

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 9, 2024 – 7:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Street Commissioner Young, Solicitor Jared Flynn, Engineer Haibach

VISITORS: N.D. Howard, Manor Brook Dr.

The Mayor called the meeting to order and asked for a moment of silence for first responders in light of the upcoming anniversary of 9/11 and then led the Pledge of Allegiance. The Fiscal Officer read the roll. **Porter made a motion to approve the minutes of the August 12, 2024, Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried.**

VISITORS: N.D. Howard, Manor Brook Dr., said it was about time the Village accepted the Prisoner of War/Missing in Action (POW/MIA) flag and fly it on a pole outside. Other area municipalities and the county fly it. He presented the flag to the Village and hoped to see it flying by September 20th, which is POW/MIA day. Howard asked how he would know that the Village would fly it, and the Mayor explained that the Village has specifications on the flags that are flown and it will be discussed at the next Park Committee meeting on September 19th at 6:30 p.m. at the pavilion.

MAYOR’S REPORT: The Mayor stated that on September 10th at 6:00 p.m., the Boy Scouts are having a recruiting event and have rented a climbing wall, which the Village has considered for the Fall Festival. Additionally, Thursday, September 12th, at 1:30 p.m., the annual park walk-through will take place with the Western Reserve Land Conservancy. He also mentioned the upcoming Northeast Ohio City Council Association meeting.

The Mayor distributed his report to Council. He discussed an Eagle Scout project that was completed and said the report contained lengthy lists of items for the committees and included Chagrin Valley Dispatch (CVD) and the Fall Festival.

FISCAL OFFICER: The Fiscal Officer distributed her report. Bell commented on an item in the report about the Budget Commission’s recommendation that the Village maintain a balance of 20% at the year’s end. He asked how far the Village would be from that. The Fiscal Officer explained that several years ago, the Village was warned about high balances, but at the recent hearing, the Budget Commission warned that the balances were now going too low and to be careful.

The Finance Committee met with the individual conducting the reserve study for the Village, and the hope is that this will help with the budgeting process going forward. The General Fund was 8%, Safety was 6%, Operating was 21%, Road and Bridge was high because the Village is not collecting those monies, Special Services Fund was 6%, and Capital was 17%. All three Budget Commission members commented on the balances decreasing.

Porter noted that the balances used to be too high and asked if they were now too low. The Fiscal Officer stated that they were going in that direction, but the Village had been doing a lot with storm water projects and next year the Village will have the salt structure replacement and Bell Rd. East. Although the salt structure estimate is around \$800,000, she was only able to put \$550,000 in the initial Tax Budget with the hope that the year-end cash balances will be enough to cover the difference. It will be necessary to watch this closely. She thought the reserve study will be helpful with establishing a plan instead of doing things as a knee-jerk reaction or on a whim.

The Mayor relayed that all three Budget Commission members commented on the good job done by the Fiscal Officer.

FINANCE COMMITTEE: Berger reported that there will be a joint Finance and Safety Committee meeting on Thursday, September 12th at 9:00 a.m. in Village Hall. The CVD renewal and a new program for body cameras will be discussed relative to increased costs. At 10:00 a.m., the committee will then hold its regular meeting to prepare for the budget.

SOLICITOR: The Solicitor had nothing to report.

ENGINEER: The Engineer reported that the Road Program was complete, and he prepared a final change order to adjust the contract from the \$316,075 award price to \$298,743.43 for a net surplus of \$17,300. He verified that the Reclamite vendor would honor an old quote for \$14,408 for application of the product on some of the previously paved streets. This will be a separate purchase order, but the cost will be within the awarded contract value of the Road Program.

There will be a bid opening Friday, September 13th at noon for the Bell Rd. East Culvert Replacement Project. He is aware that two familiar faces, Grade Line Construction and Mr. Excavator are plan holders and he looked forward to getting some good bids for the project.

Bell made a motion to accept the change order of \$17,331.57 with a purchase order for Pavement Technologies to apply Reclamite to Garden Park, Fairview, Ridgecrest, and Louise Dr. for \$14,708.75, seconded by Porter. The Mayor explained how the Village applied test patches of Reclamite in the Village, including Ridgecrest in Lake Louise, and the Engineer further explained that the Village wants to maintain the test patches to see the longevity of the product. The Engineer stated that the purpose of Reclamite is to prevent water from seeping in and saturating the asphalt. **Voice vote – ayes, all. Motion carried.**

Bell stated that there are some new cracks in the back of the salt dome and wondered if it is overfilled. The Engineer said that it may be stuffed to the gills, beyond the capacity, which is not helping the situation. If it is concerning, he will have a structural engineer look at it.

Porter asked the Engineer to comment on the process of going out to bid for the salt structure. The Engineer received correspondence from the CT Consultants architect that she is 85% complete and would like to meet to confirm she has covered all the bases. She will be in contact with the Street Commissioner to schedule this. The Engineer thought within a couple of weeks, the project would be ready to start advertising. The Village could solicit quotes or publish it and go out to bid with the understanding that the Village is looking for design build firms. This is beneficial because there are some firms that specialize in salt structures. It is important to have the specifications nailed down so that the Village gets apples-to-apples quotes from the design build firms. Once the

specifications are provided to the Village, the timeline begins. There was further discussion about the timing of the building of the structure.

Porter asked the Engineer about the status of the Ohio Public Works Commission (OPWC) grant for Fairview. The Engineer contacted the Geauga County Engineer's Office about the preapplication submitted by the Village but has not heard back. He was aware, however, that other municipalities are working on final applications based on feedback gleaned from the preapplication scoring. The Engineer will share the response of the County Engineer's Office when he gets it.

The Mayor asked if the Street Committee handled the flag policy. Porter clarified that the Village has an ordinance whereby Council votes on the flags to fly on the intersection corners. He did not know that it addressed the park or anywhere else. Galicki said it specifically pertains to what the principal flags will be on the four corners. He thought Mr. Howard's request was for Mayor and Council to go forward with displaying an additional flag as other communities do. There is nothing in the Flag Code that precludes it and is according to the preference of the Village. Canton and Cavanagh noted that the POW/MIA flag is flown at the cemetery. Porter suggested that the next Parks Committee meeting could involve a flag raising. Canton asked where Mr. Howard wanted the flag flown, and Galicki thought it was about it being displayed at Village Hall. Historically, the Ohio and National Flags were displayed. The Mayor's concern was that the POW/MIA flag was not an official American flag and asked what about the next group that comes and asks? Galicki thought that there may be official recognition of the POW/MIA flag, and it goes back to the Vietnam War. Canton thought it was proper to fly the flag. The Mayor suggested getting the information and taking it off the agenda for the Park Committee meeting because it is unfair to dump it on them when the Fall Festival is being planned. The Mayor said he would call Howard that they were going to delay while they gather the ordinance and information so they can talk intelligently about it. Galicki offered that Howard's main objective was to have the flag displayed on POW Day and suggested that consideration be given to displaying the flag on POW Day at the Village, which might satisfy Howard while the Village figures out the path forward. Canton agreed. Porter thought the park gets more drive-by traffic than Village Hall, and Galicki responded that Village Hall is the seat of government. The Mayor concluded that the information would be gathered because he did not want to expose the Village to having to fly the flags of other groups. Cavanagh thought Galicki was correct in saying it is an official flag. Galicki further discussed sanctioned and non-sanctioned flags. Berger stated that the Ohio Revised Code (ORC) Section 9.50 discusses display of the POW/MIA flag during normal business hours at public buildings and that it is recognized by the State of Ohio as an official flag and provides for how and where it should be flown. The Fiscal Officer added that the Village has Ordinance 2016-36 which states that the POW/MIA flag shall be flown in addition to the foregoing flags during the Memorial Day, July 4th, Labor Day, and Veterans Day holiday periods. Galicki indicated that Ordinance 2016-36 addresses the display of the American flags and service flags that are put up for the holidays, and this is a unique situation.

STREET COMMISSIONER: The Street Commissioner had nothing to report.

STREETS COMMITTEE: Bell suggested addressing the flying of the POW/MIA flag for POW Day. **Porter made a motion that the Village display the MIA/POW flag per the revised code provision sited by Councilman Berger on the occasion of POW Day, September 20th, at Village Hall on the main flagpole along with the American Flag, seconded by Cavanagh.**

Galicki clarified that it would be displayed below the state flag. Voice vote – ayes, all. Motion carried.

Bell addressed the Cintas agreement and legislation. The committee's recommendation was to rescind the ordinance and to examine what was and was not needed in that contract. Bell advised that the only issue was that Cintas provided a five-year contract, and it would be necessary to get a new contract. The Fiscal Officer explained that when she called Cintas to let them know that Council would be considering the options, she was informed that the contract that was signed was already submitted to Cintas, and they consider it the current contract. The expectation is that the Village will complete the five-year term. Galicki questioned the validity of the contract since it was entered into by the Department Head and not the Mayor and Fiscal Officer. Porter offered that Council ratified the Street Commissioner's action. The Fiscal Officer explained that when they ratified, Council provided a dollar amount, but the dollar amount will not cover the expenses. Either way, the issue must be addressed. Galicki also asked why laundering of the uniforms was not part of the contract. It came to his attention that Service Department staff had been washing their own uniforms. If it is a provision of the contract, the Village should hold Cintas to it. Canton asked if Cintas mended the uniforms, and Galicki said it is dependent on the contract. Galicki questioned whether Cintas was fully satisfying what the contract stipulates.

Bell asked if the Village was on the hook with Cintas, and the Fiscal Officer said that when the representative provided the contract in spring, the Village had 36 weeks left on the contract. He wanted the contract signed early in order to get his bonus. According to Cintas office, when the Village submitted the contract, the remainder of the old contract ended, and the new contract term began for five years. The costs of the Cintas services were discussed. Berger suggested that the Street Commissioner and the Streets Committee discuss the matter and if necessary, involve the Solicitor if the contract needs to be adjusted. The Mayor reviewed that the committee should discuss the contract and determine changes. He also suggested that the Solicitor determine whether it is a valid contract. Cavanagh asked for clarification about the yearly Cintas charges, and the Fiscal Officer said it was about \$8,700.

The Solicitor asked when the last Cintas contract expired. The Fiscal Officer reiterated that in spring when the new contract was presented, she was told the current contract had 36 weeks left on it. Regarding the \$6,000 specified on the legislation, the Fiscal Officer explained that at the time the legislation was being considered, Council did not know how much the contract amount would be and speculated that \$6,000 would cover it. The Solicitor noted that ratification was mentioned, and he wanted to be sure that if Council were to do something, they would not be further ratifying. Perhaps it had not been ratified because the original contract may still be continuing if it was unauthorized. He asked about the difference between payment under the original contract and payment under the new contract. The Fiscal Officer explained that the costs were basically the same, but there were a couple uniforms missing from it. When the contract was signed, none of those were addressed. The Solicitor recommended that in the interim until an answer was received that the Village should continue to pay under the old contract.

The Mayor summarized that the Street Commissioner and Street Committee will look into this, the Village will continue payment, and determine if there is a valid five-year contract or valid way out. Bell stated that the Street Commissioner made some good suggestions and asked that he look a little further into it.

During the Streets Committee meeting, the Street Commissioner asked if the Village would consider one or two 20-foot storage containers to store seasonal equipment. They would be placed behind the salt dome and could be painted to blend in with the existing nature. This would free up space in the Service Garage. Bell added that the Street Commissioner is having the staff take personal items home to make for more room. However, there is still not enough space for everything. The list price per container is \$1,800. Bell asked if Council would entertain such containers on the property. The Street Commissioner explained they are shipping containers that are 20-feet in length. Galicki verified that the proposal was to purchase and not rent them, which would be more of a long-term solution. Berger addressed the proposal of putting wings on the new salt dome for storage. If that becomes a reality, then what does the Village do with the containers? The Street Commissioner was under the impression that the overhangs on the new salt structure were 20-feet. The Engineer thought they were 18-feet, and open on three sides. Porter offered that the boxes could be sold when no longer needed and would be the solution to a long-term problem. They would be out of sight and are movable. The Mayor asked that the Street Commissioner come to the next Council meeting with a proposal to purchase two 20-foot shipping containers. Galicki asked if they are new or used and the Street Commissioner explained that they come in various grades, and he would look for something in the middle.

Bell asked that a joint meeting with the HR Committee be scheduled to discuss either a job description or a pay differential for a foreman position that could be assigned by the Street Commissioner in his absence for someone who would be in charge of the team, daily work, and oversight while he is gone. Bell said the concept of the pay differential in lieu of an actual title was the idea of the Street Commissioner, which provided flexibility. Concerning pay differentials, Galicki asked if this meant that when the Lieutenant stands in for the Chief of Police that there should be a pay differential or when the Administrative Assistant stands in for the Building Department Secretary who is at a higher rate of compensation, should there be a pay differential? As they have this discussion, Galicki hoped that they would go beyond the Streets Department because the rule should apply across the board. Bell said this would involve a question of what decision-making responsibilities were present and effect they would have on the Village. He did not know that they were all apples-to-apples. He could understand the Lieutenant but did not know about the other. Porter said the difference is that the Chief and Lieutenant are salaried. This pertains to an hourly employee of the Street Department taking on additional duties performed by a salaried employee. The same logic would hold true for the Administrative Department if someone was filling the Fiscal Officer's job while she was off on vacation, etc. Galicki offered that in industry, if the VP of Operations were to leave, he would provide instructions about what he wanted accomplished in his absence. Industry does not necessarily follow that model, and this would be unique topic for discussion. Cavanagh raised the point that a charge nurse earned no more than a regular nurse in the old days.

A date would be determined for the joint meeting.

The next Streets Committee meeting will be Thursday, October 3, 2024, at 7:30 a.m. in the Street Commissioner's Office.

BUILDING COMMITTEE: Bell reported that the committee would be meeting Thursday, September 12, 2024, at 8:00 a.m. in the Building Department.

POLICE CHIEF: The Chief submitted his monthly report. He received an architectural drawing for the proposed garage. The Building Inspector wants to increase the thickness of the concrete slab to a 6" minimum due to the weight of the truck. The drawings are being sent back to include lights and electrical which were omitted.

The Mayor advised that the Chagrin Valley Times mistakenly identified the Bike Committee as an ad hoc committee. The meeting that was held Friday, September 6th, and the group has determined that they do not have to be an ad hoc committee under the control of the Mayor. There will be another meeting with them on September 27th at which time he will explain that if they are going to be an ad hoc committee under the control of the Village, websites, newsletters, and use of Village Hall comes with that. He thought they wanted to be more independent, and they may go off and become like the old Safe Routes to Schools committee that Chagrin had. The Mayor commented that he was going to look in three or four months to see how the committee worked and whether we wanted to do this. It is basically the same procedure we did with the Park Committee. Some people were brought together, and the Village saw how it worked, and eventually created an ad hoc Park Committee. He did not know that would happen with this Bike or Safe Routes, or whatever they will become. Bell clarified that if they are an ad hoc committee, they must follow the sunshine rules. The Fiscal Officer clarified that regarding the Park Committee, the Village purchased the park in 2006-2007 and the Park Committee was formed in April 2008. Additionally, there have been bike committees in 1973 and 1992, and 2008 with the schools, although it was not clear whether they were ad hoc. In 1992, a levy was on the ballot for that purpose, and it failed. At that time, the estimate was \$1.2 million to build the trail. Galicki offered that \$100 in 1992 is \$255 today, which would bring the cost to roughly \$2.5 million difference. Cavanagh attended a couple of the meetings of the 1992 group. At the time, the turn lanes had been installed which ultimately would mean increased wait times with pedestrian crossing. The Mayor said the individuals involved with the current group are impressive and well organized and could see them being equal to the Park Committee.

The Chief explained that with National Walk to School Day, the police assist with participation by the Chagrin Lakes community. The Bike group would like to piggyback onto this event for the upcoming event, to which the HOA has agreed. Their original intent was to walk from the park to Gurney School on Bell Rd., but the Chief refused given the safety issues with having small children on Bell Rd. at that time of morning. Instead, they will meet at Chagrin Lakes Park and walk across the street to Gurney. Bell Road will be shut down for just a matter of minutes.

Regarding the 1992 Bike trail proposal, Galicki advised that the Village did not have a park at that time and wondered how long the bike path was supposed to be, and the Fiscal Officer saw handwritten on the document 3.1 miles, but she did not have the specifics or read through everything.

The Mayor stated that the current group has a good idea, and he thought the Village could work with them. He further stated he was having a meeting Friday, September 13th with Ed May from the Northeast Ohio Area Coordinating Agency (NOACCA) to look at funding and different things. One of his concerns is that surrounding areas received money for salt domes, parks, and solar panels and he thought there was a lot of money out there.

SAFETY COMMITTEE: Canton advised that the committee will be meeting Thursday, September 12th at 9:00 a.m. in Village Hall with the Finance Committee.

The Mayor said that in the spring, the Chagrin Valley Fire Department had a big article in the paper about what they are doing in adding personnel. He asked if the Village had heard anything from them as far as costs for next year. The Fiscal Officer explained that the Village currently has a contract through the end of 2025.

HR COMMITTEE: Cavanagh addressed the need to make a motion to approve expenses and retirement luncheon for Street Commissioner Alder to be held 9-30-2024. She thought \$400 had been set aside, but more money was needed because of more guests. The Mayor and Fiscal Officer indicated nothing had been set aside/approved. Cavanagh said she and the Mayor discussed the matter and agreed on not to exceed \$700 for the event. **Cavanagh made a motion to approve expenses for the retirement luncheon for Street Commissioner Alder to be held 9-30-2024 not to exceed \$700, seconded by Porter.** The Mayor indicated that the quote from the caterer was for \$400 and there would be drinks and a cake and if there is a big turnout, it could be \$700, but he doubted it. Porter asked about the venue and time, and the Mayor said it would be in the Service Garage and the tentative list of guest would be all members of Council, all the employees working that day, the Park Committee because it is a thank you to the Park Committee for the Fall Festival, the people who worked the Fall Festival like Chagrin Pet and Garden employees, and the Street Commissioner has 8-10 people he would like to invite. It will be at 11:30 a.m. Berger asked if something like this had been done previously for a Department Head, and the Mayor concurred. Berger further asked if there was a policy statement about such events and the Mayor said no. The Fiscal Officer explained that the HR Committee is working on a policy concerning Elected Officials and Board Members, but there is nothing for employees. Traditionally, if the employee had been with the Village and retires from the Village, a luncheon has been held with elected officials, employees, and the retiree's immediate family. It has been held at the park and the service garage. **Voice vote – ayes, all. Motion carried.** The Fiscal Officer clarified that this will be at the service garage and the Mayor will provide a guest list, and the Mayor concurred. Canton verified that there would also be a coffee and donuts event for the retiring Street Commissioner in the morning, and the Mayor concurred and said it was the same thing done for the former Street Commissioner. The Fiscal Officer noted that this should go in the newsletter and asked who was invited. The Mayor said for anyone who wants to drop in from 7:00 a.m. – 10:00 a.m. The Mayor further advised that there would be a formal invitation sent out as well as hand delivered to certain people to include people from Chagrin Falls and Russell Township as well as Matt Brett.

Cavanagh made a motion to approve additional funds for attendees of the OML conference not to exceed \$1,100 (\$344 for hotel; \$500 for the conference, and \$205 mileage), seconded by Berger. Voice vote - ayes, all. Motion carried.

Cavanagh reported that the committee met on August 15th and the minutes were distributed.

Cavanagh advised that regarding job descriptions, she was still unclear about the Position Analysis Questionnaires (PAQ). The Fiscal Officer explained that the PAQs were for all employees to explain what their duties are. These are compared with the corresponding job descriptions to prepare job descriptions.

The next HR Committee meeting will be held Friday, September 13th at 10:00 a.m. The foreman position will be discussed.

The Mayor proposed that the committee consider a summer employee to take care of the park and do some mowing. The Service Department staff does a good job, but he has a problem with paying someone \$40 an hour to cut grass. Berger suggested that the Street Commissioner and Street Committee weigh in on the matter.

PROPERTIES COMMITTEE: Cavanagh stated that the Properties Committee met on August 11th and the minutes were distributed. Two park trash cans have been ordered. Regarding the ordering of the park restroom, the former Street Commissioner emailed the order but had not heard back and there is a question of an email glitch. Cavanagh reported on the new wetland in the park, and she did not think it looked bad. The Engineer clarified that it was a stream restoration and not necessarily a wetland. Cavanagh also addressed the consolidation of the corner parcels. The Fiscal Officer did not have an update but advised that the paperwork to document the demolition of the buildings on the property had been submitted to keep the process moving forward. The county had not been previously notified that the buildings were demolished. The paperwork was received by the county and forwarded to the state. Cavanagh stated that the next Properties Committee meeting will be Friday, September 13th at 3:15 p.m.

PARKS COMMITTEE: The committee met on August 22, 2024, and are moving forward on the Fall Festival. There is an insurance issue, and the Village wants all participants to have their own liability insurance. This is being discussed. The Mayor reported that Ted Kruse said he did not want to be a part of the Fall Festival. He usually has a tent with an apple cider press. Kruse proposed that the Village get insurance and hire him. A call was received from the Haney Band and they do not have insurance and do not plan to get it. They conveyed that it was the Village's job to get the insurance. The Mayor contacted the Geauga County Fair and they have trailers that are used to transport people from their cars to the gate, and the Mayor asked if they would consider allowing the Village to use them in place of the hayrides. The Mayor felt that if there would be no hayrides or a band, would Council want to keep doing the Fall Festival? Galicki offered that there were still hotdogs, bouncy houses, etc. Porter asked about the Lifeflight helicopter, and the Mayor said they had not yet confirmed but he applied a month ago and they are coming. Cavanagh relayed that the bouncy house vendors are paid to bring them to the festival where Kruse has been kind enough to donate tractor use, hay wagons, fuel, cider, etc. She appreciated his contributions over the years. Porter could not imagine they would cancel the Fall Festival. Galicki thought that people would enjoy it for what it is no matter what there is for entertainment. A hayride should not mean success or failure. The Fiscal Officer advised that the Village had to provide proof of insurance in order to use the Gurney parking lot. Insurance was received from the Hawaiian Guy and the ice cream truck and are in the process of getting it from the Flower Entertainment and A-1 Mr. Limo. The Fiscal Officer verified that Chagrin Valley Fire Department and Lifeflight were coming, and Canton said the fire department was set, but the Mayor had not received confirmation but they come every year. The Mayor said there would be a meeting on September 19th at 6:30 p.m. at the pavilion to finalize the Fall Festival plans. Porter summarized that the Village may wish to consider having insurance coverage for the hayride, cider press, and the Haney Band. The Mayor explained that the Solicitor advised that every person who rides the hay wagon should sign a waiver form. As an alternative, Berger wondered if the Village could post a sign for people getting off the bus for the Fall Festival notifying them that they enter at their own risk because there are events like the hayrides, etc. that could be a danger to them. Regardless of whether they sign a waiver or not, they will still sue. Perhaps posting a sign is sufficient. People love the hayrides and activities, and the Village should make it as big an event as possible. Porter added that there are always people on the hayrides who have never been to the south side of the park. Galicki asked how the insurance requirement matter

came up. The Fiscal Officer explained that over time there are more lawsuits and as a result more places require the proof of insurance. The Village's insurance published an article about hayrides and coverage. She contacted the insurance company to see if the Village's insurance would cover Kruse, and found that they would not, but Kruse could apply for his own event insurance. The Village could pay for it, but the insurance would have to be in Kruse's name, and he would have to apply for it as would the Haney Band. The other vendors provided the insurance. Porter added that Kruse provides all of the equipment through his business, Chagrin Pet and Garden, and would probably have a commercial general policy that would cover the Fall Festival activities as well. The Solicitor offered that this may be the case, but if it were considered an amusement ride, it would be not included in a general policy. Ultimately it is about risk aversion and insurance is the last backstop. Council can decide about the level of risk they can tolerate for the Village. From his experience, bounce houses must be insured. The hayrides should also be insured. Whether a waiver is needed or not, is up to the Village. He cautioned that the Village would be sued if there is an injury and that is why insurance is important and the Village should be covered. Coverage for the band is questionable, but the rides must be covered. The Mayor proposed that he would speak to Kruse about getting insurance for the tent and the cider. He asked if Council wanted to go with Kruse for the hayrides. Cavanagh and Porter said they did, and Porter added that the Village should do the right thing all the way around. The Mayor reiterated that he would speak to Kruse about the hayrides as well. He suggested that the Village hire Kruse in exchange for asking him to get insurance. Kruse would be hired like any other vendor. The Fiscal Officer offered that it may not be an additional expense for Kruse because he may already have coverage. For the Gurney parking agreement, a certificate of liability insurance was obtained and cost the Village nothing.

Galicki asked the Mayor to clarify what he meant by hiring Kruse. Porter explained that when the Village hires a vendor, they bring their own insurance. Galicki thought the Mayor said that Kruse balked at providing insurance, and the Mayor concurred. Galicki was unclear about hiring Kruse and questioned whether this would mean that he would fall under the Village's insurance or insurance would be waived, but ultimately, he thought this muddied the waters. Porter agreed.

Berger asked if Council could agree that there was no reason for the band to have liability insurance. Cavanagh relayed that the band refused to get insurance and chose not to perform. Berger thought there was minimal risk. **Porter made a motion that the Haney Band not be required to show insurance for the purposes of the Fall Festival 2024, seconded by Berger. Voice vote, ayes, all. Motion carried.** The Chief offered that for the Car Show, the Police Association obtained a \$1 million policy, and it cost \$333 for one day.

The next Park Committee meeting will be September 19th at 6:30 p.m. at the pavilion.

PUBLIC UTILITIES COMMITTEE: Berger noted that the committee will be meeting on Friday, September 13th at 9:00 a.m. in Village Hall and not September 15th as reflected in the committee minutes. The committee met on August 15th and the minutes were distributed.

Porter announced that the 40-panel solar panel array was installed on the Police Department roof last week. It is being coordinated with the upgrade to the Police Department power supply. First Energy will play a part in connecting the system to the grid. After this occurs, the Fiscal Officer can file for the reimbursement from the federal government for defraying the cost of the solar panels. He praised the Chief, Mayor, and Streets Department for a true community effort with the installation.

Cavanagh asked if the residents on Fairview Rd. are happy with what has occurred there with drainage. Porter said that thus far, the Village's efforts have been successful in significantly reducing the flooding problem on Fairview. The ultimate solution is the piping between the culvert shared by South Russell and Russell Township. He reported that he attended the Russell Township Trustee's meeting and brought them up to speed on the Ohio Public Works Commission (OPWC) funding. Their reaction was whether or not South Russell gets the OPWC money, Russell is interested in defraying half the cost. Porter said the committee would consider going forward with the project this year without the OPWC funding. The Engineer urged Porter to wait to find out about the funding. Porter pointed out that Russell is interested in paying for half the project whether the Village gets the money or not. The Engineer explained that if the Village gets the OPWC money, it cannot proceed with the project until after July 1st of next year. Porter said that the Trustees were surprised by this news and wondered why the Village would not proceed with the project to benefit its residents without the OPWC money because the Russell residents are also being affected. Galicki clarified that it is first necessary to get the grant before starting the work. The Engineer stated that if the work gets started, the Village will not get the grant. Porter stated that the Village could do the project without the money. The Fiscal Officer reminded Porter that the Village's balances are decreasing. Porter said he understood, but when the Village waited on grant money for the restroom and did not get it, the Village paid double. He thought the Trustees' point was that if the residents need it, why won't the Village do it since Russell Township would pay for half. Russell was supportive, although they did not take a vote because they want hard numbers.

Berger reported that he drove through the Fairview Rd. area and said the ditch had been cleaned at 113 Fairview and the water is flowing well. Porter added that since the Service Department cleaned the pond it is retaining water.

The Mayor relayed that Impullitti installed the trees at the corner of Manor Brook and Chillicothe Rd. as part of the flood plain construction project. They are planted on top of the culvert which was intended to reduce the sound and view for nearby residents.

ORDINANCES AND RESOLUTIONS:

Bell introduced a Resolution of Appreciation for Timothy Alder. 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. 2024-81**

Berger introduced a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor and declaring an emergency. Berger made a motion to waive further readings, seconded by Galicki. Roll call – ayes, all. Motion carried. Berger made a motion to adopt, seconded by Galicki. Roll call - ayes, all. Motion carried. **RES 2024-82**

Canton introduced an ordinance approving the event contract between A-1 Mr. Limo Inc. and the Village of South Russell for trolley services for the 2024 Fall Festival in an amount not to exceed \$696, ratifying the Mayor's execution of the event contract, and declaring an emergency. Canton made a motion to waive readings, seconded by Cavanagh. Roll call – ayes, all. Motion carried.

Canton made a motion to adopt, seconded by Cavanagh. Roll call – ayes, all. Motion carried.
ORD 2024-83

Cavanagh introduced an ordinance approving the application for valuation deduction for destroyed or damaged property for the buildings demolished at 1208 Bell Road, ratifying the Fiscal Officer’s execution and submission of the application, and declaring an emergency. Cavanagh made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Cavanagh made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2024-84**

Canton provided a second reading of an ordinance amending Chapter 646 Parks of the Village of South Russell’s Codified Ordinances.

The Mayor stated he had been investigating the Power a Clean Future organization and will be discussing this with the Public Utilities Committee about untabling the resolution.

BILLS LIST: Berger made a motion to ratify the bills lists of August 15, 2024, in the amount of \$92,743.87 and August 30, 2024, in the amount of \$16,555.76, seconded by Galicki. Voice vote – ayes, all. Motion carried.

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

The Fiscal Officer asked for clarification about the October 21st meeting regarding the park. The Mayor said it would be a Parks Committee meeting to discuss the management of the park, in particular about the burn and other items. It will be at 6:30 p.m.


Regarding the Northeast Ohio Public Energy Council (NOPEC) grant funds, the Village applied for all of the available funds reimbursed for the Service Department roof. They have been awarded but not yet received.

Bell noted that two upcoming Council meetings fall on federal holidays, October 14th and November 11th. **Bell made a motion to move the November 11, 2024, regularly scheduled Council meeting to Tuesday, November 12, 2024, at 7:00 p.m. in Village Hall, seconded by Berger. Voice vote – ayes, all. Motion carried.** The Mayor advised that the Veterans Breakfast would remain on November 11th.

ADJOURNMENT: Being that there was no further business before Council, Cavanagh made a motion to adjourn at 8:42 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki