dam residents did not see a noticeable rise in their lake. The Central Retention Basin is a detention basin designed to hold and release water over time. The Village feels good about the project. Grant money was received to do part of the project, and part of it came from the taxpayers. The Street Commissioner advised that according to the measuring stick in the Central Retention Basin, there was between four and five feet in the basin during the storm. Porter verified that it has 8.5 feet maximum capacity.

The Mayor addressed the status of the three Village ESIDs. Manor Brook is going. Regarding Parkland Dam, the Mayor explained that 11 people own a lake and at one point they needed \$400,000 to repair their dam. He did not know where it currently stood but did not think they were ready to do anything yet. Berger advised that they have contracted with a company to do the work and believe the program they have will be far less expensive than what was originally projected. They hope to have it done in October. The ESID was not working out for Country Estates, according to the Mayor. It is a neighborhood situation with three private lakes, which differ from the fourth lake which is the swim lake. They are fixing this pond and getting it dredged. Owners of the three private lakes do not want to do anything at this time. In the Mayor's opinion, they cause water to back up for the neighbors on Alderwood. The Village did what it could to address issues in Lake 1 because it catches the Village's water and takes it under the road. He suspected it will be an ongoing neighborhood issue.

Regarding the recommendation to install a bioswale in the northeast corner of the park, the Village will not pursue this. Silt removal conversations with Congressman Dave Joyce's office were unsuccessful in getting funds to address silt from Stafford Rd. and Haskins Rd. that flows through Bainbridge and stops in Paw Paw Lake. He summarized that the Village wants to

attempt to control silt being sent to the Village. Congressman Joyce's office encouraged the formation of groups to address this.

The Mayor addressed the quality of the septic systems for the Geauga County Health Department. He said the Village is looking into the situation. The Village has 14% of the homeowners that put water into the sewer system but found that we are providing almost 60% of the water. Something is wrong. There is seepage and they have been monitoring and trying to figure out what is going on with this. We do not know anything yet. People have looked into the situation and there is no summary yet as to what is going on. Something is not working properly. Galicki asked if the Mayor could define this because he was lost at 60% of the water. The Mayor explained that the Geauga County Health Department determined that almost 60% of the water seemed to be coming from 14% of the homeowners that were providing water to this area. Galicki asked if the Mayor was referring to septic systems, and the Mayor said no that it was about the sewer system. Galicki clarified that the Village residents are providing 60% of the sewer water that is going into the system, and the Mayor said this is what they think. The Street Commissioner further explained that it pertains to the infiltration of stormwater into the sanitary sewer system and overwhelms the McFarland wastewater treatment plant.

The Mayor addressed the installation of the four culverts across Chillicothe Rd. They are completed and there were no problems. Chillicothe Rd. was supposed to be paved by the Ohio Department of Transportation (ODOT) in August. He thought the work in Bainbridge was slowing this down and he did not think it would occur this year. The Street Commissioner offered that if it does not get paved, he will assess what needs to be done with the culverts.

The Mayor asked for concerns from resident. Jeff Suzelis, 114 Fairview Rd., said he has had water problems on his property since they moved to the home in 1991. At that time when they complained about the problem, they were told it was natural water flow. He tried to just deal with it by adding pipes and waterproofing. This past storm was tremendous, and it is not natural water flow because on Maple Ridge there is a big cement pipe that comes underneath the road into the ditch. Then there is a gravel swale that goes between two houses which leads right into their backyard. He hoped the Village would look at this and consider rerouting the water to go to one of the new culverts. On the west side of Fairview Rd., right across the street, there is a creek which used to go through the development years ago but had been rerouted and now goes through their basement and then back to the creek. Paula Suzelis explained that their neighbors also flooded during that storm. She understood that this was an unusual storm but thought it would be naïve to think there would not be more rainstorms in the future. She observed that there seemed to be no regulation of residents changing the flow of water on their own property which then impacts their neighbors. Galicki asked how much water they had in their basement, and she said it was over an inch. Jeff Suzelis added that this was with their sump pump working. However, the water came in through a basement window because the water was close to a foot deep in the yard. Galicki asked if the houses in the neighborhood are connected to the storm sewers, and the Suzelis' replied yes. Galicki verified they were not on septic, and the Suzelis' concurred. The Mayor concluded that it was probably just so much rain that got onto everyone's

property and there was no way for it to leave with no swale or ditch directing it away from the houses. Suzelis explained that the two houses on the west side of Maple Ridge have a swale, but it directs the water towards their house. He has added French drains and taken other measures over the years. The Mayor explained that the houses on Fairview to Maple Ridge get the water in their backyards. When there is too much water it gets into their basements. It is the same for Fernwood to Laurel. His concern was that there were residents just living with this issue. He speculated that a swale in the backyards might help to channel the water. A lot of people in that neighborhood have wet backyards. Suzelis indicated that when they first moved in prior to his interventions, a rain like the recent one would have left their yard wet for two months. He has done enough where the water is somewhat routed to the ditch. However, there is still so much coming. He hears about all the projects going on with the Village and wondered if the Village was sending more water their way. The Mayor doubted this based on the location. He thought it was a matter of swales that had deteriorated allowing water to go wherever it wanted. The Mayor proposed putting it on the Engineer's list evaluate. Porter proposed adding it to the next Public Utilities Committee meeting agenda. Berger asked the Suzelis' permission for the Village officials to walk their property. Porter asked the Street Commissioner if he had any historical knowledge of this area, and the Street Commissioner advised it would make sense that there was once a swale. He had gone to their property after the storm to understand what was happening but needed permission to go onto the property behind them. Public Utilities Committee will keep track of it and be in contact with Suzelis'. Galicki verified that the Suzelis' neighborhood has no homeowners' association (HOA).

Regarding Chagrin Heights, Porter asked if this was addressed in the stormwater study and update. The Mayor did not think so. There was discussion of the swales being on private property and whether there was an easement. The Mayor said that the area originally was supposed to be a common park area in everyone's backyard. He thought the situation was the same as experienced by residents on the other side of Bell Rd. where swales had deteriorated in various areas and water goes everywhere. The Village will be addressing this issue.

Robert O'Brien, Paw Paw Lake Dr., asked what South Russell's definition of a public nuisance is and how it relates to storm water issues. Porter said it is defined in the ordinance. O'Brien further elaborated that in the times a public nuisance has been declared in South Russell, what are the specific statutes that have been referenced? Porter answered that it was part of the South Russell code of ordinances. O'Brien clarified he was asking in terms of the Ohio Revised Code (ORC). Porter explained that the Village would refer to its own. As he recalled, they were very similar because the Village looked them over not long ago and they are very similar in the way they are written. The Solicitor said that it depends on the kind of nuisance being addressed, but it would be found in Chapter 37 of the ORC. The Solicitor thought they cited 3767 of the ORC but did not have the paperwork in front of her. She explained that it should be referenced at the end of the Village's ordinance. O'Brien asked the Solicitor to provide a definition of what is considered a public nuisance and what would qualify. The Solicitor offered to provide this to O'Brien.

The Mayor referred to his presentation to show how the Manor Brook 319 grant project should have looked. There was a problem with the timing of the grass planting. He added that the amount of water flowing into the two streams may have been underestimated. The plan is to make some changes which may involve putting in more rock to slow down the water. The Mayor referred to the presentation and explained that Phase II of the Manor Brook project is being considered by the Village. He also indicated the area where the Village will be digging a swale on Bell Rd. close to Russell Township.

The Mayor discussed the Hyfi meter that hangs over the culvert near Gurney School. It measures the water flowing through the culvert. It is picking up moisture and needs to be replaced. There are 50 of these across Northeast Ohio to measure water flow and have been helpful to entities like the Northeast Ohio Regional Sewer District and Chagrin River Watershed Partners (CRWP).

The Mayor continued the slide presentation of the Village projects, to include the Central Retention Basin construction, the Parkland Dam issue, and the Family Life Center. The Mayor explained that the Village went on to Bainbridge property with an agreement with the Family Life Center to clean out their silt pond. This is something the Village also did eight years ago for the first time. The Street Commissioner indicated that this was when the Family Life Center built it, and the Village was not involved.

The Mayor concluded that the remaining big issue is the situation of Paw Paw Lake. He acknowledged the efforts of the Public Utilities Committee and gave them credit for accomplishing the two big projects, leaving only smaller projects.

Berger stated that the next Public Utilities Committee meeting will be October 6, 2023, at 9:00 a.m. and is open to the public.

**ADJOURNMENT:** Being that there was no further business before Council, Berger made a motion to adjourn at 7:33 p.m. seconded by Bell. Voice vote – ayes, all. Motion carried.

  
William G. Koons, Mayor

  
Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki