

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 8, 2024 – 7:00 P.M.  
MAYOR WILLIAM G. KOONS PRESIDING**

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

**OFFICIALS PRESENT:** Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Alder, Solicitor Matheney

The Mayor called the Regular Council meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. **Porter made a motion to approve the Regular Council meeting minutes of March 25, 2024, seconded by Cavanagh. Voice vote – ayes, all. Motion carried. Porter made a motion to approve the minutes of the March 28, 2024, Special Council meeting, seconded by Bell. Voice vote – ayes, all. Motion carried.**

**MAYOR’S REPORT:** The Mayor distributed his report, which is Attachment A. He provided a PowerPoint presentation about a controlled burn. The Mayor acknowledged the passing of former Village police officer and Service Department employee, Ted Holt.

**FISCAL OFFICER:** The Fiscal Officer submitted her report. She provided details of the State Auditor’s Local Government Conference. Senate Bill 91, which went into effect on March 27<sup>th</sup>, was discussed at the conference. Training is now required of all elected officials and employees. It will be an online course and the completion certificate will be retained in the personnel files and audited by the State. Senate Bill 91 also addresses the process of contracting, specifically that it is not legal to enter a contract without the money having been appropriated and a signed purchase order having been generated. Furthermore, reporting fraud is now a requirement. Specifically, department heads, elected officials, supervisors, and any department employees that deal with money are required to report fraud on the State Auditor’s website.

The Fiscal Officer also attended ethics training at the conference. The topic of accepting gifts was addressed. It was recommended that gifts should not be accepted from vendors or people with whom the Village has contracts. Even if the gifts are small, values accrue over time making them substantial gifts. For example, the Solicitor advised past practice was that every Christmas/holiday, Thrasher, Dinsmore, and Dolan sent a container of cookies, candies, etc. This has stopped. There was discussion that the Mayor, elected officials, or department heads can take turns on their own purchasing donuts, etc. for meetings, but these items should not be purchased by a vendor/contractor. The Solicitor said she understood some may think this is silly, but these gifts accrue over time, thereby becoming something of substantial value.

The Fiscal Officer reminded officials that when there is a conflict of interest, that individual should not only refrain from discussion in a Council meeting, but in all meetings. This includes one-on-one meetings and committee meetings. The official cannot just recuse himself/herself from the vote, he/she must recuse themselves from all discussions of the matter.

Regarding Sunshine Law, round robin meetings are illegal. There was a lawsuit with the University of Cincinnati whereby it was determined it is unlawful to poll people individually one by one.

Virtual meeting participation is still not permitted.

Regarding meeting minutes, they must include enough details so that the public can understand the discussion and rationale, not just that there was a discussion and the outcome. The discussion needs to be documented.

Another relevant topic was that it is not permissible to simply accept a state bid. State bids, especially for federal grants, require producing all the documentation showing that all the federal bidding requirements were met. Simply saying that it is state bid is not acceptable.

The State Auditor and Treasurer were present at the conference and encouraged all local government officials to talk to their State Representatives about maintaining lower audit rates. The current rate is \$41 per hour, which is below regular audit rates. The Village is mandated by law to have an audit and it is important that the State Representatives know that keeping the audit rate low makes this process manageable for local governments.

The Fiscal Officer discovered that it is permissible for Council to approve one piece of legislation in the beginning of the year to approve transfers that had been approved with the budget in the fall. It would give her the authority to move the money as needed instead of doing transfers all year long, which holds up bills that need to be paid.

There were many grant sessions offered at the conference and the Fiscal Officer attended several. It was stressed that grants are easy to apply for and potentially receive, however, the burden was in the managing and the administration of the grant on the back end. It is necessary to understand the details, project length, and how long a project must be kept. For example, if the Village were to get a grant for a piece of equipment and reporting is required for 10 years, and the Village sold that piece of equipment within this time period, the Village must ensure that the buyer of the equipment is meeting all the grant requirements as a subrecipient. There are a lot of details with grants that must be understood before accepting them. The conference presenters emphasized that projects should not be created for available grants. Municipalities should have a list of projects they would like to do, and then find appropriate grants to fit the projects.

Canton referred to an item on the Fiscal Officer's report concerning a liquor permit, and it was explained that it concerned a change in ownership and not a change in the type of alcohol being sold.

Porter noted that there was \$6,000 in cemetery fees paid. The Fiscal Officer referenced Council's approval for an individual to purchase extra lots but added that the cemetery had been busy. Porter verified that the \$6,000 goes to the Cemetery Fund, and the Fiscal Officer concurred and explained that it accrues over the years either for expansion or to be used for supplies, materials, and the cemetery software. The wages for cutting the grass are also applied. She advised that there are 192 full lots and 84 cremation lots available. Both types of lots can potentially accommodate two burials, so she thought the Village is set for a while.

**FINANCE COMMITTEE:** Berger stated that the Finance Committee and Treasury Investment Board will meet Thursday, April 11<sup>th</sup> at 1:00 p.m. and will include the Meeder Investment advisor.

**Berger made a motion to acknowledge receipt and review of the April 8, 2024, credit card report, seconded by Galicki. Voice vote – ayes, all. Motion carried.**

**SOLICITOR:** The Solicitor had nothing to report.

**STREET COMMISSIONER:** The Street Commissioner submitted his monthly report. Bad Axe started the land clearing for the new salt dome site. Watts Excavating also started work on Fairview Dr. for the storm water improvement. Porter asked if there was a reaction from residents on Fairview relative to the ditch operation. The Street Commissioner said there was a problem with the marking of the water line. He will be meeting with the Chagrin Falls Water Department to discuss this. The Mayor noted that there was a loss of water on the first day.

**STREET COMMITTEE:** Bell advised that the Street Committee met on Thursday, April 4<sup>th</sup>. Bids were received for the 2024 Road Program. The base bid was for Southwyck Dr. with alternates of Countryside Dr. and Reserve Tr. On reviewing the bids, the committee recommends going with the base bid only, which came in at \$316,075 with Specialized Construction. This would be under budget.

**Bell made a motion to accept the bid for the 2024 Road Program utilizing Specialized Construction, seconded by Porter. Voice vote – ayes, all. Motion carried.**

Bell addressed the purchase of 15 new cemetery mats in the amount of \$2,850, which will be split between the Cemetery Fund and Street Fund. The Street Commissioner shared that he found a vendor locally who has thousands of them and offers them for 25% less than anyone else. He advised that the mats help minimize damage when the ground is muddy at the cemetery.

**Bell made a motion to fly the flags of the United States Marine Corps and the United States Navy in 2024 at the corner of Bell Rd. and Chillicothe Rd. in alignment with the Show Your Colors Program, seconded by Porter. Voice vote – ayes, all. Motion carried.**

Bell reported that last year for Earth Day, there was a group from the Federated Church that came out and the Street Department helped them with a clean up on Bell Rd. and Chillicothe Rd. They have asked if they can do this again this year with assistance from the Village on Sunday, April 21<sup>st</sup> from 11:30 p.m. until 3:00 p.m. This would require overtime for the Service Department employees. He thought overtime was under for the year and recognized the correlation between not only community clean-up but from a Public Utilities standpoint. Porter explained that cleaning up the ditches along Chillicothe Rd. and Bell Rd. helps with storm water as well as beautifying the neighborhood. It can also be reflected in the MS4 report to show community involvement in storm water. Cavanagh asked if police assistance would be required for the safety of the participants, and the Street Commissioner said the county provides everything. Cavanagh asked whether they would be working from the roadside or other side of the ditch. The Street Commissioner said it would be from the other side of the ditch and the Service Department personnel will do the ditch and the wet muddy parts. Cavanagh expressed concern about the traffic going by.

Galicki asked specifically what assistance was being asked of the Village Service Department. Bell explained that the Service Department would keep its flashers on. The Street Commissioner further advised that they pick up the bags and work with the group to clean up. Galicki noted that many other communities have volunteers and/or people doing mandatory community service who do the

ditches. They fill the bags, which are left in the ditches and then retrieved by a crew. With it being a volunteer activity, he wondered if the Village staff is needed for the overtime work. The Street Commissioner said that normally, the department personnel would do it themselves before the church group volunteered. Galick clarified that this would be done during work hours, and not on the weekend. Bell asked how much time was allocated, and the Street Commissioner said 11:30 a.m. to 3:00 p.m. Porter stated that there are 10 to 15 volunteers doing the work instead of the Service Department staff having to do it by themselves during the week. Porter said it seemed like they were making out even though it involved a tiny bit of overtime. The Solicitor verified the volunteers would be completing the required waivers. The Streets Commissioner concurred. **Bell made a motion to allow Federated Church to work with the Street Commissioner to execute trash cleanup on Bell Rd. and Chillicothe Rd. on Sunday, April 21, 2024, in observance of Earth Day and to allow Service Department employees who assist to receive their overtime pay rate, seconded by Porter. Voice vote – ayes, all. Motion carried.**

Bell stated that the next committee meeting will be Thursday, May 2<sup>nd</sup> at 7:30 a.m.

**BUILDING COMMITTEE:** Bell advised that the committee will be meeting Thursday, April 11<sup>th</sup> at 8:00 a.m. in the Building Department.

Berger asked how the City Force Software works that was installed last year. Bell conveyed that the Building Department Administrative Assistant is really happy with it. Berger added that accepting credit cards had been considered along with online payments and wondered if this was going forward. Bell would discuss this at the next committee meeting. The Fiscal Officer stated that according to the law, they can look into accepting credit cards but cannot make credit card payments mandatory. The Village must always accept cash according to a state law that went into effect last year.

**POLICE CHIEF:** The Chief reported that all went well with the eclipse and related gatherings. He shared more about Ted Holt and his police service.

**SAFETY COMMITTEE:** Canton advised that the Safety Committee will be meeting Thursday, April 11<sup>th</sup> at the Police Department at noon.

The Mayor asked if money had been allocated for crosswalks. The Chief and Fiscal Officer said no. He asked if they were going to be done, and the Chief said it was a Council decision. An updated proposal had been received, but it was not budgeted. The Mayor wanted to discuss this at the committee meeting.

The Mayor referenced a Chagrin Valley Times article about the need to increase the staff of the Chagrin Valley Fire Department and thought something would be coming to Safety Committee this year and they should be prepared. It looked like they were going to be looking for money.

**HR COMMITTEE:** Cavanagh said the HR Committee will be meeting on April 15<sup>th</sup> at 2:00 p.m.

**PROPERTIES COMMITTEE:** Cavanagh reported that the committee met on April 2<sup>nd</sup>. The Chagrin Falls Middle School Cross Country team requested two additional days to reserve the park. The new dates are September 3<sup>rd</sup> and October 8<sup>th</sup>. She felt it was wonderful they were using the park. The Mayor advised that they still need to submit paperwork for this. The Solicitor recalled

that the other dates were approved by Council. **Cavanagh made a motion that we set aside our South Russell Village Park on 9/3, 9/17, 10/1, and 10/8 of 2024 for the cross-country team of Chagrin Falls Schools, seconded by Canton. Voice vote – ayes, all. Motion carried.**

Regarding the Russell Township Master plan that was distributed at the last meeting, Cavanagh suggested chopping it up in sections and giving everybody an assignment. She and Canton will chew on this at the next Properties Committee meeting. The Mayor said that basically the idea would be for them to come with a recommendation for a Master Plan from CT Consultants. Berger added that it could also be from the company that did Russell Township's study.

**PARKS COMMITTEE:** Cavanagh reported that the Parks Committee will be meeting April 23<sup>rd</sup> at 7:00 p.m. in Village Hall.

The Mayor suggested putting a note in the Properties Committee file that the Village should put porta potties in the park in March.

**PUBLIC UTILITIES COMMITTEE:** Berger stated that the next Public Utilities Committee meeting will be May 3<sup>rd</sup> at 9:00 a.m. The committee met on Friday, April 5<sup>th</sup>, and a number of residents attended to voice their opinions about stormwater and rechanneling of water at Fairview Rd. and on Southwyck Dr. The committee agreed to go out and do onsite reviews with the residents. Cavanagh asked if the Southwyck issue involved their lakes, and Berger explained it pertained to a backyard which backs up to the First Energy property next to the park. The problem is that the road that First Energy put in has drainage running into their backyard. They have a separate drainage system for this, but it is not functioning as well as expected and the water backs up and creates a swamp. The committee will help with alternative solutions.

Berger advised that solar panels were discussed by the committee. With the previous project no longer being viable, they have gone back to looking at previous projects. The committee will be presenting a recommendation to do a smaller project for the Police Department involving installation of solar panels on the roof. It does not involve electronic vehicles (EVs) or battery chargers, but simply replaces power usage from the local power company with solar power. It is a smaller project, but the committee feels it is viable. There is money that can be put towards it. Porter said they would be introducing an ordinance for first reading.

As a special meeting, the committee will be walking 113 Fairview Dr. on April 19<sup>th</sup> at 8:00 a.m. if anyone wants to attend. For purposes of sunshining the meeting appropriately, he asked Council members to let the Fiscal Officer know if they plan to attend. The Solicitor clarified what would occur at the meeting and Berger said it would involve walking the property and discussing various options for storm water and water runoff between 113 Fairview and 600 Hemlock.

The Mayor asked the Street Committee and Public Utilities Committee to consider coordinating their meetings relative to attendance by the Engineer, who would be coming without donuts.

**ORDINANCES AND RESOLUTIONS:**

Canton introduced an ordinance authorizing the Mayor to enter into an amendment to an escrow agreement related to the Community Funding and Escrow Agreement for the Modernization of the Chagrin Valley Fire Department Fire Station and declaring an emergency. Canton made a motion

to waive readings, seconded by Porter. Roll call – ayes, Canton, Cavanagh, Porter, Bell, Berger. Galicki recused himself. Motion carried. Canton made a motion to adopt, seconded by Porter. Roll call – ayes, Canton, Cavanagh, Porter, Bell, Berger. Galicki recused himself. Motion carried. **ORD 2024-31.** The Mayor explained that Don Brown, a longtime South Russell resident, was the lawyer for the expansion but passed away. Steve Crandall has stepped forward to replace him.

Cavanagh introduced an ordinance approving the agreement between Aris Company and the Village of South Russell in an amount not to exceed a total of \$1,793. for seven months for portable restroom facilities and services in the Village, authorizing the Street Commissioner and Fiscal Officer to execute the agreement on behalf of the Village, and declaring an emergency. Cavanagh made a motion to waive readings, seconded by Canton. Roll call – ayes, all. Motion carried. Cavanagh made a motion to adopt, seconded by Berger. Roll call – ayes, all. Motion carried. **ORD 2024-32**

Canton introduced a resolution approving the countywide 9-1-1 plan per ORC 128.08. Canton made a motion to waive readings, seconded by Galicki. Roll call – ayes, all. Motion carried. There was a question of whether the legislation should be by emergency, and the Solicitor indicated it could be added to the resolution. Canton made a motion to waive readings and declaring an emergency, seconded by Galicki. Roll call – ayes, all. Motion carried. **RES 2024-33.** The Solicitor clarified that they had already waived readings and what they needed to do was change the motion to adopt to include that it was declared an emergency so it would go into immediate effect. The Mayor asked that this topic be put on the Safety Committee meeting agenda for Thursday.

Berger introduced an ordinance approving the Cost-Share Agreement with Chagrin River Watershed Partners regarding the Hyfi Water Level Sensor Network for the period January 1, 2024, through December 31, 2024, authorizing the Mayor to execute the Cost-Share Agreement on behalf of the Village, and declaring an emergency. Berger made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Berger made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2024-34**

The Mayor advised he received the Geauga Fresh Farmers' Market agreement too late to distribute to Council and suggested waiting on legislation until Council had time to review it. There was discussion that the legislation that had been distributed was from last year and that the Police Department had not reviewed a current diagram of the market's operation. The Chief indicated that the department does not review this. Porter proposed conducting a first reading. Cavanagh introduced an ordinance approving the operating agreement with Geauga Fresh Farmers' Market, Inc. for a license to use a designated portion of the parking area and driveways of the South Russell Village municipal property at Chillicothe Rd. and Bell Rd. as a farmers' and artisans' market for a not yet specified time period, from May through October, authorizing the Mayor to execute the operating agreement on behalf of the Village.

Bell introduced an ordinance authorizing the Mayor and Fiscal Officer to enter into an agreement with Specialized Construction, Inc. to perform the 2024 Village Road Program in the amount of \$316,075 and declaring an emergency. Bell made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Bell made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2024-35**

Bell introduced a resolution authorizing participating in the ODOT Winter Contract (018-25) for road salt and declaring an emergency. Bell made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Bell made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **RES 2024-36**

Porter stated that Council has been in receipt of three proposals for potential solar power for the Village. They are from Kokosing, Yellow Light, and Owl Energy Partners/IT Solar. As previously discussed, the committee is back to considering a smaller project that is more in line with the Village's needs and capacity. At the last Public Utilities Committee meeting, the proposals were discussed, and it was determined that the Yellow Light proposal appears to be the best at \$33,620 for a 16.4 solar project. Notably, there is a federal tax credit of \$10,000 for which the Village can apply. This would lower the cost to \$23,534, which is better than the other two providers. Porter introduced an ordinance authorizing the Mayor and Fiscal Officer to execute a contract with Yellow Light for the purposes of providing solar power to the Village as set forth in the Yellow Light proposal.

The Solicitor asked if the proposal was included in Council packets. Porter thought it was provided to all of Council. Council members offered that it was not. He suggested that Yellow Light be notified that the legislation is on first reading and the Village would require a contract before it could be passed as an ordinance. The Fiscal Officer added that it would have to be budgeted. Porter offered that there was \$6,000 remaining from last year's Northeast Ohio Public Energy Council (NOPEC) grant, and there is \$15,000 this year, part of which will be applied towards a new roof for the Service Department. However, next year's \$15,000 could be applied to a solar project. The Solicitor asked if it would be possible to include the terms and conditions for the next Council packet or if Porter could send it to her. Porter said he could, but the Mayor invited a grant writer to speak at the next Council meeting. She will talk about solar project grants. Porter asked the Mayor to email Yellow Light to get the contract and provide it to the Solicitor so that it can go on second reading at the next meeting. Porter wanted to get the project done before the end of June for maximum solar production. Bell requested that the Yellow Light proposal be included in the next Council packet.

#### **BILLS LIST:**

**Galicki made a motion to ratify the bills list of March 30, 2024, in the amount of \$29,882.46, seconded by Bell. Roll call – ayes, Cavanagh, Galicki, Porter, Bell. Berger and Canton abstained. Motion carried.**

**NEW/OTHER:** Canton, Cavanagh, Galicki, Porter, and Berger had no new business.

With the land clearing for the new salt structure, Bell addressed the matter of all the trees that had been cut down by the Village over the past few years. He noted that the Village had not really replaced all the trees. Trees serve many purposes to include storm water mitigation. Bell asked Council to consider something to replenish the trees in the future, and specifically for the Properties Committee to offer suggestions in the next few months. Cavanagh said she would discuss this with someone she knew with a degree in plant biology. Porter pointed out that with the Manor Brook project, the Village is planting 15 trees.

**ADJOURNMENT:** Being that there was no further business before Council Cavanagh made a motion to adjourn at 8:10 p.m. seconded by Canton. Voice vote – ayes, all. Motion carried.

  
William G. Koons, Mayor

  
Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki



## Mayor's Report for April 8, 2024 Eclipse Day

### The Burn PowerPoint

Former employee Ted Holt passed away last week. Please take a moment to think about Ted if you were fortunate to know him. We will speak more about Ted after the minutes are approved.

You have in front of you a diagram showing the village's organizational chart. The seven elected officials have an easy job. Just do what is best for the residents. Provide for residents' safety with good police and fire protection, keep the roads some of the best in northeast Ohio, and leave them alone.

Council meetings are where we make decisions that help us do what is best for the residents. At times we agree. At times we disagree. I am concerned that at times we are going from disagreeing to being disagreeable. When we come into this former church, let's leave egos and emotions at the door and deal with the facts.

On the back of the organizational chart is a spreadsheet showing a history of the park restroom. Kudos to former park board member Greg Pike who worked on this back in 2014. Greg passed away a few years ago. His daughter Libby has replaced him on the park board.

Kudos also to council member Canton for his persistent efforts to get a decent restroom at the park. Your patience and perseverance will hopefully soon be rewarded.

If we still do not have a decent restroom in 2025, let's put a note in the property committee file to order the port-a-potties in March. The park was packed on Saturday afternoon with a birthday party.

Congratulations to village residents Bob and JoAnn Royer who were recognized by the Chagrin Valley Jaycees as the Distinguished Service Award recipients for 2024. Chief Rizzo was the presenter of the award to Bob and JoAnn for their work to create the First Responder Day in Ohio which is May 24.

Congratulations to officer \_\_\_\_\_ who helped a neighbor with a health issue. The neighbor's wife was overwhelmed with professionalism and calmness in handling the situation.

The recent webinar on How to Bring Solar to Your Community is available if you would like to view it.

The Chagrin Lakes HOA is using the CT master stormwater study reports to make plans for SOME of their lakes.

The first planning meeting on the creation of .22 acre of wetlands south of the playground was held last week. Davey Tree will be hired with CRWP administering the project. Construction will begin in June.

Upcoming events:

Tuesday, April 9 and Wednesday, April 10, the USGS, the United States Geological Society, will begin testing on the well near Fawn Court and the well on Kensington Circle. These two wells are not used for domestic use.

Wednesday, April 10 at 11:00 are two opportunities for learning. The Ohio Ethics Commission will hold a webinar at the same time there is a webinar on Ohio Climate Change: Understanding Extreme Weather and Local Impacts

Wednesday, April 10, 5:30, I will be driving to the GCTA dinner. Let me know if anyone wants a ride.

Tuesday, April 16, 9:00 a.m. will be a walk in the park with Davey Tree employees to discuss a possible burn.

Thursday, April 18, there will be a meeting with our state representative to try to assist The Sleepy Rooster to obtain a liquor permit.

Saturday, April 20, 8-2 is the village-wide yard sale.

Monday, April 22, Elana Stachow from Power for Clean Energy Ohio will speak about solar projects.

Thursday and Friday, June 13-14 we are invited to go to the Empowering Local Leadership in Washington, D.C., to meet with Congressman Joyce and others. Thursday at 1 starts the events and things are over by Friday at noon. The village pays for your expenses. With the large amount of federal money available, I think we need to get someone to attend.

DATE	NAME	MALE FEMALE	WATER WELL	SEWER	ELECTRICITY	HEATED	LOCKED ELECTRONICALLY	SOLAR PANELS	OTHER	OTHER	COST AT DATE	
2014	CXT	X									\$ 41,000.00	
2014	ROMTEC	X									\$ 29,000.00	
2022	MORELAND HILLS CXT	X									\$ 63,600.00	
2023	PORTA POTTIES	X									\$ 1,300.00	
2024	PORTA POTTIES	X									\$ 1,800.00	
2023	CRWP	X									\$ 16,000.00	
2024	BALABAN	X									\$ 150,000.00	
2024	DUNNING										\$ 80,000.00	
2024	DUNNING	X	X	X	X	X	X	X			\$ 121,000.00	↓
2024	GREEN FLUSH	X	X	X	X	X	X	X			\$ 150,000.00	↓

# VILLAGE OF SOUTH RUSSELL

## ORGANIZATIONAL CHART

